MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 20TH DAY OF OCTOBER, 1987, AT 5:00 P.M.

On the 20th day of October, 1987, 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
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
Brian Boudreaux	Assistant City Manager
Nicholas Finan	City Planner
Ron Wesch	Public Works Director
Robert Flournoy	City Attorney
Atha Stokes	City Secretary

being present, and

Don Boyd	Commissioner, Ward No. 2

being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. James Lee Riley, Minister, First United Methodist Church, Lufkin.

2. Mayor Garrison welcomed visitors present and recognized Lufkin Service League's President-elect Joann Roquemore and provisional members Nancy Booher, Brenda Coker, Bridgett Henderson, Mary Jackson, Nancy Varpahl, Chris McElroy, Marion Osborn, Jackie Strain, Cheryl Hearn and Leann Kincheloe.

Mayor Garrison stated that the provisional members are entering upon a service that is a vital importance to the entire community. Mayor Garrison stated that the Service League had set quite an example for everyone to follow by working in the public interest and exerting a very fine influence throughout the community. Mayor Garrison stated that he would commend the new members as they join with this activity for their interest in the community.

Mayor Garrison stated that at the request of Lt. Amos Lewis, the Commission would present in his behalf a proposed Resolution commending Mr. Tom Dunn, who is the President of the local Crime Stoppers Association, and who has been recently elected to the Board of Directors of Crime Stoppers International. Mayor Garrison stated that this was indeed a significant accomplishment on a national level and is evidence of the fact that Mr. Dunn has done a remarkable job on the local level in working with the Crime Stoppers program.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that Resolution commending Tom Dunn on his recent election to the Board of Directors of Crime Stoppers International be adopted as presented. A unanimous affirmative vote was recorded.

3. APPROVAL OF MINUTES

Minutes of regular meeting of October 6, 1987 were approved on a motion by Commissioner Percy Simond and seconded by Commissioner Louis Bronaugh. A unanimous affirmative vote was recorded.

4. ORDINANCE - APPROVED - SECOND READING - SPEED ZONE CHANGE - CHAMPIONS DRIVE

Mayor Garrison stated that the Commission now had for consideration Second Reading of Ordinance for Speed Zone Change on Champions Drive. Mayor Garrison stated that the Ordinance had been heard on First Reading at the last meeting and had passed unanimously.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Danny Roper that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

5. BID - APPROVED - LARGE CAT EXHIBIT - ELLEN TROUT ZOO

Mayor Garrison stated that bids received on the large cat exhibit at Ellen Trout Zoo had all exceeded the amount contributed by the TLL Temple Foundation.

Gordon Henley stated that he had talked with Board members about securing additional funds in the event the Temple Foundation would not donate the needed amount to meet the bid. Mr. Henley stated that Claude Smithheart assured him that the additional funds would be available.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that bid from Moore Brothers Construction Company in the amount of $188,750 be accepted as the best bid. A unanimous affirmative vote was recorded.

In response to question by Mayor Garrison, Mr. Henley stated that the engineers have estimated that it will take 150 days to complete the project.

6. PARK SITE - APPROVED - SOUTH JOHN REDDITT DRIVE

Mayor Garrison stated that at a recent Commission meeting a proposed park site on the south side of town had been discussed and that Parks and Recreation Director Don Hannabas had prepared a possible plan for the site for consideration at tonight's meeting.

In response to question by Commissioner Danny Roper, Mr. Hannabas stated that he was satisfied that for this particular piece of property, the highest and best use would be a park. Commissioner Roper stated that perhaps this piece of property could be used for commercial purposes and another location on the south side could be used for the park.

City Manager Westerholm stated that because Hurricane Creek runs parallel with the property, it has not been considered desirable for commercial activity.

Mayor Garrison stated that once the site is dedicated as a park, the City is committed and it would take a city wide election to change its dedication as a park. Mayor Garrison stated that a large portion of the property is in the flood plain and that he is still concerned about traffic entrances and exits onto the Loop.

Commissioner Foley stated that he noticed a number of different activities had been drawn on the proposed plan by Mr. Hannabas, and he personally would like to see more of the grounds in its natural state to be used as jogging paths, picnic areas, etc.

Mr. Hannabas stated that his proposed plan is merely a suggestion and it would take an indepth study and a public hearing before final plans could be determined.

Commissioner Gorden stated that, in his opinion, Mr. Hannabas had done a good job of laying out the park. Commissioner Gorden stated that the park site is visible for local citizens and people passing through the City, and he would personally like to see the site designated as a park.

Mayor Garrison stated that he would be hesitant to make the site an official park until funds are available.

Commissioner Gorden stated that if the site was dedicated as a park, then the search for funds could begin.

Commissioner Foley stated that he was under the impression that when the park was discussed previously, funds were available from some source.

Mayor Garrison recognized Leroy Biggers, marketing specialist with the Texas Department of Agriculture out of Tyler. Mr. Biggers stated that he had worked with the Farmers Market Association in the development of Lufkin's Farmers Market, which has had a very positive impact on the City. Mr. Biggers stated that presently there are twenty-five members in the Farmers Market Association. Mr. Biggers stated that he had met with Arthur Temple earlier, and Mr. Temple had made a commitment to assist in a structure for the market if the City would assist the association in obtaining a site. Mr. Biggers stated that the Farmers Market is eligible to receive grants and there are numerous propositions which will be presented to voters on November 3rd. Mr. Biggers stated that, in his opinion, the market could be designed to fit into the park area without any problem and even have a very positive impact. Mr. Biggers stated that this year the Farmers Market generated over a $100,000 which is a conservative estimate by the farmers. Mr. Biggers stated that representatives of the Texas Department of Agriculture would be interested in trying to develop some plans as to the type of structure that would fit into the park site on the south side of town.

