

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY
OF LUFKIN, TEXAS, HELD ON THE 20TH DAY OF OCTOBER, 1981, AT
5:00 P.M.

On the 20th day of October, 1981, 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, Jr.	Commissioner, Ward No. 1
Don E. 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 Commissioner Pat Foley.
2. Mayor Garrison welcomed visitors present and recognized Webelos Scout Troop 121 with their leaders Eddie Smelley and Jack Davis.
3. Approval of Minutes

Minutes of regular meeting of October 6, 1981, were approved on motion by Commissioner Don Boyd. Motion was seconded by Commissioner Pat Foley, and a unanimous affirmative vote was recorded.

4. Annexation & Permanent Zoning - Approved - Second Reading - Exposition Center Board of Directors - LM, SU (Item 1-Public Building)

Mayor Garrison stated that the Annexation and Permanent Zoning request by Exposition Center Board of Directors covering property located north of Ellen Trout Drive and east of Lake Street to Light Manufacturing, Special Use (Item 1-Public Building) was approved on first reading at last meeting of City Commission. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that annexation ordinance be approved on second and final reading. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that permanent zoning ordinance be approved on second and final reading. A unanimous affirmative vote was recorded.

5. Zone Change - Approved - Second Reading - Arthur Winthrop - LM to HM

Mayor Garrison stated that zone change application by Arthur Winthrop covering property located on Spence Street, south of Ellen Trout Drive and north of the A&NR Railroad, from Light Manufacturing to Heavy Manufacturing, had been approved on first reading at last meeting of City Commission. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that zone change be approved on second and final reading as recommended. A unanimous affirmative vote was recorded.

6. TMRS Retirement Benefit Ordinances-Approved-First Reading

Mayor Garrison stated that ordinances to implement TMRS retirement benefits authorized in the new budget had been considered at last meeting of City Commission, but there was some question about the updating of current retiree benefits based on 70% of the Consumer Price Index.

City Manager Westerholm stated that the clause pertaining to 70% of the Consumer Price Index only applied to the present 17 retirees who would receive 70% of the increase of the Consumer Price Index from the date of their retirement to December 30, 1980. City Manager Westerholm further stated this would be a one time only increase and does not apply to any future retirees or future changes in the Consumer Price Index. City Manager Westerholm stated that the total cost to the City would be \$206 a month paid to the Texas Municipal Retirement System. In response to question by Commissioner Pat Foley, City Manager Westerholm stated that retirement service credit is transferable to any Texas City under the TMRS.

Mayor Garrison stated that some employees that worked for the City of Lufkin for an extended period of time should be benefitted by adding additional funds to the long-time employees that are receiving the least amount of retirement. Mayor Garrison further stated that he would like to know the amount each of the 17 retirees are receiving.

Commissioner Richard Thompson asked if employees can invest in their retirement under the new IRA regulation, and he was informed by City Manager Westerholm that no information was available at present.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Don Boyd that ordinances implementing Retirement Benefit Program be approved on first reading as recommended. A unanimous affirmative vote was recorded.

7. Construction of Sidewalks - York Drive - Widening of Street Approved

Mayor Garrison stated that when the 1981-82 budget was being considered the construction of sidewalks on York Drive was placed on the agenda for consideration at the meeting of October 20.

City Manager Westerholm stated that the cost of construction of the sidewalks was approximately \$12,691.71, and the cost of widening the street six (6) feet with a designated lane for pedestrian and bicycle traffic including curb and gutter is \$13,571.52.

Commissioner Percy Simond stated that if the sidewalks are needed to protect the children the money should be insignificant. Commissioner Bob McCurry stated that the construction of sidewalks would set a precedent, and the other schools in the City would request same. Commissioner McCurry further stated that if Kurth School and property owners were willing to participate in the cost it should be pursued. Mayor Garrison stated that the property owners and Kurth School should be contacted in regard to funding.

Mrs. Sarah Murray, Kurth PTA President, stated that she had reviewed situations at other elementary schools in Lufkin and each has a wide access to the school which is lacking at Kurth. Mrs. Murray stated that the PTA was asking for any kind of improvement to the situation, and that York Drive has become a bypass to Tulane Street and the Loop for high school students who rarely obey the 20 m.p.h. speed zone. Mrs. Murray further stated that the neighborhood consisted of mostly elderly people or rental property, and she felt they would not participate in the cost of construction.

