

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY
OF LUFKIN, TEXAS, HELD ON THE 19TH DAY OF AUGUST, 1980 AT 5:00 P.M.

On the 19th day of August, 1980, 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:

Percy A. Simond, Jr.	Commissioner, Ward No. 1(new plan)
Don E. Boyd	Commissioner, Ward No. 2(new plan)
Bob McCurry	Commissioner, Ward No. 3(new plan)
Pat Foley	Commissioner, Ward No. 4(new plan)
E. C. Wareing	Commissioner, Ward No. 4(old plan)
Richard Thompson	Commissioner at Large, Place B(old plan)
Harvey Westerholm	City Manager
Roger G. Johnson	Assistant City Manager
Robert L. Flournoy	City Attorney
Ann Griffin	Assistant City Secretary

being present, and

Pitser Garrison	Mayor
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being absent when the following business was transacted.

1. Meeting opened with prayer by Rev. A. L. Horton, Pastor of Goodwill Baptist Church, Lufkin, Texas.
2. Mayor Pro Tem Wareing welcomed visitors present, and introduced new City Planner, Ed Richie.
3. Minutes of regular meeting of August 5, 1980, were approved on motion by Commissioner Pat Foley with second by Commissioner Percy Simond, and a unanimous affirmative vote was recorded.
4. Annexation & Permanent Zoning Request - Approved - First Reading - R. H. Duncan - RL District

Mayor Pro Tem Wareing stated that request for Annexation and Permanent Zoning by R. H. Duncan to Residential Large District covering property located south of Little Hollow Drive between Little Hollow Plaza and Live Oak Lane in Brookhollow Addition No. 9-A had been approved at last regular meeting of City Commission. There was no opposition present. Motion to approve ordinance for annexation was made by Commissioner Don Boyd, and seconded by Commissioner Pat Foley. A unanimous affirmative vote was recorded.

Motion to approve ordinance for zoning of property to RL District was made by Commissioner Percy Simond, and seconded by Commissioner Don Boyd. A unanimous affirmative vote was recorded.

5. Annexation & Permanent Zoning Request - Tabled - Residents of Joe C. Lane - RL District

Mayor Pro Tem Wareing stated that request for Annexation and Permanent Zoning by residents of Joe C. Lane to Residential Large District covering property located on Joe C. Lane as it extends north of U.S. Hwy. 69 South had been tabled at last regular meeting of City Commission.

Mayor Pro Tem Wareing stated that at time of Open Hearing at last regular meeting of City Commission, the easements for street right-of-way had not been obtained from property owners, and because this is a dead-end street members of Commission had requested a cul-de-sac at end of street for turn-around. City Manager Westerholm stated that in asking property owners to approve an additional 5 foot of easement to be added to 40 foot right-of-way, there had only been one property owner to refuse to sign. Mayor Pro Tem Wareing stated that he felt all action should be deferred until the right-of-way had been obtained. Mayor Pro Tem Wareing further stated that if the people were interested in annexation by the City, it would be necessary for property owners to provide the easement. It was stated that it would take 18.4 years for the City to get back money spent on the improvements needed as a result of annexation, and this money could be spent on repairing streets already within City Limits.

Commissioner Pat Foley asked if City Planner had reviewed area. City Planner Richie stated that the Subdivision Ordinance has a minimum length on cul-de-sac streets and he felt this street was over the minimum. Commissioner Pat Foley further stated that the City should get some assistance from landowners in the future for sewer and other services when being annexed.

Mayor Pro Tem Wareing stated that in annexations like the Duncan area previously considered, the developer provides everything; a usable section of land already developed, but other areas such as Joe C. Lane have narrow streets, no sewer line, etc. It was stated that the annexation of the two areas should not be taken into City Limits on the same basis. Commissioner Pat Foley stated that a standard or guideline should be drafted for City Commission to consider in dealing with future annexation requests.

In response to question by Commissioner Percy Simond, City Attorney Flournoy stated that all Federal guidelines are followed and documents forwarded to same. It was stated that the City has not arbitrarily annexed an area in the last ten years, and there are still undeveloped areas inside the City Limits.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner Bob McCurry that Annexation and Permanent Zoning Request by residents of Joe C. Lane be tabled until right-of-way is secured. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that the City Manager consult with staff and draft an annexation policy stipulating that proponents of annexation must participate in expenses of same. A unanimous affirmative vote was recorded.

6. Amendment to Junk Car Ordinance - Approved - Second Reading

Mayor Pro Tem Wareing stated that an amendment to the junk car ordinance had been approved on first reading at last regular meeting of City Commission. There was no opposition present. Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that amendment be approved on second and final reading. A unanimous affirmative vote was recorded.

7. Annual Fall Carnival for VFW - Approved

Mayor Pro Tem Wareing stated that the VFW had made request for authorization of their annual fall carnival to operate on the VFW property provided adequate insurance and health standards were met. Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd to approve VFW Annual Fall Carnival to be held on VFW property September 28 through October 5, 1980. A unanimous affirmative vote was recorded.

8. Zone Change Application - Approved - First Reading - Angelina County Teacher's Credit Union - RL & RI, SU to C District

Mayor Pro Tem Wareing stated that zone change application by Angelina County Teacher's Credit Union on property located on Loop 287 between Ford Chapel Road and Lufkin Avenue from Residential Large and Residential Large, Special Use to Commercial had been recommended to City Commission by the City Planning and Zoning Commission. There was no opposition present. Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that zone change application be approved on first reading. A unanimous affirmative vote was recorded.

