

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE 5TH DAY OF DECEMBER, 1989, AT 5:00 P.M.

On the 5th day of December, 1989, 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:

Don Boyd	Mayor pro tem
Percy Simond, Jr.	Commissioner, Ward No. 1
Bob Bowman	Commissioner, Ward No. 4
Jack Gorden	Commissioner, Ward No. 5
Paul Mayberry	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Brian Boudreaux	Assistant City Manager
Tommy Deaton	Assistant City Attorney
Ron Wesch	Public Works Director
Atha Stokes	City Secretary

being present, and

Louis Bronaugh	Mayor
Danny Roper	Commissioner, Ward 3

being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Steve Shirley, Minister, Central Baptist Church.
2. Mayor pro tem Don Boyd welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of November 21, 1989 were approved on a motion by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry. A unanimous affirmative vote was recorded.

4. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - WESLEY AND
LYNNECE BREWER - 2500 BLOCK OF LOTUS LANE - RL TO RS

Mayor pro tem Don Boyd stated that the first item for consideration was First Reading of Ordinance for Zone Change request by Wesley G. and Lynnece Brewer covering property located at the 2500 block of Lotus Lane from Residential Large to Residential Small.

Mr. Brewer stated that he is requesting the Zone Change in order to place a Permanent Mobile Home on the property.

There was no opposition present.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that Ordinance for Zone Change for Wesley G. and Lynnece Brewer covering property at the 2500 block of Lotus Lane be approved on First Reading as presented. A unanimous affirmative vote was recorded.

5. RESOLUTION - DECLINED - TANGIBLE PERSONAL PROPERTY TAX -
"FREEPORT" STATE AMENDMENT

Mayor pro tem Boyd stated that the next item for consideration was Resolution taxing all tangible personal property as defined in the "Freeport" State Amendment.

City Manager Westerholm stated that the Amendment allows for a "Freeport" status in the State of Texas, which primarily means that personal property brought in for manufacture and is turned into another product and shipped out within a six month period is exempt from taxation as personal property. City Manager Westerholm stated that if the City Commission passes this Resolution it retains the option to tax this personal property.

City Manager Westerholm stated that Lufkin Industries is the largest industry that will be affected. City Manager Westerholm stated that Marvin Hahn of the Tax Appraisal District informed him that

there may be as much as \$15-20 million in personal property at Lufkin Industries that would be exempt amounting to approximately \$55-74,000 in ad valorem taxes. City Manager Westerholm stated that material that stays here less than six months will not be taxable.

Commissioner Bowman stated that these are essentially "goods in transit," items that would come into an industry from out of state and would remain here only for a given period of time in which that industry would have 180 days to convert that material into a product which would then be sold. (Commissioner Bowman had passed out a memo regarding this Resolution to each Commissioner.)

Commissioner Bowman stated that the "Goods In Transit Tax" was a Constitutional amendment passed in the last general election and was overwhelmingly approved by the voters of Lufkin and Angelina County. Commissioner Bowman stated that, in his opinion, it behooves the City Commission to follow out the public's will by not approving this Resolution.

George Henderson was present, along with a number of other local businessmen, in support of the constitutional amendment.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Paul Mayberry that in order to coincide with the wishes of the voters of this County in the recent constitutional amendment election, and to enhance economic development in the future for Lufkin, that the Resolution be declined. A unanimous affirmative vote was recorded.

6. EXECUTIVE SESSION

Mayor pro tem Boyd recessed regular session at 5:18 p.m. Regular Session was reconvened at 5:28 p.m. and Mayor pro tem Boyd stated that real estate and an appointment to the Air Conditioning, Mechanical, Refrigeration and Heating Board was discussed.

7. APPOINTMENT - APPROVED - AIR CONDITIONING, MECHANICAL, REFRIGERATION AND HEATING BOARD - ELTON FENLEY

Mayor pro tem Boyd stated that the one-year term of Elton Fenley on the Air Conditioning, Mechanical, Refrigeration and Heating Board had expired.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Percy Simond that Elton Fenley be appointed to a two-year term on the Air Conditioning, Mechanical, Refrigeration and Heating Board. A unanimous affirmative vote was recorded.

8. COMMENTS - LION'S CLUB - DONATION OF VAN - ZOO

City Manager Westerholm stated that the Lufkin Lion's Club had donated a mini-van to the Ellen Trout Zoo, and he had expressed the City's appreciation to them at today's meeting. Commissioner Paul Mayberry reminded the Commission that one-half of this funding for the van was donated by the Piney Woods Foundation.

9. There being no further business for consideration, meeting adjourned at 5:35 p.m.


Don Boyd, Mayor pro tem

ATTEST:


Atha Stokes, City Secretary