

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 21ST DAY OF OCTOBER, 1980, AT 5:00 P.M.

On the 21st day of October, 1980, 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:

Percy A. Simond, Jr.	Commissioner, Ward No. 1(new plan)
Don E. Boyd	Commissioner, Ward No. 2(new plan)
Bob McCurry	Commissioner, Ward No. 3(new plan)
Pat Foley	Commissioner, Ward No. 4(new plan)
E. C. Wareing	Commissioner, Ward No. 4(old plan)
Richard Thompson	Commissioner at Large, Place B (old plan)
Harvey Westerholm	City Manager
Roger G. Johnson	Assistant City Manager
Robert L. Flournoy	City Attorney
Ann Griffin	Assistant City Secretary

being present, and

Pitser H. Garrison	Mayor
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being absent when the following business was transacted.

1. Meeting opened with prayer by Rev. L. D. Bell, Pastor of New Zion Baptist Church, Lufkin, Texas.

2. Mayor Pro Tem Wareing welcomed visitors present.

3. Approval of Minutes

Minutes of regular meeting of October 7, 1980, and minutes of special meeting of October 14, 1980, were approved on motion by Commissioner Percy Simond. Motion was seconded by Commissioner Don Boyd. A unanimous affirmative vote was recorded.

4. Zone Change Application - Approved - Fredrick & Bishop, A Partnership- C to C,SU(Private Club)

Mayor Pro Tem Wareing stated that zone change application by Fredrick & Bishop, a Partnership, from C to C, SU(Private Club) covering property located on Loop 287 between Davisville Road and Hwy. 59, had been approved on last regular meeting of City Commission with the understanding that a letter from the State Department of Highways and Public Transportation, indicating approval of the ingress and egress of the property, would be provided at next regular meeting. Mayor Pro Tem Wareing further stated that letter had been received approving location of driveways for ingress and egress. Pat Murphy, representative for zone change, supplied plats of property to members of City Commission for review.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that zone change application be approved on second and final reading. The following vote was recorded: Voting "Aye" - Mayor Pro Tem Wareing, Commissioners Simond, McCurry, Foley, Boyd; voting "Nay" - Commissioner Thompson.

Commissioner Richard Thompson expressed his opposition to this application based on his opinion that private club facilities should not be allowed in dry counties.

Mayor Pro Tem Wareing declared motion approved by a majority vote of 5 to 1.

5. Amendment to Traffic Ordinance - Approved - Second Reading - Loop 36 (Old Mill Road)

Mayor Pro Tem Wareing stated that State Department of Highways and Public Transportation had recommended adjusting the speed zones on Loop 36(Old Mill Road) from 35 M.P.H. to 40 M.P.H., and amendment to traffic ordinance had been approved at last regular meeting of City Commission. Motion was made by Commissioner Pat Foley and seconded by Commissioner Bob McCurry that amendment be approved on second and final reading. A unanimous affirmative vote was recorded.

6. Authorization for City Staff to Work with DETCOG & Citizen Participation Committee - Approved - FY81 Community Development Block Grant Pre-Application

Mayor Pro Tem Wareing stated that the City of Lufkin was considering a submission of pre-application for FY81 Community Development Block Grant, and DETCOG had agreed to help prepare the Pre-Application at a cost of \$225. City Manager Westerholm stated that if the pre-application was approved and the City of Lufkin received an invitation to make full-application for the grant, negotiations for further consultant fees with DETCOG would be considered. City Manager Westerholm further stated that a portion of the dues paid to DETCOG by the City of Lufkin would be applied to the pre-application fee.

Motion to authorize City Staff to work with DETCOG and proceed with pre-application was made by Commissioner Percy Simond and seconded by Commissioner Pat Foley. A unanimous affirmative vote was recorded.

7. Bids Approved - Trash Liners-Containers - Copper Tubing

Mayor Pro Tem Wareing stated that bids had been opened for the City's annual supply of trash liners, metal containers, copper tubing and PVC pipe. City Manager Westerholm stated that the following were low bids:

Trash Liners -	International Plastics, Inc. -	\$ 897.75
Containers -	War-Pak, Inc. -	\$11,344.00
Copper Tubing -	Coburn's Wholesale Dist. -	\$ 2,961.34

City Manager Westerholm stated that partial shipment of trash liners would be made within 30 days. City Manager Westerholm further stated that bidder of last year's supply of trash liners had shipped too many bags and had informed the City of Lufkin that surplus could be purchased for the same price as low-bid on this year's supply of bags. Motion was made by Commissioner Richard Thompson and seconded by Commissioner Pat Foley that low-bid be approved if specifications were met for trash liners. A unanimous affirmative vote was recorded.

City Manager Westerholm stated that the City of Lufkin had previously dealt with War-Pak, Inc., low-bidder on containers and service had been satisfactory. Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that low-bid be approved for containers if specifications were met. A unanimous affirmative vote was recorded.

City Manager Westerholm stated that Coburn's Wholesale had informed the City that due to a large stock of copper tubing and PVC pipe on hand, Coburn's was able to make a low-bid. Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that low-bid be approved if specifications were met. A unanimous affirmative vote was recorded.

8. Railroad Crossing Improvement Program Proposal - Declined - Department of Highways & Public Transportation

Mayor Pro Tem Wareing stated that the City Commission had received a letter from District 11 Engineer, J.L. Beard, Dept. of Highways & Public Transportation, requesting consideration of installing signals and gates at Ellis, and adding gates to existing signals at Pershing.

