

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HOLD ON THE 4TH DAY OF DECEMBER 1984 AT 7:30 P.M.

On the 4th day of December, 1984, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Chambers of City Hall with the following members thereof, to-wit:

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| Pitser H. Garrison | Mayor |
| Percy Simonds, Jr. | Commissioner, Ward No. 1 |
| Don Boyd | Commissioner, Ward No. 2 |
| Lynn Malone | Commissioner, Ward No. 3 |
| Pat Foley | Commissioner, Ward No. 4 |
| Jack Gorden, Jr. | Commissioner, Ward No. 5 |
| Louis Bronaugh | Commissioner, Ward No. 6 |
| Harvey Westerholm | City Manager |
| Brian Boudreaux | Assistant City Manager |
| Ron Wesch | Public Works Director |
| Robert Flournoy | City Attorney |
| Ann Griffin | City Secretary |
| Nicholas Finan | City Planner |

being present when the following business was transacted.

1. Meeting opened with prayer by Reverend Blaine Brim, Minister of First Presbyterian Church, Lufkin.

2. EXECUTIVE SESSION - APPOINTMENTS DISCUSSED - PLANNING & ZONING COMMISSION - AIR CONDITIONING, HEATING & MECHANICAL REFRIGERATION BOARD - SALE OF PROPERTY DISCUSSED

Mayor Garrison stated that the City Commission would now go into Executive Session to discuss appointments to the Planning and Zoning Commission and Air Conditioning, Heating & Mechanical Refrigeration Board and also to consider the possible sale of some City property.

Mayor Garrison recessed formal open meeting of the City Commission at 7:32 p.m. Mayor Garrison reconvened meeting of the City Commission and made announcements to those present regarding results of Executive Session at 8:05 p.m.

Mayor Garrison stated that City Commission had discussed disposition of some City property and the Personnel appointments to the two City Boards. It was decided that further consideration would be needed and the items will be reconsidered at an Executive Session at the next meeting of the City Commission.

3. Mayor Garrison welcomed visitors present.

4. APPROVAL OF MINUTES

Minutes of the Regular Meeting of November 20th, 1984, were approved on a motion by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh. A unanimous affirmative vote was recorded.

5. APPOINTMENTS TO CITY BOARDS TABLED

Mayor Garrison stated that appointments to the City Boards had been discussed in Executive Session but members of the City Commission were not ready to submit nominations and same will be considered further at another Executive Session on December 18, 1984.

6. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - L. T.

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GLOVER - RL TO RS

Mayor Garrison stated that Zone Change request by L. T. Glover covering property located at 500 Tower Lane, between Darceille 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 Pat Foley, seconded by Commissioner Jack Gorden that Ordinance be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - SECOND READING - WILLIAM E. SEXTON - RL TO RS (CONTINGENT ON PURCHASE OF 50' STRIP NORTH OF LOT 2)

Mayor Garrison stated that Zone Change Request by William E. Sexton covering property located adjacent to 401 Alta Street between Joyce Lane and Tower Lane from Residential Large to Residential Small had been approved at last meeting of City Commission contingent on Mr. Sexton purchasing a 50' strip of property North of Lot 2 to provide adequate street frontage. There was no opposition present.

Motion was made by Commissioner Foley, seconded by Commissioner Jack Gorden that Ordinance be approved on second and final reading with the contingency stated. A unanimous affirmative vote was recorded.

8. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - SABINE INVESTMENTS - RL TO RS

Mayor Garrison stated that Zone Change request by Sabine Investments Inc. covering property on Champions Drive between Augusta and Crown Colony Drive from Residential Large to Residential Small had been approved on first reading at last meeting of the Commission. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that Ordinance be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

9. ORDINANCE - SECOND READING - ZONE CHANGE - ONEITA SHOTWELL - APPLICATION WITHDRAWN - RS TO A

Mayor Garrison stated that Zone Change Request by Oneita Shotwell covering property North of California Street between Nathan and Bledsoe Streets from Residential Small to Apartment had been approved on first reading at last meeting of this Commission.

Mayor Garrison stated that the Zone Change was discussed and approved with the provision that Mrs. Shotwell would construct an outlet to California Street and that the City Commission would consider the Zone Change Request further.

