

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 21ST DAY OF JULY, 1987, AT 5:00 P.M.

On the 21st day of July, 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:

Pat Foley	Mayor pro tem
Percy Simond, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Danny Roper	Commissioner, Ward No. 3
Jack Gorden, Jr.	Commissioner, Ward No. 5
Louis Bronaugh	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Robert Flournoy	City Attorney
Nicholas Finan	City Planner
Ron Wesch	Public Works Director
Atha Stokes	City Secretary

being present, and

Pitser Garrison	Mayor
Brian Boudreaux	Assistant City Manager

being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Bob Brown, Minister, Redland Baptist Church, Lufkin.

2. Mayor pro tem Foley welcomed visitors present.

Mayor pro tem Foley recognized Aaron Marsh, local Scout, who is working on his merit badge.

3. APPROVAL OF MINUTES

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that minutes of July 7, 1987 meeting be approved as presented. A unanimous affirmative vote was recorded.

4. LAKE EASTEX PROJECT - APPROVED - PRECONSTRUCTION PERIOD

Mayor pro tem Foley stated that the first item for consideration is participation in the Preconstruction Period in the Lake Eastex project.

Mayor pro tem Foley stated that at last meeting a representative of Angelina and Neches River Authority, sponsors of this project, had made a presentation to the City Commission and had presented a Contract for review. Mayor pro tem Foley stated that a proposal was presented to the Commission to continue with the engineering studies and other work necessary to secure a permit from the Texas Water Commission on this project. Mayor pro tem Foley stated that the cost to the City would be \$5,216 a year for seven years to continue in this program.

Mayor pro tem Foley stated that Charles Thomas, who represented the A&NRA at last meeting, was unable to be present tonight because of illness in his family.

Chester Moore stated that he and several other members of the A&NRA Board of Directors were present in representation of the proposal in the event the Commission had any further questions.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Percy Simond that the City of Lufkin continue to participate in the Preconstruction Period of the Lake Eastex Project in the amount of \$5,216.00 per year for seven years.

In response to question by Mayor pro tem Foley, City Attorney Bob Flournoy stated that he would point out that the City's obligation was only through the Preconstruction Period. Mr. Flournoy stated that the state will be purchasing a substantial portion of these rights, and the City will, in addition to purchasing the rights guaranteed under this contract, have the option to purchase other rights, and also might have the opportunity to sell some of the rights it does have if it has more than it needs.

City Attorney Flournoy stated that he was satisfied with the Contract as it is presented.

Mayor pro tem Foley called for the vote. A unanimous affirmative vote was recorded.

5. REALIGNMENT OF WARD LINES - DISCUSSED

Mayor pro tem Foley stated that the next item for consideration was a proposal for realigning ward lines to accommodate consolidation of polling places.

Mayor pro tem Foley recognized Bill Shanklin in representation of the Angelina County Taxpayers Association.

Mr. Shanklin stated that, in his opinion, the voters of Lufkin want and deserve a permanent voting place, where they vote in all elections. Mr. Shanklin stated that his group's presentation to the County Commissioners Court on the proposed boundary changes received a rather cool reception and stated that they would wait and see what the City would do. Mr. Shanklin stated that at last meeting he had stated that his group was not claiming that the proposed boundary changes was the only solution to the problem. Mr. Shanklin stated that the group is simply trying to provide a tool to work with. Mr. Shanklin stated that by using the proposed changes within the City limits of Lufkin, the goal could still be accomplished and the surrounding county area could remain as is. Mr. Shanklin stated that the City would need the County Commissioner's help to the extent of getting them to change Precinct 4's boundary within the City and a short boundary line changed in Precinct 3. Mr. Shanklin stated that the major change for Precinct 4 requires divesting itself of Voting Box 9 in the City, which still leaves Precinct 4 with three boxes within the City. Mr. Shanklin stated that he had read in the newspaper where the City Planning and Zoning Department had done a study and the change in the demographics seems to be minute.

