

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 4TH DAY OF JUNE, 1985, AT 5:00 P.M.

On the 4th day of June, 1985, 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:

Pitser H. Garrison	Mayor
Percy Simond	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Lynn Malone	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Jack Gorden	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 was opened with prayer by Reverend Kenneth Goodell, Minister of St. Paul's United Methodist Church, Lufkin.

2. Mayor Garrison welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of May 21, 1985, were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Pat Foley. A unanimous affirmative vote was recorded.

4. AMENDMENT - APPROVED - SECOND READING - PRIVATE CLUB ORDINANCE

Mayor Garrison stated that an Amendment to the Private Club Ordinance had been discussed at last meeting of this Commission and was now for consideration on Second and Final Reading.

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

5. ZONE CHANGE - APPROVED - SECOND READING - RODNEY IVY - RL TO RL, SU (DAY NURSERY)

Mayor Garrison stated that Zone Change Request by Rodney Ivy covering property located at 1714 Allendale Street between Hylane and S. John Redditt Drive from Residential Large to Residential Large, Special Use (Day Nursery) had been approved on First Reading at last meeting of this Commission.

The following persons were present in regard to proposed Zone Change: O. B. Rice, Joyce Powell

Mr. Rice stated that he was not opposed to the Nursery but the question of safety for the children staying in the day care was his main concern. Mr. Rice stated that City Commissioner Lynn Malone had come to view the property and perhaps might have a comment.

Mrs. Powell stated that at last meeting of the City Commission Mrs. Ivy was instructed to have a temporary fence constructed around the

pond by this meeting but same has not been constructed. Mrs. Powell stated that she was opposed to the ditch and the pond not being fenced on Mrs. Ivy's property, and that a representative from the State Welfare Department in Nacogdoches had visited the property today and stated that the play area and pond would have to be fenced.

Commissioner Lynn Malone stated that he had visited the Ivy's property and a fence had been constructed but was lying on the ground when he was present. Rodney Ivy stated that when Commissioner Malone visited the property, he was not finished with the fence. Mr. Ivy further stated that a representative from the Department of Human Resources had visited the property and stated that same was in complete compliance with the regulations for daycare centers. Mr. Ivy stated that the State does not require a fenced play area for home daycare centers.

In response to question by the Commission, City Planner Nick Finan stated that the City does not have any guidelines in regard to operation of daycare centers because same are regulated by State regulations. Commissioner Louis Bronaugh stated that the fenced play area was required at last meeting of the City Commission and he was concerned as to whether it should be included in the restrictions on the Zone Change. Mayor Garrison stated that if the fenced play area was required on the First Reading and Zone Change Ordinance was passed without changes the fence would have to be constructed.

In response to question by the Commission, City Attorney Bob Flournoy stated that daycare centers are regulated by State law and that the City would not be liable for any accidents.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that Ordinance be approved on Second and Final Reading with the following restrictions: That Zone be changed from Residential Large to Residential Large, Special Use (Day Nursery); maximum age of 8 years; no transfer of Special Use Zoning; no building changes except maintenance; maximum number of children six (6); no signs displayed; Special Use expires June 1, 1988; temporary fence to be erected around the play area. A unanimous affirmative vote was recorded.

6. ORDINANCE - APPROVED - FIRST READING - ALLEY CLOSING - LUFKIN TELEPHONE EXCHANGE

Mayor Garrison stated that a request by Lufkin Telephone Exchange to close an alley covering property located between First and Angelina Street had been requested by the Lufkin Telephone Exchange.

It was noted that the alley is only one (1) block long and contains a sanitary sewer line which would require an easement by the City.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Louis Bronaugh that Ordinance for alley closing be approved on First Reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - R. H. DUNCAN RL TO LB, SU (PROFESSIONAL OFFICES)

Mayor Garrison stated that Zone Change Request by R. H. Duncan covering property located on Turtle Creek Drive between N. John Redditt and Crooked Creek from Residential Large to Local Business, Special Use (Professional Offices) had been recommended to City Commission for approval by the Planning & Zoning Commission. There was no opposition present.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Louis Bronaugh that Zone Change Request be approved with the following restrictions: That Zone Change follow the floodway line generally; that Zone Change be from Residential large to Local Business, Special Use (Professional Offices); that ingress and egress be from Turtle Creek only; and construction be approximately as shown on the site plan presented. A unanimous affirmative vote was recorded.