Mayor Garrison recognized Larry Byrd, Attorney for Mrs. Shotwell, who stated that he had not received a petition in opposition to the Zone Change Request and the Request had been discussed at length at last meeting of this Commission with Mrs. Shotwell agreeing to construction of the additional access. City Planner Nick Finan stated that he had talked to the Tax Department and Kenneth Vann, City Engineering Department, in regard to the ownership of Shotwell Street and same had not been dedicated to the City. City Planner Finan stated that it appeared that when the Angelina Lumber Company planned a subdivision in this area the street was included and never dedicated, therefore, some deeds indicate that the Street exists and other deeds do not. City Planner Finan further stated that the tax records indicate that this is open area and a survey would be necessary to determine ownership.

In response to question by Commissioner Percy Simond, Mr. Byrd stated that access to the apartments is be a 25 foot strip of land owned by Mrs. Shotwell and that an easement is provided to include same with the apartments.

In response to question by Lynn Malone, City Planner Finan stated that the access to California Street would be considered a private drive and the City would have no control over where it would be located.

City Commissioner Louis Bronaugh stated at last meeting of City Commission he had made a motion that the Zone Change be approved with the 30 foot wide entrance onto California Street and now he did not agree with that motion because it would in effect take property zoned apartment onto a piece of property that is zoned Residential Small. Commissioner Bronaugh further stated that this would be imposing on residential property owners because traffic from the apartment complex would be directed across residential large property. Mayor Garrison stated that Mr. Maddox was the adjacent property owner and if the access to California Street were constructed, the drive would be too close to his existing house. There were eleven property owners present in opposition, to include Martha Grissom, John Tower, Floyd Maddox, R. Roberts, Roland Brown, Doug Durham, and Rebecca Allen.

The following points of opposition were voiced:

- A. Traffic in the area would be increased.
- B. Traffic would endanger elderly people and children in the neighborhood who walk in the street.
- C. The character of the neighborhood would be changed.
- D. Access to California would be too close to existing structures.
- E. Area too small for an additional twelve unit apartment complex.

Commissioner Don Boyd stated that at the present time Mrs. Shotwell owns three tracts that are presently zoned apartment and apartments could be built on same at any time. Commissioner Boyd stated that the purpose of the Zone Change is to provide some space between the present apartments and the additional units.

Larry Byrd stated that the streets were adequate for fire trucks to enter and that a swimming pool was present on the property for a water supply in case of a fire. Mr. Byrd further stated that based on the fact that Commissioner Bronaugh would withdraw his stipulation that an access must be provided to California Street, and the fact that there is a street on the back of the property at the present time, Mrs. Shotwell would construct a driveway to Branch Street to provide additional access.

In response to question by Mr. Byrd, City Planner Nick Finan stated that a traffic study had been conducted on California Street and Bledsoe Street, which indicated that during an eight hour period from 7:00 a.m. to 3:00 p.m. there were 269 cars on California Street and 53 cars on Bledsoe Street. Mr. Byrd stated that the existing apartments were a credit to the neighborhood and the additional apartments would be an improvement over additional small rental property.

Mayor Garrison stated that the driveway to California Street would not be adequate and construction of additional apartments on this property would not be conducive to improvement of the neighborhood. Mayor Garrison stated that this was not the right

area to expand the apartment complex. Mayor Garrison further stated that there are nice residences all around the Shotwell property which would be affected by the expansion of the existing apartments, but if access were provided to Branch Street, the apartments could be constructed on the adjacent six acre tract of property which would not congest the neighborhood further.

In response to question by Commissioner Lynn Malone, City Planner Finan stated that his recommendation to Planning and Zoning was that the adjoining property was presently zoned "apartment" and the belief is that property owners are entitled to the zone that is adjacent to their property. City Planner Finan further stated that he had indicated that an additional twelve units would not effect traffic on the streets, and an additional drive would not be needed to service the twenty-four units. City Planner Finan stated that Bledsoe Street would accommodate more traffic than was shown in the traffic count, and he failed to see how the construction of the additional units would effect any of the neighbors.

Commissioner Percy Simond stated that he had driven through the area and California Street has some nice residences, but the street itself is in bad condition. Mr. Simond further stated that Bledsoe Street is narrow and the addition of twelve more apartments would be a hardship to the area.

