

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 15TH DAY OF MAY, 1984, AT 5:00 P.M.

On the 15th day of May, 1984, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Chambers of City Hall with the following members thereof, to-wit:

Pitser H. Garrison	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Lynn Malone	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Jack Gorden, Jr.	Commissioner, Ward No. 5
Louis Bronaugh	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Robert Flournoy	City Attorney
Ann Griffin	City Secretary
Lori Nix	Assistant City Secretary
Brian Boudreaux	Assistant City Manager
Ron Wesch	Public Works Director

being present when the following business was transacted.

1. Meeting opened with prayer by Rev. Lee Allison, Pastor of First Assembly of God, Lufkin.

2. Mayor Garrison welcomed visitors present.

3. Approval of Minutes

Minutes of regular meeting of May 1, 1984, were approved on motion by Commissioner Pat Foley and seconded by Commissioner Don Boyd. A unanimous affirmative vote was recorded.

4. Public Hearing - Reinvestment Zone - Tax Abatement Program
William George Company

Mayor Garrison stated that a request had been received from the William George Company that property located immediately North and West of the intersection of Highway 69 and T & N O Railroad Overpass be considered for designation as a Reinvestment Zone for the Tax Abatement Program. Mayor Garrison stated that the Tax Abatement Program was for the purpose of encouraging rebuilding of areas that have become obsolete and a Public Hearing is required under the law to have those interested attend and comment on the proposed applications.

Mayor Garrison officially opened Public Hearing and recognized Bill Ricks, Attorney, appearing in representation of the William George Company. Mr. Ricks stated that the William George Company was requesting a 15 year Tax Abatement Program for the development of a 6.2 acre and a 1.2 acre tract on opposite sides of Kurth Drive. Mr. Ricks further stated that the Dairy Queen office and training facility would be developed on the north side of Kurth Drive with a 65,000 square foot warehouse facility being constructed on the south side. Mr. Ricks stated that access to the facilities would be available by truck and railroad and the 15 year time limit had been requested because of plans to obtain property from the Southern Pacific Railroad known as the "Old Roundhouse" and property along Mize Street to extend the facility in the future.

In answer to question by Commissioner Don Boyd, Mr. William George stated that the ball field that was presently on the property would be moved to another portion of the property if room was available, otherwise the facility would be moved to another location.

There was no opposition present and Mayor Garrison officially closed Public Hearing.

Mayor Garrison stated that all Tax Abatement - Reinvestment Zones - in the past had been granted for a 10 year period and he had difficulty with the fact that William George Company was asking for a 15 year time limit.

Mr. George stated that the 15 year time limit was requested because it would open up this part of town for investment by other firms in the Lufkin area.

Commissioner Percy Simond stated that the City of Lufkin should encourage any improvements to the "Roundhouse" property and if the 15 year time limit was not contrary to the spirit of the law the Reinvestment Zone should be approved.

Mayor then closed the Public Hearing.

5. Ordinance - Approved - First Reading - Reinvestment Zone Tax Abatement Program - William George Company

Mayor Garrison stated that the Commission now had for consideration an Ordinance designating the property located immediately North and West of the intersection of Highway 69 and T & N O Railroad Overpass as a Reinvestment Zone for the William George Company. Mayor Garrison further stated the only difference in this Ordinance and previous Ordinances would be the designation of a 15 year time period.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Jack Gorden that Ordinance be approved on first reading designating a 15 year Tax Abatement Program for William George Company as presented. A unanimous affirmative vote was recorded.

6. Zone Change - Denied - First Reading - Keith Casey - RL to C

Mayor Garrison stated that zone change request by Keith Casey covering property located at 1116 South First Street between East Menefee and South Raguet from Residential Large to Commercial had been tabled at last meeting of this Commission to allow the entire City Commission to be present when it was considered.

Mayor Garrison recognized Bill Ricks, local Attorney, appearing in representation of zone change request. Mr. Ricks stated that the zone change had been denied by the Planning and Zoning Commission but his client had decided to present the zone change request to the City Commission for consideration, and they understood the vote for approval would require six (6) affirmative votes. Mr. Ricks stated that Mr. Casey was proposing construction of a large residence like structure that would contain approximately 2800 square feet in a two-story building with all parking in the rear of the property. Mr. Ricks further stated that there would be one entrance from South First Street, the property would be fenced, and use would be limited to Local Business, Special Use, for professional office building and hair care shop. Mr. Ricks further stated that the only sign would be 3 feet by 5 feet and would compliment the log construction, similar to the sign at Dr. Kent's office. Mr. Ricks stated that a sight bearing fence would be built along the rear of the property, and Mr. Casey had attempted to meet with the neighbors with several withdrawing their opposition to the proposed zone change. Mr. Ricks stated that the hair care salon would consist of seven (7) chairs.

