

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 4TH DAY OF APRIL, 1978, AT 7:30 P. M.

On the 4th day of April, 1978, 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	Mayor
R. A. Brookshire	Commissioner, Ward No. 1
Pat Foley	Commissioner, Ward No. 2
Jack McMullen	Commissioner, Ward No. 3
E. C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
E. G. Pittman	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Robert L. Flourney	City Attorney
Roger G. Johnson	Asst. City Manager

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

1. Meeting opened with prayer by Rev. Steve 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. Pat Foley made motion that minutes of regular meeting of March 21, 1978, be approved. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

4. Canvass of Election Returns-Regular City Election 4/1/78

Mayor Garrison stated that the City's regular election had been held on April 1, 1978, and announced that election judges had forwarded all materials for review by members of Commission for official canvass.

The following returns indicating results of the City Election were reviewed for election of Commissioner of Ward No. 4 and Commissioner at Large, Place B, from a total of 1522 votes cast for the two positions being considered at election:

<u>Commissioner, Ward No. 4</u>	<u>Votes Received</u>
Melvin D. Bell	679
E. C. (Ed) Wareing	809
 <u>Commissioner at Large, Place B</u>	 <u>Votes Received</u>
W. M. Welch	168
Juanita R. Spencer	398
Jim Peavy	49
David Riley	132
Richard Thompson	595
Fredrick S. Tims (Write In)	1

Mayor Garrison stated that the above election results had been reviewed and tabulated which indicated winners of the election to be E. C. (Ed) Wareing, Commissioner of Ward No. 4 and consideration of a run-off election between Richard Thompson and Juanita R. Spencer for Commissioner at Large, Place B.

Comm. Jack McMullen made motion that above listed election results be made official and E. C. (Ed) Wareing be declared winner of Commissioner Ward No. 4 for a three-year term to terminate April of 1981, and a run-off election be established to determine a winner for Commissioner at Large, Place B. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Mayor Garrison then administered oath of office to the newly elected Commissioner of Ward No. 4, E. C. (Ed) Wareing and congratulated him for his accomplishments.

City Attorney Flournoy then read a copy of proposed ordinance establishing a run-off election for April 18, 1978, to determine a Commissioner at Large, Place B. Comm. E. G. Pittman made motion that special run-off election be set for Tuesday, April 18, 1978, in accordance with ordinance as read by City Attorney Flournoy to determine a Commissioner at Large, Place B, and that the meeting time for the regular City Commission meeting of April 18, 1978, be set for 7:30 p.m., in order to canvass the run-off election results. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

Mayor Garrison recognized Mrs. Juanita R. Spencer who was present. Mrs. Spencer inquired as to the reason for establishing the election on a weekday as opposed to Saturday. City Attorney Flournoy stated that there was no requirement for establishing the run-off election on Saturday and date as selected by members of Commission was in keeping with the standard Charter requirements.

Comm. E. C. Wareing inquired as to when the absentee voting would be conducted. It was reported that absentee voting would be held at City Hall as previously conducted for the regular election on April 7 through April 14, or as soon as ballots were printed and available for absentee voting.

5. Herty Area-Permanent Zoning Approved 1st Reading

Mayor Garrison stated that members of Commission had held open hearing at last regular meeting with respect to permanent zoning of the newly annexed Herty area covering property located South of Highway 103 East, East of existing City Limits.

There were no persons present appearing in representation of or in objection to this permanent zoning. Comm. Jack McMullen made motion that ordinance permanently zoning the newly annexed Herty area be approved on first reading. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

6. Deep East Texas Regional Mental Health/Mental Retardation Services-Request for Data Processing Facility Approved

Mayor Garrison stated that the City staff had furnished members of Commission additional information as requested at last regular meeting concerning request by Deep East Texas Regional Mental Health/Mental Retardation Services for data processing facility assistance by the City of Lufkin. Mayor Garrison stated that the information received seemed to be a good response to questions asked by members of Commission.

