

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE
CITY OF LUFKIN, TEXAS, HELD ON THE 1ST DAY OF SEPTEMBER,
1981, AT 7:30 P.M.

On the 1st day of September, 1981, 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
Percy A. Simond, Jr.	Commissioner, Ward No. 1
Don E. Boyd	Commissioner, Ward No. 2
Bob McCurry	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Richard Thompson	Commissioner, Ward No. 5
E. C. Wareing	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Roger G. Johnson	Assistant City Manager
Robert Flournoy	City Attorney
Ann Griffin	City Secretary

being present when the following business was transacted.

1. Meeting opened with prayer by Rev. Charlie Coffee, Associate Pastor of First United Methodist Church, Lufkin, Texas.

2. Mayor Garrison welcomed visitors present.

3. Approval of Minutes

Minutes of regular meeting of August 18, 1981, were approved on motion by Commissioner Don Boyd. Motion was seconded by Commissioner Pat Foley, and a unanimous affirmative vote was recorded.

4. Open Hearing - Annexation & Permanent Zoning Request - Jimmy C. Amerine - Approved for First Reading

Mayor Garrison officially opened hearing on annexation and permanent zoning by Jimmy C. Amerine covering a tract of land located contiguous to south City Limits line of U.S. Hwy. 59 South and permanent zoning to Commercial to allow construction of a motel.

There was no opposition present, and Mr. Amerine stated that a Best Western Motel would be constructed on the property. Mr. Amerine stated that he was ready to begin construction and requested City services be available for immediate use. Mr. Amerine further stated that the proposed motel would increase the amount of Hotel-Motel Tax received by the City. Mayor Garrison closed hearing.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Percy Simond that ordinance be set for first reading on September 15, 1981. A unanimous affirmative vote was recorded.

5. Open Hearing - Lufkin Industries - Harrell Street Closed - Resolution Approved

Mayor Garrison officially opened hearing and stated that the City had received a request from Lufkin Industries to close Harrell Street. Mayor Garrison further stated that the City had prescriptive right to the street because of usage which amounts to an easement over Lufkin Industries property, and because Angelina street has been completed, Lufkin Industries would like to make use of their own property.

Mayor Garrison stated that Lufkin Industries would donate \$100,000 to be used for improvements to surrounding streets. There was no opposition present, and Mayor Garrison closed hearing.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that the City of Lufkin convey by Resolution easement interest in Harrell Street to Lufkin Industries. A unanimous affirmative vote was recorded.

6. Open Hearing - Tax Rate for Fiscal Year 1981-82 - City Budget - Discussed

Mayor Garrison officially opened hearing and stated that there was some confusion about tax notice in Lufkin News stating that there was a tax increase for the City of Lufkin. Mayor Garrison further stated that the notice indicated the City would increase rates by 13.5652%, when in actuality, the City of Lufkin tax income is expected to increase by that amount from expected business growth and revaluation of property. Mayor Garrison stated that the tax rate has remained the same for 15 years, and would not be increased this year. There were no persons present regarding this hearing, and same was closed by Mayor Garrison.

Mayor Garrison stated that the final adoption of the budget and the establishment of the tax rate for Fiscal Year 1981-82 will be considered at the next meeting of the City Commission on September 15, 1981.

Mayor Garrison stated that several items were in need of consideration before the approval of the budget, and further discussion would be delayed until the items on the agenda were considered.

7. Zone Change Approved - Second Reading - L.T. Glover - RL to RS

Mayor Garrison stated that zone change application by L.T. Glover covering property located at 500 Tower Lane between Darecille Street and Fuller Springs Drive from Residential Large to Residential Small had been approved at last meeting of City Commission. There was no opposition present.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner E. C. Wareing that zone change be approved on second and final reading. A unanimous affirmative vote was recorded.

8. Zone Change- Approved - Second Reading - Angelina County - CB to CB, SU (Item 1-County Jail)

Mayor Garrison stated that zone change application by Angelina County covering property located at Block 9, Lots 5-12, Original Town Site of Lufkin, on Frank Avenue from Central Business to Central Business, Special Use (Item 1-County Jail) was approved at last meeting of City Commission. There was no opposition present.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner E. C. Wareing that zone change be approved on second and final reading. A unanimous affirmative vote was recorded.

9. Ordinance - Approved - Second Reading - Curb & Gutter Assessment FM 1271

Mayor Garrison stated that ordinance declaring the need for curb and gutter on FM 1271 had been approved on first reading at last meeting of City Commission. There was no opposition present.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner E.C. Wareing that ordinance be approved on second and final reading. A unanimous affirmative vote was recorded.