Commissioner Pat Foley voiced opposition to any signal arms on City streets. Commissioner Percy Simond stated that he was opposed to signal arms, and until railroad began to fix crossings in City they should not receive any cooperation on new programs. Commissioner Richard Thompson stated that the gates cause problems, and he favored alarms without gates.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Percy Simond that the City decline invitation to participate in installation of gates at Ellis Street and Pershing Street. A unanimous affirmative vote was recorded.

Commissioner Richard Thompson stated that the City Commission had approved gates to be installed on Raguet Street, and same was never installed. City Manager Westerholm stated that he would check into the status of this project.

9. Texas Forestry Museum - Request for Financial Help - Tabled

Mayor Pro Tem Wareing stated that the City had received a letter from Mr. Ed Wagoner requesting financial assistance for the Texas Forestry Museum in the amount of \$2,485 to be provided from Hotel-Motel Occupancy Tax received by the City. City Manager Westerholm further stated that revenue received from Hotel-Motel Occupancy Tax was permitted to be used in operating and improving museums, and the money was presently being applied to Civic Center budget.

Commissioner Pat Foley asked if any plans existed for improvements to the Civic Center. Mayor Pro Tem Wareing stated that City Commission had in the past received a list of recommendations for improvement of Civic Center. Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson to table item until list for improvements could be reviewed. A unanimous affirmative vote was recorded.

10. Amendment to Animal Control Ordinance - Tabled

Mayor Pro Tem Wareing stated that Commissioner Don Boyd had asked that the Lufkin Animal Control Ordinance be reviewed in regard to larger animals inside the City Limits, and City Commission had received copies of animal control ordinances of several cities for review.

Commissioner Don Boyd stated that the present animal control ordinance should be reviewed in respect to care of large animals in residential areas, the close proximity to neighbor's houses, and the number of large animals allowed.

Mayor Pro Tem Wareing stated that he would suggest City Attorney Flournoy and Commissioner Don Boyd confer and prepare a proposed ordinance for consideration at next regular meeting of City Commission.

11. Resolution Authorizing Budget Information - State Department of Highways and Public Transportation - Tabled

Mayor Pro Tem Wareing stated that the City had received a request for action on a resolution authorizing City Manager Westerholm provide estimated budget requirements for the State should the City enter into a Federal or State assisted transportation system. City Manager Westerholm stated that under the Federal Public Transportation Act the State has to match Federal Funds provided to cities, and the State needs information from each city, if Federal Funds have been requested, to assist the State in setting up their budget for next year. City Manager Westerholm further stated that the results of the traffic survey taken in Lufkin should be available within a couple of weeks and this project would be eligible for Federal Funds.

Commissioner Pat Foley asked that this item be tabled until next meeting of City Commission. Commissioner Don Boyd suggested that contact be made with the State to ascertain if there was a deadline to meet on the resolution. Mayor Pro Tem Wareing stated that the City Manager should obtain information about resolution and report to City Commission before next meeting.

12. Executive Session - Appointments to Plumbing Appeals & Advisory Board, Examining & Supervising Board of Electricians - Report on Lawsuits: Cablecom of Lufkin, Brandt - Unauthorized Water Usage on Winston Ranch

Mayor Pro Tem Wareing stated that the City Commission had several items to be discussed in Executive Session to include appointments to boards, discussion of lawsuits, and discussion of unauthorized water usage on Winston Ranch. Mayor Pro Tem Wareing then recessed formal open meeting of the City Commission at 5:40 p.m. At 7:05 p.m. Mayor Pro Tem Wareing reconvened regular meeting of City Commission and made announcements to individuals present regarding results of Executive Session.

Mayor Pro Tem Wareing made announcement that members of City Commission had discussed appointments to Plumbing Appeals & Advisory Board.

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Commissioner Pat Foley made motion that Richard E. Pulaski be appointed to Plumbing Appeals and Advisory Board for a four (4) year term. Motion was seconded by Commissioner Richard Thompson. A unanimous affirmative vote was recorded.

Mayor Pro Tem Wareing also announced that members of Commission had discussed appointments to Examining & Supervising Board of Elctricians. Mayor Pro Tem Wareing stated that the person who had been considered could not be contacted and an announcement would be made at a later date following contact with same. Commissioner Richard Thompson made motion that Mr. William Scott be reappointed to serve on this board in the position of Electrical Engineer for a two (2) year period. Motion was seconded by Commissioner Pat Foley. A unanimous affirmative vote was recorded.

Mayor Pro Tem Wareing stated that members of City Commission had discussed lawsuits by Cablecom and Brandt, and agreed with City Attorney Flournoy regarding specific course of action in each case. Mayor Pro Tem Wareing further stated that no announcements would be made at present time until negotiations were completed with parties involved.

Mayor Pro Tem Wareing stated that members of City Commission had duscussed unauthorized water usage as previously reviewed. Mayor Pro Tem Wareing then asked City Attorney Flournoy to comment regarding this matter. City Attorney Flournoy stated that he would continue to review the circumstances involved in this matter and within the next few days a conclusion would hopefully be drawn.

Mayor Pro Tem Wareing stated that in the event a special meeting of the City Commission was necessary to consider this matter, same would be called for the benefit of all concerned.

13. Jones Park - Discussion of Improvements

Commissioner Don Boyd inquired of City Manager Westerholm as to the improvements at Jones Lake Park. City Manager Westerholm stated that restrooms and tennis courts would be repaired within the next few months as more money became available from the initial start of the new budget year.


City Manager Westerholm further stated that the lake had been poisoned and was prepared for restocking of fish from the Parks & Wildlife Department.

14. There being no further business for consideration, meeting adjourned at 7:10 p.m.



ATTEST

  
Assistant City Secretary

  
Mayor Pro Tem, City of Lufkin, Texas