

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 5TH DAY OF JUNE, 1979, AT 7:30 P.M.

On the 5th day of June, 1979, 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
Pat Foley	Commissioner, Ward No. 4 (new plan)
E. C. Wareing	Commissioner, Ward No. 4 (old plan)
W. O. Ricks, Jr.	Commissioner-at-Large, Place A (old plan)
Richard Thompson	Commissioner-at-Large, Place B (old plan)
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	Assistant City Manager
Gayle Dickey	Assistant City Secretary

being present, and

Don E. Boyd	Commissioner, Ward No. 2 (new plan)
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being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Mr. Jesse Pugh, Administrator, Pine Haven Nursing Home, Lufkin, Texas.
2. Mayor Garrison welcomed visitors present.
3. Approval of Minutes

Motion was made by Comm. Richard Thompson that minutes of regular meeting of May 15, 1979, be approved. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

4. Texas Department of Highways & Public Transportation - Minute Order Approved - Agreement for Improvements to Ellis and Frank Intersection on Highway 94

Mayor Garrison stated that the Texas Department of Highways & Public Transportation had recommended improvements to Frank and Ellis intersection in Highway 94 to accommodate additional traffic created by improvements to Loop 287, widening of Highway 94 West, and other growth and expansion in the area. Mayor Garrison also stated that the TDH&PT desired City Commission approve minute order initiating the City's participation in the proposed improvements to this intersection.

Mayor Garrison recognized Mr. J. L. Beard, Director of the Texas Department of Highways & Public Transportation. Mr. Beard stated that the minute order for improvements to Frank and Ellis intersection on Highway 94 was prepared in response to a delegation which had appeared before the Texas Highway Commission in 1978 including members of the City Commission, Angelina County Commissioners Court, and the Angelina County Chamber of Commerce, who were concerned regarding improvements to this intersection. Mr. Beard stated that funds had been set aside for upgrading of the Frank and Ellis intersection including four 12' driving lanes with a flush median between double lanes. Mr. Beard stated that parking would be prohibited in the area as part of the minute order. Mr. Beard stated that the TDH&PT was prepared to provide \$265,000 toward completion of proposed improvements, and that the City's share would be approximately \$73,000. Mr. Beard stated that the City's cost would be subject to change based on actual bid price and the TDH&PT desired the City approve minute order for development of project.

Motion was made by Comm. W. O. Ricks that minute order by the TDH&PT for improvements to Frank and Ellis intersection in Highway 94 be approved. Motion was seconded by Comm. E. C. Wareing.

Comm. Wareing inquired of Mr. Beard as to whether or not this intersection would begin curb and gutter which would extend to Highway 94 and further west. Mr. Beard stated that curb and gutter would be stopped approximately 100' to 200' east of intersection due to proposed grade separations on Highway 94 and Loop 287 which was proposed for the future.

A unanimous affirmative vote was recorded to previous motion and second.

5. Zone Change Approved 2nd Reading - Leon R. Bennett from RM to RM, Special Use (Day Nursery)

Mayor Garrison stated that zone change application by Leon R. Bennett from RM to RM, Special Use (Day Nursery) covering property located in Lot 3, Block 54 of the Original Townsite of Lufkin had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to zone change application. Motion was made by Comm. Pat Foley that zone change application by Leon R. Bennett from RM to RM District, Special Use (Day Nursery) be approved on second and final reading. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

6. Zone Change Approved 1st Reading - J. L. Porter from RM to RS District

Mayor Garrison stated that zone change application by J. L. Porter from RM to RS District covering property located at 2428 Old Mill Road, fronting on North side of street between Peggy Lane and Highway 69 (Loop 287) being Lot 87, Block A of the Keltys Addition had been recommended for approval by the City Planning & Zoning Commission.

There were no persons present appearing in opposition to zone change application. Motion was made by Comm. W. O. Ricks that zone change application by J. L. Porter from RM to RS District be approved on first reading of ordinance. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

7. Zone Change Approved 1st Reading - Emma Taylor from LB to LB District, Special Use (Day Nursery)

Mayor Garrison stated that zone change application by Emma Taylor from LB to LB District, Special Use (Day Nursery) covering property fronting on Ellis Avenue located between Bynum and Bledsoe Streets, being Lot 3, Block 2 of the Oakland Addition had been recommended for approval by the City Planning & Zoning Commission.

There were no persons present appearing in opposition to zone change application. Motion was made by Comm. W. O. Ricks that zone change application by Emma Taylor from LB to LB District, Special Use (Day Nursery) be approved on first reading of ordinance. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

8. Zone Change Approved 1st Reading - Mrs. Mable Harris from RL to RS District

Mayor Garrison stated that zone change application by Mrs. Mable Harris from RL to RS District covering property being Tract 3 of the A. Varilla Survey, fronting on Ellen Trout Drive, containing .928 acres described in a judicial partition decree of record in Volume 484, Page 173 of the Deed Records of Angelina County, Texas, had been recommended for approval by the City Planning & Zoning Commission.

There were no persons present appearing in opposition to zone change application. Motion was made by Comm. W. O. Ricks that zone change application by Mrs. Mable Harris be approved on first reading of ordinance. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

9. Air Conditioning & Heating Code - Preparation of Ordinance Authorized

Mayor Garrison stated that various air condition and heating contractors in the City of Lufkin had joined forces and were desiring the City institute an air conditioning and heating installation code similar to codes previously in use by the City for electricians and plumbers. Mayor Garrison stated it had been determined by City staff that other cities of comparable size to Lufkin were utilizing a code for air conditioning and heating contractors.