8. HEARING DATE - ESTABLISHED - ANNEXATION & PERMANENT ZONING - CAMELOT CIRCLE - MEETING RESCHEDULED

Mayor Garrison stated that an annexation request had been received from the property owners on Camelot Circle and same had been recommended to City Commission for approval by the Planning & Zoning Commission.

Mayor Garrison requested that City Manager Harvey Westerholm provide staff recommendations. City Manager Westerholm stated that Camelot Circle was subdivided without proper subdivision procedures and was refused annexation in the past because of the lack of a subdivision plat and unwillingness of the property owners to pay for the necessary improvements such as water or sewer. City Manager Westerholm further stated that at the present time the subdivision has a real sewer problem and the City/County Health Unit has stated that the only solution to their problem would be extension of City sewer. City Manager Westerholm stated that the present residents on Camelot Circle have agreed to underwrite all the costs of developing the subdivision and the City would make all improvements with the property owners paying the entire amount over a period of one or two years. City Manager Westerholm stated that the City would finance the cost with 10% interest on the unpaid balance.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that hearing date be established for next meeting of City Commission and that information be obtained on developers of the subdivision. A unanimous affirmative vote was recorded.

In response to question by the Commission, City Manager Westerholm stated that the City had attempted to stop the development in the beginning and was unsuccessful. City Manager Westerholm stated that the present subdivision has been established for 7 to 8 years.

In response to question by the Commission, City Planner Nick Finan stated that there are presently 6 houses in the subdivision.

Mayor Garrison stated that the City Commission should at this time consider when the next meeting of the City Commission should be held because several of the Commissioners would be at a hearing in New York City to present the City's case to the Bond Rating Authority on the regular meeting date of June 18th. Mayor Garrison stated that Commissioner Louis Bronaugh, Commissioner Jack Gorden and himself would be in New York which would leave a quorum for a City Commission meeting on the 18th if all Commissioners would be present for the meeting. Commissioner Percy Simond stated that he possibly would not be present for the meeting of June 18th.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that second meeting in June be rescheduled for June 25th at 5:00 P.M. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that hearing date for annexation of Camelot Circle be established for June 25th meeting of City Commission. A unanimous affirmative vote was recorded.

9. FIRE DEPARTMENT MANAGEMENT STUDY - CONSULTANTS, DISCUSSED - WORKSHOP MEETING ESTABLISHED

Mayor Garrison stated that 8 consultants had submitted proposals to be considered for conducting a Fire Department Management Study and requested that City Manager Westerholm provide staff recommendations.

City Manager Westerholm stated that the Commissioners were consulted in regard to how the eight (8) firms should be ranked and the top four (4) firms were: Carl Becker & Co., Long & Associates, Arthur Young & Company, Yarger & Associates.

Mayor Garrison stated that to select the consultants to perform the Fire Department Management Study he would suggest that a workshop be held on June 25th at 3:30 p.m. to interview representatives of the four (4) firms before the regular City Commission meeting at 5:00 p.m.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that Workshop meeting be scheduled for 3:30 p.m. on June 25, 1985, to consider selection of a consultant. A unanimous affirmative vote was recorded.

10. AMENDMENT - APPROVED - FIRST READING - TRAFFIC ORDINANCE - HILL STREET

Mayor Garrison stated that the speed limit on Hill Street from Raguet to Lotus Lane is 40 mph but from Lotus Lane to Frank the speed is 30 mph. Mayor Garrison stated that a study had been conducted on this portion of Hill Street and the results support a 40 mph speed limit for the entire length.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that Amendment to the Traffic Ordinance be approved on First Reading increasing the speed limit on Hill Street from 30 to 40 mph. A unanimous affirmative vote was recorded.

