

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON 20TH DAY OF MAY, 1980, AT 5:00 P.M.

On the 20th day of May, 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 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
Robert L. Flournoy	City Attorney
Ann Griffin	Assistant City Secretary

being present, and

Roger G. Johnson	Assistant City Manager
------------------	------------------------

being absent when the following business was transacted.

1. Meeting was opened with prayer by City Manager Westerholm in the absence of regularly scheduled Chaplain.
2. Mayor Garrison welcomed visitors.
3. Minutes of meeting of May 6, 1980, were approved on motion by Commissioner E. C. Wareing with second by Commissioner Don Boyd, and a unanimous affirmative vote was recorded.
4. Ordinance Approved - First Reading - Annexation & Permanent Zoning Etex Flange & Manufacturing Co., Inc.

Mayor Garrison stated that annexation and permanent zoning hearing by Etex Flange & Manufacturing Co., Inc. to Light Manufacturing District covering property located at 2802 Spence Street, immediately north of and adjacent to Chromium Corporation had been held at last regular meeting. There was no opposition present.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner Bob McCurry that ordinance for annexation be approved on first reading. A unanimous affirmative vote was recorded. Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley to approve zoning of the property on first reading to Light Manufacturing District as advertised. A unanimous affirmative vote was recorded.

5. Ordinance Approved - Second Reading - Annexation and Permanent Zoning - R. L. Cunningham

Ordinance Approved - Second Reading - Zone Change Application - Donald Ray Burkett - RM to LM, SU(Welding Shop)

Mayor Garrison stated that since Item 5, Annexation and Permanent Zoning request by R. L. Cunningham, and Item 7, Zone Change Application by Donald Ray Burkett, were non-contested items and were being considered for second reading, he would group them together if the members of Commission had no objections. There was no opposition from Commission. Motion was made by Commissioner Richard Thompson and seconded by Commissioner Percy Simond that annexation and permanent zoning request by R. L. Cunningham to Commercial District covering property located immediately south of and adjacent to Scenic Acres Mobile Home Park and west of U. S. Highway 59 South and Zone Change Application by Donald Ray Burkett from Residential Medium to Light Manufacturing, Special Use(Welding Shop) covering property located at 1504 North Medford Drive between Paul Avenue and Highway 103 be approved on second and final reading for ordinances. A unanimous affirmative vote was recorded.

6. Second Reading of Ordinance - Approved - New Electric Rates - TP&L

Mayor Garrison stated that a letter had been received from Don Butler, the cities' legal counsel in the TP&L rate request. Mayor Garrison further stated that the Commission had considered two ordinances in regard to the rate increase and passed both on first reading. The first ordinance provided for a 5.4% increase across the board on all schedules, the second ordinance provided for 10.1% increase on some rates and 20% increase on others. After considerable discussion, Mayor Garrison stated that Don Butler's letter pointed out interest rates had been reduced substantially since the PUC meeting and could result in lower electric rates, and that if cities were not going to listen to consultants they hired, this could be used against the cities in the future.

After further discussion, Commissioner Percy Simond stated that if there was no additional expense to cities to appeal to PUC he would move to pass the ordinance calling for 5.4% increase. Motion was seconded by Commissioner Richard Thompson and the vote was unanimous with Commissioner Pat Foley recusing himself from vote or discussion because of a business transaction with TP&L.

Bob Brown, Assistant to James Kerbo, TP&L, stated that Lufkin would be under appeal because at the moment there were no definite rates and when the rates were finalized the appeal would be finalized and TP&L would require no bond.

Mayor Garrison then stated that the Ordinance providing for 10.1% increase was left without a second reading. Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Don Boyd that the Ordinance passed on first reading at meeting of May 6, 1980, providing for 10.1% increase be tabled. A unanimous affirmative vote was recorded with Commissioner Pat Foley recusing.

7. Ratification of Members appointed to Tax Equalization Board

Mayor Garrison stated that appointments to Tax Equalization Board had been discussed at Executive Session of last regular meeting of Commission, and that each had now been contacted and agreed to serve. The following five members were appointed to the Tax Equalization Board:

- Arthur Bresie
- Travis Carrington
- Richard Gardemal
- Royce Garrett
- Leeland Petty

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that above stated five members be appointed. A unanimous affirmative vote was recorded.

