

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3RD DAY OF FEBRUARY, 1976, AT 7:30 PM

On the 3rd day of February, 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
Pat Foley	Commissioner, Ward No. 2
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, and

R. A. Brookshire	Commissioner, Ward No. 1
Joe E. Rich	Commissioner, Ward No. 3

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

1. Meeting opened with prayer by Rev. Charles McIlveene, Pastor of First Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed a small group of visitors who were present in connection with items on the agenda or as observers.
3. Approval of Minutes

Comm. E. C. Wareing made motion that minutes of regular meeting of January 20, 1976, be approved. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

4. Open Hearing-Annexation & Permanent Zoning Request-Sabine Investment Company-Crown Colony Sub-Division

Mayor Garrison officially opened hearing and recognized Mr. Ray Faircloth, who was present in representation of the Sabine Investment Company and their request for annexation and permanent zoning of the Crown Colony Sub-Division fronting on U. S. Highway 59 South immediately East of Angelina Junior College. Mr. Faircloth had no additional information to add to request as presented.

There were no persons present appearing in opposition to either the annexation or the permanent zoning of this property. Mayor Garrison officially declared hearing closed regarding same. Comm. W. O. Ricks, Jr., made motion that annexation and permanent zoning of this property be considered on first reading of ordinance at next regular meeting. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

5. Lufkin Recreation Center-Revocation of Pool Hall Permit

Mayor Garrison stated that a hearing had been held at last regular meeting to consider the revocation of Lufkin Recreation Center Pool Hall Permit based on official complaint filed by Lufkin Police Department. Mayor Garrison stated that Mr. J. V. Price was not present at this meeting to represent owner and operator of the Lufkin Recreation Center Pool Hall, Mr. W. T. Calloway.

Mayor Garrison recognized Mr. Calloway who requested more information regarding the revocation of his permit. Mayor Garrison explained that all charges regarding specific violations of the regulations had been given to Mr. Calloway's attorney and Mr. Calloway should be aware of the charges filed against him. Mr. Calloway had no additional questions and no further discussion developed.

Comm. E. G. Pittman inquired of Mr. Calloway as to whether or not there had been changes in the operation of his facility since discussion of this revocation at last regular meeting. Mr. Calloway stated that his operation was about the same.

Comm. W. O. Ricks, Jr., made motion that members of the City Commission concur with recommendation by the Lufkin Police Department to revoke pool hall permit of the Lufkin Recreation Center effective immediately. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

6. Zone Change Approved 1st Reading-Willie E. Ash, et al, from NR District to C District & Special Use, Art. XV, Section 16 (Private Club)

Mayor Garrison stated that zone change application by Willie E. Ash, et al, from NR District to C District & Special Use, Art. XV, Section 16 (Private Club) covering property located South of Wilson Avenue, near intersection with Keltys Street, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change application and Comm. E. C. Wareing made motion that zone change application by Willie E. Ash, et al, from NR District to C District & Special Use, Art. XV, Section 16 (Private Club) be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

7. Zone Change Approved 1st Reading-Leola Canada from R-3 District to A District & Special Use, Item 15 (Boarding House)

Mayor Garrison stated that zone change application by Leola Canada from R-3 District to A District & Special Use, Item 15 (Boarding House), covering property located South of Paul Avenue, between Adams and Locke Streets, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change request and Comm. E. C. Wareing made motion that zone change application by Leola Canada from R-3 District to A District & Special Use, Item 15 (Boarding House), be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

8. Zone Change Approved 1st Reading-Fred L. Walker from LB District to LB District & Special Use, Item 14 (Halfway House)

Mayor Garrison stated that zone change application by Fred L. Walker from LB District to LB District & Special Use, Item 14 (Halfway House), covering property located on East side of North First Street between Laurel Avenue and Fred Street had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change application and Comm. E. C. Wareing made motion that zone change application by Fred L. Walker from LB District to LB District & Special Use, Item 14 (Halfway House), be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

9. Zone Change Approved 1st Reading-Larelco, Inc., from LB District to LB & C District & Special Use (Erection of On-Premise Sign in Excess of 36 Square Feet)

Mayor Garrison stated that zone change application by Larelco, Inc., from LB District to LB & C District & Special Use (Erection of On-Premise Sign in Excess of 36 Square Feet) covering property located at Okay Food Store, South of Cunningham Drive, being Lot 1, Block 2 of the Englewood Terrace Addition, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change application and Comm. E. C. Wareing made motion that zone change application by Larelco, Inc., from LB District to LB & C District & Special Use (Erection of On-Premise Sign in Excess of 36 Square Feet) be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

10. Zone Change Approved 1st Reading-Mrs. G. T. Youngblood from R-1 District to A District

Mayor Garrison stated that Mrs. G. T. Youngblood had submitted request for zone change from R-1 District to A District covering property located West of Southwood Drive (Old Diboll Highway), North of Overpass on Loop 287 and the City Planning and Zoning Commission had recommended approval of application. Mayor Garrison stated it was his understanding opposition was present regarding this application.

Mayor Garrison recognized Mr. Richard Carswell, a local developer who was present in behalf of application. Mr. Carswell stated that providing zone change was approved, he desired to construct four very nice one-level apartments on this property which would resemble a large "L" shaped dwelling.

Mrs. G. T. Youngblood was also present, but added no additional information to her request.

Mayor Garrison recognized Mr. Don Hearne, a property owner within the area who was present to speak in opposition to application. Mr. Hearne stated that he would present a formal petition to members of Commission at next regular meeting in opposition to this request based on the assumption that a previous zone change application on Allendale Street had been denied by this Commission for the same type zoning. Mr. Hearne also stated that the approval of this application would be detrimental to neighborhood area and precedent-setting.