Mr. Shanklin stated that, in his opinion, the next step would be a meeting among the three entities involved - the County, the school district, and the City of Lufkin. Mr. Shanklin stated that if the City thinks it would be beneficial for the Angelina County Taxpayers Association to attend, they would be pleased to do so. Mr. Shanklin stated that if the City has the desire to satisfy the voters of this City, it will pass a motion at tonight's meeting to call such a meeting with the other two entities to try and come up with a viable solution.

Commissioner Don Boyd stated that originally the proposal was for a centralized place to vote, and that now there was talk of changing voting lines.

Mr. Shanklin stated that the lines must comply with each other to make the proposal work.

Commissioner Boyd stated that he had talked to some people who stated that they would like to see one place to vote, but if it involved problems with changing lines, they would rather travel than have to vote in different places. Commissioner Boyd stated that a complete study of the demographics needs to be made and that the City must have the approval of Judge William Wayne Justice before any lines are changed. Mr. Shanklin stated that he had not contacted Judge Justice, but had spoken with the Justice Department in Washington, D.C. and they stated that it was not necessary to submit the proposed boundary line changes for approval.

In response to question by Commissioner Bronaugh, City Manager Westerholm stated that the County can have two or three election precincts within one of the City's election precincts, but they cannot have one that crosses the City precinct lines.

Commissioner Bronaugh stated that the way the map looks as it now is, it appears that County Precincts 1 and 2 are in the City's Ward 6 and crosses the City precinct line.

City Attorney Flournoy stated that the overall effect for the County to change their lines, as far as the demographics and number of people, is a lot less than when the City changes one of its ward lines. Mr. Flournoy stated that it appears that everything Mr. Shanklin is wanting to accomplish can be done if the County is willing to change their lines to follow the City's lines.

In response to question by Mayor pro tem Foley, City Attorney Flournoy stated that he had not reviewed the Angelina Taxpayer's Association's proposal, because he thought they were asking the City to change its lines and what he had looked at was whether the City had a right to do it, and if the City is going to change the precinct lines, it must do so and then present the changes to the Justice Department. Mr. Flournoy stated that the City could not get pre-clearance but would have to make the changes, submit them to the Justice Department and if the Justice Department does not make any objections in a certain length of time, then it is in effect. Mr. Flournoy stated that, in his opinion, if all the entities involved were in agreement, Judge Justice would not have any objections.

In response to question by Commissioner Gorden, Mr. Shanklin stated that his group had planned to make a presentation to the school, but it would not be necessary to do so if the City would agree to meet with the school and county.

Mayor pro tem Foley recognized Rev. Sylvester McClain, representative of the Lufkin branch of the NAACP, who stated that there was no proof that the proposed changes are as minute as presented. Rev. McClain stated that if there is any reduction in the percentage of blacks in the predominantly black majority City precincts, the members of the NAACP and other citizens have very grave reservations. Rev. McClain stated that he was concerned that when changes are made, it might have a reciprocal effect and negative impact on the black majorities in those precincts.

Rev. McClain stated that he would agree to simplify the process where people do not have to vote at too many different voting places. Rev. McClain stated that the NAACP had not been invited to participate in the discussion of changing the precinct lines. Rev. McClain stated that he would like to see a more serious study and survey performed by experts in the field, and he would like for the NAACP to participate in the study.

Rev. McClain stated that, in his opinion, the group bringing the proposal before the Commission did not represent the black voters.

Rev. McClain stated that he represented 500 plus NAACP members who were prepared to go out and get petitions opposing changes to voting lines which will result in a possible reduction in the amount of voters available to vote.

Rev. McClain stated that he was present in behalf of the NAACP to voice their serious reservations and their solemn opposition to proposed changes to voting lines. Rev. McClain stated that if there is to be a change to the polling places without changing the voting lines, they have no objections.

