

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3RD DAY OF NOVEMBER, 1981, AT 7:30 P.M.

On the 3rd day of November, 1981, 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
Don E. Boyd	Commissioner, Ward No. 2
Bob McCurry	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Richard Thompson	Commissioner, Ward No. 5
E. C. Wareing	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Roger G. Johnson	Assistant City Manager
Robert Flournoy	City Attorney
Ann Griffin	City Secretary

being present when the following business was transacted.

1. Meeting opened with prayer by Father Cliff Hassler of St. Patrick's Church, Lufkin.

2. Mayor Garrison welcomed visitors present.

3. Approval of Minutes

Minutes of regular meeting of October 20, 1981, were approved on motion by Commissioner Don Boyd. Motion was seconded by Commissioner Pat Foley, and a unanimous affirmative vote was recorded.

4. TMRS Retirement Benefit Ordinances - Approved - Second Reading

Mayor Garrison stated that ordinances necessary for implementation of TMRS retirement benefits authorized in the new budget had been approved on first reading at last meeting of City Commission.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner E. C. Wareing that Ordinances be approved on second and final reading. A unanimous affirmative vote was recorded.

5. Zone Change Application - Approved - Church of Living God PGT-Second Reading - RM to RS

Mayor Garrison stated that zone change application by Church of the Living God, PGT, covering property located at 613 Culverhouse between Persimmon Avenue and Oak Avenue from Residential Medium to Residential Small had been approved at last meeting of City Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner E. C. Wareing that zone change application be approved on second and final reading as recommended. A unanimous affirmative vote was recorded.

6. Zone Change Application - Approved - Paul E. Barnhart-First Reading-A, SU to NR

Mayor Garrison stated that zone change application by Paul E. Barnhart covering property located on the southeast corner of Denman and South First from Apartment, Special Use to Neighborhood Retail had been recommended to City Commission by Planning & Zoning Commission. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner E. C. Wareing that zone change application be approved on first reading as recommended. A unanimous affirmative vote was recorded.

7. Truck Routes - Cablecom Franchise - Certification Program for Police and Fire Departments

In response to question by Commissioner Percy Simond, City Manager Westerholm stated that the City had signs posted indicating truck routes and routes to be used for transportation of hazardous material. City Manager Westerholm further stated that, legally, trucks can use any streets.

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City Attorney Flournoy stated that the City Manager has some authority in regulation of streets, but cannot prevent use of the streets by trucks. Mayor Garrison stated that the City does have authority to require hazardous material to be transported around the City by the Loop through a previously approved City Ordinance.

Commissioner Percy Simond stated that he had received several calls from people living inside the City Limits that would like to receive service from Cablecom, and he was requesting a clarification of their franchise.

Mayor Garrison stated that Cablecom's franchise has a provision that indicates the lines will be extended until the cost reaches \$150 to each customer, but if service is requested in a rural area the customers must bear the cost. Mayor Garrison further stated that Southridge Subdivision did not install enough trunk lines for Cablecom to extend into Phase II of the Subdivision, and litigation is now pending on this problem.

Mayor Garrison further stated that the contract with Cablecom is for a period of five (5) years, and the City had opportunity to invite bids last August. Mayor Garrison stated that he had intended to suggest bids be taken for the Cable service, but because Cablecom seemed to be improving, he did not mention same.

Commissioner Percy Simond requested information on report of Certification of Police and Fire Departments. City Manager Westerholm stated that no further work had been done on the report since information was previously submitted to Commissioners. City Manager Westerholm further stated that the salary increase received each year is applied to the total salary of the Policemen and Firemen which automatically increases the certification and longevity pay.


In response to question by Commissioner Percy Simond, City Attorney Flournoy stated that the gas company requires customers to pay for any extension of service over 100 feet from available source. City Attorney Flournoy further stated that it is very expensive for utilities to expand and same reduces their rate of return. City Attorney Flournoy stated that customer participation in expansion costs allows the rate of return to remain stable, and the City should investigate the rate of return for ENTEX to ascertain whether same should be reduced.

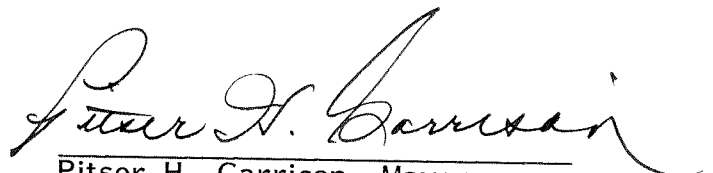
Mayor Garrison stated that companies serving the City by agreement should provide capital for service and not expect their customers to provide capital for operation.

8. There being no further business for consideration, meeting adjourned at 7:50 p.m.



ATTEST:


City Secretary


Pitser H. Garrison, Mayor