

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 2ND DAY OF NOVEMBER, 1976, AT 5:00 PM

On the 2nd day of November, 1976, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Room at City Hall with the following members thereof, to-wit:

Pitser H. Garrison	Mayor
R. A. Brookshire	Commissioner, Ward No. 1
Pat Foley	Commissioner, Ward No. 2
Jack McMullen	Commissioner, Ward No. 3
E. C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
E. G. Pittman	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	City Secretary

being present, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Hayne Stokes, Director of Public Works, City of Lufkin, Texas.
2. Mayor Garrison welcomed a large group of visitors who were present in connection with items on the agenda or as observers, to include Girl Scout Troup #457 and members of a local Boy Scout Troup.
3. Beautify Lufkin Council Members-Presentation of Awards

Mayor Garrison stated that several members of the Beautify Lufkin Council, to include Mrs. Emily Shelton, Mrs. E. W. Leach, Mr. Larry Ross, Mr. Ed Wagoner, were present in representation of this group. Mayor Garrison stated that other members of Beautify Lufkin Council, to include John Courtenay, Walter Atwell, Will Zbranek and Joe Byrd, could not be present at this meeting. Mayor Garrison stated that these individuals had been directly responsible for the City of Lufkin's award-winning effort in the Governor's Community Achievement Award in 1972-73 and the Award of Excellence in 1973-74 Beautification Program. Mayor Garrison further stated that this Commission had obtained a certificate of recognition in 1976 when the City of Lufkin ranked second and honorable mention in the Janie Briscoe Bicentennial Awards in 1976.

Mayor Garrison then presented members of this Commission, who were present, individual awards for their accomplishments as members of the Beautify Lufkin Council and thanked each member for their contributions in this regard.

4. Approval of Minutes

Comm. E. C. Wareing made motion that minutes of regular meeting of October 19, 1976, be approved. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

5. Entex, Inc.-New Franchise Approved 2nd Reading

Mayor Garrison stated that proposed franchise request by Entex, Inc., had been approved on first reading of ordinance during regular meeting of October 5, 1976, and Mr. Bill Presswood and Mr. L. A. Douglas were present in behalf of Entex, Inc., who were considering second reading of proposal for 25-year franchise. Mayor Garrison indicated that it was his understanding Entex officials were in agreement with previous 25-year franchise as proposed by City of Lufkin.

Mayor Garrison recognized Mr. Bill Presswood who stated that his company was in agreement with this proposal and no further information was requested or presented.

Comm. W. O. Ricks, Jr., made motion to approve 25-year franchise request for Entex, Inc., in accordance with proposal as approved on first reading. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

6. Zone Change Approved 2nd Reading-R. E. Grimes from RL to RM Dist.

Mayor Garrison stated that zone change application by R. E. Grimes from RL to RM District covering property located South of Diana Drive between Diana Drive & Slack Street & East of Wallace Street, had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to zone change application. Comm. Jack McMullen made motion that zone change application by R. E. Grimes from RL to RM District be approved on second and final reading. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

7. Morris Frank Park-Disc. of Preliminary Master Plan-Postponement of Decision to Submit Grant for Texas Parks & Wildlife Funds

Mayor Garrison recognized City Manager Westerholm who reviewed plans for the full development of Morris Frank Park which had been prepared in cooperation with Bill Windsor of Lufkin Baseball Association and James Moffett, Athletic Director of Lufkin Independent School District. City Manager Westerholm stated that he and Finance Director Royal Dunlap had visited with Texas Parks & Wildlife Department and they were encouraged with the availability of funds for this project. City Manager Westerholm explained that the Parks Commission would be meeting in March and October, 1977, to consider grant offers, but applications should be prepared prior to January 1, 1977, to give the City an opportunity to budget its share of same in the 1977-78 budget. City Manager Westerholm explained that the development costs for Morris Frank Park would be somewhere between \$350,000 and \$426,000, one-half of which would be the City's share of the grant program.

City Manager Westerholm stated that these plans were as far as the City could go until City Commission authorized the preparation of an application for funds from Texas Parks & Wildlife. Mayor Garrison explained that previous improvements to the fields in this area had been completed by the baseball association with the exception of \$7,000 contributed by the City Commission for the construction of a concession stand in the recent past, to include some maintenance work provided by the City. Mayor Garrison stated that the baseball association should be complimented for their efforts and the City Commission should strive to improve the facilities at this location.