Commissioner Jack Gorden stated that because the apartments were approved originally for this inadequate area, it is not reasonable that additional apartments should be approved and compound the situation for the neighbors.

Commissioner Pat Foley stated that he could not vote to have an access constructed to California Street, and he was willing to work with the neighbors who were trying to keep the neighborhood residential in nature. Commissioner Foley stated that it was possible to construct apartments on the existing apartment zones and the possible addition of a zone for the twelve more apartments would not be in the best interest of the residents.

Commissioner Percy Simond stated that this would be the first time that he had voted against a property owner using his property in the way they saw fit, but he had viewed the area and the additional apartment zone would only compound a bad situation. Commissioner Simond further stated that Public Works Director Ron Wesch should view California Street to decide how to improve same.

Commissioner Louis Bronaugh stated that he was opposed to the Zone Change when first presented and that was why he had insisted on the 30 foot access, but the six acres to the rear of this property could be developed with another access.

In response to question by Larry Byrd, Mayor Garrison stated that if the Zone Change Request were returned to the Planning and Zoning Commission, it should be for the consideration of the six acres to the rear of this property and not include the present lot being considered. Mr. Byrd stated that his client would like to develop a plat for utilization of the entire piece of property with an access onto Branch Street. Mr. Byrd stated that in view of Mayor Garrison's answer on returning the request to the Planning and Zoning Commission, his client would like to withdraw the application.

Motion was made by Commissioner Louis Bronaugh, seconded by Commissioner Pat Foley that withdrawal of application by Mrs. Shotwell be approved. A unanimous affirmative vote was recorded.

**10. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - DWIGHT
A. THRASH - RM TO C**

Mayor Garrison stated that Zone Change Request by Dwight A. Thrash covering property located on Humason Street, between North Timberland and Allen Street, from Residential Medium to Commercial had been recommended for approval by the Planning and Zoning Commission. There was no opposition present.

Motion was made by Commissioner Pat Foley, seconded by Commissioner Jack Gorden that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

11. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - WTI PROPERTIES - RM TO C

Mayor Garrison stated that Zone Change request by WTI Properties covering property located on Atkinson Drive between Oleta and Shermell Drive from Residential Medium to Commercial had been recommended to City Commission for approval. There was no opposition present.

Bill Fenley, attorney for applicant, stated that the property would contain office facilities with adjacent warehouse capacity and not one large warehouse as reported in the Lufkin Daily News.

Motion was made by Commissioner Louis Bronaugh, seconded by Commissioner Pat Foley that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

12. PUBLIC HEARING - DATE ESTABLISHED - ANNEXATION AND PERMANENT ZONING - R. H. DUNCAN - RL

Mayor Garrison stated that the City Commission now had for consideration the establishment of a public hearing date for consideration of annexation of permanent zoning request by R. H. Duncan covering 24.265 acres of land located in Brookhollow #11 North of Gobblers Knob Road and South of Little Hollow Drive to be zoned Residential Large.

Motion was made by Commissioner Louis Bronaugh, seconded by Commissioner Jack Gorden that a Public Hearing be established for December 18, 1984, meeting of City Commission. A unanimous affirmative vote was recorded.

13. ORDINANCE - APPROVED - FIRST READING - CURB AND GUTTER - PACKER, WASHINGTON AND GARNER STREETS

Mayor Garrison stated that a Curb and Gutter Petition for Packer, Washington and Garner Streets had been accepted at a recent meeting of the City Commission and the City Staff was now ready to begin work on these streets which would necessitate an Ordinance to establish the program on same.

Commissioner Don Boyd stated that the amount to be inserted in the Ordinance should be, "not to exceed \$15.89 per foot."

City Attorney Bob Flournoy stated that an agreement should be signed by the signers of the petitions and he would provide same at next meeting.

