

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE
CITY OF LUFKIN, TEXAS, HELD ON THE 16TH DAY OF DECEMBER,
1980, AT 5:00 P.M.

On the 16th day of December, 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:

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

1. Meeting opened with prayer by Rev. Joseph Dufner, Pastor of Cross Roads Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed visitors present.
3. Approval of Minutes

Minutes of regular meeting of December 2, 1980, were approved on motion by Commissioner Percy Simond. Motion was seconded by Commissioner E. C. Wareing, and a unanimous affirmative vote was recorded.

4. Ordinance Approved- Second Reading - Zone Change Application- William W. Dawson - RL to C

Mayor Garrison stated that zone change application by William W. Dawson covering property located at 2709 S. Medford Drive between Ponderosa Drive and Sybil Street from Residential Large to Commercial was approved on first reading at last meeting of City Commission. There was no opposition present. Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Pat Foley that application be approved on second and final reading of ordinance. A unanimous affirmative vote was recorded.

5. Ordinance Approved - Second Reading - Zone Change Application, Pineywoods Mental Health, Inc. LB to C, SU(Halfway House)

Mayor Garrison stated that zone change application by Pineywoods Mental Health, Inc., covering property located on Old Mill Road between McMullen Street and Henderson Street from Local Business to Commercial, Special Use (Halfway House), had been approved on first reading at last meeting of City Commission. There was no opposition present. Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Pat Foley that application be approved on second and final reading of ordinance. A unanimous affirmative vote was recorded.

6. Ordinance Approved - Second Reading - Zone Change Application- Sam Crain III

Mayor Garrison stated that zone change application by Sam Crain III covering property located at 2018 Spence Street between Spence Street and Hwy. 59 from Light Manufacturing to Residential Small had been approved on first reading at last meeting of City Commission. There was no opposition present. Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Pat Foley that application be approved on second and final reading of ordinance. A unanimous affirmative vote was recorded.

7. Ordinance Approved - First Reading - Zone Change Application
Lottie Hook - RL to C

Mayor Garrison stated that zone change application by Lottie Hook covering property located on Medford Drive between Teer Street and Moffett Road from Residential Large to Commercial was recommended to City Commission by the Planning & Zoning Commission for approval. There was no opposition present.

Commissioner Pat Foley asked if the Commercial zone was necessary for the type of activity, i.e. showing model homes. Commissioner E. C. Wareing stated the Commercial zone was merely an extension of the zoning for adjacent property, and it would be difficult to find any other use for the property. Commissioner Wareing further stated that the zoning ordinance did not contain this specific item, but sales and storage would be the closest designation which required a Commercial zone.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner Bob McCurry that application be approved on first reading of ordinance. A unanimous affirmative vote was recorded.

8. Ordinance Approved - First Reading - Zone Change Application
Lester Adkison - RL to C

Mayor Garrison stated that zone change application by Lester Adkison covering property located at 1900 Lufkin Avenue between Ridge Street and Renfro Drive from Residential Large to Commercial was recommended to City Commission by the Planning & Zoning Commission for approval. There was no opposition present.

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

9. Hearing Date Established - Annexation and Permanent Zoning -
Sabine Investment Company - Crown Colony Subdivision

Mayor Garrison stated that annexation and permanent zoning application by Sabine Investment Company covering property located in Crown Colony Subdivision to include Section 9, 5B, 6A, and additional properties in the Golf Course area had been recommended to City Commission by Planning & Zoning Commission for establishment of a hearing date. There was no opposition present.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Richard Thompson that public hearing for annexation and permanent zoning be set for January 6, 1981.

10. Approval of Bids - Petroleum Products - Group Life & Health Insurance
for City Employees

A. Mayor Garrison stated that the City had received one (1) bid for petroleum products from Polk Oil Company as follows:

No Lead Gasoline	\$1.05 included .05
Regular Gasoline	\$1.00 included .05
Diesel	\$.855 No Tax
Premium Gasoline	Not Available
Motor Oil (SE-CD)	\$2.45
Hydraulic Oil (EP 20 0 & R)	\$2.28

In answer to question by Commissioner Pat Foley, Dwayne Humphrey, Public Works Coordinator, stated that Polk Oil indicates on their bid form that they have no premium gas available, but because some of the City's older equipment needs a higher octane mixture, Polk Oil makes a mixture

of 50/50 regular and premium to increase the octane rating.