The following property owners appeared in support of the zone change: Mrs. Harold DeVries and Mrs. David Rice.

Mrs. Rice stated that she was opposed to the zone change before Mr. Casey had explained the restrictions that would be placed on the property, and would like to withdraw her objections.

The following property owners appeared in opposition to the proposed zone change: R. L. Cunningham, Sandy Landrum, Phil Medford, Mr. and Mrs. Gerald Krawgyoski, Dr. Clement, and Mrs. Melton.

The following points of opposition were voiced:

- A. Residential nature of neighborhood should be retained.
- B. Commercial activity has encroached too far into the residential neighborhood.

- C. Would increase noise and traffic in the area.
- D. Litter has increased with each additional commercial activity.
- E. Would devalue residential property.

Mr. Ricks stated that the fence would reduce the amount of noise in the area, and the use of the property would be limited to professional offices and a hair care shop. Mr. Ricks further stated that the future zone changes would have to be considered by the City Commission on an individual basis, and the proposed construction would be residential in appearance.

Mayor Garrison stated that Mr. Casey could have purchased the property subject to approval of the zone change but he bought it as residential property. Mayor Garrison further stated that Mr. Casey's proposal states that because of the location to commercial property, the possibility of 1116 South First Street developing as residential is limited. Mayor Garrison further stated that in spite of this statement, Mr. Casey purchased the property and acknowledges by his statement that he will adversely affect the property down the street by developing commercial property. Mayor Garrison further stated that most of the houses in the area were bought when the entire neighborhood was residential and the only commercial use was the Fuller Restaurant which preceded zoning in the City of Lufkin. Mayor Garrison stated that property owners in the area had acquiesced to other developments in the neighborhood in an effort to help the City of Lufkin and encroachment by commercial property should be stopped.

Commissioner Pat Foley stated that Mr. Ricks had shown slides of other beauty shops in the City of Lufkin, but if a zone change for a beauty shop had been opposed by residents of the area the City Commission had traditionally denied the application. Commissioner Foley further stated that the area under consideration is a nice residential neighborhood and the property owners would like to maintain that quality. Commissioner Foley further stated that this should be the end of commercial use in this area.

In response to question by Commissioner Don Boyd, Mr. Casey stated that if he was unable to obtain professional clients in his building he might have to live in the building he proposes to construct.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that zone change be denied. A unanimous affirmative vote was recorded with Commissioner Percy Simond abstaining which has the affect of a vote in the affirmative.

Commissioner Percy Simond stated that he felt that the City Charter should allow abstaining from a vote because he could understand Mr. Casey's position, but the six (6) votes necessary to override the decision of the Planning and Zoning Commission were not obtained.

7. Zone Change - Approved - Second Reading - Barbara Liepman RM to RM,SU (Daycare Center).

Mayor Garrison stated that zone change request by Barbara Liepman covering property located at 1409 Atkinson Drive between Herty and Trenton Streets from Residential Medium to Residential Medium, Special Use (Daycare Center) had been approved on first reading at last meeting of this Commission There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that zone change be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

8. Zone Change - Approved - Second Reading - Vernon Hearnberger RM to NR

Mayor Garrison stated that zone change request by Vernon Hearnberger covering property located on North Timberland Drive between Forest Park Boulevard and Duncan Street from Residential

Medium to Neighborhood Retail had been approved on first reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that zone change be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

9. Zone Change - Approved - Second Reading - Robert, Dennis, and Mary Lazarine - RL to LB

Mayor Garrison stated that zone change request by Robert, Dennis, and Mary Lazarine covering property located at 1609 and 1611 South Chestnut between South Medford and Diana Street from Residential Large to Local Business had been approved on first reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that zone change be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

10. Zone Change - Approved - Second Reading - A. & Virginia Garlington RL to LB

Mayor Garrison stated that zone change request by A. & Virginia Garlington covering property located on the corner of South Medford Drive and South Chestnut between Wallace and Diana Street from Residential Large to Local Business had been approved on first reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Louis Bronaugh that zone change be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

11. Mayor pro tem - Elected - Pat Foley

Mayor Garrison stated that at last meeting of City Commission consideration of election of Mayor pro tem had been tabled because of one commissioner being absent. Mayor Garrison stated that there had been a tie for nominations and Commissioner Lynn Malone and Commissioner Jack Gorden had drawn to see who would put the first nomination on the floor with Commissioner Jack Gorden being first.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Louis Bronaugh that Commissioner Pat Foley be asked to serve as Mayor pro tem because of historical practice of election of the senior member of the Commission as the Mayor pro tem. A unanimous affirmative vote was recorded.