Motion was made by Commissioner Don Boyd, seconded by Commissioner Pat Foley that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

14. WATER DISTRIBUTION SYSTEMS STUDY - CITY STAFF TO MEET WITH KINDLE STONE & ASSOCIATES

Mayor Garrison stated that at last meeting it was requested that consideration of including a study of the water distribution system in the current water study being performed by Kindle Stone & Associates be placed on the agenda for consideration. Mayor

Garrison stated that a letter had been received from Billy Sims with Kindle Stone & Associates indicating that it would cost an additional \$20,000 - \$25,000 to do a more intensive study of the City of Lufkin water distribution system. Mayor Garrison stated that this additional study would provide a thorough analysis of the water distribution of the entire community and would be needed when future expansion is considered for the City. Mr. Sims stated that the study would include a long range projection of the needs of the City of Lufkin now and in the future.

Commissioner Pat Foley stated that he was impressed with the fact that the City of Lufkin would receive an in-house computer model of the distribution system which would be of great benefit to the City. Mr. Sims stated that the computer model should be put on the City's computer and could be utilized in the future to update the City's distribution system. Mayor Garrison stated that the computer model would be a great working tool for the City in its effort to keep information current.

Commissioner Percy Simond stated that when Kindle Stone & Associates offered their proposal, they indicated they would complete the water study for \$30,000 and the original study included many of the same things that were listed in the original proposal submitted by them. Commissioner Simond stated that he felt the additional water study of the distribution system being granted to Kindle Stone & Associates would be unfair to the other firms who submitted proposals.

Commissioner Pat Foley stated that the original proposal by Kindle Stone & Associates was for an evaluation of the surface water needs of the City of Lufkin and that he had requested that the distribution system be considered in greater detail.

Commissioner Percy Simond stated that he understood the \$30,000 would cover everything that was listed in the City Manager's letter to the firms that submitted proposals.

Commissioner Don Boyd stated that the study of the distribution system would be different from the study of the surface water because the additional study would be to determine the condition of the system that carries water into the homes.

Commissioner Pat Foley stated that he felt that more depth was needed for the distribution system.

Commissioner Percy Simond stated that the proposal of Kindle Stone & Associates in the amount of \$30,000 should include all the work for that amount or the City should request new proposals. Commissioner Simond further stated that the inclusion of the \$20,000 - \$25,000 water distribution study would raise the bid of Kindle Stone & Associates to \$55,000.00.

Commissioner Lynn Malone stated that the original proposal by Kindle Stone & Associates stated that a brief study done of the water distribution system would be included and perhaps the City should look at the evaluation included in the original proposal before an extensive study of the distribution system is requested.

Mr. Sims stated that the original proposal was to consider different sources of water supply and his firm had to know what was necessary to merge the supply to the existing distribution system. Mr. Sims further stated that the original proposal would briefly evaluate the distribution system and discuss any needs of the system. Mr. Sims further stated that the City had requested a more thorough analysis of the distribution system.

Commissioner Percy Simond stated that he understood the water source for the City of Lufkin comes from the North part of the City and that a main line runs from North to South and one from

East to West, which would make a picture of what the system includes available from the City of Lufkin. Mr. Percy Simond stated that the City had previously paid for such a study by Temple Associates in the past.

Commissioner Lynn Malone stated that Billy Sims was attempting to provide something that had been asked for by Commissioner Pat Foley and Kindle Stone & Associates is indicating to the City Commission that they will perform the extended study if additional money is allocated.

Commissioner Percy Simond stated that another proposal should be requested to allow other firms to be considered for the enlarged project.

Commissioner Pat Foley stated that he thought the study of the water distribution system could be done cheaper and faster if the same firm performed both studies and the blame for the additional proposal should be placed on him because he had requested that the item be placed on the agenda. Commissioner Foley further stated that he could see problems in the distribution system at the present time and there were no qualified engineers on the City Staff.

Commissioner Lynn Malone asked Mr. Sims that once the initial study is finished, is examined by City Commission and a decision made that further study of the distribution system would be needed, would the study be available for the same amount of money. Billy Sims stated that the difference in preparation of the water distribution study would be slight but he could still provide the study for that approximate amount of money.

In response to question by Commissioners regarding use of the model on the City computer, Mr. Sims stated that once the model is entered on the City computer a consultant could be hired to give advice on how to update the model.

City Manager Westerholm stated that a study of the City distribution system was needed before additional expansion and that older studies of the present distribution system had been completed but the Crown Colony and Brookhollow areas, which are continuing to expand, were not included. City Manager Westerholm further stated that if a new source of water was discovered and enter the City from a different direction, a big difference would be noticed in the distribution system and projections and recommendations would be on the computer model to guide the City in the future.

