MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3RD OF SEPTEMBER, 1974, AT 7:30 P. M.

On the 3rd day of September, 1974, 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
R. A. Brookshire	Commissioner, Ward No. 1
Pat Foley	Commissioner, Ward No. 2
E. C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	City Secretary

being present, and

Joe E. Rich	Commissioner, Ward No. 3
E. G. Pittman	Commissioner at Large, Place B

being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. Bill Fowler, Pastor of First Nazarene Church, Lufkin, Texas.

2. Mayor Garrison welcomed a large group of visitors who were present in connection with items on the agenda or as observers.

3. Approval of Minutes

   Comm. Pat Foley made motion that minutes of regular meeting of August 20, 1974, be approved. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

4. Open Hearing-City Budget 1974-75 Fiscal Year - Approved

   Mayor Garrison stated that a notice had been published in the Lufkin News calling a public hearing for the proposed City Budget and recognized the presence of Mr. Howard Daniels who desired to speak in behalf of request by the Humane Society for increase in amount of funds for the City of Lufkin Animal Shelter. Mr. Daniels requested consideration for approximately $6,000 budget. Mr. Daniels further stated that if this entire request could not be considered, serious consideration should be given toward the City assuming the shelter manager's salary. There were no other persons present appearing in favor of or against proposed budget and Mayor Garrison declared hearing officially closed.

   Considerable discussion ensued regarding request presented by Mr. Daniels and members of Commission were informed by City Manager that the proposed budget allowed an adequate contingency figure to accomodate this request. Comm. W. O. Ricks, Jr., made motion that the proposed City Budget of 1974-75 Fiscal Year be amended to provide for the City assuming the shelter manager's salary and payment of utilities by the City for a total budget of $5,800. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

   Considerable discussion developed regarding further consideration of proposed salary increase as submitted by the Lufkin Police Department. Comm. Pat Foley asked that members of Commission review a summary analysis of present and proposed budget increases indicating incremental costs within the Lufkin Police Department, which is as follows:

LUFKIN POLICE DEPARTMENT
SUMMARY ANALYSIS OF PRESENT AND PROPOSED BUDGET INCREASES
SHOWING INCREMENTAL COSTS

POSITION	Proposed 10% Increase MONTHLY	INCREMENT
Patrolman Trainee	$636.64	
		$30.31
Patrolman (6 mos.)	666.95	
		18.20
Patrolman (9 mos.)	685.15	
		18.18
Sr. Patrolman (15 mos.)	703.33	
		25.00
Sr. Patrolman (24 mos.)	728.33	
		25.00
Sr. Patrolman (36 mos.)	753.33	
		30.00
Sergeant	783.33	
		40.00
Lieutenant	823.33	
		60.00
Captain	883.33	

Add $50/mo Increment for Intermediate Certificate
Add $50/mo Increment for Advanced Certificate
Uniform Cleaning Allowance - $15.00 per month

Comm. E. C. Wareing made motion that above listed changes as discussed be adopted and proposed budget for 1974-75 Fiscal Year be amended to include changes as stated. Comm. R. A. Brookshire suggested that officers of the Lufkin Police Department be supplied with protective vests at the recommendation of the Police Chief. Following a brief discussion, Comm. E. C. Wareing amended his previous motion to include the request as suggested by Comm. R. A. Brookshire and motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

In regard to the Street Department budget, Comm. W. O. Ricks, Jr., expressed his opinion Revenue Sharing money should not be used in the Street Department budget as proposed and made motion that this budget be amended to indicate 75% of Sales Tax be used for street improvements and Revenue Sharing money used in another area. Considerable discussion developed regarding motion by Comm. W. O. Ricks, Jr., which was seconded by Comm. Pat Foley. Comm. W. O. Ricks, Jr., later withdrew his previous motion as stated to allow budget to be considered as proposed with the request that budgets being considered in the future not include use of Revenue Sharing money in street department as previously stated.