Mayor Garrison declared Commissioner Pat Foley as the Mayor pro tem for the City of Lufkin. Mayor Garrison stated that at last meeting of this Commission it was suggested that Commissioner Don Boyd be considered for the position of Mayor pro tem and Mayor Garrison stated that he would like to express his respect and appreciation to Commissioner Don Boyd for his work on the Commission and he would be pleased to serve with him as Mayor pro tem. Mayor Garrison further stated that he had voted for Commissioner Pat Foley because when he became a member of the City Commission the policy was to select the senior member of the City Commission as the Mayor pro tem, much as the practice is observed in the Senate of the State of Texas. Mayor Garrison stated that the senior member was considered for the position as a compliment and an expression of appreciation to one who has served on the City Commission the longest. Mayor Garrison stated that he would like to thank Commissioner Don Boyd and Commissioner Pat Foley for their service to this Commission.

12. Appointments - City Planning and Zoning Commission - Method of Appointment - Tabled

Mayor Garrison stated that the City Commission now had for consideration changing the method of appointments for the City Planning and Zoning Commission and requested that Commissioner Percy Simond provide his recommendation.

Commissioner Percy Simond stated that at last meeting the City Commission had decided not to consider further increasing the number of Planning and Zoning Commission members, and the City Commission had requested that the City Attorney prepare an Ordinance allowing each City Commissioner to appoint one Planning and Zoning Commissioner regardless of the ward in which that person resided. City Attorney, Robert Flournoy, stated that he did not have an Ordinance written. Commissioner Pat Foley stated that he was under the impression that consideration would be given at this meeting to the development of such an Ordinance.

Commissioner Percy Simond stated that an Ordinance is not available to allow appointment of the Planning and Zoning Commissioners by this method but it was stated at last meeting of this Commission that an Ordinance could be developed. Commissioner Percy Simond further stated that he was opposed to the method of appointments to the Planning and Zoning Commission and people who live in wards #4,5, and 6 are not necessarily more qualified than residents of other wards of the City. Commissioner Percy Simond stated that each City Commissioner should appoint a person to the Planning and Zoning Commission when members were considered for re-appointment.

Mayor Garrison stated that an Ordinance could not be developed to allow the appointment of a Planning and Zoning Commissioner by one member of the City Commission because the City Charter provides that appointments are to be made by the entire City Commission. Mayor Garrison further stated that it would be possible for the City Commission to work within the Commission and develop a method for appointments by the entire City Commission. Mayor Garrison further stated that in the past a person had been selected in the community who would be willing to serve on the Planning and Zoning Commission and he could not agree to have the appointments made by one (1) individual.

Commissioner Percy Simond stated that the Commissioner of a certain ward would have the best idea of who would do the best job and should be appointed to the Planning and Zoning Commission from his ward.

Mayor Garrison stated that he disagreed and the system of City Government under the Charter was to prevent one person from being the "Boss" over an entire district. Mayor Garrison stated that if the City Commission could not appoint someone in Ward 4 that the Commissioner of Ward 4 did not approve of, then the City Commission is not serving the entire City.

In answer to question by Commissioner Lynn Malone, City Attorney, Bob Flournoy stated that the Charter of the City of Lufkin was approved by the citizens of the City and any changes to the Charter must be voted on by the citizens.

Commissioner Percy Simond stated that the Charter is not hard to change, that amendments could be taken to the citizens, but every time something is being considered for change the Commission is reminded that a vote must be taken by the citizens of the City.

Mayor Garrison stated that the Charter is the system of government in every home rule city in the state of Texas and City Attorney Flournoy was stating how the law provided to allow changes. Mayor Garrison stated that he had not experienced any difficulty working with the Charter, and he was willing to work within its framework for the good of the City of Lufkin.

Commissioner Don Boyd stated that he would like to propose that a Commissioner recommend a person for a position on the Planning and Zoning Commission and the City Commission,

as a whole, vote on that recommendation.