8. City Commission Representative to DETCOG

Mayor Garrison stated that in previous years, as City Commission representatives to DETCOG left the City Commission, they were replaced by a member of the next longest tenure. The present representatives were:

- Pitser H. Garrison
- Edgar C. Wareing
- Pat Foley

The position held by W. O. Ricks, Jr. required appointment and Commissioner Richard Thompson was the member with next longest tenure. Motion was made by Commissioner Bob McCurry and seconded by Commissioner Percy Simond that Commissioner Richard Thompson be appointed to serve as representative to DETCOG. A unanimous affirmative vote was recorded.

9. Bid Approved - Street & Water Pollution Control Departments-Dump Trucks (2)

Mayor Garrison stated that bids had been received on two dump trucks for use in the Street and Water Pollution Control Departments and the bid tabulation reflected that Gibbs Motor Company was the low bidder. These items were budgeted from Revenue Sharing Fund in the amount of \$12,800 per truck. The low bid exceeded this amount by \$1,685.75, and City Manager Westerholm requested authorization to purchase these trucks. It was stated that Barrett Mack had no gas engine and, therefore, bid on diesel engine, and Greater Lufkin Ford submitted bid on both gas and diesel. Dwayne Humphrey, Public Works Coordinator, explained that the City now had diesel engines in garbage trucks, but the size engine needed for the dump trucks had just become available in diesel, and he preferred to wait until the problems were resolved with this motor before purchasing same. Motion was made by Commissioner Percy Simond and seconded by Commissioner Pat Foley that bid by Gibbs Motor Company be approved for purchase. A unanimous affirmative vote was recorded.

10. Resolution Supporting Application for IPA Grant - Approved

Mayor Garrison stated that the Resolution to be considered by Commission in support of IPA Grant outlined the purpose of the grant application. The grant will be used to update City Employee Handbook and classification procedure to fully comply with the requirements of the Equal Employment Opportunity Commission, and there was no financial obligation assumed by the City in the project. Commissioner Pat Foley asked if the EEOC would authorize any pay structure in the grant and was informed that there would be suggestions in regard to the pay for each classification. Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd to approve the resolution supporting application for the IPA Grant. A unanimous affirmative vote was recorded.

11. Executive Session - Discussion of Building Code of Appeals Appointments - Purchase of Real Estate

Mayor Garrison adjourned regular open meeting of City Commission at 6:00 p.m. to Executive Session for discussion of appointments to Standard Building Code of Appeals and purchase of Real Estate.

Meeting was reconvened by Mayor Garrison at 6:25 p.m. Mayor Garrison announced that various appointments of five members from the building trade to the Standard Building Code of Appeals had been discussed by members of City Commission and official announcement would be made at next regular meeting on June 10, 1980. Mayor Garrison stated that members of Commission had also considered purchase of land presently in way of proposed street, and the matter needed to be explored before making announcement. Mayor Garrison then authorized City Manager Westerholm to inquire into same and report back to Commission.

Mayor Garrison stated that it had become necessary to amend the Agenda of City Commission on emergency basis to consider approval of Resolution related to Bonds being sold by Chromium Corporation, and same would be considered at 7:00 p.m. to comply with two hour notice of amendment to agenda.

12. Pictures of New City Commission Members Discussed

Commissioner E. C. Wareing stated that Commissioner Bob McCurry and Commissioner Percy Simond, Jr. needed their pictures placed on wall of City Commission Chambers to bring pictures up to date.

13. Whitehouse Drive - Discussion of Extention

Commissioner Pat Foley stated that Whitehouse Drive had a small alley that extended to Brentwood and would like to see Whitehouse Drive widened and run through to Brentwood in view of growth of Lufkin in the area. Commissioner E. C. Wareing stated that he was not in favor of same because the alley was not in City Limits, and he felt that Lufkin should start

May 20, 1980

exercising more control over the extraterritorial limits until the City hired a City Planner. City Manager Westerholm stated that one applicant for City Planner had been interviewed and would interview another applicant on May 30th. City Manager further stated that when census was completed the City would get 2 miles extraterritorial limits.

14. There being no further business, the meeting was adjourned at 6:37 p.m.



ATTEST:

Ann Griffin
Assistant City Secretary

Robert J. Harrison
Mayor, City of Lufkin, Texas