In response to question by Mayor pro tem Foley, Rev. McClain stated that, in his opinion, the 1980 census was not very accurate as far as the amount of potential black voters. Rev. McClain stated that he would like to see a more comprehensive study to determine the impact of any proposed change, and without any disrespect to this group, he feels that they have done a disservice to themselves by not reaching out to the NAACP and to the black voters league and inviting them to sit down together to study the demographics and ramifications of making some changes to make it easier for people to vote.

Mayor pro tem Foley recognized Lacy Chimney in representation of the Angelina County Democratic Voters League, who stated that he would like to read a prepared statement that sums up their position on the matter of proposed changes to City precinct lines:

(a copy of the statement is attached hereto and made a permanent part of the minutes)

City Attorney Flournoy stated that under Section 42.005 of the Texas Election Laws it states that the County election precincts may not contain territory from more than one of each of the following types of territorial units: (1) a commissioners precinct (2) a justice precinct (3) a congressional district (4) a state representative district (5) a state senatorial district and (6) a ward in a city with a population of 10,000 or more (in single member districts).

City Attorney Flournoy stated that Section 42.061 states that "an election precinct established for an election ordered by a city authority may not divide a county election precinct except as necessary to follow the city's boundary". Mr. Flournoy stated that it is his understanding that it is the County's responsibility to change to conform with City lines.

Mayor pro tem Foley recognized Royce Garrett who stated that he represented the Titus Institute of Lufkin, the Coalition of Democrats, a group that he did not wish to name and many other citizens. Mr. Garrett stated that he would like to give a brief history of where voters are in Angelina County and then some perspective in what is going on in some of the other areas.

Mr. Garrett stated that the precinct boxes and precinct lines are where they are because of a Federal out-of-court settlement in the City and in the County.

Mr. Garrett stated that in 1987 there is a proposal to change the precinct lines, and none of these people have been invited to participate in the proposal. Mr. Garrett stated that this proposal was not well thought out because it did not involve people who would be affected by it.

In response to question by Commissioner Gorden, Rev. McClain stated that the purpose of the lawsuit was that black voters would have fair representation on the City Commission.

Mayor pro tem Foley recognized LuAnn Tatum who stated that she was present as a citizen and was also Chairman of the Democratic Party in Angelina County.

Ms. Tatum stated that she had come to the meeting to voice her opposition to the proposal and instead of making a statement she wanted to ask a question: "Why is it necessary to change any lines?" Ms. Tatum stated that if the City and School wanted to consolidate the voting, they could do so by the school voting where the City already has boxes and there would be no need to change any lines.

Ms. Tatum stated that every 50 to 100 years the City and County might have an election on the same day.

Commissioner Gorden stated that one point that might be overlooked is, even though the elections might not be on the same day, people could have one place to go to vote in all elections.

Ms. Tatum stated that the easiest way for people to have one place to vote is to have all the voting done at the courthouse which would mean that people in Zavalla would have to come all the way into Lufkin. Ms. Tatum stated that if it is going to be necessary to disenfranchise or inconvenience a whole lot of people all over the City and County in order to make all the voting boxes be at the same place in each precinct, it might not be doing a service to the entire community. Ms. Tatum stated that she would say to the City Commission the same thing she said to the County Commissioners - if people want to vote, they will.

Mayor pro tem Foley stated that the purpose of this hearing was to listen and get input from those present. Mayor pro tem Foley stated that it was his opinion that everyone was concerned about getting more people out to vote, and the best way to do it.

Mayor pro tem Foley stated that he would invite Mr. Shanklin to speak in rebuttal if he would like to do so.

Mr. Shanklin stated that he would like to apologize to Rev. McClain and the others who spoke for not visiting with them about the proposal. Mr. Shanklin stated that his group had every intention of working with anyone who was interested in the proposal. Mr. Shanklin stated that he would like to say again that his group did not say that they have the only answer, but was proposing their plan as a tool to work with. Mr. Shanklin stated that his group felt that instead of making it harder for the black voter, they felt the results would be just the opposite and still feel that if they can get everybody to agree, it will get out more black and white voters with a simplified voting system.