10. TP&L Rate Increase Request - PUC Ruling Allowed

Mayor Garrison stated that the City of Lufkin had joined with other cities in protesting the rate increase request by TP&L. Mayor Garrison further stated that the City has three options:

- a. The City can adopt an ordinance incorporating the recommendations of the Touche-Ross report providing for a 32.7 million dollar increase;

- b. Adopt the PUC ruling granting them a 57 million dollar increase;
- c. Take no action and allow the PUC ruling to take effect.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that the City take no action and allow the PUC ruling to take effect. A unanimous affirmative vote was recorded.

11. Zone Change Application - Approved - Alton Carrier, Jr. - First Reading - RL to LM

Mayor Garrison stated that zone change application by Alton Carrier, Jr., covering property located on Ellen Trout Drive south of Loop 287 and east of Kurth Drive from Residential Large to Light Manufacturing, had been recommended to City Commission by Planning & Zoning Commission. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that zone change application be approved on first reading. A unanimous affirmative vote was recorded.

12. Zone Change Application - Approved - First Reading - Dr. Peyton Denman - RL to A

Mayor Garrison stated that zone change application by Dr. Peyton Denman covering property located on Lotus Lane south of Texas Southeast Railroad from Residential Large to Apartment had been recommended to City Commission by the Planning & Zoning Commission. There was no opposition present.

Mayor Garrison recognized Dr. Denman who presented plans for review by the City Commission, and stated that he planned to construct a retirement community enclosed by an eight (8) foot fence which would include nursing services, food service, transportation, inside and outside the complex, and security guards, all for a monthly fee. Dr. Denman further stated that the apartments would be purchased by individuals.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Pat Foley that zone change application be approved on first reading. A unanimous affirmative vote was recorded.

13. VFW Fall Carnival - Approved

Mayor Garrison stated that the VFW had asked for permission to hold their annual Fall Carnival on October 5-11, 1981, at their grounds on Ford Chapel Road. Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that permission be granted. A unanimous affirmative vote was recorded.

14. Ordinance - Approved - Amending Hotel-Motel Tax Rate - First Reading

Mayor Garrison stated that as recommended at Budget Discussion at last City Commission meeting, the Commission had an ordinance before them that would increase the Hotel-Motel Tax rate to 4% for assistance with the Civic Center budget requirements.

Commissioner Richard Thompson stated that the caption of the ordinance reads, "...Tax collected on occupancy of Hotel and Motel ...", but Section (a) stated, "... any sleeping room furnished by any hotel...", City Attorney Flournoy stated that Section (a) would be changed to correspond with the caption of the ordinance.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that ordinance be approved on first reading and effective date should be October 1 to coincide with beginning of new budget year. A unanimous affirmative vote was recorded.

15. Hearing Date Set - Annexation & Permanent Zoning - Exposition Center Board of Directors

Mayor Garrison stated that a hearing date should be established for consideration of annexation & permanent zoning request by Exposition Center Board of Directors covering property located north of Ellen Trout Drive and east of Lake Street to Light Manufacturing, Special Use (Item 1- Public Building).

Motion was made by Commissioner Bob McCurry and seconded by Commissioner Richard Thompson that date of hearing be September 15, 1981. A unanimous affirmative vote was recorded.

16. Resolution - Approved - Authorizing Police Department to submit grant application - Department of Criminal Justice

Mayor Garrison stated that Police Chief Leonard Latham has asked that the City Commission authorize by Resolution submission of a grant application to the Department of Criminal Justice. Mayor Garrison stated that the grant would defray 75% of the cost of proposed new programs, and the remaining 25% is included in the proposed budget.

Motion was made by Commissioner Percy Simond and seconded by Commissioner E. C. Wareing that Resolution be approved. A unanimous affirmative vote was recorded.

17. City Budget - Discussed - Fiscal Year 1981-82

Mayor Garrison stated that most of the budget was discussed at last City Commission meeting, but there were several items for consideration at this meeting.

Mayor Garrison stated that a report from Don Hannabas, Parks & Recreation Director, indicated that the cost of lighting the old baseball field immediately east of the Intermediate School on Lake Street would be approximately \$1,810.

Commissioner E. C. Wareing stated that the cost of power for the field should also be included in the budget. Don Hannabas stated that he would estimate the electric bill should be \$100 a month. Mayor Garrison stated that \$1,000 should be adequate for the electricity.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Percy Simond that \$2,800 be added to Parks & Recreation budget to install lights and provide electricity to the ball field. A unanimous affirmative vote was recorded.