Commissioner Pat Foley stated that he had some reservations about the Farmers Market locating at the park site because they would be utilizing City property which the tax payers have purchased within the City. Commissioner Foley stated that the City has some large tax paying businesses that dispense groceries and allowing a Farmers Market on City owned property would be in direct competition with these businesses. Commissioner Foley stated that, in his opinion, the Farmers Market is a good thing for the City, but is not compatible with the park.

Mr. Biggers stated that he was present to seek assistance in procuring a site, not necessarily this particular site.

In response to question by Commissioner Danny Roper, Mr. Hannabas stated that one of the stipulations in applying for grant monies for a park is that the site must be designated as a park.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that the thirty-four (34) acre tract located on South John Redditt Drive be designated as a park. A unanimous affirmative vote was recorded.

In response to question by Commissioner Roper, Mr. Hannabas stated that the Parks Department is currently doing some under brushing at the Herty Park site and should have proposals from the engineers ready to be presented at the November 17th meeting.

In response to question by Commissioner Simond, Mr. Hannabas stated that the Comprehensive Plan did not designate the site of South John Redditt Drive but did propose two park sites, both south of the

Loop. Mr. Hannabas stated that the plan proposes one site west of Feagin and the other one between Highway 59 and Farm Road 58.

7. RESOLUTION - APPROVED - BUILD TEXAS

Mayor Garrison stated that the City had recently received some communication from the Texas Municipal League recommending the Commission consider endorsing certain constitutional amendments which will be on the ballot at the General Election on November 3rd. Mayor Garrison stated that Texas Municipal League had recommended that the Commission pass a Resolution supporting the Build Texas program. Mayor Garrison stated that Amendment 4 would authorize the legislature to provide for programs and to make loans in grants of public money to aid economic development in Texas, Amendment 5 would authorize certain cities to aid the construction of turnpikes, toll roads, and toll bridges by guaranteeing bonds issued by the Texas Turnpike Authority, Amendment 6 would authorize the legislature to provide for state financing of the development and production of Texas products and businesses, Amendment 11 would allow local option property tax exemptions for inventory located temporarily in the state, Amendment 19 would allow the legislature to authorize $500,000,000 in general obligation bonds to support the U. S. Department of Energy Super Collider, if it is sited in Texas, Amendment 7 would provide authority for $400,000,000 in state general obligation bonds to finance local public facilities, Amendment 8 would provide authority for $500,000,000 in state general obligation bonds to finance correctional and/or MHMR facilities, Amendment 23 would provide authority for $400,000,000 in state bonds for water supply, water quality, and flood control purposes, and Amendment 17 would authorize Tort Reform for Texas cities.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that Resolution supporting the Build Texas Program be approved as presented. A unanimous affirmative vote was recorded.

8. BID - APPROVED - GARBAGE BAGS - ARROW INDUSTRIES

Mayor Garrison stated that the Commission would now consider bids for garbage bags.

City Manager Westerholm stated that seven bids had been received and the low bid was Arrow Industries at .0688 per garbage bag and .1376 per leaf bag, which is substantially more than last year's bid and is substantially more than what has been budgeted for the purchase of the bags. City Manager Westerholm stated that this bid is for an annual supply of 1,700,000 bags and when the $81,000 that has been budgeted is spent, revenue from the Sanitation Department will have to be looked at to see if we will be able to continue purchasing the bags throughout the year.

In response to question by Commissioner Bronaugh, City Manager Westerholm stated that he would suggest raising the price of bags from $4.00 to $5.25 since the bags had gone up 50%.

In response to question by Commissioner Gorden, City Manager Westerholm stated that the City is presently paying $2.54 per box and is charging $4.00 per box. City Manager Westerholm stated that with the new bid, the bags are now $3.44 per box.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that bid of $119,712.00 from Arrow Industries be accepted as the lowest and best bid. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner

Danny Roper authorizing the City Manager to make a study on the price of garbage bags. A unanimous affirmative vote was recorded.

9. EXECUTIVE SESSION - TABLED

Mayor Garrison stated that an Executive Session had been scheduled to consider a possible sale of some property, but it needed some further study on the appraisal and would be tabled until this information was available.

10. CITY MANAGER'S BIRTHDAY - VEHICLES WITH EMERGENCY LIGHTS - OSCAR BROOKSHIRE RESOLUTION

Commissioner Pat Foley stated that he would like to make acknowledgement of today being the City Manager's birthday.

Commissioner Foley stated that he was concerned that there were a number of vehicles on City streets with emergency lights and the vehicles were not marked. Commissioner Foley stated that he was of the opinion that citizens were not authorized to have emergency lights on private vehicles.

Officer David Walker stated that volunteer fire department members could have emergency lights on their vehicles.

Commissioner Foley stated that Oscar Brookshire, a very active citizen, had passed away recently and the community would miss him greatly. Commissioner Foley stated that, in his opinion, the adoption of a Resolution in appreciation of Mr. Brookshire would be appropriate.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that the City Commission adopt a Resolution in appreciation of the life of Oscar Brookshire. A unanimous affirmative vote was recorded.

Commissioner Percy Simond stated that the Lufkin News had recently run an article about the Lufkin School Board which included some suggestions for better community relations and he had brought a copy of the article to share with the other members of the Commission.

11. There being no further business for consideration, meeting adjourned at 6:03 P.M.

Pitser H. Garrison

Pitser H. Garrison, Mayor

ATTEST:

Atha Stokes

Atha Stokes, City Secretary