

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 21ST DAY OF DECEMBER, 1976, AT 5:00 PM

On the 21st day of December, 1976, 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. Flournoy	City Attorney
Roger G. Johnson	City Secretary

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

1. Meeting opened with prayer by Rev. W. Morris House, Pastor of First United Methodist 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 December 7, 1976, be approved. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

4. Zone Change Approved 2nd Reading-Mildred Zogg from RS to C District

Mayor Garrison stated that zone change application by Mildred Zogg from RS to C District covering property fronting on West side of Montrose at intersection with Finley, being Southwest corner of intersection, had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to zone change request. Comm. E. C. Wareing made motion that zone change application by Mildred Zogg from RS to C District be approved on second and final reading of ordinance. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

5. Zone Change Approved 2nd Reading-Ron Horton from C to CB District

Mayor Garrison stated that zone change application by Ron Horton from C to CB District covering property located South of & fronting on Loop 287, West of intersection of Ponderosa Drive, had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to zone change request. Comm. E. C. Wareing made motion that zone change application by Ron Horton from C to CB District be approved on second and final reading of ordinance. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

6. Zone Change Approved 2nd Reading-Maurice Vincent from RS to LB District

Mayor Garrison stated that zone change application by Maurice Vincent from RS to LB District covering property located South of & fronting on Banks Street, North of Kurth Drive, had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to zone change request. Comm. E. C. Wareing made motion that zone change application by Maurice Vincent from RS to LB District be approved on second and final reading of ordinance. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

7. Hearing Date Set-Crown Colony Sub-Division, Section III-Sabine Investment Company

Mayor Garrison recognized Mr. Ray Faircloth appearing in behalf of request by Sabine Investment Company for annexation and permanent zoning of property located on U. S. Highway 59 South, East of Angelina Junior College, previously recommended for same by the City Planning and Zoning Commission. Mr. Faircloth presented no additional information and Mayor Garrison explained that with the exception of a minor change in SU requirements at the City Planning and Zoning Commission meeting, application for annexation and permanent zoning was the same.

There were no persons present appearing in opposition to request. Comm. E. C. Wareing made motion to set next regular meeting, January 4, 1977, at 7:30 p.m., as official hearing date for annexation and permanent zoning of this property. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

8. Fire Dept.-Authority Granted for Advertisement of Bids to Purchase New Ambulance (Modified Hearse)

Mayor Garrison explained that Fire Chief Billy A. Stephens was present to answer any questions members of Commission may have regarding need for purchase of new ambulance as a transfer vehicle. Chief Stephens explained that present vehicle would register approximately 100,000 miles prior to arrival of new vehicle, if same should be considered for replacement.

Several questions were asked by members of Commission and Comm. E. G. Pittman inquired as to whether or not Chief Stephens had considered a rebuilt engine in place of a new vehicle. Chief Stephens stated that this had not been considered due to some electrical problem that presently existed with vehicle being used. It was concluded that trade value of present vehicle would be approximately \$8,000 and a brief discussion developed regarding whether or not bid should consider both trade and without trade.

Comm. W. O. Ricks, Jr., then made motion that authorization be granted City Manager to advertise for a new vehicle of this type and specifications to indicate with and without trade. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

9. Texas Highway Dept.-Resolution Approved-Pershing Avenue

City Manager Westerholm stated that pershing Avenue paving improvements had been completed and he had also received a letter from Mr. J. L. Beard, District Engineer of the Texas Highway Department, District 2, acknowledging completion of same December 10, 1976, indicating the City's responsibility for maintenance on this particular section of road.

A brief discussion developed and Comm. E. C. Wareing made motion that Texas Highway Department be commended for their fine work in completion of the Pershing Avenue project and resolution be approved commending them for same. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

10. Standard Building Code Amended - Appendices Adopted

City Manager Westerholm stated that the City Commission had previously approved the Standard Building Code in July of this year, but the appendices were not added. City Manager Westerholm stated that this particular amendment would add appendices "A" through "K". City Manager Westerholm further stated that members of Commission may desire to discuss the fact that the new code as previously adopted in July of this year did provide for the installation of smoke detectors in all new residences and apartments, etc.