Mayor Garrison stated that practice would be acceptable but the entire City Commission has to adopt the recommendation.

Commissioner Louis Bronaugh stated that he had made an effort to attend meetings of the Planning and Zoning Commission and that all seven (7) Planning and Zoning Commissioners were present at the last meeting. Commissioner Bronaugh stated that efforts were being made to secure a City Planner and that he would be reluctant to ask one of the Planning and Zoning Commissioners to step down after they had served so well.

Commissioner Percy Simond stated that publicity given to the absentee problem on the Planning and Zoning Commission resulted in all seven (7) members being present at the last meeting, and as a whole, the Planning and Zoning Commission had done a good job.

Commissioner Jack Gorden stated that zoning had begun to consume more and more time of the Planning and Zoning Commission as well as City Staff and he would like to commend Commissioner Percy Simond for highlighting the efforts of the Planning and Zoning Commission. Commissioner Gorden stated that a problem had been experienced by the Planning and Zoning Commission in regard to absences but the publicity had also focused attention on the time that the Planning and Zoning Commission had spent on their job. Commissioner Gorden further stated that City Commissioners should have the opportunity of placing a name in nomination to serve on the Planning and Zoning Commission from their ward and the entire City Commission should vote on that individual.

Mayor Garrison stated that as members of the Planning and Zoning Commission were being considered for re-appointment the City Commission might consider appointing someone from a ward that does not have representation.

Commissioner Percy Simond stated that appointment of members to the Planning and Zoning Commission was not a problem and he agreed with the suggestion made by Commissioner Don Boyd.

Mayor Garrison stated that it was a consensus of opinion that this item should be tabled until a vacancy occurs and same is placed on City Commission agenda for consideration.

Commissioner Louis Bronaugh stated that Ecomet Burley's term would expire the 20th of June and the next meeting of the City Commission would be the 5th of June. Mayor Garrison stated that a vacancy would not exist on the Board until the 20th of June and four (4) vacancies would be experienced this year.

13. City Hall - Future Space Needs - Tabled

Mayor Garrison stated that at the previous meeting of the City Commission it had been requested that a study of possible sites and costs for the location of a new City Hall be considered and same was now ready for discussion by the City Commission.

City Manager Westerholm stated that a study had been done to determine the cost of renovation of the Angelina Hotel and whether construction of a new City Hall should be considered at the present location. City Manager Westerholm further stated that four (4) architectural firms had been requested to provide information regarding the cost of both alternatives and the figures have been submitted to the Commission for consideration with the pros and cons of each alternative. City Manager Westerholm stated that if the Angelina Hotel was utilized as the new City Hall it would be possible to rent offices of other firms, but less parking would be available at the hotel facility.

Commissioner Don Boyd stated that if the City Commission felt

that the new City Hall should be constructed behind the existing facility the foundation should be constructed in such a way to allow addition of a third story when City offices needed additional space.

Mayor Garrison stated that he would like to suggest that the alley behind the present City Hall be closed and the new City Hall joined with the existing facility to front on Third Street. Mayor Garrison stated that this plan would allow utilization of what is presently in the existing City Hall and the study had shown that 30,000 square feet is needed at present with an additional 10,000 square feet needed in the next ten (10) years.

In response to question by Commissioner Pat Foley, Chief Leonard Latham stated that unless the City of Lufkin elected to go under the Jail Standards Act, jail facilities would be adequate for the future and that consideration might be given to contracting with the County for jail facilities.

Mayor Garrison stated that if the new City Hall were constructed behind the existing facility, the City Hall Annex could be sold to obtain money for the new project.

Commissioner Pat Foley stated that the space needs study had been developed by the City Staff and he would like to obtain a professional study regarding what would be needed in the future. Mayor Garrison stated that he would like to have an architectural firm make a recommendation regarding additional space needs.

Commissioner Pat Foley stated that he would be agreeable with the plan to construct a new City Hall at the rear of the existing facility and closing the alley to allow the two buildings to be joined.

Commissioner Jack Gorden stated that he was not ready to dismiss the idea of using the Angelina Hotel. Commissioner Jack Gorden stated that there is enough merit to the idea to allow more consideration to be given to this plan. Commissioner Gorden requested information regarding the possibility of receiving grant money if the Angelina Hotel was considered a historic site. City Manager Westerholm stated that he was aware of any program to fund this type of venture.

Commmsioner Gorden stated that he felt that there might be funds available under the Texas Historical Commission or a national program for historic preservation. Commissioner Gorden stated that David Chrisman, Main Street Coordinator, might be contacted regarding information on this type of funding.

