

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE
CITY OF LUFKIN, TEXAS, HELD ON THE 15TH DAY OF JUNE, 1982,
AT 5:00 P.M.

On the 15th day of June, 1982, 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	Commissioner, Ward No. 1
Don 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 Commissioner Don Boyd in the absence of the pastor.
2. Mayor Garrison welcomed visitors present, and presented a Resolution to Roger G. Johnson honoring him for his outstanding service to the City of Lufkin during his eleven (11) year tenure

3. Approval of Minutes

Minutes of regular meeting of June 1, 1982, were approved on motion by Commissioner Don Boyd and seconded by Commissioner E. C. Wareing. A unanimous affirmative vote was recorded.

4. Public Hearing - Annexation & Permanent Zoning - Angelina & Neches River Railroad - Approved for First Reading

Mayor Garrison stated that Public Hearing had been set for this meeting on Annexation & Permanent Zoning request by Angelina & Neches River Railroad covering property located north of Loop 287 and east of Davisville Road containing approximately 16 acres to be zoned Light Manufacturing. Mayor Garrison opened public hearing, and there was no opposition present. Mayor Garrison closed public hearing.

Motion was made by Commissioner Pat Foley and seconded by Commissioner E. C. Wareing that Annexation & Permanent Zoning application be set for First Reading at July 6, 1982, meeting of City Commission. A unanimous affirmative vote was recorded.

5. Public Hearing - Annexation & Permanent Zoning - R. H. Duncan Construction, Inc., - Approved for First Reading - Brook Hollow Addition

Mayor Garrison stated that Public Hearing had been set for this meeting on Annexation & Permanent Zoning request by R. H. Duncan Construction, Inc., covering two (2) lots at west end of Copeland Street in Brook Hollow Addition No. 5, to be zoned Residential Large. Mayor Garrison opened public hearing, and there was no opposition present. Mayor Garrison closed public hearing.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that Annexation & Permanent Zoning application be set for First Reading at July 6, 1982, meeting of City Commission. A unanimous affirmative vote was recorded.

6. Annexation & Permanent Zoning - Tabled - Second Reading - Herty Area - Omer E. Scogin

Mayor Garrison stated that he had learned just before the City Commission meeting that 71% of the Herty property owners had not signed the agreement to participate in the cost of the sewer and dedication of right-of-way. The proponents of the annexation needed additional signatures of support. Mayor Garrison asked if the City Commission would grant an extension of Second Reading until next meeting. Mayor Garrison further stated that City Attorney Flournoy had indicated that the second reading could be delayed for 90 days from the first reading without any problem.

Rick Hendry, property owner, stated that he lived in Beaumont and would like to have the Second Reading at this meeting to avoid an additional trip to Lufkin. Mr. Hendry stated that his property is on City sewer, and he would like to ascertain if he would be required to pay again for the sewer service. Mayor Garrison stated that Mr. Hendry should talk with the City Staff and obtain their recommendations.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Bob McCurry that second reading of Annexation & Permanent Zoning Ordinance be tabled until next meeting to provide additional time for survey of Herty property owners. A unanimous affirmative vote was recorded.

7. Zone Change Application - Approved - Second Reading - Robert Ray - RL to RS

Mayor Garrison stated that zone change application by Robert Ray covering property fronting on Wood Street between Holland & Hodge Streets from Residential Large to Residential Small had been approved on first reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner E.C. Wareing and seconded by Commissioner Don Boyd that Zone change application be approved on second and final reading. A unanimous affirmative vote was recorded.

8. Amendment - Approved - Second Reading - Standard Building Code - "Development" Definition

Mayor Garrison stated that amendment to the Standard Building Code which provided a definition of "Development" was approved on first reading at last meeting of this Commission. Mayor Garrison further stated that the City Attorney had indicated that the definition extends authority of the Standard Building Code to include any change in the surface of the land.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner Bob McCurry that amendment be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

9. Zone Change Application - Approved - First Reading - Charles R. Stewart - RL to RS

Mayor Garrison stated that zone change application by Charles R. Stewart covering property located on Loop Lane between Loop 287 and North Raguet Street from Residential Large to Residential Small had been recommended to City Commission for approval.

