

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 15TH DAY OF MARCH, 1988, AT 5:00 P.M.

On the 15th day of March, 1988, 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, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Danny Roper	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Jack Gorden	Commissioner, Ward No. 5
Harvey Westerholm	City Manager
Brian Boudreaux	Assistant City Manager
Ron Wesch	Public Works Director
Robert Flournoy	City Attorney
Atha Stokes	City Secretary

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. James A. Hill, Sr., Minister, Long Chapel C.M.E. Church, Lufkin.
2. Mayor Garrison welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of March 1, 1988, were approved on a motion by Commissioner Pat Foley and seconded by Commissioner Don Boyd. A unanimous affirmative vote was recorded.

Commissioner Percy Simond presented a framed copy of a Resolution to Mayor Garrison in appreciation of his service to the City of Lufkin.

4. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE REQUEST - J. C. PELTON - SHADY PINE BETWEEN LUFKIN AVENUE AND LOOP 287 - RL TO RS

Mayor Garrison stated that the first item for consideration was Second Reading of Ordinance for Zone Change Request by J. C. Pelton covering property located on Shady Pine between Lufkin Avenue and Loop 287 from Residential Large to Residential Small.

There was no opposition present.

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

5. ORDINANCE - APPROVED - SECOND READING - CITY ELECTION - COLLECTIVE BARGAINING - LUFKIN FIRE DEPARTMENT

Mayor Garrison stated that the next item for consideration was Second Reading of Ordinance calling and ordering a City Election for the purpose of voting for or against the adoption of the State law applicable to collective bargaining for firefighters in the Lufkin Fire Department.

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

6. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE REQUEST -  
BETHEL CHURCH OF THE NAZARENE - 1405 SOUTH CHESTNUT STREET -  
RL TO RL, SU (DAYCARE)

Mayor Garrison stated that the next item for consideration was First Reading of Ordinance for Zone Change Request by Bethel Church of the Nazarene covering property located at 1405 South Chestnut Street from Residential Large to Residential Large, Special Use (daycare).

Mayor Garrison stated that the request had been heard by the Planning and Zoning Commission and had passed unanimously.

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

7. AMENDMENT - APPROVED - PERSONNEL POLICY - WORKER'S COMPENSATION

Mayor Garrison stated that it has been proposed that an amendment be added to the Personnel Policy of the City regarding Worker's Compensation for injury on the job. Mayor Garrison stated that the City has a practice of supplementing the Worker's Compensation Insurance payments to give an injured person a full salary for as long as a year. Mayor Garrison stated that there had been some occurrences that have made it necessary to consider some changes in the policy.

City Manager Westerholm stated that the intent of the change was to get people back to work as quickly as possible by limiting supplemental benefits to a 60-day period, and that certain conditions be met to qualify for full salary during convalescence.

Commissioner Don Boyd stated that he was concerned about the person who could not recover from injury in 60 days being unfairly penalized.

City Manager Westerholm stated that employees can accrue 15 sick days per year, accumulating up to 90 days and can add vacation time after the 60-day period.

Mayor Garrison stated that after the 60-day period, if an employee is unable to return to work, the City could send him to a doctor for evaluation.

In response to question, City Manager Westerholm stated that he was not certain how many City employees are currently on sick leave.

Fire Chief Kenneth Snyder stated that presently there are five employees in his department who are on sick leave, four with back problems and one because of a psychological disorder.

Commissioner Percy Simond stated that he was appalled to learn that there were five firemen on sick leave, and, in his opinion, anytime there are five people out over 60 days, the City Commission should be informed.

Commissioner Pat Foley stated that he would like for the Chief to give the Commission a written report on the status of these five firemen and whether or not they have been seen by a City doctor.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that Amendment to City's Personnel Policy regarding Worker's Compensation for injury on the job be approved with a revision that any extensions over a 60-day period be approved by the City Commission.

The following vote was recorded: Aye - Commissioners Jack Gorden,

Pat Foley, Don Boyd, Percy Simond, Mayor Garrison. Nay - Commissioner Danny Roper.

Commissioner Roper stated that he had voted against the Amendment because, in his opinion, it might circumvent what the Worker's Compensation does.

