

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 4TH DAY OF MAY, 1982, AT 7:30 P.M.

On the 4th day of May, 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 Rev. Bob Lewis, Pastor of First Assembly of God, Lufkin.

2. Mayor Garrison welcomed visitors present.

3. Approval of Minutes

Minutes of regular meeting of April 20, 1982, were approved on motion by Commissioner Pat Foley and seconded by Commissioner Don Boyd. A unanimous affirmative vote was recorded.

4. OPEN HEARING - Closing of Church Street - Approved for First Reading

Mayor Garrison stated that a request to close Church Street had been received from the adjoining property owners. Mayor Garrison further stated that this portion of Church Street has never been improved, is a dead-end, and only provides access to property of those making request for closing. Mayor Garrison opened 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 first reading of ordinance for closing of Church Street be considered on first reading at next meeting of City Commission on May 18, 1982. A unanimous affirmative vote was recorded.

5. Bids for CNG -LPG - Tabled

Mayor Garrison stated that bids have been received for consideration by the City Commission of whether to convert the City vehicles to either compressed natural gas or liquid propane gas.

City Manager Westerholm stated that due to the extreme difference in the cost of installation the City Staff was recommending vehicles be converted to liquid propane instead of compressed natural gas. City Manager Westerholm further stated that four (4) bids had been received for LPG, and it is recommended that Petrolane Propane receive the bid because the cost of gas is most reasonable.

City Manager Westerholm stated that Dual Fuels of Lufkin presents an attractive bid, but a minimum of 180 gallons of gas must be purchased for each vehicle, each month.

Commissioner Pat Foley stated that the City Staff originally recommended conversion to compressed natural gas , and he was confused by present recommendation. City Manager Westerholm stated that after bids were received, it was evident that the price of liquid propane was cheaper than at first anticipated, and conversion of vehicles would save the City money. In answer to question by Commissioner Richard Thompson, City Manager Westerholm stated that the installer of conversion equipment would have to meet State requirements. Mayor Garrison stated that perhaps the City should watch prices of both fuels before a decision is made.

Hal Adams Representative of Dual Fuels of Lufkin who was present, stated that if the City entered into a contract with his company the contract could be cancelled after one (1) year and only the \$12,000, the price of two (2) months fuel, would be due even though the equipment for conversion had been installed free of charge. Mr. Adams further stated that the requirement of 180 gallons for each vehicle is an average figure, and only the fuel that is used is billed to the City. Mr. Adams also stated that the City has the option of purchasing the equipment after 36 months, or after five (5) years the equipment would be given to the City. Mr. Adams stated that if the contract were cancelled before the first year had expired there would be a penalty of \$20,000 plus two (2) months fuel bill or \$12,000.

Commissioner Bob McCurry stated that compressed natural gas would be the better decision for the future. Commissioner E. C. Wareing stated that compressed natural gas has only increased in price, but liquid propane gas has fluctuated in price.

After further discussion, motion was made by Commissioner Pat Foley and seconded by Richard Thompson that decision of alternate fuel supply for City vehicles be taken under consideration until next meeting of City Commission to allow City Manager time to review bids and offer further recommendation. A unanimous affirmative vote was recorded.

6. City Personnel Policies - Classification Program - Changes in Sick Leave - (Denied) Changes in Vacation Time - (Approved) Employee Birthday designated as Holiday - (Approved)

Mayor Garrison stated that new personnel policies not previously discussed had been placed on this agenda for consideration suggesting changes to present policy to include sick leave, vacation time and a new holiday for the employee's birthday.

City Manager Westerholm stated that the only change recommended in sick leave was that any sick leave over the accrued 90 day limit could be converted into vacation time at the rate of one (1) vacation day for three (3) unused sick days with a maximum not to exceed five (5) days per year.

Mayor Garrison stated that he would be more in favor of increasing the maximum amount of sick leave that could be accumulated. Commissioner Bob McCurry stated that the City might consider paying the employee for all sick days over the 90 days at retirement.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Bob McCurry that policies relating to accumulation of sick leave not be changed. A unanimous affirmative vote was recorded.

City Manager Westerholm stated that the only change recommended in vacation time was the addition of two (2) days of vacation after five (5) years and 20 days vacation after 20 years.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Bob McCurry that policy pertaining to vacation time increase be adopted as presented. A unanimous affirmative vote was recorded.

City Manager Westerholm stated that the addition of the employee's birthday as a holiday was recommended in the personnel policies.

Motion was made by Commissioner Percy Simond and seconded by Commissioner E. C. Wareing that the employee's birthday be authorized as an extra holiday. A unanimous affirmative vote was recorded.

7. Zone Change Application - Approved - Emmitt M. Miller, Sr. - First Reading - RS to RS, LB, SU (Auto Repair)

Mayor Garrison stated that zone change application by Emmitt M. Miller, Sr., covering property located on Traylor Street between Atkinson Drive and Paul Avenue from Residential Small to Residential Small, Local Business, Special Use (Auto Repair) had been recommended to the City Commission by the Planning & Zoning Commission for approval. There was no opposition present.