In response to question by Mayor Garrison, City Manager Westerholm stated that developers of subdivisions have never paid for the expansion of services because community growth has been slow and the City had been able to finance the expansions. City Manager Westerholm stated that Crown Colony laid the water lines from the present system to their development and the City hired engineers to consult with their engineers that developed Crown Colony subdivision to approve the laying of the mains.

In response to questions by Mayor Garrison, City Manager Westerhold stated that a survey completed before Herty was annexed would possibly have shown the inadequancies in the water system. In response to Commissioner Lynn Malone, City Manager Westerholm stated that Herty has not been within the City limits as long as other areas and updates of the distribution system are scheduled in chronological order.

Commissioner Louis Bronaugh stated that the City should continue its progressive attitude in the update of the distribution system and the cost for the study was reasonable, therefore, he would be in favor of the additional study.

Billy Sims stated that the City of Lufkin might consider inviting other communities around Lufkin to participate in the study of surface water and perhaps share in the cost of the City of Lufkin.

Mayor Garrison stated that he questioned whether the City should negotiate with Kindle Stone & Associates for the study of the water distribution system or whether proposals should be invited from other firms. Commissioner Boyd stated that due to the fact that Kindle Stone is doing the surface water study, and a portion of the distribution system is included in that, they would have knowledge of the system and be better qualified to conduct the additional study. Mayor Garrison stated that that is true but they could submit a proposal along with the other firms. Mayor Garrison suggested that a concrete proposal be requested from Kindle Stone & Associates of the cost to perform the study in conjunction with the present water study. Billy Sims stated that he could meet with the City Staff and develop a list of requirements which would enable him to give a definite cost.

Motion was made by Commissioner Pat Foley, seconded by Commissioner Lynn Malone that City Staff meet with Kindle Stone and Associates to re-evaluate the scope of services in the water study and provide a concrete estimate of the cost for the water distribution system study. A unanimous affirmative vote was recorded.

In response to question by Commissioner Louis Bronaugh, City Manager Westerholm stated that a water tower had been considered in the South Lufkin area because the distance the water has to travel results in low water pressure to the area.

15. BIDS APPROVED - EQUIPMENT AND MODIFICATIONS - WATER POLLUTION CONTROL PLAN - VALUE LINE COMPANY - RAINEY ENGINEERING - PANTEC - PCF & ASSOCIATES - R & H DESIGNS

Mayor Garrison stated that bids had been requested for equipment and modifications at the Water Pollution Control Plant and requested that City Manager Westerholm provide staff recommendations.

City Manager Westerholm stated that bids had been received on five different items and the low bids are as follows:

- 3 - 12" plug valves - Rainey Engineering - \$1,524.56 each
- 2 - 12" check valves - TCF & Associates - \$792.00 each
Plus freight
- 2 - 10" knife gate valves - Value Line Co. - \$813.00 each
- 6 - 12" knife gate valves - Value Line Co. - \$1,002.00 each
- Flow meters - Pantec - \$2,930.00

The low bid for the construction contract was by R & H Designs of Humble in the amount of \$31,316.00.

Motion was made by Commissioner Don Boyd, seconded by Commissioner Louis Bronaugh that low bids as recommended by City Manager Westerholm be approved. A unanimous affirmative vote was recorded.

16. CITY MANAGER'S SALARY INCREASE - APPROVED - EFFECTIVE JANUARY 1, 1985 - BUDGET AMENDED

Mayor Garrison stated that the City Commission had for consideration a possible re-alignment of City Manager's salary in relationship to salaries of City Managers in other cities of comparable size.

Commissioner Percy Simond stated that he was opposed to the salary increase when it was previously presented to the City Commission, and his reasons were: the matter was presented to the City Commission improperly and he was not aware of the salaries in surrounding areas. Commissioner Simond stated that he had written a letter to all City Commissioners stating that he would be in favor of increasing the City Manager's salary and/or fringe benefits if the request were again brought to the City Commission. Commissioner Simond stated that he trusted that the Mayor would have a suggested figure for the increase.