Mr. Shanklin stated that he has told every group he has met with from the beginning that unless everyone cooperates, the plan will never work, and that includes the black community, and if they are against it, there is no way it will work.

In response to question by Mayor pro tem Foley, Mr. Shanklin stated that he was very interested in meeting with the NAACP and intended to call Rev. McClain to set up a meeting as soon as possible.

Mayor pro tem Foley recognized Harry Castleberry, President of the Angelina County Taxpayers Association, who stated that he was not asking the City to make a decision on the lines that his group has drawn, but merely asking the Commission to go on record by saying that they will meet with the other taxing authorities and see what can be worked out.

Commissioner Simond stated that he had originally thought the proposal was a good idea but now questioned the legality of it. Commissioner Simond stated that he would like to see the taxpayers group and the NAACP work together and come up with a proposal that would be agreeable to everyone.

In response to question by Candice Beamon, Mayor pro tem Foley stated that generally the idea is to consolidate the voting places, so that a person can go to one place and vote in one or more elections if they happen to be on the same day.

Ms. Beamon stated that she did not know anyone who was dissatisfied with the way the voting boxes are now.

Commissioner Danny Roper stated that, in his opinion, the matter was worth pursuing if not for any other reason than the convenience factor and one that can stimulate a higher turnout at the polls. Commissioner Roper stated that it would be a good idea for members of the City Commission to recommend that the staff approach the County Commission and request a meeting.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Louis Bronaugh authorizing the City Manager, the City Attorney and two City Commissioners appointed by the Mayor to meet with the County Judge and the school board to consider consolidation of polling places.

Commissioner Boyd stated that the Commission might want to wait until the taxpayers group and the NAACP have come to an agreement.

Mr. Castleberry stated that until the County and City are compatible nothing could be done.

In response to question by Commissioner Simond, City Attorney Flournoy stated that the meeting with the County and school district has to be a public meeting.

Mayor pro tem Foley called for the vote. A unanimous affirmative vote was recorded.

6. RATE INCREASE - APPROVED - ENTEX

Mayor pro tem Foley stated that the next item for consideration was a request from Entex for a rate increase.

Mayor pro tem Foley recognized Floyd Hagood, Entex Manager, in representation of the request. Mr. Hagood stated that at the last meeting he had informed the City Commission that a review of revenue expenses, and return on investments in the Lufkin distribution system has resulted in a necessary increase to the current rates. Mr. Hagood stated that the increase was \$2.54, or .08 cents per day, to all residents and small commercial minimum bills. Mr. Hagood stated that with this increase, Lufkin residential minimum bill will be among the lowest in the East Texas area. Mr. Hagood stated that the City Commission had requested more information from Entex to substantiate this need for the proposed increase. Mr. Hagood stated that the volume of the information and the manner in which it was presented to each member of the Commission points out the pride that Entex has in its record of doing business in Lufkin.

Mr. Hagood stated that this is the second time an Entex representative has come before the Commission in over seventeen years. Mr. Hagood stated that the total increase, including the \$2.54, is \$5.87 for the past seventeen years. Mr. Hagood stated that this is a record that no utility company in this area can copy.

Mayor pro tem Foley stated that it appears from the information that has been presented that Entex is justified a rate increase. Mayor pro tem Foley stated that Entex runs a very frugal operation and takes very good care of its Lufkin customers in a timely and fashionable manner.

Mayor pro tem Foley stated that he did have a problem with the automatic service adjustment provision included in the proposal, and that he would prefer that whenever Entex needed an increase they would come back before the Commission.

In response to question by Mayor pro tem Foley, City Attorney Flournoy stated that unless the Commission actively opposes the rate increase, it will go into effect. Mr. Flournoy stated that the Commission has two alternatives, (1) to suspend the suspension that is in place now, and it would go into effect immediately, or (2) allow the suspension to stay in place, and it will automatically expire in 90 days from July 1st.