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

8. Zone Change Application - Approved - Lufkin Retirement Village, Inc. - First Reading - RL to A

Mayor Garrison stated that zone change application by Lufkin Retirement Village, Inc., covering property located on Lotus Lane between Herman Brown Circle and Verna Lane from Residential Large to Apartment had been recommended to the City Commission by the Planning & Zoning Commission for approval. There was no opposition present.

Motion was made by Commissioner Percy Simond and seconded by Commissioner E. C. Wareing that zone change be approved as presented on first reading of ordinance. A unanimous affirmative vote was recorded.

9. Zone Change Application - Approved - Urla C. Morgan - First Reading - RS to RS, SU (Item #6 - Day Care)

Mayor Garrison stated that zone change application by Urla C. Morgan covering property located at 105 Springwood between Howard Avenue and Lilac Avenue from Residential Small to Residential Small, Special Use (Item #6 - Day Care) had been recommended to City Commission by Planning & Zoning Commission for approval. There was no opposition present.

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

10. Zone Change Application - Approved - Lufkin Industries, Inc. - First Reading - RM to RM,SU (Item #18 - Parking Lot)

Mayor Garrison stated that zone change application by Lufkin Industries, Inc., covering property fronting on Trout Street at Winston Street from Residential Medium to Residential Medium, Special Use (Item #18 - Parking Lot) had been recommended to City Commission by Planning & Zoning Commission for approval. There was no opposition present.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Richard Thompson that zone change be approved as presented on first reading of ordinance. A unanimous affirmative vote was recorded.

11. Ordinance Approved - Issuance of Certificates of Obligation - First Reading - Gibson Property Purchase - Special Meeting Date Set

Mayor Garrison stated that the City had reached an agreement on the purchase of the Gibson property, contract has been initiated, Certificates of Obligation have been prepared, and required notices have been published which have received no objections from citizens.

City Attorney, Bob Flournoy, stated that the Certificates of Obligation would be issued to the seller, and the ordinance contains an example of the Certificate of Obligation to include a copy of the coupon that will be attached to same. City Attorney Flournoy further stated that the ordinance authorizes the Mayor to execute all documents. City Attorney Flournoy stated that the closing of the sale was set for Friday, May 14, 1982, and a called meeting of the City Commission would be needed for second reading of the ordinance before the closing date.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that ordinance be approved on first reading as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner E. C. Wareing that special meeting of City Commission be set for 5:00 p.m., Tuesday, May 11, 1982, to approve second reading of ordinance. A unanimous affirmative vote was recorded.

12. Bids Approved

a. Fire Hose System - Fire Department - Claude Wright & Associates

Mayor Garrison stated that bids had been received for a fire hose system for use in the fire department and Fire Chief Stephens had recommended the bid of Claude Wright & Associates because of the flexibility, lighter weight, and coupling construction of the hose is more desirable.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that bid of Claude Wright & Associates be approved in the amount of \$15,460. A unanimous affirmative vote was recorded.

b. Replacement of Column Bases - Chambers Park Pavilion Named - Friends of Paul McWilliams

Mayor Garrison stated that bids had been received for replacement of column bases at pavilion #1 at Chambers Park. Mayor Garrison further stated that a bid of \$1 had been received from Friends of Paul McWilliams with the provision that the pavilion be named the Paul McWilliams Pavilion.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that bid of Friends of Paul McWilliams be approved and pavilion be named accordingly. A unanimous affirmative vote was received with Commissioner Richard Thompson abstaining due to his participation in this project with the Friends of Paul McWilliams.

13. Hearing Date Established - Annexation & Permanent Zoning - Duncan Construction - C & A Districts

Mayor Garrison stated that a request had been received for annexation and permanent zoning by Duncan Construction covering property fronting on Highway 94, west of Loop 287 to be zoned Commercial and Apartment, and the date of the public hearing should be established. There was no opposition present.

Motion was made by Commissioner Bob McCurry and seconded by Commissioner Pat Foley that Public Hearing be scheduled for June 1, 1982. A unanimous affirmative vote was recorded.

14. Texas Main Street Program - Application to Participate - Approved

Mayor Garrison stated that a letter had been received from the Lufkin Central Business Development Corporation requesting the City apply for participation in the Texas Main Street project.

City Manager Westerholm stated that the project would cost the City approximately \$20,000 to \$25,000 a year to hire a full-time director of the program. City Manager Westerholm stated that the project is recommended to continue for at least three (3) years during which time the State Historical Society would guarantee support, but the contract is for a one year period which can be renewed or rejected at the end of one year.

Commissioner Richard Thompson stated that he would like to review the list of restrictions on rehabilitation of property under this program. Mayor Garrison stated that the City Commission could recommend participation to proceed with application, and if the Commission decides not to participate it would be refused.

Motion was made by Commissioner Pat Foley and seconded by Commissioner E. C. Wareing that application be made for participation in the program. A unanimous affirmative vote was recorded.

15. Executive Session - Tabled - Appointment of Board Members

It was the consensus of the City Commission that executive session to consider appointment of board members would be tabled until next meeting of City Commission on May 18, 1982.

16. There being no further business for consideration, meeting adjourned at 9:30 p.m.



Pitser H. Garrison
Pitser H. Garrison, Mayor

Ann Griffin
Ann Griffin, City Secretary