Mayor Garrison stated that Lufkin is the principal city South of Tyler and North of Houston and Beaumont and should have the best City Manager. Mayor Garrison stated that he was not aware of what other cities were paying until a list was obtained, and if City Manager Westerholm left the City of Lufkin, the City would have to pay a higher salary to obtain a "top man" in the City Manager field. Mayor Garrison further stated that after review of the salary survey of other City Managers, he would be willing to raise Lufkin City Manager's salary \$12,000 a year while leaving the expense account and automobile static for a total salary of \$55,804.00.

Commissioner Percy Simond stated that this figure would be compatible with the experience and responsibility of the Lufkin City Manager.

Mayor Garrison stated that Nacogdoches City Manager receives \$50,500 while the responsibilities of the Lufkin City Manager should be 10% greater and the \$12,000 would be a 10% increase over the City of Nacogdoches salary.

Commissioner Pat Foley stated that the survey did not list fringe benefits and, therefore, the City Commission did not know what fringe benefits they were providing that were not provided in other cities. Mayor Garrison stated that the only fringe benefit given by the City of Lufkin is \$1,800 expense account, and the City of Longview provided an expense account of \$4,800 and a \$5,000 car allowance.

Commissioner Pat Foley requested information on whether the increase would be in addition to the 5% yearly adjustment that was provided to other City employees. Mayor Garrison stated that the City Manager was presently making \$43,804 which included the 5% raise on October 1st and the \$12,000 would be an additional amount.

Commissioner Pat Foley requested information in regard to whether other staff members were being considered for raises at this point. Mayor Garrison stated that the City Manager was the only position that had been placed on the agenda and same had been held in abeyance until this time because it was felt it would be better to consider it later in the year. Commissioner Pat Foley stated that he had noticed in the TML Handbook that a number of the staff positions in the City of Lufkin are low when compared to other cities and, in fact, one staff member was probably the lowest in his category. Commissioner Foley stated that if the City Manager's salary were increased to a level commensurate with other cities, other staff positions should be considered also. Mayor Garrison stated that he did not disagree with that statement, but as the principal administrator for the City of Lufkin, the City Manager should be paid what is reasonable and adequate.

The following is a statement made by Commissioner Pat Foley:
"I will not deny the fact that after looking at the book showing salaries of other cities, our City Manager's salary is probably less than some of the others, and I hate to even bring some of these things to issue that I am going to point out and mention.

I think in general, the Manager does a pretty good job for the City, but there have been some instances I have just found almost impossible to live with and I guess that is probably the reason I am probably not going to vote for a salary adjustment. I have pointed out some of these things as they come across the City Commission through the years and just to review some of the items that I think you are all aware of, the Manager is probably unaware of my dissatisfaction of some of these things also. I have pointed them out to him in discussions and have written a letter last year outlining some things I was dissatisfied with. If it were not for those things, I feel like I would possibly vote for this salary increase, maybe not necessarily in that amount, but an increase. We have had problems being able to account for funds and things, seems like for the last two or three years, that I have been dissatisfied with. It seems like it is continually happening. Two or three items where we have had problems with that and it appears to me that we have problems with unauthorized spending of funds, going over the budget continually in some areas, and I hate to even mention those. One of them was Ron's salary, I think that was probably deserving, but it was just the fact that he went ahead and went over the budget and authorized an expenditure of funds without approval. I think he was infringing on some of the rights of the Council members that we have. Those are just a few of the things without going into detail with them and like I said, I hate to point those things out but I haven't gotten any satisfaction in the past with discussions with the Manager on them and they seem to continually happen and I would like to see them stopped. I do not know what to do about them other than voice my opinion either in private to him or in public or whatever I feel like it would take. I feel like those things are items I expect more out of him and I think the tax payers of the City of Lufkin expect a little better management also."

Commissioner Percy Simond stated that he did not have any arguments with Commissioner Foley's statement, but he did not think there was anyone on the City Commission that has been in disagreement with Harvey Westerholm more than he had. Mr. Simond further stated that the City Commission had requested information about \$800,000 that was available this budget year that no one knew about, and a report had not been received yet. Commissioner Simond stated that he had strong disagreements on hiring practices of the City Manager, such as insensitive people to other races. Commissioner Simond stated that he could understand how that was unimportant to the City Manager, but it was a matter of importance to him. Commissioner Percy Simond stated that City Manager Westerholm is not paid what he should be for his experience and he would vote for the salary increase. Commissioner Simond stated that City Commission should have guidelines as to the salary structure for a City Manager, such as a definite starting salary and a maximum that the City Manager could expect.