8. CONTRACT - APPROVED - TEXAS WATER DEVELOPMENT BOARD - REGIONAL WATER SUPPLY STUDY

Mayor Garrison stated that the Texas Water Development Board has approved the application for the Regional Water Supply Study and has sent a contract for the City to sign. Mayor Garrison stated that the City of Lufkin is responsible for collecting contributions for any other entities involved in the study. Mayor Garrison stated that the City has until April 20, 1988, to execute the contract and to provide written evidence that the City has available its 50% matching grant share, which is \$41,000.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Danny Roper approving the contract with the Texas Water Development Board for the Regional Water Supply Study and authorizing execution of same. A unanimous affirmative vote was recorded.

9. AMENDMENT - APPROVED - GROUP HOSPITALIZATION POLICY

Mayor Garrison stated that the next item for consideration was Amendments to the City's group hospitalization policy.

City Manager Westerholm stated that there are two areas of coverage which he is recommending be deleted from the new insurance coverage, (1) maternity coverage for dependent children and, (2) coverage for dependent children between the ages of 19 and 25 who are not full-time students. City Manager Westerholm stated that there are several dependent children presently covered who are not full-time students, and this exclusion will need to be deferred until the new calendar year.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Danny Roper that Amendments 1 and 2 to the group hospitalization policy be adopted as presented. A unanimous affirmative vote was recorded.

10. CONTRACT - APPROVED - EVERETT GRIFFITH AND ASSOCIATES - REGIONAL WATER SUPPLY STUDY

Mayor Garrison stated that the Commission now had for consideration a contract with Everett Griffith and Associates to conduct a Regional Water Supply Study.

In response to question by Commissioner Percy Simond, City Manager Westerholm stated that the total cost will be \$74,000 and will be 50% State funded.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Pat Foley that contract with Everett Griffith and Associates to conduct a Regional Water Supply Study be approved as presented. A unanimous affirmative vote was recorded.

11. UTILITY JOINT USE AGREEMENT - APPROVED - F.M. 819 EASEMENT - TEXAS DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

Mayor Garrison stated that the next item for consideration was a Utility Joint Use Agreement for easement on F.M. 819.

City Manager Westerholm stated that the Water Department has already rerouted the water mains on F.M. 819 below Angelina College.

Public Works Director Ron Wesch stated that the cost for materials to relocate the water lines was approximately \$20,000 to \$25,000.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden authorizing execution of the Utility Joint Use Agreement by the Mayor. A unanimous affirmative vote was recorded.

12. INVOICE - APPROVED - AXLEY & RODE - REPORT OF EXAMINATION

Mayor Garrison stated that the next item for consideration was an invoice from Axley & Rode for report of examination for year ending September 30, 1987.

City Manager Westerholm stated that \$21,500 had been budgeted for the report, and the invoice was in the amount of \$19,000.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that invoice from Axley and Rode in the amount of \$19,000 be approved as presented, and that the difference from the budgeted amount of \$2,500 be placed in the Contingency Fund. A unanimous affirmative vote was recorded.

13. INVOICE - APPROVED - FIRST SOUTHWEST COMPANY - CITY HALL FUNDING BONDS

Mayor Garrison stated that the next item for consideration was invoice from First Southwest Company for the cost incurred for City Hall funding bonds.

City Manager Westerholm stated that \$40,159.14 had been set aside in the City Hall construction fund for these services, and the invoice was in the amount of \$32,765.19.

In response to question, City Manager Westerholm stated that the surplus amount will stay in the bond fund for construction purposes, or it can eventually be transferred into the General Fund by City Commission authorization.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that invoice from First Southwest Company in the amount of \$32,765.19 be approved as submitted. A unanimous affirmative vote was recorded.

14a. BID - APPROVED - SIGNS - ZOO - AMERICAN PORCELAIN ENAMEL COMPANY

Mayor Garrison stated that the next item for consideration was signs for the Zoo. Mayor Garrison stated that the low bids of \$1,710 for the 24"x20" sign and \$1,530 for the 48"x42" signs have been received from American Porcelain Enamel Company.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that bids from American Porcelain Enamel Company be accepted as presented. A unanimous affirmative vote was recorded.

14b. BID - APPROVED - AIR PACKS - FIRE DEPARTMENT - CASCO INDUSTRIES

Mayor Garrison stated that the next item for consideration was for air packs to be used for the Fire Department. Mayor Garrison stated that \$6,725 had been budgeted for this item, and that the low bid from Casco Industries had been received in the amount of \$6,686.

