

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 21st DAY OF FEBRUARY, 1989 AT 5:00 P.M.

On the 21st day of February, 1989, 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:

Louis A. Bronaugh	Mayor
Percy Simond	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Danny Roper	Commissioner, Ward No. 3
Bob Bowman	Commissioner, Ward No. 4
Jack Gorden	Commissioner, Ward No. 5
Paul Mayberry	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Brian Boudreaux	Assistant City Manager
Ron Wesch	Public Works Director
Bob Flournoy	City Attorney
Atha Stokes	City Secretary

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Tim Diebel, Minister of First Christian Church.

2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of February 7, 1989, were approved on a motion by Commissioner Bob Bowman and seconded by Commissioner Don Boyd. A unanimous affirmative vote was recorded.

4. RECOGNITION OF GIRL SCOUT TROOP #9108

Mayor Bronaugh recognized members of Girl Scout Troop #9108: Julia Taubert, Vanessa Dominey, Heather Griffith, Sarah Stott, Ashley Rush, Natalie Jones, Shannon Torres, Erin Freeman, Brooke Cooley, Alexis Mathis, Susan Morgan, Alison Kirkland, and leaders, Connie Griffith and Ann Taubert.

Mayor Bronaugh stated that these girls, along with their leaders and families, planted 100 green ash trees at the Four Seasons Park on Old Union Road and 100 yellow poplar trees at the Grace Richardson Park.

5. RESOLUTION - APPROVED - TEXAS PUBLIC SCHOOLS WEEK

At the request of Mayor Louis Bronaugh, City Attorney Bob Flournoy read the Resolution designating March 6-10, 1989 as Texas Public Schools Week. Mayor Bronaugh presented the Resolution to Jim Wright, Principal, Lufkin High School.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman to adopt the Resolution as presented. A unanimous affirmative vote was recorded.

6. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE REQUEST - MURRY BROWN/BOBBY BASHAM - HUBBARD STREET BETWEEN PAUL AND CURRY - RESIDENTIAL LARGE TO RESIDENTIAL SMALL

Mayor Bronaugh stated that the next item for consideration was Second Reading of Ordinance for Zone Change request by Murry Brown and Bobby Basham covering property located on Hubbard Street between Paul and Curry Streets from Residential Large to Residential Small.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper that Ordinance be approved on Second and Final Reading. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE REQUEST - TEXAS 59 SOUTH DEVELOPMENT - 4306 SOUTH FIRST - COMMERCIAL TO COMMERCIAL, SPECIAL USE (PRIVATE CLUB)

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for zone change for Texas 59 South Development covering property located at 4306 South First from Commercial to Commercial, Special Use (Private Club).

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper that Ordinance be approved on Second and Final Reading. Commissioner Bob Bowman recused himself; motion carried with six affirmative votes.

8. BID - APPROVED - TABLES - CIVIC CENTER - J.M.C. ASSOCIATES

Mayor Bronaugh stated that the next item was to reconsider bid for tables at the Civic Center.

City Manager Westerholm stated that this item had been presented to the Commission prior to the rollback election and had been tabled. City Manager Westerholm stated that funding for the tables will be from Hotel/Motel tax revenue.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that bid of J.M.C. Associates in the amount of \$19,775 be accepted as the low bid. A unanimous affirmative was recorded.

9. ORDINANCES - APPROVED - FIRST READING - STANDARD PLUMBING CODE - STANDARD GAS CODE - STANDARD BUILDING CODE - STANDARD MECHANICAL CODE - NATIONAL ELECTRIC CODE

Mayor Bronaugh stated that the next items for consideration were Ordinances to be amended to bring the Codes up to date.

City Attorney Bob Flournoy stated that in the process of working on the minimum standards housing project it became apparent that the latest provisions to the Standard Building Codes had not been adopted by the City. Mr. Flournoy stated that he has prepared a proposed Ordinance for standard housing requirements and would present it to the Commissioners for their review in the next few weeks.

City Attorney Flournoy stated that representatives from the different boards were present at tonight's meeting to answer questions.

In response to question by Commissioner Danny Roper, City Attorney Flournoy stated that 15 years ago the City elected not to permit anything but cast iron under the slab and if this Ordinance is adopted as is, it will supersede that exception and will permit PVC pipe under the slab. Mr. Flournoy stated that the Plumbing Board has also recommended approval of the Ordinance.