Mayor Garrison recognized Mr. Bill Windsor, President of Dixie Youth Baseball Association, who stated that he was pleased with the proposed plan as submitted. Mr. Windsor explained that if this proposal was completed, he desired it be similar to program in Nacogdoches which gave authority to the baseball association for upkeep of fields and the City would furnish the facility.

Comm. E. G. Pittman inquired of City Manager Westerholm if the new facility would provide more fields than presently existed. City Manager Westerholm stated that the proposed change would not involve additional fields.

Mayor Garrison suggested, at this time, that the baseball association members, who were present, meet with the Parks & Recreation Director and other representatives in another room prior to adjournment of this meeting for discussion of proposed plans and report to the City Commission later in meeting.

Further discussion of this item was then tabled until later in meeting when Mayor Garrison again recognized baseball association members.

Mayor Garrison recognized Mr. Bill Windsor who reported that individuals in representation of baseball association had reviewed proposed facility plans. Comm. Pat Foley expressed his opinion that more time to study the plan should be made available to members of Commission, with specific regard to breakdown of funds for individual expenditure items.

Mayor Garrison recognized Mr. Max Griffin, Parks & Recreation Director, who explained that many of these costs, as indicated in proposal, could be drastically reduced to include development of construction plans, contingency plan and administrative and supervision costs. Mr. Griffin explained that seating had not been included in the plan because, at the present time, information was not available as to whether or not seating would qualify under grant funding.

Comm. R. A. Brookshire inquired as to whether or not LISD would participate in this program and suggested that the City staff send representatives to discuss same with LISD Board members prior to discussion of this grant at next regular meeting.

Comm. W. O. Ricks, Jr., inquired as to whether or not money would be saved on this project if City work forces were utilized. Mr. Griffin stated that 30 to 35 percent of this money could be saved through forced-account system.

Comm. R. A. Brookshire made motion to authorize City Manager Westerholm, Max Griffin and baseball association personnel to obtain information from LISD Board regarding whether or not LISD would participate in this program and to what extent contributions could be made toward same prior to discussion at next regular meeting. Motion was seconded by Comm. E. C. Wareing.

Prior to vote on motion, Comm. E. G. Pittman asked that this report also include a figure for seating and various costs of project, to include curb and gutter and other items that were not included in report.

A unanimous affirmative vote was then recorded to previous motion and second. Mayor Garrison thanked members of baseball association who were present and extended appreciation of City Commission for the baseball association's contribution to Lufkin's program.

8. City-County Jail Project-Postponement of Decision to Join in Proposal

Mayor Garrison recognized Mr. John Pounds, Assistant to County Judge Claude Welch, who introduced Mr. Sam Bates of a Dallas engineering firm, who had been contracted by the County Commissioners' Court to conduct a study regarding a County jail project. Mr. Pounds stated that Mr. Bates would answer any questions members of Commission may have and Mayor Garrison recognized Mr. Bates who presented information concerning proposed County jail project. Mr. Bates stated there was a definite need for a new County jail facility, but he was not aware of the specific needs for a City jail facility. Mr. Bates indicated that he represented Prendall Patrick and also the local architectural firm, Weiner, Hill, Morgan & O'Neal, who were associated with the County jail study in completion of an interim report which had been submitted to the County depicting only the County needs.

Mr. Bates stated that the main reason the County desired the City consider joining in this project, was to enhance the approval of funds from the LEAA. Mr. Bates stated that the LEAA was more prone to support a double application of both a County and City unit and the City could also concentrate communications into one location, all of which would save considerable cost for both governments. Mr. Bates indicated that the proposed project would contain 60 beds for the County, but information which would have to be required from the City must be obtained from a special investigating team sent to the City requiring approximately two days for accumulation of information to be used in report. Mr. Bates reviewed the complexities of this system as required by LEAA, the costs of which equaled approximately \$25,000 per bed. Mr. Bates stated that Texas standards would allow construction of the project at approximately \$10,000 per bed. Mr. Bates stated that the LEAA furnished a Phase I study which could be arranged for financing through the LEAA and Phase II study regarding contract documents. Phase III, construction phase, could be financed through a 50-percent matching grant. Mr. Bates emphasized that the main reason for high costs was due to the high standards established by the LEAA.

Mayor Garrison stated that it seemed no action could be taken at present until engineers could show what exact costs would be incurred by way of comparison.

Mr. Bates explained that these savings would be described in the Phase I study, but at present, the County only wanted to know as to whether or not the City would be interested in joining in this project under the Phase I aspect to determine whether or not the overall joint project would be accepted by the City Commission. Mr. Bates stated that this Phase I program would allow City Commission members an opportunity to explore all phases of the program.