11. BID - APPROVED - UNIFORMS - RELIABLE UNIFORM COMPANY

Mayor Garrison stated that bids had been received for the purchase of uniforms to be used in various City departments and requested that City Manager Westerholm provide staff recommendations.

City Manager Westerholm stated that five (5) bids had been submitted and the low bidder was Reliable Uniform Company of Orange in the amount of \$123.60 per person which is below the budgeted amount of \$144.00 per person.

In response to question by Commissioner Percy Simond, City Manager Westerholm stated that the City had provided clothing allowances in the past but distribution of uniforms had served the purpose much better and resulted in the City of Lufkin employee's presenting a better image to the public.

In response to question by the Commission, City Manager Westerholm stated that each worker is given five (5) shirts, five (5) pairs of pants, and one (1) jacket to last the entire year.

In response to question by Mayor Garrison, City Manager Westerholm stated that employees upon termination do not receive their final paycheck until the uniforms are returned.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that low bid of Reliable Uniform Company of

Orange be accepted as the lowest and best bid. A unanimous affirmative vote was recorded.

12. INVOICES - APPROVED - SCI-CON & HANNAH & GUTHRIE - JERRY GENE ALLEN CASE

Mayor Garrison stated that invoices had been received from Sci-Con and Hannah & Guthrie in regard to services in the Jerry Gene Allen case.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that invoices from Sci-Con and Hannah & Guthrie in the amounts of \$350 and \$318 respectively be approved for payment and the budget be amended accordingly. A unanimous affirmative vote was recorded.

13. EXECUTIVE SESSION - APPOINTMENTS, DISCUSSED

Mayor Garrison stated that the City Commission would now go into Executive Session to discuss appointments to various City Boards. Mayor Garrison recessed formal open meeting of the City Commission at 8:15 p.m. Mayor Garrison reconvened meeting of the City Commission and made announcements to those present regarding results of the Executive Session at 8:40 p.m.

Mayor Garrison stated that the City Commission had discussed appointments to a number of City Boards and decided that a firm commitment would not be made at the present time but decisions would be made by next meeting of the City Commission.

14. WORKER'S COMPENSATION INSURANCE SAVINGS - HOSPITALIZATION, DISCUSSED - MUNICIPAL COURT REPORT, DISCUSSED

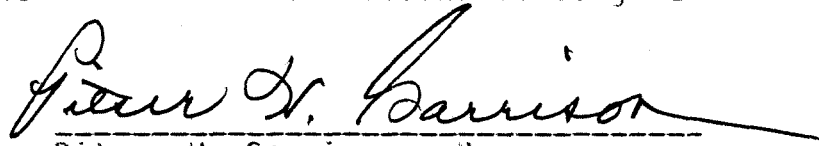
Commissioner Lynn Malone stated that he would like to commend City Manager Westerholm and his staff for the savings on the Worker's Compensation Insurance Fund for the City of Lufkin in the amount of \$111,735.

Commissioner Percy Simond stated that it had been stated in a previous meeting that the City of Lufkin pay \$77 per employee for hospitalization and this amount was excessive. City Manager Westerholm stated that the City of Lufkin had compared the program of Blue Cross/Blue Shield to the self-insurance fund of the Texas Municipal League and found Blue Cross/Blue Shield to be less expensive.

In response to question by Commissioner Simond, City Manager Westerholm stated that the insurance program for the City of Lufkin would be considered for renewal in January, 1986, at which time bids could be invited.

Commissioner Don Boyd stated that in regard to the report from Municipal Court when the present month is compared to the previous month there has been an increase in the number of tickets issued but the collection rate has decreased. Mayor Garrison stated that he would like to know what is included in the uncontested cases disposed of and in the future he would like to see the report contain information on how many cases are pending at the end and the first of each month.

15. There being no further business for consideration, meeting adjourned at 8:50 p.m.


Pitser H. Garrison - Mayor



DATE 6/24/85

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ATTEST:



Ann Griffin
Ann Griffin, City Secretary

DATE 6/04/85

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