In response to question by Commissioner Simond, City Attorney Flournoy stated that the automatic increase is subject to the Railroad Commission's approval.

Wayne Stennet, Houston Entex Manager, stated that procedurally the cost of service clause would operate automatically pursuant to a precise formula that is contained in the schedule. Mr. Stennet stated that if the City approves the operation of that clause then the Railroad Commission doesn't have much to say about it until Entex goes to the environs (customers outside the City), and a report would have to be submitted to them. Mr. Stennet stated he would like to see Lufkin adopt the clause, but if it is a problem, Entex can use the regular method of filing general rate increases every three or four years or as needed. Mr. Stennet stated that if the City Commission would like the clause removed from the rate schedule, that could be done.

In response to question by Commissioner Bronaugh, Mr. Stennet stated that part of the cost to service is the income tax they pay. Mr. Stennet stated that the federal income tax has been reduced from 46% to 34% effective July 1st under the Tax Reform Act. Mr. Stennet stated that this change was a known change when Entex filed to increase the rates in Lufkin, and so the income tax piece of the cost of service is already at 34% and Entex is proposing to set their rates on that lower tax rate so that their customers get the benefit of that lower tax rate.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper to suspend the suspension with the condition that an adjustment is made to eliminate the automatic rate increase clause and that the rate increase take effect August 1, 1987. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE REQUEST -
JOHN URBIN - 3300 LOTUS LANE - MOBILE HOME TO MOBILE HOME,
SPECIAL USE (MOBILE HOME SALES)

Mayor pro tem Foley stated that the Commission now had for consideration First Reading of Ordinance for Zone Change Request by John Urbin covering property located at 3300 Lotus Lane from Mobile Home to Mobile Home, Special Use (Mobile Home Sales).

Mayor pro tem Foley stated that the Zone Change Request had been unanimously passed by the Planning and Zoning Commission.

Mayor pro tem Foley recognized John Urbin in representation of request. Mr. Urbin stated that residents of the mobile home park

would own the mobile homes and that none of the mobile homes would be for rent.

In response to question by Mayor pro tem Foley, City Attorney Flourney stated that the City Commission does have the authority under the Special Use Conditions of the Zoning Ordinance to specify that no mobile homes manufactured prior to 1978 be sold on the lot.

There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

8. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE REQUEST - NORMAN A. NORRIS - 117 DOUGLAS AND 505 MOORE

Mayor pro tem Foley stated that the Commission now had for consideration First Reading of Ordinance for Zone Change Request by Norman A. Norris covering property located at 117 Douglas and 505 Moore.

Mayor pro tem Foley stated that this request was heard before the Planning and Zoning Commission and passed unanimously.

There was no opposition present.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Jack Gorden that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

9. ACQUISITION OF RIGHT-OF-WAY - APPROVED - WHITEHOUSE ROAD FROM ROSEDALE DRIVE TO BRENTWOOD DRIVE

Mayor pro tem Foley stated that the next item for consideration was acquisition of right-of-way on Whitehouse Road from Rosedale Drive to Brentwood Drive.

City Manager Westerholm stated that the Highway Department will be making improvements to Brentwood from U. S. Highway 59 to Farm Road 58 in the near future and will require some realignment of Whitehouse Road where it intersects Brentwood and Highway 59. City Manager Westerholm stated that Whitehouse Road is only 15 feet wide where it enters Brentwood and is outside the City limits by a distance of approximately 400 feet. City Manager Westerholm stated that he was requesting authority to begin negotiations for the acquisition of the additional right-of-way needed to acquire this property.

In response to question by Mayor pro tem Foley, City Manager Westerholm stated that it is possible to budget the funds for this project in the 1987-88 budget.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh authorizing the City Manager to negotiate for the acquisition of the additional right-of-way needed to acquire the property. A unanimous affirmative vote was recorded.

10. MAINTENANCE CONTRACT - APPROVED - HARRISON ELEVATOR, INC.

Mayor pro tem Foley stated that the next item for consideration was a maintenance contract for the City Hall elevators.

