

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 16TH DAY OF MARCH, 1976, AT 5:00 P. M.

On the 24th day of March, 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
Joe E. Rich	Commissioner, Ward No. 3
E. C. Wareing	Commissioner, Ward No. 4
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	City Secretary

being present, and

W. O. Ricks, Jr.	Commissioner at Large, Place A
E. G. Pittman	Commissioner at Large, Place B

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

1. Meeting opened with prayer by Rev. V. G. Garrett, Retired Baptist Minister, Lufkin, Texas.
2. Mayor Garrison welcomed a large group of visitors who were present in connection with items on the agenda or as observers.
3. Approval of Minutes

Comm. Joe E. Rich made motion that minutes of regular meeting of March 2, 1976, be approved. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

4. Open Hearing - J & S Development - Request for Annexation - Southridge Addition

Mayor Garrison officially opened hearing regarding request by J & S Development for annexation of the Southridge Sub-Division. Mayor Garrison recognized Mr. Sam Griffin, Chairman of the City Planning and Zoning Commission who was present regarding recommendations by the City Planning and Zoning Commission. Mr. Griffin stated that it was the conclusion of the City Planning and Zoning Commission that this proposed development would make a good overall plan and Phase I of their preliminary development plan had been approved.

Mayor Garrison recognized Mr. John Stover, a local attorney appearing in regard to request for annexation of this sub-division. Mr. Stover expressed his concern that access to this property be improved by adding a back outlet to relieve the congestion on Copeland Street. It was concluded that Mr. Stover had not been present at the City Planning and Zoning Commission to express his opinion regarding this additional outlet.

Chairman Griffin stated that the City Planning and Zoning Commission had discussed a secondary outlet to this property which would be added in future development of the property for residential use.

Mayor Garrison recognized Mr. Jimmy Griffith, of Griffith Engineering firm, who stated that additional exits were available within the immediate area and the final sub-division plan had provided a secondary entrance that would extend to Gobbler Knob Road.

Comm. Brookshire expressed his opinion that Phase I, which had already been given preliminary approval by the City Planning and Zoning Commission, did not provide for a secondary outlet and suggested that Copeland traffic was too congested for development of this sub-division. Mr. Jimmy Griffith stated that the development of a street at this time would not be economically feasible.

Mayor Garrison recognized Mr. Walter Borgfeld, a local attorney who was present regarding application for annexation of J & S Development. Mr. Borgfeld stated that approximately 200 houses presently existed in this area and the addition of 100 more homes would add increased congestion to the Copeland exit on Loop 287. A brief discussion developed regarding this outlet and it was determined that the loop construction would soon begin adding an additional lane and resolving a considerable amount of present traffic volume at the Loop 287 and Copeland intersection.

Mayor Garrison recognized Mrs. Evelyn Johnson who stated that the application presented was in the name of J & S Development and J & S Development had an option to purchase this property in this name. Mr. John Stover requested the possibility of a bond being established for the development of this project.

Comm. Wareing stated that the consideration before this Commission was only whether or not to determine if area should or should not be considered for annexation and the approval of an ordinance would not be considered by this Commission until next regular meeting.

Mayor Garrison stated that this Commission was concerned about the encouragement of development within the City and expressed his opinion that recommendation of the City Planning and Zoning Commission be approved.

Comm. Wareing stated that due to the comments made to this point, proposal for annexation seemed to involve personal considerations which were not before this Commission for decision. Comm. Wareing further stated that no traffic problems had existed during development of the Brookhollow areas which were even further from the proposed location before this Commission.

Comm. Brookshire stated that a back exit had been constructed on the Brookhollow #7 area and he was of the opinion that same should be constructed for this sub-division at a more rapid rate than the development of the Brookhollow #7 exit.

Comm. Wareing stated his opinion that the secondary exit would not be a problem for the proposal before this Commission.

Mayor Garrison inquired of Denzel Percifull, Traffic Safety Coordinator, if the addition of 100 lots in this area would increase the burden of traffic at the Loop 287 and Copeland intersection. Mr. Percifull stated that he knew of no particular study available regarding the addition of residences to this area, but explained to members of this Commission that Copeland Street generated approximately 3,700 cars per day, which was a fairly heavy figure.

Chairman Griffin asked Mr. Walter Borgfeld if a dual lane at the exit point of Copeland and Loop 287 would assist in the traffic problem. It was agreed by both Mr. Borgfeld and Mr. Percifull that the addition of this construction would assist in the problem.