Motion was made by Commissioner Don Boyd and seconded by Commissioner

Pat Foley that bid from Casco Industries in the amount of \$6,686 be approved as the best bid. A unanimous affirmative vote was recorded.

14c. BID - APPROVED - CARPET - STERLING PAINT COMPANY - CITY HALL ANNEX BUILDING - FIRE DEPARTMENT

Mayor Garrison stated that the next item for consideration was carpet for the City Hall Annex for the Fire Department. Mayor Garrison stated that the low bid had been received from Sterling Paint in the amount of \$3,007.20.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that low bid in the amount of \$3,007.20 from Sterling Paint be accepted as the best bid. A unanimous affirmative vote was recorded.

14d. BID - APPROVED - FIRE WORKS - PARKS AND RECREATION DEPARTMENT - ALPHA-LEE ENTERPRISES

Mayor Garrison stated that the next item for consideration was fire-works to be used by the Parks and Recreation Department. Mayor Garrison stated that the only bid had been received from Alpha-Lee Enterprises in the amount of \$5,975 for the complete show, with them furnishing liability insurance and performing the display.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that bid of Alpha-Lee Enterprises in the amount of \$5,975 be accepted. A unanimous affirmative vote was recorded.

14e. BID - APPROVED - LIGHTING SYSTEM - KIT MC CONNICO PARK - UNIVERSAL ELECTRIC

Mayor Garrison stated that the next item for consideration was lighting system for Kit McConnico Park and that the low bid had been received from Universal Electric in the amount of \$47,020.

Parks and Recreation Director Don Hannabas stated that this amount will include demolition and construction.

Mayor Garrison stated that the City Manager had mentioned borrowing the funds temporarily from the insurance loss fund and budgeting the balance of \$32,000 in the 1988-89 fiscal year. Mayor Garrison stated that he was not in favor of borrowing from the insurance fund.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Pat Foley that insurance funds be held inviolate. A unanimous affirmative vote was recorded.

City Manager Westerholm stated that he would propose using funds from the \$175,000 surplus in the Water and Sewer Revenues.

Commissioner Danny Roper stated that he would like to see the consultant who is designing the lighting at the park also consider lighting at the girl's softball fields at other City parks.

In response to question by Commissioner Pat Foley, Mr. Hannabas stated that the equipment which was taken down at the park is unusable and has been placed in storage and, ultimately, will be sold.

Commissioner Foley stated that he has some reservations about taking funds out of the Water and Sewer Revenue fund for a recreational activity and not paying it back.

Mayor Garrison stated that the funds would be considered as a loan.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that bid of Universal Electric in the amount of \$47,020 be approved as presented, and this amount borrowed from surplus in the Water and Sewer Revenue Fund. A unanimous affirmative vote was recorded.

14f. BID - APPROVED - HIGH PRESSURE WASHER - JORAL COMPANY

Mayor Garrison stated that the next item for consideration was a high pressure washer to be used by various City departments.

City Manager Westerholm stated that this item would be financed through the Personal Finance Contract. City Manager Westerholm stated that the low bid of Joral in the amount of \$2,797.35 was over the budgeted amount of \$2,400.

Fire Chief Snyder stated that the high pressure washer would be used by various departments to wash police cars, Fire Department equipment and garbage trucks.

Mr. Simond stated that he would like to see trustees from the jail doing this type of work.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that low bid of Joral Company in the amount of \$2,797.35 be approved as the lowest and best bid. A unanimous affirmative vote was recorded.

15. ZONING ORDINANCE - BLOCK GRANT

In response to question by Commissioner Danny Roper, City Planner Nick Finan stated that discussion regarding revising the City Zoning Ordinance had been scheduled on the Planning and Zoning Agenda Monday night, but because of the late hour, the item would be re-scheduled for the next meeting. City Planner Finan stated that he is presently working on rewriting the Sign Ordinance which will be incorporated into the Zoning Ordinance, and he is going through an informal critique of the Zoning Ordinance.

In response to question by Commissioner Don Boyd, City Manager Westerholm stated that the Block Grant application will be considered in Austin on March 24th.

16. There being no further business for consideration, meeting adjourned at 6:40 P.M.

  
Pitser H. Garrison, Mayor

ATTEST:

  
Atha Stokes, City Secretary