Commissioner E. C. Wareing stated that the street is very narrow, and should be widened. Commissioner Wareing further stated that sidewalks would be used 40 minutes out of each day, but the addition of six (6) feet to the road surface would be used 24 hours a day.

Mrs. Murray stated that because of the close proximity of the bus barn, the buses use York Drive, and it is difficult to pass a bus with children on the side of the road.

Motion was made by Commissioner Percy Simond and seconded by Commissioner E. C. Wareing that York Street be widened six (6) feet on the north side with curb and gutter to be constructed from Stanley Street to Chestnut Drive. The following vote was recorded: Aye - Mayor Garrison, Commissioners Simond, Boyd, McCurry, Foley and Wareing; Nay - Thompson. Mayor Garrison declared the motion passed by a vote of 6 to 1.

Commissioner Richard Thompson stated that the City was declaring a need for the curb and gutter, and property owners should be assessed a cost of \$2.00 per foot just as the City assessed property owners along Pershing Street. Commissioner E. C. Wareing stated that the requirement that property owners participate would depend on the area being considered, and in this area a school is involved. Commissioner Wareing further stated that property owners are not charged when access is constructed to streets by building the Loop, and this is the same principle. Commissioner Richard Thompson stated that the question is whether the property owner is benefitting, and on York Drive just as on Pershing Street, the property owner will benefit.

Commissioner Don Boyd stated that the inside lane should be marked for bicycle and pedestrian traffic only.

Mayor Garrison stated that the neighborhood should be surveyed regarding participation in the cost.

8. Ordinance - Approved - Reimbursement of Postage Costs - Public Transportation Survey

Mayor Garrison stated that City Commission had received a copy of ordinance necessary for the City to be reimbursed for postage expense incurred while developing the Public Transportation survey.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that ordinance be approved as recommended. A unanimous affirmative vote was recorded.

9. Bids - Approved - Fire Department Ambulance - Chief's Car - Rejected

Mayor Garrison stated that bids had been received for the purchase of an Ambulance and the Fire Chief's Car for use in the Fire Department. Mayor Garrison further stated that only one (1) bid was received for the van to be converted to a new ambulance. Mayor Garrison further stated that \$16,000 was budgeted which would allow purchase of the van and equipping the unit as an ambulance.

Greater Lufkin Ford - \$13,794.52

Motion was made by Commissioner Richard Thompson and seconded by Commissioner Don Boyd that bid be awarded to Greater Lufkin Ford. A unanimous affirmative vote was recorded.

Mayor Garrison stated that \$9,000 was budgeted for replacement of the Fire Chief's car, and the base bid of New-McKibben Motor Company on the 1982 Oldsmobile in the amount of \$9,891.30 fully meets the specifications, but the staff recommends the bid by Greater Lufkin Ford in the amount of \$9,054.56 as being more advantageous to the City.

City Manager Westerholm stated that Chief Stephens felt the difference between the two (2) bids of \$840 was exorbitant for the 80 amp alternator and four (4) barrel carburetor.

Mayor Garrison stated that if the specifications for the alternator and carburetor were not significant enough to be required they should not have been included in the specifications. Mayor Garrison further stated that sometimes the specifications are too strict, and each bidder was not invited to bid on 60 amp alternator and two (2) barrel carburetor.

Commissioner Richard Thompson stated that the change in specifications was significant enough to re-advertise for bids.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner E. C. Wareing that bids received for the four (4) door sedan be rejected, and revised specifications be written with re-advertisement for bids. A unanimous affirmative vote was recorded.

10. Zone Change Application - Approved - Church of Living God PGT-First Reading RM to RS

Mayor Garrison stated that zone change application by Church of the Living God, PGT, covering property located at 613 Culverhouse between Persimmon Avenue and Oak Avenue from Residential Medium to Residential Small had been recommended to City Commission by Planning & Zoning Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that zone change application be approved on first reading as recommended. A unanimous affirmative vote was recorded.