There were no further questions from members of Commission and Comm. Pat Foley made motion that request by Deep East Texas Regional Mental Health/Mental Retardation Services for data processing assistance by the City of Lufkin as outlined in previous meeting of this Commission be approved. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

7. Zone Change Approved 1st Reading-Phil Medford from LB to LB & CB District, Special Use (Warehouse or Storage)

Mayor Garrison stated that zone change application by Phil Medford from LB to LB & CB District, Special Use (Warehouse or Storage), covering property being a portion of Lot 4, Block 11, Englewood Terrace Addition, fronting on North side of Denman Avenue between Chestnut Street and Cunningham Drive, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change application. Comm. E. G. Pittman made motion that zone change application by Phil Medford from LB to LB & CB District, Special Use (Warehouse or Storage), be approved on first reading of ordinance. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

8. Zone Change Approved 1st Reading-Gerald & Mary Jane Ricks from A to CB District

Mayor Garrison stated that zone change application by Gerald & Mary Jane Ricks from A to CB District covering property being the East portion of Lot 2, Block 47, Original Town of Lufkin, fronting on South side of Abney Avenue at intersection with Maple Street, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to request for zone change. Comm. W. O. Ricks, Jr., requested that he be recused from vote or discussion on this item due to his relationship to applicants involved. Comm. E. C. Wareing made motion that zone change application by Gerald & Mary Jane Ricks from A to CB District be approved on first reading of ordinance. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded.

9. Zone Change Approved 1st Reading-Gaslight Square Development Corporation from LM to RL, RM, A, LB and C Districts

Mayor Garrison requested earlier in the meeting that this item be considered last on the agenda in order that he may recuse himself from any discussion or consideration of this particular zone change application due to his involvement with same. Mayor Garrison then excused himself from the meeting and requested that Mayor pro tem Wareing complete the remainder of this item and any other items on the agenda.

Mayor pro tem Wareing stated that Gaslight Square Development Corporation had made application for zone change from LM to RL, RM, A, LB and C Districts covering property located South of Ellis, East of Loop 287 & North of Pershing Avenue, and same had been recommended by the City Planning and Zoning Commission for approval.

Mayor pro tem Wareing also stated that inasmuch as this property was presently zoned LM District, proposed application was essentially an upgrade of the existing zoning on this property.

Mayor pro tem Wareing recognized Mr. Jim Coleman appearing in representation of this application, to include Mr. Jim Griffith and others. Mr. Coleman presented members of Commission a formal slide presentation and reviewed, in detail, the proposal for development of this property.

Comm. E. C. Wareing inquired of Mr. Griffith, of Griffith Engineers, regarding proposed channelization of the creek in this area. Mr. Griffith stated that the creek would be widened to approximately 20 feet with 3 to 1 side slopes and a minimum of 8-foot depths. Also in response to question by Mayor pro tem Wareing, Mr. Griffith stated that this channelization would have negligible impact on property south of this area, and improvements in this immediate area would remove some residences from the flood plan, to include subject property.

There were no persons present appearing in opposition to this application. Comm. R. A. Brookshire requested that he be recused from vote or discussion on this item due to his involvement with property in this area. Comm. W. O. Ricks, Jr., made motion that zone change application by Gaslight Square Development Corporation from LM District to RL, RM, A, LB and C Districts be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Mayor pro tem Wareing stated that the motion was approved by a vote of 5-0 with the record indicating Comm. R. A. Brookshire and Mayor Garrison not participating in vote or discussion on this item.

10. Drainage Study - Master Plan

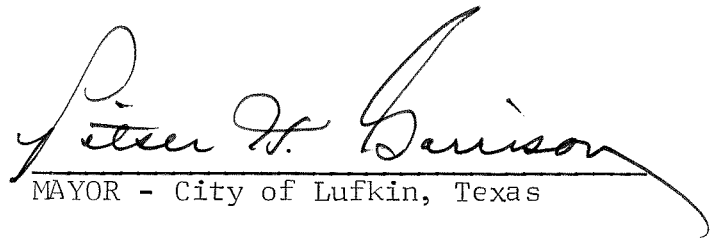
Mayor pro tem Wareing stated that it seemed apparent that the City must consider, in the near future, an overall master drainage plan for the City of Lufkin due to its impact and importance on future construction within the corporate limits. Mayor pro tem Wareing stated that engineering firms could designate certain areas within the city that would contain potential flood problems.

Mayor pro tem Wareing also stated that it was his opinion members of Commission should keep this proposed drainage study in mind for the next fiscal year budget, if possible.

Comm. Pat Foley inquired of City Manager Westerholm as to whether or not members of Commission could acquire information regarding the degree to which a drainage study should be pursued by the City of Lufkin.


11. Adjournment

There being no further business for consideration, meeting adjourned at 8:40 p.m.


MAYOR - City of Lufkin, Texas

ATTEST:




Assistant City Manager