

TOWN OF CINCO BAYOU

MINUTES OF COUNCIL MEETING

DATE: July 11, 1960

PRESENT: L. P. Disheroon...Mayor Pro-tem
Elbert Davis
Millard Booher
Thomas L. Harmon
Paul Hutchison
Estergren & Rice..City Attorneys

Meeting was called to order by Mayor pro tem. The minutes were read and approved. Mr. G. W. Nowling, County Commissioner, was present at the meeting by invitation of the council. He stated that the Mayor of Cinco Bayou had contacted him concerning the paving of certain streets in the Town of Cinco Bayou. He further stated that the county had agreed that if the town would put in the curbs, the gutters and would pay for all materials and labor, the county would furnish the equipment and would put down the paving. He further stated that in his opinion, the town would have to advertise for bids on the work.

The council then proceeded to discuss the situation concerning encroachment of a fence across town property at Laguna Park from the property of Mr. Dowling Phillips. Mr. Estergren reported that the Mayor had contacted Mr. Phillips who proposed that he would remove his fence from town property to the original PRM, provided the town would raise no objection to his running his fence into the bayou perpendicular to the said PRM. Several members of the council pointed out that the town had no authority over the water, this being under the jurisdiction of the State, but that they would raise no objection to the Mayor stating to Mr. Phillips that the town would raise no objection to extending his fence in a proper manner,

provided that Mr. Phillips move the fence off town property within a reasonable time, which time was to be determined by the Mayor; but unless the fence was so moved within a reasonable length of time the town attorneys should file suit as originally directed by the town council. Members of the council were unanimously agreed that the council should not approve the proposal by Mr. Phillips by resolution.

Mr. Phillip Hooten, a resident of the town of Cinco Bayou, pointed out that certain members of the Ski Club and residents of the town are at odds. He further pointed out that certain ski enthusiasts were recklessly endangering children and other swimmers in Kidd Bayou; that residents of the town were strenuously objecting to the manner in which boats were operated in Kidd Bayou. He stated that Mr. O'Hara of the Ski Club had been contacted and that Mr. O'Hara feels that the town gave the Ski Club permission to put in a ski slalom. Mr. Estergren pointed out that in his opinion the town had no jurisdiction over the waters of Kidd Bayou. Mr. Davis pointed out that he has been aware of this danger for some time and that in his opinion the town should request the proper authorities to set a speed law on Kidd Bayou of five to ten miles per hour in order to alleviate the problem. Mr. Davis then moved that the town attorneys immediately contact the State and other officials asking that the speed limit of ten miles per hour be set in Kidd Bayou in order to protect small children and other swimmers in Kidd Bayou as well as property owners and the skiers themselves. Mr. Booher seconded the motion and voting was unanimously in favor of the motion.

Mr. Davis also suggested that council members consider setting aside that portion of Francis Park north of Kidd Bayou, facing the open water for skiers and that such area be so marked.

Mr. Disheroon pointed out that someone has dumped junk and trash on part of Laguna Park and that an adjacent property owner requested that the town remove same. A discussion of the point ensued and information was developed that the objecting adjacent property owner had purchased his property after the junk had been thrown on to the Park property by the previous owner. The concensus of the opinion of the council was to permit the objecting property owner to remove the junk and trash at his own expense in view of the fact that he had purchased the property while the same was on the Park property.

All business being accomplished, the meeting was adjourned.


JAMES E. RICE-Temporary Clerk.