

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 6TH DAY OF MARCH, 1979, AT 7:30 P.M.

On the 6th day of March, 1979, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Room at City Hall with the following members thereof, to-wit:

Pitser H. Garrison
R. A. Brookshire
Pat Foley
Jack McMullen
E. C. Wareing
W. O. Ricks, Jr.
Richard Thompson
Harvey Westerholm
Ed Jones
Roger G. Johnson
Gayle Dickey

Mayor
Commissioner, Ward No. 1
Commissioner, Ward No. 2
Commissioner, Ward No. 3
Commissioner, Ward No. 4
Commissioner at Large, Place A
Commissioner at Large, Place B
City Manager
Assistant City Attorney
Assistant City Manager
Assistant City Secretary

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

1. Meeting opened with prayer by Rev. Stephen H. Bancroft, Rector of St. Cyprian's Episcopal Church, Lufkin, Texas.
2. Mayor Garrison welcomed a small group of visitors who were present in connection with items on the agenda or as observers.
3. Approval of Minutes

Comm. E. C. Wareing made motion that minutes from regular meeting of February 20, 1979, be approved with an addendum relative to statement of the City Attorney regarding petitions submitted by Rev. Bob Lewis, and that copy of same be attached to minutes for permanent record. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

4. Townhouse Regulation Amendment Approved 2nd Reading

Mayor Garrison stated that amendment to townhouse regulation had been approved on first reading of ordinance by City Commission at last regular meeting.

There were no persons present appearing in opposition to proposed amendment. Comm. Pat Foley made motion that amendment to townhouse regulation be approved on second and final reading of ordinance. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

5. Zone Change Approved 2nd Reading - GSV Properties from HM & C District to HM District, Special Use (Shopping Center)

Mayor Garrison stated that zone change application by GSV Properties from HM & C District to HM District, Special Use (Shopping Center) covering property fronting on East side of North Timberland Drive between Lufkin and Paul Avenues had been approved on first reading of ordinance by City Commission at last regular meeting.

There were no persons present appearing in opposition to zone change application. Comm. Pat Foley made motion that zone change application by GSV Properties from HM & C District to HM District, Special Use (Shopping Center) be approved on second and final reading of ordinance. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

6. Zone Change Approved 2nd Reading - R. L. McDonald from RL District to D District

Mayor Garrison stated that zone change application by R. L. McDonald from RL District to D District covering property located West of and fronting on Feagin Drive between White Oak Drive and Morrow Avenue had been approved on first reading of ordinance by City Commission at last regular meeting.

There were no persons present appearing in opposition to zone change application. Comm. Pat Foley made motion that zone change application by R. L. McDonald from RL to D District be approved on second and final reading of ordinance. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

3/6/79

7. Hearing Date Set - Annexation & Permanent Zoning Crown Colony Subdivision Section V-A

Mayor Garrison stated that the City Planning and Zoning Commission had recently recommended establishment of hearing date for annexation and permanent zoning request by Sabine Investment Company for Crown Colony Subdivision Section V-A located East of Highway 59 South in the Crown Colony Subdivision area.

There was no opposition present. Comm. Jack McMullen made motion to set hearing date on this annexation and permanent zoning request for consideration at regular meeting of Commission on March 20, 1979, at 5:00 p.m. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

8. Alley Closing Approved - Mrs. Morris McMullen for D. H. Carlton Estate - Block 47 of the Denman Addition

Mayor Garrison recognized Mrs. Morris McMullen appearing in representation of alley closing request for D. H. Carlton Estate. It was concluded that a high-pressure gas line was located in this alley and the City Planning and Zoning Commission had recommended alley closing with easement reservation. It was also explained that property owners involved had agreed to closing of alley which would extend through the entire Block 47 as proposed.

Comm. Pat Foley made motion that alley closing be approved with necessary easement reserved for sale to property owners at fair market value. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

9. Appointments to Various City Boards Postponed

Mayor Garrison stated it had been brought to the attention of the City Commission that terms of members of various City Boards had expired or would expire in the near future. After some discussion it was decided that decision on replacements to City Boards would be postponed until City Commission meeting on April 17, 1979, to provide newly elected members an opportunity to participate in the appointments.

10. Discussion of Concrete Street Construction - Alton Warner - Report on Lawsuit

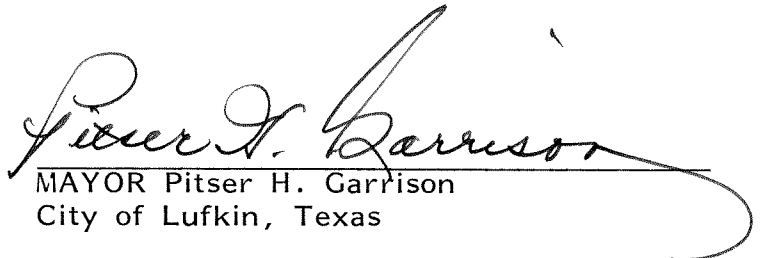
Comm. W. O. Ricks stated that he would like to request that City Management review the possibility of the City using concrete in street construction. Comm. Ricks also stated that the City could possibly purchase their own concrete trucks for use in street construction. City Manager Westerholm stated that he would check into this matter and would report back to Commission regarding same.

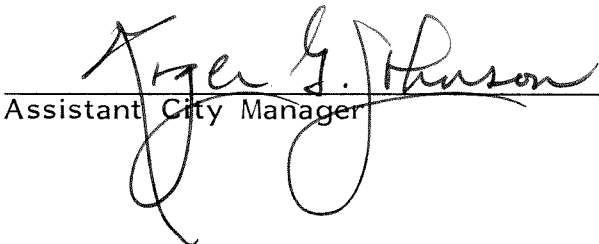
Assistant City Attorney Ed Jones reported that the 5th Civil Court of Appeals had upheld decision of lower court in the Alton Warner case. Assistant City Attorney Jones further stated that he was not aware of any additional appeal which must be considered by the Texas Supreme Court.

11. Adjournment

There being no further business for consideration, meeting adjourned at 7:50 p.m.




MAYOR Pitser H. Garrison
City of Lufkin, Texas


Assistant City Manager