Commissioner Percy Simond asked if it was customary to receive only one (1) bid on petroleum products. City Manager Westerholm stated that since 1972 and the fuel crisis, the City had received only one (1) bid because in the event of a shortage each company has to supply fuel to the customers they were serving in 1970.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that bid from Polk Oil be accepted and authorized for payment in amount as stated above. A unanimous affirmative vote was recorded.

- B. Mayor Garrison stated that Blue Cross-Blue Shield had served the hospitalization needs of the City for several years, and this year the City elected to take bids to determine if the coverage and premium rates were competitive. The tabulation sheet of bids is attached to these minutes for permanent record. The following companies submitted bids: Blue Cross-Blue Shield, Prudential, American National, Mutual of New York, CNA, AFLB, and API.

City Manager Westerholm stated that in the future he would like to conduct a study on converting the City to a self-insured program. The City would deposit premiums received into a trust fund where it would draw interest, and contract the administrative details of the program. City Manager Westerholm stated he did not feel there was enough time to study the self-insured programs for implementation before January 1, 1981.

Commissioner Percy Simond stated that Blue Cross-Blue Shield specialized in health care and would have more experience. City Manager Westerholm stated that Blue Cross-Blue Shield serves approximately 90% of the cities in East Texas, and is the cheapest plan for both the employee and the City. City Manager Westerholm further stated that City employees were well pleased with the present service by Blue Cross-Blue Shield and indicated in a staff meeting their desire to stay with this company. Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that the bid from Blue Cross-Blue Shield in the amount of \$37.70, City's cost per employee, be accepted and authorized for payment. A unanimous affirmative vote was recorded.

11. Pre-Application to HUD Approved - FY81 Community Development Block Grant

Mayor Garrison stated the City staff was ready to submit pre-application to HUD for the 1981 Comprehensive Community Development Block Grant in the amount of \$2,250,000, but needed authorization from the City Commission. Mayor Garrison stated that various projects had been suggested by the Citizen's Participation Committee and administrative staff of the City.

Randy Blanks of the DETCOG Staff was present to answer questions regarding the application. Mr. Blanks stated that the budget had been revised to allow 80% to be spent in poverty areas to insure receipt of more points when the application is considered. Mr. Blanks stated that the Citizen Participation Committee worked with the City Staff and looked at target areas in an attempt to answer the needs of the community with street improvements, drainage, parks, and housing rehabilitation.

Mayor Garrison stated that one-third (1/3) of the project funds was devoted to housing rehabilitation, and he was opposed to spending Federal money on improvements to private property.

In answer to a question by Commissioner Pat Foley, Randy Blanks stated that the housing coordinator listed in the Community Development Block Grant budget would motivate people to apply for housing rehabilitation funds, give technical assistance to landlords and owners, and would inform people how to participate in the various programs. Randy Blanks further stated the money in the Community Development Block Grant budget for administration and planning would help pay staff members or contract personnel to administer the Grant.

Commissioner Percy Simond stated that he had no objection to the program, but he was concerned about the insensitivity of contractors, engineers, and City administration. Commissioner Simond stated that he has not observed any minority subcontractors on the job, and the City should not rubber stamp engineers on these programs.

Mayor Garrison stated he was not aware of any rubber stamping. Commissioner Percy Simond stated only one (1) engineer was invited to submit a proposal on the program whereas several engineering firms submitted proposals on the upcoming water study.

Commissioner Pat Foley stated he understood the Federal Government checked on the minority subcontractors. City Manager Westerholm stated that checks are made on construction sites by City personnel to ascertain that workers are treated fairly, and the responsibility of the contractor is to select minority subcontractors that have been bonded and are qualified for various positions.

Mayor Garrison stated that the City is not rubber stamping anyone, and bids are taken on all work, but if there are any reservations about the procedure, perhaps the same should be reviewed.

Mayor Garrison stated if discrepancies are found in the handling of the FY81 HUD Grant the City Commission should consider it at that time.

Motion was made by Commissioner Percy Simond and seconded by Commissioner E. C. Wareing that the City staff be authorized to submit pre-application to HUD. A unanimous affirmative vote was recorded.

Commissioner Pat Foley stated that the large portion of the grant reserved for housing rehabilitation could be used for such needed projects as sewer, drainage, etc., because the housing rehabilitation would only benefit a small percentage of the people. Mayor Garrison stated he understood if the pre-application is approved the City could change some of the money designations. Randy Blanks stated that once the program was started the City would be allowed to shift 10% of the funds to other designations.