11. Centennial Budget - Approved

Mayor Garrison stated that the City Commission had received a request from the Centennial Committee to approve the budget for the Centennial Celebration. Mayor Garrison further stated that an itemized budget had been submitted and funding would be received from the Hotel-Motel Occupancy Tax.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that budget for Centennial Committee be approved as recommended by Chairman of Centennial Committee. A unanimous affirmative vote was recorded.

12. Resolution supporting Angelina & Neches River Authority Mud Creek Dam-Postponed

Mayor Garrison stated that he would recuse himself from vote on the support of Angelina & Neches River Authority's application for permit to construct a Mud Creek Dam because he had served on the Board of Directors, but he would explain the request and answer any questions. Mayor Garrison stated that the A&NRA had worked with Jacksonville and surrounding towns to promote building of a reservoir on Mud Creek to help the water situation in the area. Mayor Garrison further stated that the A&NRA is presently attempting to raise \$100,000 to apply for authority to build. Mayor Garrison stated that the cost of the Dam would be approximately \$80,000,000, but same could be of great benefit to City of Lufkin in the future. Mayor Garrison stated that the City of Lufkin might participate in the amount of \$15,000 with a portion coming from the Chamber of Commerce or other people in the community, and some favorable response had been received from individuals.

Commissioner Pat Foley stated that he hesitated to commit the City's money to the project but individuals or industry in the City might contribute funds.

Commissioner E. C. Wareing stated that he favored the proposition because it would benefit the City of Lufkin by supplying water to areas that would be putting additional wells into the Carizzo Sands Aquifer.

Mayor Pro Tem Wareing conducted the vote on the Resolution due to Mayor Garrison's recuse.

Motion was made by Commissioner Bob McCurry that action be postponed until more information is received from the water study being conducted by the City of Lufkin.

Commissioner Pat Foley suggested amendment to motion by Commissioner McCurry to give Mayor Garrison time to ascertain if other parties would participate in the funding of the Mud Creek Dam. Commissioner Bob McCurry accepted the amendment to his motion and same was seconded by Commissioner Pat Foley. A unanimous affirmative vote was recorded with Mayor Garrison recusing from vote.

13. Annexation & Permanent Zoning - Kit McConnico Park - Referred to-Planning & Zoning Commission

Mayor Garrison stated that a letter had been received from Parks & Recreation Director, Don Hannabas, setting forth his justification for

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considering the annexation of Kit McConnico Park. Mayor Garrison further stated that the annexation would allow the City to exercise better control of the area.

City Manager Westerholm stated that the staff recommended the application for annexation & permanent zoning be submitted to the Planning & Zoning Commission for consideration.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Don Boyd that application be made to the Planning & Zoning Commission for consideration of annexation & permanent zoning of Kit McConnico Park in lieu of fees. A unanimous affirmative vote was recorded.

14. Substandard Housing - Abandoned Vehicles - Sensors for Pershing Street

In response to question by Commissioner Don Boyd, City Manager Westerholm stated that a list had been compiled to begin preparing a schedule of procedures on substandard housing which will be reviewed with the City Attorney for legality.

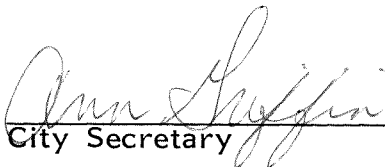
Commissioner Percy Simond stated that he would like to commend the Police Department for action on abandoned/junked vehicles.

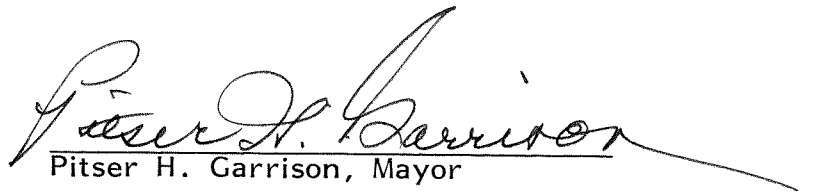
In response to question by Commissioner Richard Thompson, City Manager Westerholm stated that sensors for the signal light at Pershing and the Loop should be installed within a month.

15. There being no further business for consideration, meeting adjourned at 6:20 p.m.



ATTEST:


City Secretary


Pitser H. Garrison, Mayor