It was determined that construction of this new sub-division would take approximately two to three years and construction may have begun for an additional two lanes of traffic on Loop 287 or completed during this period by the Texas Highway Department.

Mayor Garrixon expressed his opinion that secondary outlet should not hinder development of this area inasmuch as this problem could be resolved in the future and was in the planning for development.

Comm. Brookshire expressed his opinion that more traffic added to Copeland Street at the present time would be a safety problem during peak periods and same was his main concern for the entire neighborhood.

Mayor Garrison declared hearing closed and no further discussion developed regarding annexation request. Comm. Joe E. Rich made motion that annexation by J & S Development be considered for first reading of ordinance at next regular meeting. Motion was seconded by Comm. E. C. Wareing.

Prior to vote on motion, Comm. Pat Foley requested additional information be reviewed at next regular meeting regarding consideration for a secondary access to this property.

The following vote was recorded:

Voting Aye: Mayor Garrison, Comms. Pat Foley, Joe E. Rich and E. C. Wareing

Voting Nay: Comm. R. A. Brookshire

Mayor Garrison declared motion approved by majority vote of four to one.

5. Zone Change Approved 2nd Reading-W. L. Vincent from R-3 to LB Dist.

Mayor Garrison stated that zone change application by W. L. Vincent from R-3 to LB District covering property located on the corner of Chestnut & Ross, fronting on Ross, being Lots 7 & 8, Block 1 of the Oakwood Addition, had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to application and Comm. Pat Foley made motion that zone change application by W. L. Vincent from R-3 to LB District be approved on second and final reading. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

Following approval of application on second reading, Comm. E. C. Wareing brought attention to the fact that the construction of a six-foot site-bearing fence would be required by regulation and Mr. Vincent should be reminded of same. Mayor Garrison asked City Secretary to inform Mr. Vincent regarding requirement.

6. Zone Change Approved 1st Reading-Mattie Perry from R-1 to CB Dist.

Mayor Garrison stated that zone change application by Mattie Perry from R-1 to CB District covering property fronting on West side of Loop 287, South of FM 1194 and Lotus Lane intersection, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to application. Comm. E. C. Wareing made motion that zone change application by Mattie Perry from R-1 to CB District be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Mayor Garrison also reminded City Secretary to inform Mrs. Perry of the requirement of a site-bearing fence in this area.

7. Mrs. George Powell-Hearing Date Established-Annexation & Permanent Zoning Request

Mayor Garrison stated that Mrs. George Powell had made application for annexation and permanent zoning of property located South of Loop 287, between Southwood Drive and Mott Drive as recommended by the City Planning and Zoning Commission. Mayor Garrison stated that Mr. Jack Powell was present in behalf of request by Mrs. Powell to answer any questions from members of Commission.

There were no persons present appearing in opposition to request. Comm. E. C. Wareing made motion that annexation and permanent zoning hearing date be established for April 6, 1976, at 7:30 p.m. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

City Secretary was instructed to advertise prior to this meeting as required by regulation.

8. Application for Rural Highway Public Transportation Demonstration Grant Program-Denied

City Manager Westerholm stated that information had been previously submitted regarding application for Rural Highway Public Transportation Demonstration Grant Program and same should be considered prior

to March 22, 1976, which had been established as a deadline for submission of application. City Manager Westerholm stated that the purpose of this program was to enhance the development of public mass transportation systems operating on rural highways and the City of Lufkin was eligible for this application. City Manager Westerholm further stated that facilities must be designed to accommodate the elderly and handicapped and same was a 100 percent funded project by the Federal government and no more than 33-1/3 percent of same could be used for operating expenses.

A lengthy discussion developed regarding proposal and Mayor Garrison expressed his personal concern as to what would happen to this program after the first year. City Manager Westerholm stated that other than information submitted, additional materials were not available.

Comm. Joe E. Rich inquired as to whether or not this program would be in conflict with the programs provided by taxi cab companies in the city.

Mayor Garrison recognized Mr. Jim Glawson, owner and operator of a local Yellow Cab Company, who stated that he had signed a contract with the State for the use of taxi cabs throughout the city which earned approximately \$700 per month, but this program would not be in conflict inasmuch as same was for elderly individuals.

Comm. Wareing inquired of City Manager Westerholm if more information could be reviewed by Commission. City Manager Westerholm stated that application must be approved by this Commission no later than March 22, 1976.