It was explained by City Attorney Flournoy that any future changes to the Standard Building Code must be approved by this Commission as previously discussed.

Comm. R. A. Brookshire inquired as to whether or not smoke detectors must have direct current or battery operated current for operation and if direct current was not more favorable. City Building Inspector O. C. Hanks, who was present, explained to Mr. Brookshire that both battery and direct current were available, but direct current provided better protection.

Comm. W. O. Ricks, Jr., expressed his opinion that the general public not be made to purchase items of this nature against their will, if at all possible. Comm. Ricks further stated that the general public should be provided a free choice of purchase in this regard. City Building Inspector O. C. Hanks explained that the requirement for smoke detectors by the City was only an acknowledgement to existing State and International Codes which had already sanctioned their use.

Considerable discussion developed regarding forceable protection. Comm. E. C. Wareing then made motion that amendment to Standard Building Code #1799 be approved to add appendices "A" through "K" as previously explained. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

11. Carrothers Const.Co.-Postponement of Final Retainage Payment

City Manager Westerholm reported that he had expected additional information which had not been received for recommendation to pay final retainage of Carrothers Construction Company, but same had not been received. City Manager Westerholm stated that until this information was available, he could not recommend payment of same. Further consideration of this item was passed by Mayor Garrison on his own volition.

12. FM 1271 - Purchase of Additional ROW Reviewed

City Manager Westerholm reported that the State Department of Highways & Public Transportation had some additional urban funds that they desired to use for widening the bridge on FM 1271 (Pershing Avenue-Old Union Road) near the entrance to Trailwood Addition. City Manager Westerholm stated that in addition to this, they desired to widen FM 1271 from its newly completed section near Largent Street, West 0.3 of a mile, which would require additional ROW along the South side. City Manager Westerholm stated that authorization was required from this Commission to acquire additional ROW to allow the highway department to make these improvements.

Considerable discussion developed regarding purchase of this ROW and widening of road which was discussed as not being a curb and gutter project. City Manager Westerholm stated that he anticipated ROW donations in this area and ROW costs should not be too high.

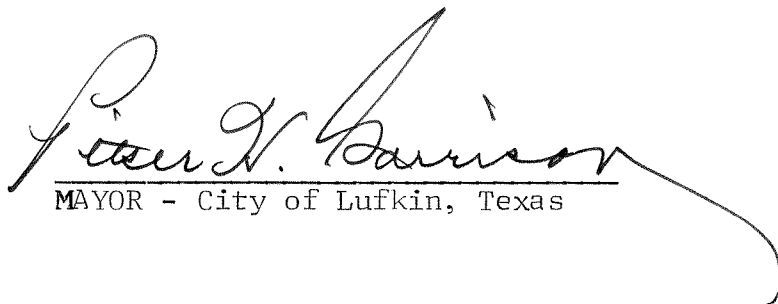
Comm. E. G. Pittman then made motion that City Manager Westerholm be authorized to consider the cost of ROW in this area for future report to this Commission. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

13. Adjournment

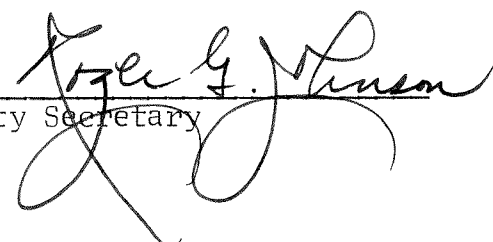
Comm. W. O. Ricks, Jr., requested members of Commission consider a brief executive session regarding personnel. Mayor Garrison temporarily adjourned meeting at 5:45 p.m. for this consideration.

Mayor Garrison reconvened meeting at 6:10 p.m. and announced that personnel changes had been reviewed, but no recommendations had been submitted for action at the present time.

There being no further business for consideration, meeting adjourned at 6:12 p.m.

  
MAYOR - City of Lufkin, Texas

ATTEST:

  
City Secretary