Mayor Garrison stated that the budget of the Visitors and Convention Center was designated for further consideration at this meeting. Commissioner Percy Simond stated that the increase requested was too large when the City employees would only receive 8%. Mayor Garrison stated that the Hotel-Motel Tax funds are restricted to certain uses, and designated funds are to be used by the Visitor and Convention Bureau. Mayor Garrison further stated that money for advertising should be provided by businesses in the community that receive the benefits.

Jerry Huffman, Executive Director of the Angelina County Chamber of Commerce, stated that funds received from the tax only amount to \$16,000 or \$17,000. Mr. Huffman further stated that the Chamber is presently receiving help from some people in the community and more will be forthcoming. Mike Morse, a member of the City Board of Development, stated that since the establishment of the Convention Bureau, revenue from the Hotel-Motel Tax has increased 300%. Mr. Morse further stated that Lufkin hosted five (5) national conventions this year and representatives from three (3) other cities were present at each one bidding for the convention in the future. Mr. Morse

September 1, 1981

stated that with the new Exposition Center and the Lufkin Centennial Year, money is needed to properly promote Lufkin. Mr. Morse further stated that because the Lufkin Chamber is working with the East Texas Chamber of Commerce the advertising costs are less.

Commissioner Percy Simond stated that the increase would benefit one (1) small group, but Commissioner Pat Foley stated that the increase would benefit the entire City. Commissioner Richard Thompson stated that the decision to increase the Hotel-Motel Tax was made to help pay for the Convention Bureau budget.

Motion was made by Commissioner Bob McCurry and seconded by Commissioner Pat Foley that the Lufkin Visitor and Convention Bureau budget be increased. The following vote was recorded: Aye: Mayor Garrison, Commissioners Boyd, McCurry, Foley, Thompson, Wareing; Nay: Commissioner Simond. Mayor Garrison declared motion approved by a vote of 6 to 1.

Mayor Garrison stated that City Attorney Flournoy is requesting a 10% increase in his budget for the new fiscal year, to cover the cost of additional personnel and equipment. Commissioner Richard Thompson stated that the last increase for the City Attorney was in Fiscal Year 1979-80. Commissioner Percy Simond stated that he considered the City Attorney a City employee and his budget should be increased accordingly. Commissioner E. C. Wareing stated that City Attorney Flournoy does not participate in the City's retirement plan, and the total of retirement increases and salary increases to City employees would be 10%. It was the consensus of opinion that the City Attorney's budget request should be considered with the discussion of salary increases.

Mayor Garrison stated that consideration for construction of sidewalks on York Drive was set for further discussion at this meeting. Mayor Garrison stated that, historically, sidewalks are built with funds received from property owners, or through a Community Development Block Grant. Commissioner Pat Foley stated that sidewalks should be funded by property owners, and he was personally opposed to the construction of same. Commissioner Pat Foley further stated that he represented the people in the area of York Drive, and as their representative, he requested the City Commission's review of the request. Mayor Garrison stated that the sidewalks could be discussed at the Commission meeting on October 20, 1981, with representatives of request present.

Commissioner Pat Foley stated that the City was considering the transfer of an employee in the Tax Department to the position of Purchasing Agent. City Manager Westerholm stated that this was being considered if the Central Appraisal District assumed the duties now performed by the employee in question. Commissioner Pat Foley stated that the Central Appraisal District was originated to save money, but the City was adding the personnel to other areas. Commissioner Pat Foley stated that he was not convinced that a purchasing agent was needed. Mayor Garrison stated that a purchasing agent had been considered before, and he thought the City had a purchasing agent.

Mayor Garrison stated that Salary Adjustments for the employees should be considered. Commissioner Percy Simond stated that the Police and Fire Departments should be in a separate classification with regard to the schedule of salaries. City Manager Westerholm stated that the Police and Fire Departments were in a separate classification, and their salaries were covered by Civil Service.

Mayor Garrison stated that a lot of attention had been given to salaries, and he had not heard any complaints about the salaries of the Police and Fire Department. Mayor Garrison further stated that salaries have been increased in the past to reduce turnover, but it did not alleviate the problem. Mayor Garrison stated that he was proud of the Police and Fire Departments, but he also took pride in the other City employees who were superior to employees of other cities the size of Lufkin.

Commissioner Percy Simond stated that anyone could be hired to collect garbage, but it was difficult to find police officers. Mayor Garrison stated that garbage collectors have a tough, dirty job, and should be appreciated, but the City has a limited amount of funds to distribute.

