

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON 6TH DAY OF MAY, 1980, AT 7:30 P.M.

On the 6th 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
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. Richard Hume, Jr., pastor of St. Paul's United Methodist Church, Lufkin, Texas.
2. Mayor Garrison welcomed visitors.
3. Minutes of meeting of April 22, 1980, were approved following a request by Commissioner Pat Foley to amend same by adding comments regarding annexation and permanent zoning request of Sabine Investment Co. for Apartment District Special Use (Lodge, Special Conditions) as follows:

Commissioner Pat Foley questioned whether or not this Lodge was to be built to condominium specifications. City Attorney Flournoy assured Commissioner Foley that it was to be controlled under townhouse specifications inasmuch as the City of Lufkin had no condominium specifications.

Members of Commission were in agreement with motion by Commissioner Pat Foley to approve minutes with this amendment. Motion was seconded by Commissioner Don Boyd, and a unanimous affirmative vote was recorded.

Prior to official opening of regular meeting Mayor Garrison presented proclamation to Mr. J. L. Beaird, District Engineer, State Department of Highways and Transportation, declaring week of May 11 to May 17, 1980, National Transportation Week. Mayor Garrison also presented Mrs. Marge Beckham with a proclamation declaring May 18, 1980, Lufkin Museum Day.

4. OPEN HEARING BY MAYOR - Etex Flange & Manufacturing Co., Inc. to Light Manufacturing District - Annexation & Permanent Zoning- Ordinance set for first reading

Hearing was opened by Mayor Garrison to consider annexation and permanent zoning request by Etex Flange & Manufacturing Co., Inc. to Light Manufacturing covering property located at 2802 Spence Street, immediately north of and adjacent to Chromium Corporation. There was no opposition present. Mayor Garrison closed hearing.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Don Boyd that first reading of ordinance be considered at next City Commission meeting on May 20, 1980, at 5:00. A unanimous affirmative vote was recorded.

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

Mayor Garrison stated that annexation and permanent zoning hearing 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 had been held at last regular meeting. There was no opposition present.

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

6. Ordinance Approved - Second Reading - Annexation and Permanent Zoning - John I. Everett - Fuller Springs Area

Mayor Garrison stated that ordinance had been approved on first reading at last regular meeting regarding annexation and permanent zoning request by John I. Everett to Residential Large and Residential Medium Districts, covering property located east and west of Ponderosa Drive and south of Fuller Springs Drive. There was no opposition present. Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that ordinance for annexation be approved on second and final reading.

Previous motion received the following vote:

Voting Aye: Commissioners Percy A. Simond, Jr., Don Boyd, Bob McCurry
Pat Foley, Richard Thompson

Voting Nay: Commissioner E. C. Wareing

Mayor Garrison declared motion approved by a majority vote of six to one.

Commissioner E. C. Wareing stated that Mr. Bill Perkins, attorney for Doug Thompson, had some questions at last meeting of City Commission and expected his presence at this meeting. Mayor Garrison stated that City Attorney Flournoy had researched to see if there was any property within the extraterritorial jurisdiction of Fuller Springs and found that there was none.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Pat Foley to approve zoning ordinance of property on second and final reading to Residential Large and Residential Medium Districts. A unanimous affirmative vote was recorded.

7. Ordinance Approved - Second Reading - Zone Change Application - Community State Bank

Mayor Garrison stated that ordinance on zone change application by Community State Bank from Local Business District to Local Business and Commercial District, Special Use (Erection of on-premise Sign in excess of 36 sq. ft.) on property located at 1610 South First Street at the intersection of South First St. and Janeway Ave. had been approved on first reading at last regular meeting. There was no opposition present.

Motion was made by Commissioner Bob McCurry and seconded by Commissioner Don Boyd that ordinance be approved on second and final reading. A unanimous affirmative vote was recorded.

8. Ordinance Approved - Second Reading - Zone Change Application - Martha Kiel - RS to RS, SU (Item 6-Day Care Center)

Mayor Garrison stated that ordinance on zone change application by Martha Kiel from Residential Small to Residential Small District, Special Use (item 6-Day Care Center) covering property located at 1924 West Williams St. between Keltys and Tatum Streets had been approved on first reading with condition that area be further reviewed regarding problems. City Manager Westerholm stated that the City Staff had examined the property and the City did not feel that the traffic in the area would be greatly inconvenienced if off street unloading was not provided. City Manager Westerholm further stated that it was the opinion of the City Staff that it was not necessary to have a separate driveway. There was no opposition present. Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that ordinance be approved on second and final reading. A unanimous affirmative vote was recorded.