In response to Commissioner Percy Simond, City Manager Westerholm stated that he did not have to promise that he would not ask for a raise when he was hired by the City of Lufkin, but he decided to make the promise which was a mistake.

Mayor Garrison stated that there have been times when all have been displeased with the things that have happened in the City of Lufkin, some without direct knowledge of the City Manager and some with his direct knowledge. Mayor Garrison further stated that over all City Manager Westerholm is probably the best City Manager of any City the size of Lufkin anywhere. Mayor Garrison stated that he was convinced that the City of Lufkin had one of the very best, if not the best, of any City's of comparable size. Mayor Garrison further stated that people are going to be displeased from time to time because the City Manager has to make judgements continually. Mayor Garrison stated that the purpose of the re-alignment of the salary was to re-structure Lufkin's salary for City Managers in comparison to other cities. Mayor

Garrison further stated that if the City Manager does not perform and earn his salary, the Commissioners should question whether to retain him as the City Manager. Mayor Garrison stated that it was up to the City Commission to keep the City Manager in line, but a salary that would be commensurate with City Managers of other cities should be paid. Mayor Garrison stated that he had personal knowledge of cities that would hire the City Manager before the end of the year at a larger salary, and if he left, the City would want the City Manager's salary to be comparable with other cities.

In response to question by Commissioner Louis Bronaugh, City Attorney Flournoy stated that the City Commission has a responsibility for establishing salaries, but are prevented by Charter from interfering in employment and discharge of employees.

Commissioner Percy Simond stated that the Public Works Director is underpaid. Mayor Garrison stated that the Public Works Director's job is very large for one man and gives the position more authority than the Assistant City Manager.

Motion was made by Commissioner Percy Simond, seconded by Commissioner Louis Bronaugh that City Manager's salary be increased \$12,000 per year for a total of \$55,804 plus expense allowance of \$1,800 and a car furnished effective January 1, 1985.

Following vote was recorded:

Aye: Mayor Garrison, Commissioners Malone, Gorden, Bronaugh, Simond, Boyd Nay: Commissioner Foley Mayor Garrison declared motion approved by a vote of 6 to 1.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that budget be amended to provide for the increase in the City Manager's salary. Following vote was recorded: Aye: Mayor Garrison, Commissioners Simond, Boyd, Bronaugh, Malone, Gorden Nay: Commissioner Foley Mayor Garrison declared motion approved by a vote of 6 to 1.

City Manager Westerholm stated that he would like to take this opportunity to thank the City Commissioners, that he appreciated their efforts, and that he would make every effort to correct the items that were mentioned to do a better job.

17. ARCHITECTS REPORT RECEIVED - FURTHER CONSIDERATION AT NEXT MEETING - ENLARGEMENT OF CITY HALL

Mayor Garrison stated that the architects had a plan for the enlargement of City Hall to present to the City Commission for their consideration. Mayor Garrison recognized Jerry Hill who displayed two plans that his firm had developed and stated that he would like to recommend Scheme A as the best choice for the enlargement of City Hall. Mr. Hill further stated that the plan called for the conversion of the present City Hall to Police Station and Court Rooms, and the entire structure would be equipped for handicapped access. Mr. Hill stated that the project would contain a plaza area at the front of the building and the parking lot would be located on the back of the property. Mr. Hill stated that the City Commission room would have a glass wall that could be moved to allow an overflow of large crowds into the lobby area.

In answer to question by Mayor Garrison, Mr. Hill stated that the present City Hall is 18,000 sq. ft. and with the enlargement the total area of the new facility would be 39,500 sq. ft.

In answer to question by Commissioner Pat Foley, Mr. Hill stated that the exterior would be in pre-cast concrete to contrast with the present brick on the existing building and additional jail cells would be constructed for the enlargement of

the Police Department. Mr. Hill stated that the estimated time of completion would be between eighteen months and two years at a cost of \$3,265,000. Mr. Hill stated that he had an alternate plan that the City Commission might want to consider which is to construct the new facility, shell-in the second floor, complete the first floor, and in five years complete the second floor and complete modifications of the old City Hall. Mr. Hill stated that if this alternate plan were chosen there would be an additional cost of approximately \$1,000,000 because of the increase in building costs during the time of delay.