Commissioner E. C. Wareing stated that money will not reduce the amount of turnover because turnover is present in every department, and the money available should be divided equally among all City employees. Commissioner Pat Foley stated that the turnover rate is highest among the lowest paid employees, and the stair-step plan which allows the lowest paid to get the highest raise, might be an alternative to consider. Commissioner Don Boyd stated that he disagreed and would prefer across the board raises.

Commissioner Percy Simond stated that the survey information provided to Commissioners indicated that Lufkin's police are paid less than 24 out of 26 cities. Mayor Garrison stated that provisions were made for increases in Fire and Police Departments by advancement in skills, i.e. \$73 a month for each certificate received. Mayor Garrison further stated that if more is given to one group, other departments are decreased proportionately.

After further discussion, motion was made by Commissioner Pat Foley and seconded by Commissioner E. C. Wareing that 8% pay increase be awarded across the board and at a later date discussion would be held during the Fiscal Year about upgrading.

After discussion of the motion, Commissioner E. C. Wareing stated that his second to motion was made with the understanding that the upgrading would be considered before finalization of the budget, and he was withdrawing his second to the motion. Motion was then seconded by Commissioner Bob McCurry.

Amendment to the motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that the 8% be given across the board with the amount remaining of the \$350,000 designated for salary increases be discussed at next meeting and that additional percentage be reserved for the Police and Fire Departments. The following vote was recorded: Aye: Commissioners Boyd, Simond, and Wareing; Nay: Mayor Garrison, Commissioners McCurry, Thompson, and Foley. Mayor Garrison declared motion failed by a vote of 3 to 4.

Amendment to the motion was made by Commissioner E. C. Wareing and seconded by Commissioner Richard Thompson that amount remaining of the \$350,000 be subject to discussion before adoption of the budget to be used only for wages in all departments. A unanimous affirmative vote was recorded to the amendment.

Commissioner Richard Thompson stated that every year salary increases for employees are discussed, but when a new employee is hired they automatically receive the raise. Commissioner Thompson stated that the raise should not be effective until the employee has been employed by the City for a year. Commissioner E. C. Wareing stated that the starting salaries for City Employees are low in relation to the surrounding community, and the automatic raise allows the City to compete with other businesses. Commissioner Don Boyd stated that the City might consider raises becoming effective on the anniversary date of the employee.

Mayor Garrison stated that the Commission should vote on the main motion by Commissioner Pat Foley - that 8% pay increase be awarded across the board and at a later date discussion would be held during the Fiscal Year about upgrading - and amendment by Commissioner E. C. Wareing - that amount remaining of the \$350,000 be subject to discussion before adoption of the budget to be used only for wages in all departments. A unanimous affirmative vote was recorded.

Mayor Garrison stated that the City Attorney's budget increase request would be considered in the final adoption of the budget.

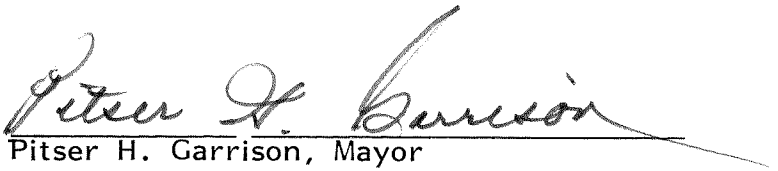
18. Executive Session - Discussion of Vacancies on Planning & Zoning Commission

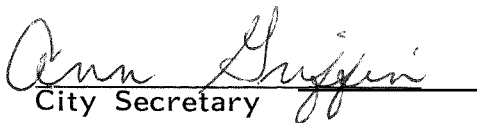
Mayor Garrison stated that it was necessary for the City Commission to adjourn into an Executive Session to discuss vacancies on the Planning & Zoning Commission. Mayor Garrison then recessed formal open meeting of the City Commission at 9:48 p.m. At 10:03 p.m. Mayor Garrison reconvened regular meeting of the City Commission and made announcement to individuals present regarding results of Executive Session.

Mayor Garrison announced that members of Commission had discussed appointments to the City Planning & Zoning Commission. Mayor Garrison stated that the City Manager would contact these individuals this week and announce appointments if they accepted appointments. Mayor Garrison further stated that official confirmation of these names would be made at next regular meeting of City Commission.

19. There being no further bussiness for consideration, meeting adjourned at 10:05 p.m.




Pitser H. Garrison, Mayor


City Secretary