Comm. W. O. Ricks, Jr., asked Mr. Bates as to whether or not this proposal would provide separate facilities. Mr. Bates indicated that separate facilities would be planned for offices and inmate areas would not be separated with the exception of juveniles and females.

Comm. R. A. Brookshire inquired of Mr. Bates as to how many towns and counties were operating on a joint basis in population comparison to Lufkin. Mr. Bates indicated that 50 were planned for construction and four were already in use. Mr. Bates stated that he could arrange visits to these facilities if members of Commission desired.

Mayor Garrison requested that members of City staff be authorized to review the proposed information submitted to the County for study to compare same with City information.

Mr. Bates explained that the team from his firm must be allowed to complete these reports due to the specific information which would be required. Mayor Garrison stated that the members of City Commission would need to know how much money was involved in this study inasmuch as no complaints, to his knowledge, had been lodged as to inadequate facilities presently used by the City of Lufkin. Mr. Bates indicated that the only cost to the City would be for the Phase I report amounting to approximately \$400 to \$500 for a two-day team investigation. Mr. Bates further stated that a ballpark figure as to the cost of the facility would be under \$2 million. Mayor Garrison requested if Mr. Bates would allow members of City staff an opportunity to review previous report submitted to the County for their facility in the Phase I program and Mr. Bates indicated that he would furnish this information for City review, but LEAA would more than likely finance the Phase I program for the City, if the City requested the study be made.

Comm. R. A. Brookshire made motion that Mr. Bates meet with City Manager Westerholm prior to next regular meeting and City Manager Westerholm be authorized to report the findings of this meeting to members of City Commission for more detail review of program prior to decision as to whether or not application should be made for Phase I of the program.

Comm. E. C. Wareing commented that if the County/City jail proposal was a savings to the City and the County, and the County was in greater need of a facility, more savings would be experienced by the County at an estimate of six to one. Comm. Wareing stated that if this much savings was to be experienced by the County, the County may be willing to make the investment for the City, in this regard, on the Phase I proposal.

Previous motion by Comm. Brookshire was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

9. Zone Change Approved 1st Reading-Angelina Nursing Home, Inc., dba Pinelan Nursing Home from D to A District, SU, Item 13 (Nursing Home)

Mayor Garrison stated that zone change application by Angelina Nursing Home, Inc., dba Pinelan Nursing Home from D to A District, SU, Item 13 (Nursing Home), covering property located at 323 Moody Street between Edith & Moody and fronting on East side of Moody Street, had been recommended for approval by the City Planning & Zoning Commission.

There were no persons present appearing in opposition to zone change application. Comm. W. O. Ricks, Jr., made motion that zone change application by Angelina Nursing Home, Inc., dba Pinelan Nursing Home from D to A District, Special Use, Item 13 (Nursing Home), be approved on first reading of ordinance. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

10. City Commission Meeting Date Set

Mayor Garrison explained that the next regular meeting of the City Commission would occur on Tuesday, November 16, 1976, at 5:00 p.m., which would conflict with the Texas Municipal League meeting in Dallas at which members of Commission would be in attendance. Mayor Garrison

suggested as an alternative, members of Commission meet the following Tuesday on November 23, 1976, at 5:00 p.m. Members of Commission were in agreement with suggestion by Mayor Garrison. Comm. E. C. Wareing made motion to set November 23, 1976, at 5:00 p.m., as the next regular City Commission meeting date. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

11. Zone Change Approved 1st Reading-Victoria Johnson from RS to C Dist.

Mayor Garrison stated that zone change application by Victoria Johnson from RS to C District covering property located South of Kurth Drive & East of Sayers at intersection with Kurth Drive, had been recommended for approval by the City Planning & Zoning Commission.

There were no persons present appearing in opposition to zone change application. Comm. E. C. Wareing made motion that zone change application by Victoria Johnson from RS to C District be approved on first reading of ordinance. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded.

12. Zone Change Approved 1st Reading-Dorothy H. Flechtner, et al, from RL to LB District

Mayor Garrison stated that zone change application by Dorothy H. Flechtner, et al, from RL to LB District covering property located at Northwest corner of FM 58 & Loop 287 intersection being parallel to North side of Loop 287, had been recommended for approval by the City Planning & Zoning Commission.

Mayor Garrison recognized Walter Borgfeld, attorney appearing in representation of application. Mr. Borgfeld explained that provided application was approved, his law firm proposed to construct a law office on this property.