City Manager Westerholm stated that three bid invitations were sent out to elevator companies doing business in this area and two bids were received with one company declining to bid. City Manager Westerholm stated that the low bid had been received from Harrison

Elevators, Inc. of Nacogdoches for \$270 per month to maintain operation of the elevators at City Hall.

City Manager Westerholm stated that the law requires semi-annual inspections of elevators. Commissioner Gorden stated that the Contract states that there will be a monthly inspection of the elevators. Mayor pro tem Foley stated that the Contract states that the elevator company will furnish parts and maintenance.

City Manager Westerholm stated that \$270 for this Contract can be budgeted, and there is no way to budget for a breakdown. City Manager Westerholm stated that he was going to suggest in the new budget that a building engineer be hired to take care of situations like this.

In response to question by Commissioner Simond, City Manager Westerholm stated that there are two sets of keys for emergencies and that he has one set and the Fire Marshal has the other set.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Louis Bronaugh that Contract from Harrison Elevator, Inc. in the amount of \$270 monthly be approved as presented. A unanimous affirmative vote was recorded.

11. INVOICE - APPROVED - EVERETT GRIFFITH AND ASSOCIATES - STEP 3 INTERCEPTOR

Mayor pro tem Foley stated that the next item for consideration was an invoice from Everett Griffith and Associates for work done on Step 3 of the Interceptor.

In response to question by Commissioner Simond, City Manager Westerholm stated that the original contract was not to exceed \$297,000 and the City has paid Everett Griffith and Associates \$260,307.41 thus far. City Manager Westerholm stated that the invoice for approval tonight is for \$10,408.91, which means that the Contract is close to being paid.

In response to question by Commissioner Simond, City Manager Westerholm stated that the State does an inspection every month.

City Manager Westerholm stated that the Contractor was supposed to have been through on June 19, but there are a few items that are not finished. City Manager Westerholm stated that liquidated damages may be charged against the Contractor for going past the June 19 completion date.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Jack Gorden that invoice from Everett Griffith and Associates in the amount of \$10,408.91 be approved as presented. A unanimous affirmative vote was recorded.

12. BID - APPROVED - WATER PIPE - SPENCE STREET

Mayor pro tem Foley stated that the Commission now had for consideration bids for water pipe to be used on Spence Street.

City Manager Westerholm stated that Brookshire Brothers is in the process of building a bakery on Spence Street where there are no large water mains. City Manager Westerholm stated that this pipe is needed to join an 8" deadend line with a 6" deadend line on Spence Street, which will also give sprinkler system capabilities to the new Brookshire Brothers bakery building.

City Manager Westerholm stated that the low bid had been received from Big State Utility, Inc. in the amount of \$16,541.14.

In response to question by Commissioner Boyd, City Manager Westerholm stated that this item had not been budgeted, but \$31,000 was left in meter settings and the amount would come out of this figure.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper that bid from Big State Utility, Inc. in the amount of \$16,514.14 be accepted as the lowest and best bid. A unanimous affirmative vote was recorded.

Commissioner Simond stated that he had talked with a gentleman at the TML meeting in El Paso recently who stated that his City had a very sophisticated system that showed the location of every water line, valve and meter in the City. City Manager Westerholm stated that Public Works Director Ron Wesch has suggested this system for the City of Lufkin, but because of the \$150,000 expense for the computer system, it had been removed from the upcoming budget.

13. PROGRESS REPORT - LUFKIN TRANSIT SYSTEM

Mayor pro tem Foley stated that the Commission would now hear a progress report on the Lufkin Transit System.

Mayor pro tem Foley recognized Lyle Nelson, Associate Administrator for Brazos Transit Authority. Mr. Nelson stated that his staff is working towards having a fall start up of the system. Mr. Nelson stated that the trolleys are currently being built by a firm in Pennsylvania and since these are made-to-order type vehicles, he does not have a delivery date for them at this time. Mr. Nelson stated that he had also retained a consultant, Barry Goodman, and Associates, who is presently working on obtaining some railroad right-of-way for various park and ride lots throughout the City. Mr. Nelson stated that he had also worked to get legislation passed that would allow them to apply for state money to be used for local match, and if the application is approved it will substantially lower the capital cost to the City.