Commissioner Pat Foley stated that he did not rule out use of the Angelina Hotel as a new City Hall, but the area behind the existing facility might be more practical.

Mayor Garrison stated that the question of building a new jail facility would have to be considered but if a contract could be obtained with the County the present City Hall and the City Hall Annex would be made available for sale to help with funding of the Angelina Hotel project.

In answer to question by Commissioner Jack Gorden, City Manager Westerholm stated that architects have indicated that all renovation of the Angelina Hotel should be completed at once. Commissioner Gorden stated that he did not agree with that.

Mayor Garrison stated that perhaps a professional study should be made of the two (2) alternatives. Commissioner Pat Foley stated that the cost involved should be investigated.

Commissioner Don Boyd stated that someone with a working knowledge of renovation should be contacted to provide a detailed study of the cost of bringing the Angelina Hotel up to a City standards. Commissioner Gorden stated that he would like to renovate the Angelina Hotel in a prudent manner

with cost being kept at a minimum.

Mayor Garrison stated that if the Angelina Hotel were used additional property would have to be obtained for parking. Mayor Garrison stated that City Manager Westerholm could be authorized to obtain an idea of the cost involved for consideration of next meeting of this Commission.

Commissioner Pat Foley stated that there was a large amount of office space available in the Downtown area at the present time and he would be concerned about offering office space for rent.

Commissioner Percy Simond stated that he would like to commend the City Staff for the amount of work that had been done on the future space needs for the City of Lufkin.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Jack Gorden that the City Commission express their appreciation to the City Staff for their work on the space need study.

14. Drainage Problem - Tabled - Franklin and Cordelia Streets

Mayor Garrison stated that the drainage problem between Franklin and Cordelia Streets had been discussed at last meeting of this Commission and requested that City Manager Westerholm explain any new developments in this situation.

City Manager Westerholm stated the drainage problem between Franklin and Cordelia Streets had been discussed at last meeting of this Commission and requested that City Manager Westerholm explain any new developments in this situation.

City Manager Westerholm stated that since last meeting of this Commission, a meeting had been held with the property owners in the area and no solution had been reached. City Manager Westerholm further stated that the property owners in Tanglewood Subdivision did not wish to participate in the cost while property owners in the Bon Ton Addition did not feel the drainage was their problem because the ditch had always existed in the Tanglewood Subdivision. City Manager Westerholm stated that due to the outcome of the meeting with the property owners, the City Staff was suggesting the possibility of constructing an open concrete-lined ditch beginning at a point between Franklin and Cordelia where Calvin Street empties into the ditch and then west to Cordelia Street. City Manager Westerholm stated that after checking into the possibility of the concrete-lined ditch it was discovered that a fifty foot easement would be needed and the concrete would have to be pumped in at cost of \$750 an hour. City Manager Westerholm stated that this solution would exceed the cost of construction of the 60 inch storm sewer previously proposed. City Manager Westerholm stated that the City Staff would like to recommend a storm sewer be constructed from Calvin to Cordelia which would be one-half of the storm sewer previously proposed, and that property owners be required to participate in the cost which is a common practice throughout the State of Texas. City Manager Westerholm stated that the estimated cost would be one-half of the previous recommendation or \$42,150 with the City assuming two-thirds of the cost and \$14,000 being assumed by the the property owners.

In response to question by Mayor Garrison, City Manager Westerholm stated that the materials for construction of the storm sewer would be approximately \$25,000. City Manager Westerholm stated that the new proposal would consist of 1300 feet of storm sewer and the plan would not increase the amount of water going into the ditch.

Ed Wagner, property owner in the area, stated that he was speaking for his family only and that he estimated that there would be a 40 percent increase in the water that would flow into the ditch after the proposed construction by the hospital.

Mr. Wagoner stated that the drainage problem in the area was unique because the City did not provide adequate drainage for the area, and the former owner of the property had served as City Commission member, City Mayor, and City Manager of the City of Lufkin. Mr. Wagoner stated that in 1958 the City had installed a storm sewer under Marcus and Jefferson Streets, that the ditch in question was a man-made ditch, that the ditch paralleled a sanitary sewer, and that he would like to request the City provide a Hold Harmless Provision for his family in case a youngster drowned in the ditch or became sick from playing in the ditch with the sewage problem. Mr. Wagoner stated that the City of Lufkin should bear the entire cost of the improvements to the ditch which would not add to the value of the property in the area, but would restore it to the condition before the erosion problem was caused by the ditch.