Commissioner Don Boyd stated that there was a big need for housing assistance in the target area.

Commissioner Bob McCurry stated that he concurred with Mayor Garrison, and was against using public tax money in any form for private property. Commissioner McCurry stated that the money could be used more effectively in parks and other areas.

Mayor Garrison stated that if the housing rehabilitation was done in the form of low-cost loans, same would be repaid and the money could be used over and over to a greater benefit. Commissioner Percy Simond stated the grant funds would be given to the city with the highest points on their application, and housing rehabilitation is the best way to obtain more points.

Mayor Garrison stated that the City Commission needed to approve a resolution implementing the HUD grant pre-application. Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that Resolution be approved. A unanimous affirmative vote was recorded.

12. Townhouse Ordinance Amendment - Approved

Mayor Garrison stated that the Planning & Zoning Commission had recommended the word "condominium" be removed from the Townhouse Ordinance, and City Attorney Robert Flournoy had prepared an ordinance to be considered by the City Commission.

City Attorney Flournoy stated that condominiums would be treated as apartments and the Townhouse Ordinance was not applicable to condominiums. City Attorney Flournoy further stated that requirements for apartments and condominiums would be the same, and the problem with condominiums being under the Townhouse Ordinance was the density requirements. City Attorney Flournoy stated that 15 townhouses are allowed per acre, and developers should be able to build more condominiums in the same area.

Commissioner Pat Foley stated that he would like to have further information on what other cities are doing in regard to ordinances for condominiums, and any information TML might have available.

City Attorney Flournoy stated that the Planning & Zoning Commission, building officials, and engineers had considered the problem and determined that condominiums should not be in the townhouse ordinance but could be added to the apartment zone.

Commissioner E. C. Wareing stated that the City could not issue a building permit for condominiums inasmuch as no ordinance presently existed. Motion was made by Commissioner Pat Foley and seconded by Commissioner E. C. Wareing that amendment be approved on first reading. A unanimous affirmative vote was recorded.

13. Police & Fire Departments - Personnel Turnover - Lawsuit - Police Officer

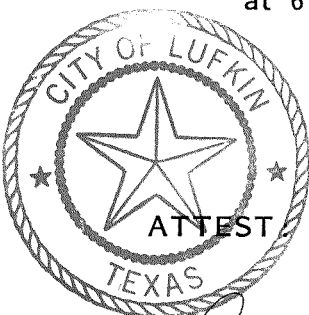
Commissioner Don Boyd stated that the City Commission should look at information received on personnel transition in the police and fire departments.

City Attorney Flournoy stated that a lawsuit had been filed against a police officer alleging that he struck a person he was arresting. City Attorney stated that he had filed an answer and the City would defend the officer.

Commissioner Don Boyd asked for information on lawsuit by Bryan Maxey. City Attorney Flournoy stated that a hearing was needed for summary judgment and the case was presently in a state of limbo.

Commissioner E. C. Wareing stated he would like to wish City Commission and families a Merry Christmas and a Happy New Year.

14. There being no further business for consideration, meeting adjourned at 6:25 p.m.



Ann Griffin
Assistant City Secretary

Pitser H. Garrison
Pitser H. Garrison, Mayor

Company	Employee Life Ins.-\$5,000	Employee Medical	Children Medical	Spouse Medical	Spouse & Child Medical	City Will Pay
Blue Shield	\$2.45	\$35.25	\$29.53	\$44.42	\$58.05	\$37.70
Prudential - Low	2.35	43.45	36.40	54.76	71.56	45.80
- Mid	2.35	47.79	40.04	60.24	78.72	50.14
- High	2.35	56.39	47.25	71.08	92.89	58.74
American National	2.20	42.59	35.67	53.64	70.13	44.79
Mutual of New York	2.77	45.99	36.03	54.19	67.16	48.76
CNA	2.15	43.08	46.08	54.28	70.93	45.23
*AFLB-Employee Benefit Trust						
Ins. Co. of North America - Option 1	2.00	36.00	dependent cost	\$74.00		38.00
- Option 2	2.00	27.00	dependent cost	\$54.00		29.00
*API	1.95	47.33	14.25	46.60	63.87	49.28

* Self-funded