Mr. Nelson stated that he is also interviewing applicants for the Operations Director and when he is hired, interviewing of applicants for bus drivers will begin.

Mr. Nelson stated that they will use radio, TV and newspaper advertising and will be posting notices around town when they start looking for applicants.

Mr. Nelson stated that he will be presenting the final proposal for routes and schedules at the August 4th meeting.

In response to question by City Manager Westerholm, Mr. Nelson stated that he was set to start up September 1st, and the only thing that would possibly hold them up would be the manufacturer of the trolley. Mr. Nelson stated that the original delivery date was July 1st, but because of problems with the chassis the date had been extended to September 1.

Becky Fickey stated that she was finishing up with routes and schedules for the bus system and would be printing maps, and how-to-ride-guides for distribution September 1st. Ms. Fickey stated that she will be going into local schools and teaching children how to ride the bus and will also meet with the PTA.

Commissioner Bronaugh stated that he would like to see tokens used as a marketing concept. Ms. Fickey stated that she could have tokens available on three days notice.

Mr. Nelson stated that he hoped to have an office set up in Lufkin

soon. Mr. Nelson stated that he could be reached in Huntsville and Ms. Fickey could be reached in Bryan for now.

In response to question by Commissioner Bronaugh, Carol Moore stated that the members of the City Commission would be considered as the Transit Board.

14. EXECUTIVE SESSION - APPOINTMENT - PLANNING AND ZONING COMMISSION
JACK MC MULLEN, JR.

Mayor pro tem Foley stated that the Commission would now go into Executive Session to discuss appointments to the Planning and Zoning Commission. Mayor pro tem Foley recessed formal open meeting of the City Commission at 7:24 P.M. Mayor pro tem Foley reconvened meeting of City Commission at 7:37 P.M. and made announcement to those present regarding results of the Executive Session.

Mayor pro tem Foley stated that the appointments to the Planning and Zoning Commission had been discussed during Executive Session to fill the vacancies by resigning members Drefus Thompson and Joe Floyd, and the Commission now had for consideration such appointments.

Mayor pro tem Foley stated that the resignation of Joe Floyd was effective immediately and Drefus Thompson had agreed to stay until a replacement could be found.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Louis Bronaugh that Jack O. McMullen be appointed to serve out the unexpired term of Joe Floyd contingent upon his willingness to serve. A unanimous affirmative vote was recorded.

Mayor pro tem Foley stated that a replacement for Drefus Thompson would be considered at next meeting of the Commission.

15. MOBILE HOME ORDINANCE

Commissioner Bronaugh stated that the Planning Department might give some consideration to the present Mobile Home Ordinance. Commissioner Bronaugh stated that the zone change for permanent mobile homes requires skirting around the mobile home, and with temporary mobile homes, skirting is not required. Commissioner Bronaugh stated that he would suggest that the requirements be changed so that temporary mobile home permits being extended more than one time be required to have skirting.

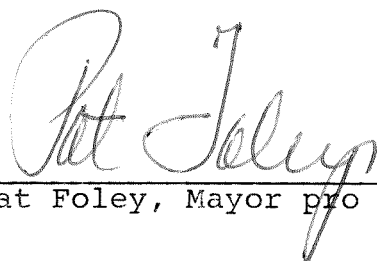
Commissioner Boyd stated that he would like to thank City Manager Westerholm for the employees quarterly report.

City Manager Westerholm stated that he would like to remind the Commission of the Budget Workshop Wednesday at noon.

16. There being no further business for discussion, meeting adjourned at 7:45 P.M.

ATTEST:


Atha Stokes, City Secretary


Pat Foley, Mayor pro tem