Comm. R. A. Brookshire made motion that no application be made in this regard until more information about the program could be presented. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

Mayor Garrison expressed his opinion that too many applications had been before this Commission which did not allow time for review in full detail to justify consideration of application and this presentation was no exception.

9. Request by Lufkin Intermediate Softball Association-Temp. Postponed

City Manager Westerholm stated that Mr. Max Griffin, Recreation & Parks Director, had submitted letter to Commission for review regarding application by Lufkin Intermediate Softball Association. City Manager further stated that he was of the opinion that this arrangement would be beneficial to the City, but reminded members of Commission that request to sell advertising signs had been included and members of Commission may desire to closely review same.

Mayor Garrison recognized Mr. Max Griffin, Recreation & Parks Director, who stated that his comments were outlined in letter to Commission which pointed to the fact that selling of concessions by the Lufkin Intermediate Softball Association and signs provided a self-supporting structure for the organization and would allow the league to make improvements to the field that the City could not otherwise do. Mr. Griffin further stated that the leagues needed a permanent location to grow and a place which would be available on an annual basis. Mr. Griffin stated that the amount of time spent in cleaning, making fields and marking fields was considerable and this league would be responsible for maintaining same. Mr. Griffin stated that Winston Park softball field had been requested specifically by the Lufkin Intermediate Softball Association for their use because of the large number of teams in their league and the association had asked for permission to build a concession stand next to the field and to sell advertising signs to be placed along the outfield fence. Mr. Griffin stated that he personally recommended this field be leased to the association for a five-year period and same would be beneficial to the City.

Mayor Garrison recognized Mr. Don Brister, who was present regarding representation of request by the Lufkin Intermediate Softball Association. Mr. Brister stated that this association was comprised of approximately 480 men in the program which contained 26 teams and had

a budget of \$6,150, which was prepared for use in this year's program. Mr. Brister reconfirmed information presented by Mr. Westerholm and Mr. Griffin and stated that Winston Park had been selected primarily due to the good drainage in the area and accessibility which would be a needed item for a number of individuals using the facility and the amount of games that had been planned that could not be otherwise re-scheduled on newer parks which had slower drainage.

Mayor Garrison recognized Robin Stoneburger and Donna Holder who were present in opposition to request by the Lufkin Intermediate Softball Association totally comprised of men. These ladies expressed their specific opposition to the request by the association inasmuch as same was a discrimination against the women's softball leagues who had as much right for the use of this facility as the men.

Mr. Griffin stated that there were ample softball fields available throughout the City and at the present time, any field may be obtained for use by notifying the Recreation & Parks Department two weeks in advance.

The ladies present in opposition expressed their concern that they be provided the use of the Winston facility to provide a playground area for their children.

Mayor Garrison expressed his personal opinion that the exclusive use by any one group or organization always presented conflicts of this nature and especially when property being used was public. The ladies present explained that there were approximately eight or nine ladies teams which were prepared to play softball this season. Mr. Griffin recommended the use of the Kit McConnico Park facility for the women due to the lesser amount of teams involved and the need for re-scheduling rain-out games would not be as significant.

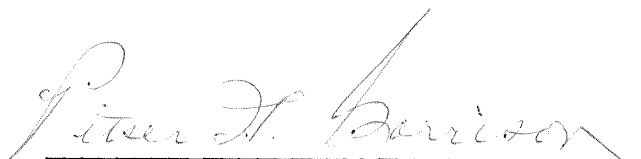
Mayor Garrison expressed his opinion that both leagues be satisfied and recommended that City staff and Recreation & Parks Department meet specifically with both representatives to resolve and recommend to this Commission a solution to the problem. Mr. Griffin stated that the opposition presented by ladies present was a total surprise and he would have been prepared to give explanation regarding same had he been aware of problems.

It was the general conclusion of this Commission that request by the Lufkin Intermediate Softball Association should be considered for at least a one-year period in order to see how program would work. Mayor Garrison suggested that expenditures be held to a minimum until next year to provide the trial period. Mr. Brister stated that various companies were prepared to make donations and desired to assist the program as soon as possible.


Comm. R. A. Brookshire made motion that request by Lufkin Intermediate Softball Association be placed on the agenda for next regular meeting in April when information could again be reviewed to include recommendation of the Recreation & Parks Department. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

10. Adjournment

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


MAYOR - City of Lufkin, Texas

ATTEST:


City Secretary