

MINUTES OF EMERGENCY MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 13TH DAY OF DECEMBER, 1986, AT 5:00 P.M.

On the 13th day of December, 1986, the City Commission of the City of Lufkin, Texas, convened in emergency 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
Danny Roper	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
David Stephens	Assistant City Attorney
Atha Stokes	City Secretary

being present when the following business was transacted:

1. Meeting was opened with prayer by Commissioner Louis Bronaugh.
2. Mayor Garrison stated that this meeting had been called for the special purpose of considering whether the City Commission wished to issue a statement concerning the actions taken by the City Manager with reference to the Chief of Police, Mr. Leonard Latham.

Mayor Garrison stated that in order that the Commission might consider the possibility of issuing this statement, he declared the open meeting in recess at 11:03 A.M. and requested that the Commission retire into Executive Session to discuss same.

Mayor Garrison recognized Attorney Roger Moss who stated that he was present to represent his client, Lufkin Daily News. Mr. Moss stated that he would like to inform the Commission that they were in violation of the Open Records Act by going into an Executive Session to discuss whether or not they would issue a statement and he requested that any discussion by the Commission be open to the public and that the Commission reconsider going into closed session.

Mayor Garrison stated that the City staff had been in contact with the Legal Department of Texas Municipal League and had been advised that the City Commission was justified going into executive session.

Mayor Garrison requested an opinion by Assistant City Attorney David Stephens, and Mr. Stephens stated that the City Commission could adjourn for Executive Session.

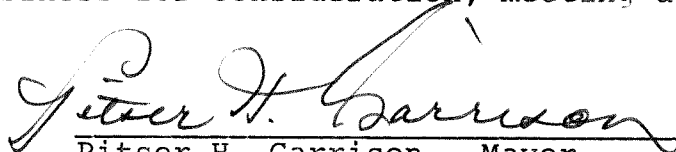
Mayor Garrison stated that in deference to the comments of Mr. Moss, the members of the City Commission were willing to forego an executive session and that the Commission had not held an executive session. Mayor Garrison called the meeting back to order at 11:05 A.M.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that the statement prepared by the Commission on the demotion of Leonard Latham be adopted as an official statement by the City Commission. The following vote was recorded: Aye - Commissioners Roper, Foley, Simond, Boyd, Bronaugh, Mayor Garrison.

Commissioner Jack Gorden abstained from voting.

Mayor Garrison stated that the motion carried by a vote of 6 to 1.

3. There being no further business for consideration, meeting adjourned at 11:15 A.M.

  
Pitser H. Garrison - Mayor

ATTEST:

  
Atha Stokes - City Secretary