There was no opposition present.

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

10. July 4th Public Fireworks Display - Approved - Ellen Trout Park

Mayor Garrison stated that a request had been received from Parks & Recreation Director, Don Hannabas, for approval of the annual July 4th, fireworks display at Ellen Trout Park.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Percy Simond that approval be granted. A unanimous affirmative vote was recorded

11. Bid - Approved - Repair of Water Plant Roof - Commerical Roofing Co.

Mayor Garrison stated that the City had advertised for bids to repair the roof of the water plant, but only one (1) bid had been received from Commerical Roofing Co. in the amount of \$2,848.90. After discussion on why only one (1) bid had been received, motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that bid be approved as recommended by the City Staff. A unanimous affirmative vote was recorded.

12. Resolution - Approved - TP&L - Suspension of Fuel Clause Tariff

Mayor Garrison stated that a recommendation had been received from Don Butler, attorney for the City in recent TP&L Rate Case, that operation of fuel clause tariff be suspended for 30 days.

Motion was made by Commissioner E.C. Wareing and seconded by Commissioner Don Boyd that resolution be approved as presented. A unanimous affirmative vote was recorded.

13. Ordinance - Tabled - Revising Fuel Adjustment Clause - TP&L

Mayor Garrison stated that Don Butler had also included a sample ordinance revising Fuel Adjustment Clause of TP&L, and asked that City Attorney Flournoy explain same.

City Attorney Flournoy stated that sufficient information had not been received for revision of the Ordinance and this item was premature for consideration at this meeting.

Mayor Garrison stated that, in light of City Attorney Flourney's statement, he would take the liberty of tabling the item at this time for consideration at a future meeting of City Commission.

14. Centennial Chairman - Appointment - Woody Gann

Mayor Garrison stated that information had been received that Centennial Chairman Bob Bowman would be moving and a new chairman should be appointed.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Pat Foley that Woody Gann be appointed as recommended by Bob Bowman. A unanimous affirmative vote was recorded.

15. EXECUTIVE SESSION - Discussion of Attorney/Client Matter

Mayor Garrison stated that it was necessary for the City Commission to adjourn into Executive Session to discuss an attorney/client matter.

Mayor Garrison recessed formal open meeting of the City Commission at 5:30 p.m. At 6:00 p.m., Mayor Garrison reconvened regular meeting of the City Commission and made announcement to individuals present regarding results of Executive Session. Mayor Garrison stated that the Commission had discussed two (2) different problems that the City Attorney is pursuing and is not in a position to reach a formal conclusion, but perhaps by next meeting, a conclusion could be reached with a public statement being given at that time. Mayor Garrison further stated that the Commission wants to consider both items further.

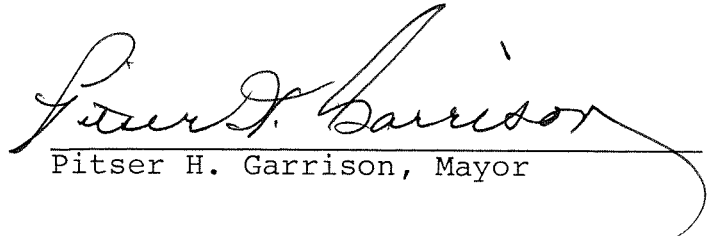
16. Highway Department Plans - Hwy. 59 Overpass - Discussed

Commissioner Pat Foley expressed his understanding that the Highway Department has presented plans for the Hwy. 59 Overpass to the Chamber of Commerce, and he felt the City Commission should be informed of same before the Public Hearing.

Mayor Garrison stated that if this Commission went to the Highway Department they might give a preview of the plans, and the City Manager should check into the arrangements.

17. There being no further business for consideration, meeting adjourned at 6:05 p.m.




Pitser H. Garrison, Mayor


Ann Griffin, City Secretary