In response to question by Commissioner Jack Gorden, Mayor Garrison stated that the facility could be financed by a bond issue or possibly the citizens of Lufkin would agree to the issue of certificates of obligation.

Mayor Garrison stated that he was ready to go forward with the project and was very pleased with the exterior and interior sketches of the proposed facility. Mayor Garrison stated that he would like to have Mr. Hill do a complete cost analysis to include architect's fees, soil testing and all incidental items.

It was a concensus of opinion by the City Commission that the proposed enlargement of the City Hall would be reconsidered at next meeting of this Commission.

18. ESTABLISHMENT OF DATE - JANUARY 1, 1985 - MEETING TO BE HELD JANUARY 8TH AND 22ND

Mayor Garrison stated that the first meeting of the New Year is scheduled on January 1st and a new meeting date should be decided at this meeting in order to publish notices with accurate dates.

Motion was made by Commissioner Don Boyd, seconded by Commissioner Pat Foley that meeting dates for the month of January be established for the 2nd and 4th Tuesdays in January, same being January 8th and 22nd. A unanimous affirmative vote was recorded.

Mayor Garrison stated that if an Executive Session was to be held at December 18, 1984, meeting of the City Commission, a new time should be established at this meeting to provide adequate notification.

Motion was made by Commissioner Don Boyd, seconded by Commissioner Louis Bronaugh that meeting of December 18, 1984, begin at 4:00 p.m. with an executive session and reconvene for regular open meeting at 5:00 p.m. A unanimous affirmative vote was recorded.

19. RESOLUTION APPROVED - INDUCEMENT TO VETERAN'S ADMINISTRATION OUTPATIENT CLINIC

Mayor Garrison stated that Commissioner Louis Bronaugh had become aware of the fact that the Veteran's Administration is going to establish an outpatient clinic in the immediate area of East Texas and that the City of Lufkin is being considered as a site for that facility. Mayor Garrison stated that Commissioner Bronaugh has suggested that a Resolution be approved expressing cooperation of the City of Lufkin and urging the Veteran's Administration to locate their facilities in the City. Mayor Garrison stated a Resolution had been hastily prepared by the City Manager and that same should be revised and directed to the Veteran's Administration as a statement of what the City of Lufkin has to offer this type of facility with a copy being sent to Lufkin's two Senators and Charles Wilson.

Motion was made by Commissioner Don Boyd, seconded by Commissioner Louis Bronaugh that Resolution be approved in regard to the V.A. Outpatient Clinic. A unanimous affirmative vote was

recorded.

20. CABLECOM CHANGES - DISCUSSED

Mayor Garrison stated that a letter had been received from Cablecom stating that they planned to remove the Cable News Network from their existing system and replace it with four other networks. Mayor Garrison further stated that if the City Commission voiced their disapproval, Cablecom of Lufkin would listen to their disapproval.

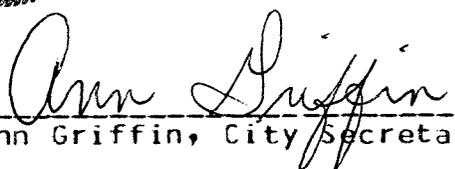
City Manager Westerholm stated that Wayne Neal of Cablecom had stated that CNN was increasing from 10 cents to 40 cents, and Cablecom did not feel that the increase would be fair to the subscribers. City Manager Westerholm stated that if he were to pay extra for any new services at Cablecom, he would rather pay the extra money to receive the Cable News Network instead of Music Television, the Nashville Network, the Spanish Independent Station and the Black Entertainment Television.

Commissioner Bronaugh stated that in regard to Cablecom's letter the City Commission could request a representative from Cablecom to meet with the City Commission at the December 18, 1984, meeting to discuss the changes and that the item be put on the December 18th agenda.

21. There being no further business for consideration, meeting adjourned at 11:30 p.m.


Peter H. Garrison, Mayor




Ann Griffin, City Secretary