Mayor Bronaugh stated that an amendment to the agenda added the National Electric Code to the Ordinances being considered for adoption.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Jack Gordon that Ordinances adopting the latest provisions of the Standard Plumbing Code, Standard Gas Code, Standard Building Code, Standard Mechanical Code, and the National Electric Code, and all future revisions be approved on First Reading as presented. A unanimous affirmative vote was recorded.

10. SOUTHERN PACIFIC RAILROAD REPORT - PROPOSED RAIL AND CROSSING IMPROVEMENTS

Mayor Bronaugh stated that the next item for consideration was

a report by Southern Pacific Railroad on proposed rail and crossing improvements in Lufkin.

Larry Mahon, Assistant District Engineer for the Houston - Lafayette Division of Southern Pacific Railroad, stated that improvements to crossings would be made at:

Denman Avenue	-	concrete crossing because of density of traffic
Shepherd Avenue	-	timber
Ellis Avenue	-	2 crossings will be timber with concrete
Bremond	-	timber
Abney	-	5 crossings, all timber

Mr. Mahon stated that the earliest date for beginning the work would be the 1st of May, and that the City Manager would be contacted regarding street closures at that time.

In response to question by Mayor Bronaugh, Mr. Mahon stated that the two crossing guards at Lazy Lane and Ellis would probably be installed around August 1st.

Commissioner Simond suggested that consideration be given to concrete crossings at Abney rather than timber.

In response to question by Public Works Director Ron Wesch, Mr. Mahon stated Pershing Street had been left off of his list but that the crossing would be raised.

11. AERIAL EASEMENT - APPROVED - CALVARY BAPTIST CHURCH

Mayor Bronaugh stated that the next item for consideration was a request by Calvary Baptist Church for an aerial easement for construction of a canopy structure across the 500 block of Kerr Street.

Larry Lasiter, engineer, stated that the canopy structure will provide protection for pedestrians between the existing sanctuary building on the North side of Kerr and the new education building under construction on the South side of Kerr Street. Mr. Lasiter stated that the canopy would consist of a structural steel frame with a brick veneer exterior and would meet the requirements of the State Highway Department.

City Attorney Flournoy stated that the indemnity agreement could be incorporated in the easement agreement, which is a standard procedure. Mr. Flournoy stated that the City will want the church to maintain liability insurance on the structure.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman to grant approval of the aerial easement for construction of a canopy structure for Calvary Baptist Church in the 500 block of Kerr Street. A unanimous affirmative vote was recorded.

12. REPLACEMENT OF SECRETARY - APPROVED - FIRE CHIEF'S OFFICE

Mayor Bronaugh stated that the next item for consideration was replacement of secretary in the Fire Chief's Office.

City Manager Westerholm stated that because of the requirement to bring hiring of replacement personnel before the City Commission he was asking that Fire Chief Snyder be able to replace his secretary who resigned.

Commissioner Simond stated that the City Commission should not get involved with hiring secretaries.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that replacement of secretary in the Fire Chief's office be approved. A unanimous affirmative vote was recorded.

13. EXECUTIVE SESSION

Mayor Bronaugh stated that the City Commission would now adjourn to Executive Session. Regular session was adjourned at 5:52 p.m. Mayor Bronaugh reconvened regular session at 5:54 p.m. and stated that appointment to the Planning and Zoning Commission had been discussed.


14. APPOINTMENT - APPROVED - PLANNING AND ZONING COMMISSION - HERBERT CROSS

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Don Boyd that Herbert Cross be reappointed to the Planning and Zoning Commission for a 3-year term. A unanimous affirmative vote was recorded.

15. COMMENTS - TAX ABATEMENT PROGRAM

In response to question by Commissioner Gorden, City Attorney Flourney stated that he and the Mayor, City Manager and Assistant City Manager have been working on the Tax Abatement Program trying to establish different purposes for qualifying for an abatement. Mr. Flourney stated that the City Manager has suggested that the program be utilized for rehabilitation and economic development. Mr. Flourney stated that he will present recommendations to the Commission in the next few weeks.

16. There being no further business for consideration, meeting adjourned at 5:58 p.m.


Louis A. Bronaugh, Mayor

ATTEST:


Atha Stokes, City Secretary