Mayor Garrison stated that Mr. Wagoner had stated that the City obtained an easement for construction of the ditch, but the City did not construct the ditch. Mayor Garrison further stated that Mr. Wagoner had indicated that the City should have assured the property owners that there would be no erosion but, because the property owners bought in the area, they must have thought that erosion would not be a problem building their homes on the subject property. Mayor Garrison stated that Mr. Wagoner had also indicated that the City was using this property without compensation but because the ditch is where the water runs does not mean the City is using the property.

Mr. Wagoner stated that there was no problem with drainage in the area until the pipe was constructed on Jefferson and that no easement was secured for construction of the storm sewer under Jefferson Street.

Mayor Garrison stated that the City of Lufkin does not have any legal responsibility for the water and he was surprised by the fact that the owners were not willing to bear any of the cost to improve this situation.

Harry Castleberry, property owner in the area, stated that he had visited with four (4) Commissioners and they had all personally stated that they were in favor of some type of a levy for the City of Lufkin to establish a drainage fund which would be the only fair way to obtain money to develop a program to help all citizens in the City of Lufkin.

City Attorney, Bob Flournoy, stated that his concern was that the City of Lufkin could not attempt to take responsibility for all drainage problems in the City.

In response to question by Commissioner Jack Gorden, City Manager Westerholm stated that an 18 inch storm sewer extended from Jefferson across private property to Marcus Street then into the ditch, and if the ditch was closed the result would be flooding of the residential lots.

Commissioner Louis Bronaugh stated that the City of Lufkin was not routing the water from one drainage pattern to another.

City Attorney, Bob Flournoy, stated that the City is responsible for damage if water were diverted from one plain to another which would result in legal liability.

Commissioner Pat Foley stated that he would like to work with property owners in the area but that he did not have an answer to their problem. Commissioner Foley stated that he would like to get information from other cities in regard to drainage studies.

Mayor Garrison stated that he is willing to try to rectify the problem but the adjoining property owners should participate in the cost. Mayor Garrison stated that he was concerned about the water below Cordelia and possibly improvements would have to be made to Cedar Creek to prevent harming private property. Mayor Garrison stated that he would like further studies to

obtain more information in regard to the drainage problem.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that item be tabled until next meeting of this Commission to allow exploration of additional possibilities and alternate methods of dealing with the drainage problem in this area. A unanimous affirmative vote was recorded.

- 15. Zone Change - Approved - First Reading - Carla Baker - RS to RS, SU (Dog Grooming)

Mayor Garrison stated that zone change request by Carla Baker covering property located at 111 Payton Street between Fred and Condon Streets from Residential Small to Residential Small, Special Use (Dog Grooming) had been recommended to City Commission for approval by the Planning and Zoning Commission. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that zone change be approved on first reading as presented. A unanimous affirmative vote was recorded.

- 16. Zone Change - Approved - First Reading - Gene Thompson - A to NR

Mayor Garrison stated that zone change request by Gene Thompson covering property located at 1312 Ellis Avenue between Franklin and Jay Streets from Apartment to Neighborhood Retail had been recommended to City Commission for approval by the Planning and Zoning Commission. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that zone change request be approved on first reading as presented. A unanimous affirmative vote was recorded.

- 17. Zone Change - Approved - First Reading - S. T. Lewis - RM to A

Mayor Garrison stated that zone change request by S. T. Lewis covering property located on Kurth Drive between Lakeview and Sayers Street from Residential Medium to Apartments had been recommended to City Commission for approval by the Planning and Zoning Commission. There was no opposition present.

In response to question by Commissioner Don Boyd, Mr. Lewis stated that he had applied to HUD for approval to construct apartments for the elderly and that if his application to HUD was not approved, he would obtain other funding to construct apartments for the elderly.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that zone change be approved on first reading as presented. A unanimous affirmative vote was recorded.

- 18. A. Bid - Approved - Carpet - Chambers Park Community Center - Sherwin Williams

Mayor Garrison stated that bids had been requested for the purchase of carpet to be used in the Chambers Park Community Center and seven (7) bids had been received.

City Manager Westerholm stated that City Staff would like to recommend the low bid of Sherwin Williams in the amount of \$1,545 as the lowest and best bid.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that low bid of Sherwin Williams in the amount of \$1,545 be approved. A unanimous affirmative vote was recorded.