9. Zone Change Application - Approved - First Reading - Maureen Hedrick & Karen Petty - C to C, SU(Item 6) Day Care Center

Mayor Pro Tem Wareing stated that zone change application by Maureen Hedrick and Karen Petty covering property located on Hwy. 94 from Commercial to Commercial, Special Use(Item 6) Day Care Center had been recommended to City Commission by City Planning and Zoning Commission. There was no opposition present.

City Manager Westerholm stated that a portion of the property was purchased by the City for Hill Street extension and Karen Petty and Maureen Hedrick would be responsible for removing the building presently on property within the next six months. In response to question by Commissioner Pat Foley, City Manager Westerholm stated that the ingress

and egress would be from Hill Street onto a circle drive. It was stated that the City would provide access to Hill Street by a temporary road until Hill Street Extension could be paved. Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that zone change application be approved on first reading. A unanimous affirmative vote was recorded.

10. Agreement - Approved - Texas Department of Highways & Public Transportation Frank Ave.

Mayor Pro Tem Wareing stated that the City Commission had received an agreement and letter from J. L. Beaird regarding City's participation in the improvements to Hwy. 94 (Frank Avenue) from its junction with Ellis Avenue west to Loop 287. Mayor Pro Tem Wareing stated that project had been outlined to City once before and the cost to Highway Department would be \$265,000 with the City's cost being \$121,000 estimated, and if cost was more or less than estimated, the City would pay proportionate share of total cost.

City Manager Westerholm stated that the Highway Department asked the City to provide a letter of intent for them to proceed with bids, and payment would be in October from Revenue Sharing Funds. Motion was made by Commissioner Richard Thompson and seconded by Commissioner Pat Foley that approval be given for agreement with Highway Department. A unanimous affirmative vote was recorded.

11. Resolution - Approved - Deep East Texas Council of Governments to Participate with HUD - Section 8 - Moderate Rehabilitation Program

Mayor Pro Tem Wareing stated that the City Commission had received a copy of proposed Resolution endorsing DETCOG's efforts to participate in the HUD Section 8 Moderate Rehabilitation Program.

Mayor Pro Tem Wareing recognized Mark Brown, Director of Human Resources Division, DETCOG who stated that the main difference between this new program and the existing program is that the landlord is required to spend \$1,000 to rehabilitate a house for renter. It was stated that the owner must secure his own financing and DETCOG will provide rent assistance for 15 years if owner keeps house in good state of repair and the renter qualifies for program. Mr. Brown stated that the rehabilitation must meet City Codes and this was one way to improve the housing in East Texas. Mr. Brown further stated that several counties had already passed the resolution and there would be funding for a total of 70 houses from the five counties participating in the program. Mr. Brown stated that a rehabilitation specialist would inspect and certify that work was needed and completed by making a twice a week inspection of premises. In response to question by Commissioner Percy Simond, Mr. Brown stated that the existing program did not have minimum amount to be spent on repairs and through this program a rehabilitated house could be rented for more money.

In answer to question by Commissioner Pat Foley, Mr. Brown stated that rehabilitation required an expert be on staff to complete inspections.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that Resolution be approved. A unanimous affirmative vote was recorded.

12. Proposed City Budget - Workshop Date Established for Fiscal Year Budget - 10/1/80 - 9/30/81

Mayor Pro Tem Wareing stated that with the completion of the formal agenda for the City Commission Meeting, the next order of business would be a workshop on the proposed City Budget for fiscal year 1980-1981.

City Manager Westerholm stated that it was felt the reason for the deficit in 1979-1980 budget was shortage of water and sewer revenues. City Manager Westerholm further stated that with an adjustment in water rates and sewer rates for next budget year, he felt the budget for 1980-1981 Fiscal Year would be adequate to meet the needs of the City. Mayor Pro Tem Wareing stated that industrial users can and do limit

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water usage when the rate is increased by the City and the water revenue should be studied at six month intervals.

Commissioner Bob McCurry stated that he felt the rates should be increased sufficiently at this time to prevent another raise during the Fiscal Year 1980-81.

Commissioner Pat Foley stated that in the past the City Commission had raised rates slightly above what was needed; but a decline in revenue should be reviewed by the City Commission for possible adjustments on a four to six month basis.

In response to question by Commissioner Bob McCurry, City Manager Westerholm stated that the increase in water and sewer rates should generate \$455,000 of revenue over the deficit. City Manager Westerholm further stated that an 11% increase in the rate for garbage pick-up was suggested which would mean 34¢ increase per residential household. Mayor Pro Tem Wareing stated that he felt an amendment should be made to garbage ordinance to require trash to be placed in disposable containers.

City Manager Westerholm distributed copies of budget for City/County Health Unit which proposed an increase in revenue from the City of Lufkin as well as their other supporters. Mayor Pro Tem Wareing stated that he felt the City Commission could proceed with increase on water and sewer rates and then plug in the increase for the Health Unit.

Commissioner Pat Foley stated that he would be willing to come back for another workshop session in order to have time to study proposed increases on water and sewer rates. Mayor Pro Tem Wareing stated that the City Commission had to approve budget for September 2, 1980 meeting.


Mayor Pro Tem Wareing further stated that with the proposed increase in water and sewer rates there should be money available to add \$200,000 to street budget, give 8% increase in salaries, and have \$153,000 left for projects during the year.

Commissioner Pat Foley stated that he would like to review amounts required for a 7% or 8% wage increase.

It was decided that a workshop meeting would be held Wednesday at 5:00 p.m. in the City Commission Room for further work on the budget.

13. There being no further business for consideration, meeting adjourned at 7:52 p.m.





Mayor Pro Tem, City of Lufkin, Texas



Assistant City Secretary