Comm. R. A. Brookshire inquired as to whether or not the balance of this property would be used for offices. Mr. Borgfeld stated that, to his knowledge at the present time, the use for the balance of this property had not been proposed, but same would not be incompatible with an office structure in this area. Mr. Borgfeld also stated that a six-foot sight-bearing fence would be constructed in accordance with the zoning regulation.

There were no persons present appearing in opposition to zone change application. Comm. W. O. Ricks, Jr., made motion that zone change application by Dorothy H. Flechtner, et al, from RL to LB District be approved on first reading of ordinance. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

13. Hill Street - Disc. of ROW Acquisition

City Manager Westerholm reported that Hill Street from Raguet to Lotus Lane had an 80-foot ROW, except for the first 1,100 feet off Raguet, which was only 50-foot ROW, and the City Commission should consider acquisition of the additional ROW for extension of Hill Street. City Manager Westerholm reported that Texas Foundry owned property on the East side of Hill Street and would dedicate an additional 15-foot of ROW provided the City secured an easement for additional 15-feet from property owners on the West side of the street. City Manager Westerholm stated that authorization would be necessary from the City Commission for the City to proceed in this regard. Comm. W. O. Ricks, Jr., made motion to authorize City Manager Westerholm to continue ROW acquisition on Hill Street for extension of same. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

14. Civic Center-Permission Granted for City Christmas Banquet

City Manager Westerholm stated that the City staff had requested use of the Civic Center for its annual Christmas banquet and permission would be necessary from the City Commission in this regard. Comm. Jack McMullen made motion to provide use of Civic Center for the City Christmas banquet. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Comm. Pat Foley stated that it was his understanding various members of City staff required the use of the Civic Center facilities during certain times for seminars and similar type meetings and clarification should be made by members of Commission as to whether or not this could be authorized without continued individual request. City Manager Westerholm stated that he knew of no particular conflicts in this regard and considerable discussion developed regarding specific use of the Civic Center facility.

Comm. R. A. Brookshire expressed his opinion that funds collected for the use of the Civic Center should be paid into the Civic Center fund. City Manager Westerholm stated that recent uses of the Civic Center for particular purposes, where collections were made, monies were contributed to the Civic Center Fund in accordance with standard requirements.

Comm. Jack McMullen and Comm. W. O. Ricks, Jr., stated that they had no particular opposition to various City departments meeting in the Civic Center if no planned paying programs were scheduled. Mayor Garrison expressed his opinion that any meetings by the City personnel should be limited, if possible, especially where conflicts existed.

Comm. E. C. Wareing suggested that City Manager Westerholm prepare a policy for consideration for Civic Center, in this regard, for future review by members of City Commission.

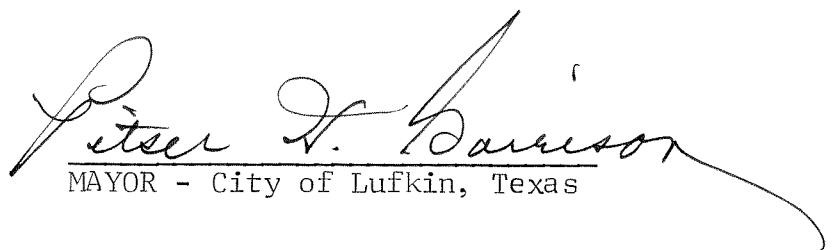
It was further discussed by members of Commission that the old St. Cyprian's Church facility would soon have rooms available for relief of Civic Center use to assist in these conflicts.

15. Community Development Block Grant - Disc.

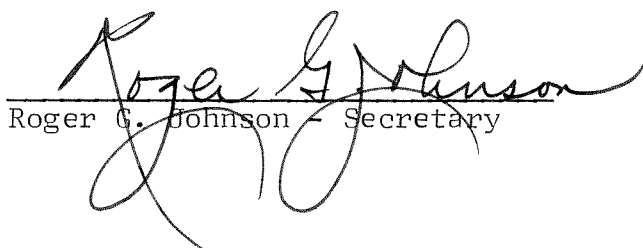
Comm. Pat Foley inquired of City Manager Westerholm as to whether or not the City was considering an application for Community Development Block Grant for 1977. City Manager Westerholm reported that the application for a Community Development Block Grant would soon be considered and proposal would be submitted to the City Commission for consideration.

16. Adjournment

There being no further business for consideration, meeting adjourned at 6:50 p.m.


MAYOR - City of Lufkin, Texas

ATTEST:


Roger G. Johnson - Secretary