- 18. B. Bid - Approved - Portable Air Compressor - Water Pollution Control Plant - Lufkin Supply

Mayor Garrison stated that bids had been requested for a

portable air compressor for use at the Water Pollution Control Plant but only one (1) bid was received.

City Manager Westerholm stated that bids had been requested from three suppliers and that \$8,500 had been budgeted for the purchase but the one bid from Lufkin Supply was in the amount of \$7,751. City Manager Westerholm stated that City Staff would like to recommend the bid of Lufkin Supply in the amount of \$7,751 as the lowest and best bid.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that bid of Lufkin Supply in the amount of \$7,751 be approved as presented. A unanimous affirmative vote was recorded.

19. Police Department Telephone System - Proposal - Approved - LCT

Mayor Garrison stated that the City Commission had requested that proposals be secured for the expansion of the Police Department telephone system in order to minimize the busy signals citizens received when calling the Police Department.

City Manager Westerholm stated that the study by the Lufkin Telephone Company had indicated that there was a need for additional lines in the Police Department and bids had been requested for improving the system. City Manager Westerholm stated that LCT of Lufkin was the low bidder with a proposal for four (4) additional lines and 18 new touchtone multiline telephones which would decrease the number of telephones by seven (7). City Manager Westerholm stated that the Police Department's current telephone system is old and consists of slow rotary dial telephones that are becoming a maintenance problem. City Manager Westerholm further stated that the system has become so patchworked that seven (7) offices have two (2) telephones on their desks which is a confusing situation transferring calls. City Manager Westerholm stated that the low bid of LCT of Lufkin was in the amount of \$16,699.

Mayor Garrison stated that the study done by the telephone company indicated that presently the Police Department only needed five (5) lines and he requested information about savings to the City of Lufkin if five (5) lines were utilized at present with the possibility of adding additional lines in the future.

Assistant City Manager, Brian Boudreaux, stated that the City would save \$27.25 per month per telephone number for the lines that were not utilized at present.

Commissioner Percy Simond stated that when he requested information about the telephone system in the Police Department his concern was with the people calling into the Police Department and receiving busy signals. Assistant City Manager Boudreaux stated that if this telephone system were purchased by the City of Lufkin the switchboard could be programmed to work in the most efficient manner for the Police Department and re-programmed later to provide additional services.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that the bid of LCT of Lufkin in the amount of \$16,699 be approved. A unanimous affirmative vote was recorded.

20. "911" System - City Participation - Tabled

Mayor Garrison stated that consideration of installation of the "9-1-1" (nine-one-one) emergency number was now for consideration by the City Commission. Mayor Garrison stated that the City of Lufkin should not absorb as much of the cost as the plan proposed. Mayor Garrison stated that the "9-1-1" would be a community wide service and perhaps the Lufkin Telephone Exchange would participate more in the cost.

Commissioner Louis Bronaugh stated that he would like to

suggest that consideration of this item be delayed until next meeting to allow for a study of participation by the telephone company.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that item be tabled until next meeting of the City Commission with additional information being gathered from the telephone company regarding funding. A unanimous affirmative vote was recorded.

Commissioner Pat Foley stated that other cities have installed a "9-1-1" system and he would like to have information from these cities regarding how the service has worked.

21. Extension of South Lufkin Water Mains - Localized Water Shortage - Crown Colony - Approved

Mayor Garrison stated that certain sections of the Crown Colony Subdivision had been experiencing severe water shortages due to its rapid growth and the insufficient water main capacity serving the Subdivision.

City Manager Westerholm stated that growth in Crown Colony had been so rapid and construction of two (2) new motels on South 59 had resulted in low water pressure and \$100,000 had been included in the last budget to provide more water mains in the area but was deleted because of the budget deficit last year. City Manager Westerholm stated that he would like to recommend that the budget be amended to provide \$62,000 to construct a 12 inch water main to serve the Crown Colony Subdivision.

Mayor Garrison stated that a plan should have been developed when the Subdivision began construction to provide adequate water pressure for future growth.

Commissioner Pat Foley stated that the water lines had been inadequate for years, and a small water line had been laid to the Holiday Inn area which proved to be very inadequate as growth in the area increased. Commissioner Percy Simond stated that the City did not foresee the construction of additional motels in that area.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Louis Bronaugh that the City be authorized to extend water mains and that the budget be amended to transfer \$62,000 to the water and sewer budget from the general fund.

The following vote was recorded: Aye: Mayor Garrison, Commissioners Bronaugh, Boyd, Simond, Foley and Gorden. Nay: Commissioner Malone.