Comm. E. G. Pittman asked Mr. Hearne if he was aware of the fact that apartment zoning was within the immediate area across Loop 287 from this proposed location. Mr. Hearne stated that he was aware of this fact.

Comm. E. C. Wareing asked Mrs. Youngblood how much property she owned within this area. Mrs. Youngblood stated that one acre was being proposed for zoning and the other two were being used for her personal use.

There were no persons present appearing in opposition to zone change application who lived within a 200-foot area of proposed zoning.

Comm. Pat Foley inquired as to whether or not available access and egress would be on Old Diboll Highway and it was concluded that the main access would be on the Old Diboll Highway.

Comm. W. O. Ricks, Jr., explained to Mr. Hearne that each zoning application was separately considered on its own merits and it did not necessarily mean that future applications would be affected.

Mayor Garrison recognized Mr. Richard Thompson, a member of the City Planning and Zoning Commission who was present in representation of recommendation. Mr. Thompson stated that members of the City Planning and Zoning Commission were pleased to see this property being considered for apartments as opposed to a local business type zone.

Comm. Pat Foley expressed his personal concern that apartments of this nature would be an asset to the area and also expressed his personal knowledge of Mr. Carswell and his good reputation as a builder in the community.

Comm. Pat Foley then made motion that zone change application by Mrs. G. T. Youngblood from R-1 District to A District covering property as previously described be approved on first reading of ordinance. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

11. Kiwanis-City Park-Disc. of Tennis Court Construction-Approval of Contract with Moore Brothers Construction Company

City Manager Westerholm reported that a contract had not been negotiated with Moore Brothers Construction Company following the approval of their bid for the construction of four tennis courts at Kiwanis-City Park. City Manager Westerholm further reported that a contract had now been prepared by City Attorney Flournoy and same had been signed by Mr. Raymond Moore of Moore Brothers Construction Company affecting completion date of May 1, 1976.

Members of Commission briefly reviewed contract proposal and Comm. E. G. Pittman made motion that proposed contract establishing a completion date for the construction of these four courts by May 1, 1976, be approved. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

12. Speed Zones Approved - Highway 69, FM 1271 and Spur 339

City Manager Westerholm reported that the highway department had recently made a traffic speed survey on certain large thoroughfares through the City and various recommendations had been made for consideration by this Commission which would alter speed zones on certain streets.

Members of Commission also reviewed detail drawing showing the various changes in speed zones as prepared by the Engineering Department.

Comm. E. G. Pittman inquired of Traffic Safety Coordinator Denzel Percifull who was present as to whether or not he concurred with recommendation of the Texas Highway Department in this regard. Traffic Safety Coordinator stated that he did concur with this recommendation.

Comm. E. C. Wareing made motion that recommended speed zone changes in the various areas as previously discussed be altered accordingly with recommendation of the Texas Highway Department and ordinance be approved on first reading amending existing speed zones. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

13. Resolution Approved-Purchase of Breath-a-lizer Equipment-Police Department

City Manager Westerholm explained that a resolution was before this Commission to consider allowance of the City Police Chief to purchase pure alcohol that would be used by Police officers in the operation of the new Breath-a-lizer instrument for the Lufkin Police Department.

A copy of resolution was reviewed by members of Commission and Comm. W. O. Ricks, Jr., made motion that resolution be approved extending this authority to Lufkin Police Chief. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

14. Lufkin Jaycees-Request for Use of Morris Frank Park Property-Approved-Carson & Barnes Circus-April 6, 1976

Mayor Garrison stated that Mr. Ronnie Brown, President of the Lufkin Jaycees, and two other members, Larry Lucas and Don Husband, were present in representation of request by the Lufkin Jaycees for use of a portion of Morris Frank Park on April 6, 1976, for the purpose of sponsoring two performances of the Carson & Barnes Circus.

There were no questions from members of Commission and Comm. W. O. Ricks, Jr., made motion that Lufkin Jaycees be granted permission to use City-owned portion of Morris Frank Park on April 6, 1976, in accordance with request by Lufkin Jaycees. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

15. Resolution Approved-Commendation-Lufkin City Staff

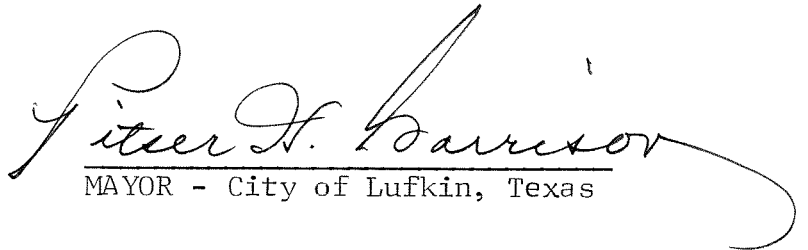
Comm. Pat Foley stated that recent opening of the Lufkin Civic Center was a great success and members of City staff should be commended. Comm. Pat Foley then made motion that resolution be approved commending members of City staff and Public Works Department for their efforts in this regard. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

16. Disc. of Curb & Gutter Paving Program

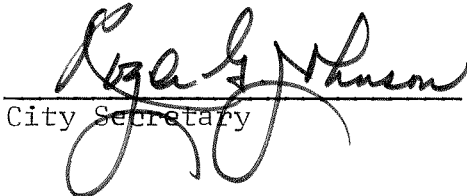
Comm. Pat Foley inquired as to the present construction of being conducted by the City Street Department on the curb and gutter paving program. City Manager Westerholm stated that the only paving being considered at the present was on Mantooth Street and the next project to be considered would be on Ross Street.

17. Adjournment

There being no further business for consideration, meeting adjourned at 8:10 p.m.

  
MAYOR - City of Lufkin, Texas

ATTEST:

  
City Secretary