9. First Reading of Ordinance - Approved - New Electric Rates - TP&L

Mayor Garrison stated that the City Commission had received another ordinance from TP&L designed to implement the findings of the Public Utility Commission which were published in their Order #3006 which provided for increased revenues approximately twice of those provided in the ordinance passed on first reading on April 22nd. Mayor Garrison stated that the City had options of passing the former ordinance on second reading which TP&L would appeal, passing the new ordinance on first reading, or doing neither, and TP&L would put into effect new rates based on PUC order. Mr. James Kerbo of TP&L stated that the company did not break even on municipal water and sewer service and the rate for this service was to be greatly increased this time. Commissioner E. C. Wareing stated that he felt specific rates should be in the ordinance that the City approves, and the City should reserve action until the specific rates are available. Mr. Kerbo stated that it was not the intent of TP&L to penalize any city but rates must be in effect by May 27 in every city and if no action was determined the rates would be put into effect under bond. Mr. Kerbo assured the City Commission that Lufkin would not have any higher or lower rates than any other city served by TP&L.

Commissioner Pat Foley recused from vote or discussion on this item due to business transaction with TP&L.

After considerable discussion, motion was made by Commissioner Bob McCurry that the City Commission approve ordinance on first reading providing for a 10.1% increase and special schedule of rates be prescribed by TP&L within guidelines set by PUC prior to second and final reading. Motion was seconded by Commissioner E. C. Wareing. A unanimous affirmative vote was recorded.

Commissioner E. C. Wareing asked that the City Staff review January 4th regulation for any changes and requested that City Manager Westerholm and City Attorney Flournoy protest the 20% increase in city rates proposed by TP&L before the TML Cities group.

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

Mayor Garrison stated that ordinance on 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 had been recommended by the City Planning and Zoning Commission. There was no opposition present. Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that ordinance be approved on first reading. A unanimous affirmative vote was recorded.

11. Resolution for Sale of Chambers Park Property Approved

Mayor Garrison stated that a resolution had been prepared by Commissioner Pat Foley with the help of City Attorney Flournoy supporting the sale of Chambers Park Property as requested by City Commission at last regular meeting.

Commissioner Pat Foley stated that the City Commission would like the public to know that the sale is fully endorsed by the Commission.

Commissioner Percy Simond stated that he came to the meeting to register protest vote on this sale because of parks in other areas of City being in such need of repair. Commissioner Percy Simond further stated after hearing resolution read by Commissioner Pat Foley that he felt Chambers Park should be sold and he would not register protest vote. Mayor Garrison stated the Commission was not aware of deficiencies in other areas and Commission should put forth effort to correct same. Mayor Garrison asked that City Manager Westerholm study this problem and report back to Commission.

Motion to approve resolution was made by Commissioner Pat Foley and seconded by Commissioner E. C. Wareing. A unanimous affirmative vote was recorded.

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12. Street Name Assigned - Lufkin Youth Baseball Association - Morris Frank Park - Windsor Drive

Mayor Garrison stated that the Commission had received a letter from Raymond Moore, President of the Lufkin Youth Baseball Association, requesting that the existing street extending through Morris Frank Park from Airport Boulevard to Hill Street be named Windsor Drive in honor of Bill Windsor for his years of service to the Lufkin Youth Baseball Association. Motion was made that the street be named Windsor Drive by Commissioner Percy Simond and seconded by Don Boyd. A unanimous affirmative vote was recorded.

13. Executive Session - Discussion of Tax Equalization Board Appointments

Mayor Garrison adjourned regular open meeting of City Commission at 9:10 p.m. to Executive Session for discussion of appointments to Tax Equalization Board.

Meeting was reconvened by Mayor Garrison at 9:25 p.m. Mayor Garrison announced that various appointments to Tax Equalization Board were discussed by members of City Commission and official announcement would be made at next regular meeting on May 20, 1980, concerning same.

14. DETCOG Representatives - Discussion

Commissioner E. C. Wareing stated that Commissioner W. O. Ricks was a representative to DETCOG from the City Commission and it would be necessary to appoint someone else at next meeting. Mayor Garrison stated that this could be discussed at next meeting, but members of City Commission had historically appointed the senior member of the City Commission to serve with DETCOG.

15. Park Patrol - Discussion

Commissioner Don Boyd stated in view of the Park situation brought to the Commission's attention by Commissioner Percy Simond and the growth of the City, he would like to see the City of Lufkin start a Park Patrol to deter crime in the city parks. City Manager Westerholm stated that he would report on same at next regular meeting.

16. Water Treatment Plant - New Storage Tanks Construction

Commissioner Richard Thompson stated that he had visited the water treatment plant and was very impressed. City Manager Westerholm stated that the two (2) - two million gallon ground storage tanks would be ready for the summer months.

17. There being no further business, the meeting was adjourned at 9:30 p.m.



ATTEST:

Ann Luffin

Assistant City Secretary

Percy V. Garrison
Mayor, City of Lufkin, Texas