Mayor Garrison declared motion approved by vote of six (6) to one (1).

Commissioner Lynn Malone stated that the City also has a water pressure problem in the Herty area. Commissioner Malone further stated that the City has sent notices to people in his Ward that they should reduce water usage. Commissioner Malone stated that the problem has been existing for four (4) years in Ward #3 and no effort has been made to correct the problem.

Commissioner Pat Foley stated that when problems of this nature have been brought to the attention of the City Commission, a schedule has been established to remedy the situation. Mayor Garrison stated that Commissioner Malone should give the names, addresses and locations of areas where the water problem is experienced to the City Manager for consideration.

In answer to question by Commissioner Jack Gorden, City Manager Westerholm stated that the effectiveness of the extension of the water main would depend on how hot the summer becomes because Crown Colony Subdivision is a large water user.

Horace Stubblefield, representative of Crown Colony Subdivision, stated that he could provide the City Commission with an estimate of possible growth in the Crown Colony Subdivision and a long-range master plan had been submitted to the City Staff.

Mayor Garrison stated that the plan being implemented in regard to the extension should provide for future expansion.

Commissioner Pat Foley stated that Crown Colony Subdivision did not have a water shortage but a problem had been experienced with the small water lines for the past five (5) years.

Commissioner Louis Bronaugh stated that he would like to bring it to the City Commission's attention that the water that is used on the golf course is not City water.

Mayor Garrison stated that City Manager Westerholm should provide a report at next meeting of this Commission regarding the problem in the Herty area and when a solution could be developed.

22. Appointments - Tabled - Lufkin Industrial Development Authority - Lufkin Housing and Finance Corporation - Lufkin Health Facilities Development Corporation

Mayor Garrison stated that it is customary after each election to appoint the newly elected members of the City Commission to the three organizations as replacements for the outgoing City Commissioners.

City Manager Westerholm stated that resignations had been signed by Richard Thompson and E. C. Wareing, but Gil Fears had not signed his resignation.

Mayor Garrison stated that in view of the fact that one resignation had not been received, City Commission might consider tabling the item until a later date.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Percy Simond that item be tabled until next meeting of the City Commission. A unanimous affirmative vote was recorded.

23. City Hall Air-Conditioning, Discussed - Railroad Crossing, Discussed - Vacancies in Police Department, Discussed - City Planner, Discussed - Capitol Improvements Projects, Discussed - School Crossing - Herty, Discussed - Assistant City Secretary - Resignation, Discussed

City Commissioner Don Boyd stated that he would like to know the problem with the City Hall air-conditioning. City Manager Westerholm stated that unit was old and that an estimated \$11,000 would be needed to complete repairs.

Commissioner Don Boyd stated that consideration should be given to improvement of the railroad crossing at Bremond and Culverhouse which has become extremely rough. City Commissioner Don Boyd stated that he understood that at present there were six (6) vacancies in the Police Department and requested information from Captain David Kirkland. Captain Kirkland stated that one person had been obtained from the Civil Service test given previously and another test had been scheduled for May 30th. Commissioner Boyd stated that he would like to have a report on why there were so many vacancies in the Police Department, and the City expends a large amount of funds to train officers who leave after they receive the training.

In response to question by Commissioner Jack Gorden, City Manager Westerholm stated that at the present time he was interviewing applicants for the position of City Planner and it would probably be a month before a decision could be made.

In response to question by Commissioner Jack Gorden, City

Manager Westerholm stated that work has begun on the budget for the new fiscal year in the month of April and each Department is aware of capital improvements that should be considered in the new budget.

Commissioner Jack Gorden stated that some type of long range planning was needed by the City of Lufkin. City Manager Westerholm stated that the last master plan for the City of Lufkin was developed in 1972 but a capital improvements program was not a part of that master plan.

Commissioner Lynn Malone stated that school crossing signs need to be installed for the Herty School on Paul Street and that he had received several reports of speeding in the area of the school.

Mayor Garrison stated that Assistant City Secretary, Libby Sims, had resigned and suggested that a Resolution be prepared by the City Commission commending her for the work that had been done for the City of Lufkin. City Manager Westerholm then introduced Lori Nix, new Assistant City Secretary.

- 24. There being no further business for consideration, meeting adjourned at 9:00 p.m.

Pitser H. Garrison
Pitser H. Garrison, Mayor



ATTEST:

Ann Griffin
Ann Griffin, City Secretary