City Manager Harvey Westerholm stated that the City staff would prepare an ordinance for the heating and air conditioning code if City Commission approved same. Mr. Westerholm stated that the City of Lufkin presently had no licensing provisions for heating and air conditioning contractors, and persons in this occupation could work in the City of Lufkin by posting \$1,000 bond. Mr. Westerholm stated that electrical and plumbing contractors in the City were presently required to be licensed.

Motion was made by Comm. E. C. Wareing that City Attorney Flournoy be authorized to prepare ordinance for heating and air conditioning code for the City of Lufkin to be considered for approval by the City Commission. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Comm. Wareing inquired as to when proposed ordinance could be prepared. Mayor Garrison suggested that City Attorney Flournoy prepare first draft of proposed ordinance in advance of next regular meeting in order that members of City Commission would have adequate time to consider same before meeting.

10. Metro Airlines - Decision to Discontinue Service to Angelina County Airport - City of Lufkin to Join in Official Protest

Mayor Garrison stated that Metro Airlines had earlier announced their decision to discontinue commercial air service to Angelina County Airport. Mayor Garrison stated that members of Commission had received copies of an Order to Show Cause prepared by the Texas Aeronautics Commission giving interested parties an opportunity to protest this decision by Metro Airlines. Mayor Garrison stated that a group of individuals had met through the Chamber of Commerce in regard to protesting this decision, and consideration at this meeting should be considered as to whether or not the City of Lufkin desired to officially join in protest.

Motion was made by Comm. W. O. Ricks that the City of Lufkin officially join in protest of Metro Airlines' decision to discontinue commercial air service to the Angelina County Airport. Motion was seconded by Comm. Pat Foley, and Comm. Foley stated that he would like to encourage parties engaged in obtaining another airline for this service to Angelina County Airport to continue in their endeavors. A unanimous affirmative vote was recorded.

11. Resolution Approved - Angelina County's Application for Community Development Block Grant Funds - City of Lufkin's Support Approved

City Manager Westerholm stated that the City Commission had previously approved a resolution for Angelina County and that same had been a pre-application for Community Development Block Grant funds. Mr. Westerholm stated that the resolution to be considered at this meeting concerned actual application for CDBG funds, and also the City of Lufkin's support in the County's application.

Motion was made by Comm. W. O. Ricks that resolution endorsing Angelina County's application for Community Development Block Grant Funds be approved at presented. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

12. Executive Session - Discussion of Appointment of Members to Fill Vacancies on City Commission, City Planning & Zoning Commission, and Examining & Supervising Board of Electricians

Mayor Garrison adjourned formal open meeting of the City Commission to Executive Session at 8:00 p.m., for the purpose of discussing possible appointments to vacancies on City Commission, City Planning & Zoning Commission, and Examining & Supervising Board of Electricians.

At 8:17 p.m., Mayor Garrison reopened regular meeting of the City Commission and announced that members of Commission had discussed appointments to various City boards.

Comm. Pat Foley made motion that members of the City Planning & Zoning Commission whose terms had expired or would expire in the near future to include Samuel D. Griffin, James B. Gibbs, and John H. Waak, be asked to continue to serve for another three-year term. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

Comm. Richard Thompson made motion that members of the Examining & Supervising Board of Electricians whose terms had expired to include Jerry Vail, Robert Beddingfield, and Don Cutler, be asked to serve another term. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Comm. W. O. Ricks made motion that Dayle V. Smith be appointed to fill unexpired term previously held by Comm. Pat Foley on City Commission. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

13. Briar Meadow Addition - City Water System - City Manager Authorized to Conduct Study

Comm. E. C. Wareing stated that members of Commission had received three different letters from City Manager Westerholm regarding the City water service being installed in the Briar Meadow Addition of the City. City Manager Westerholm stated that if City Commission approved, the City staff would conduct a study of the circumstances.

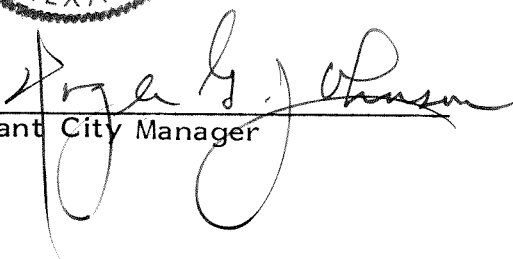
Comm. Wareing made motion that City Manager Westerholm be authorized to conduct a study of the Briar Meadow water system. Motion was seconded by Comm. W. O. Ricks and a unanimous affirmative vote was recorded.

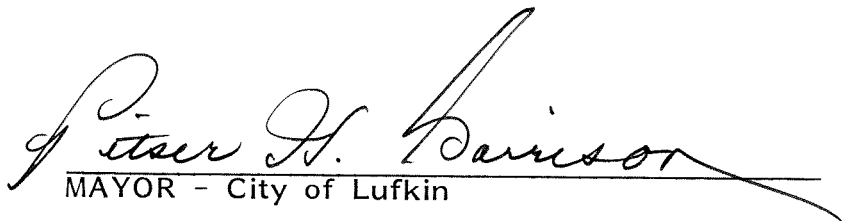
14. Adjournment

There being no further business for consideration, meeting adjourned at 8:30 p.m.



ATTEST:


Assistant City Manager


MAYOR - City of Lufkin