Comm. E. C. Wareing then made motion that Revenue Sharing money be used in Capital Expenditure items where practical, which could be completed in the framework of the present budget and City Manager Westerholm be authorized to make necessary adjustments. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

In regard to further consideration for proposed Tax Department budget, Comm. Pat Foley inquired as to the previous discussion by the Commission regarding amendment to this budget to allow for two additional appraisers. Comm. W. O. Ricks, Jr., was of the opinion this particular proposal might be considered by the Commission later during the year with consideration also being made for possible adjustments in water rates or other areas brought to attention by City staff. It was the general concensus of the Commission that suggestions as presented by Comm. Pat Foley and Comm. W. O. Ricks, Jr., could be reviewed at a later meeting.

Comm. R. A. Brookshire then made motion that proposed 1974-75 City Budget be approved to include 10% salary adjustments for all departments and additional requests as stated above. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

5. Annexation of Property-White House Road-Approval of Ordinance

Mayor Garrison stated that ordinance had been approved on first reading at last regular meeting annexing property located on White House Road between Brentwood Drive and David Street as requested by property owners.

There were no persons present appearing in opposition to annexation request. Comm. Pat Foley made motion that ordinance be approved on second and final reading annexing property South of White House Road between Brentwood Drive and David Street. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

6. Curb & Gutter Paving Petition - Cunningham Drive

Mayor Garrison stated that consideration of curb and gutter paving petition for Cunningham Drive from a point 190 feet East of Linkwood Drive to Ford Chapel Road had been tabled from last regular meeting to allow further cost estimates and traffic count study by the City staff.

There were no persons present appearing in opposition to this petition and Comm. W. O. Ricks, Jr., made motion that ordinance be approved on first reading. Prior to second of motion, Comm. Pat Foley brought attention to the fact that the traffic count made by the City staff did not indicate a high volume flow of traffic and approval of this petition appeared to indicate the Commission would be setting a precedent of property development by the City extending streets through undeveloped areas. Comm. W. O. Ricks, Jr., expressed his opinion that this was not the intention of the City Commission inasmuch as the completion of this project would assist in the access problem previously experienced at this location and this street extension was a recommendation made by the Master Plan.

Following considerable discussion, Comm. R. A. Brookshire requested that further consideration of this item be deferred until the second meeting in October subject to further research by the City Secretary to verify whether or not the Commission had actually accepted this proposal as an obligation. Members of Commission were in agreement with suggestion as presented by Comm. R. A. Brookshire and further consideration of this item was deferred accordingly.

7. Zone Change Application-Ramada Inn & Lufkin Club from C District to C District & Special Use, Art. XV, Sec.16(Private Clubs)

Mayor Garrison stated that the City Planning and Zoning Commission had recommended approval of zone change application by the Ramada Inn & Lufkin Club from C District to C District & Special Use, Article XV, Section 16 (Private Clubs), covering property located immediately East of Holiday Inn and South of Loop 287 near intersection with U. S. Highway 59 South during a previous meeting.

There were no persons present appearing in opposition to zone change application as presented. Comm. E. C. Wareing made motion that ordinances for zone change applications by Ramada Inn & Lufkin Club from C District to C District & Special Use, Article XV, Section 16 (Private Clubs) be approved on first reading. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

9/3/74

8. Zone Change Application-Home Savings & Loan Association from R-1 District to R-1 District & Special Use, Article XV, Section 18 (Parking Lots)

Mayor Garrison stated that City Planning and Zoning Commission had recommended approval of zone change application by Home Savings & Loan Association from R-1 District to R-1 District & Special Use, Article XV, Section 18 (Parking Lots), covering property located immediately West of and parallel to Loop 287 between Crooked Creek Drive and South of property owned by Karol Keith Green during a previous meeting.

There were no persons present appearing in opposition to zone change application as presented. Comm. W. O. Ricks, Jr., made motion that ordinance for zone change application by Home Savings & Loan Association from R-1 District to R-1 District & Special Use, Article XV, Section 18 (Parking Lots) be approved on first reading. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

9. School Crossing Zones-Change in Speed Limits at Various Locations

City Attorney Flournoy stated that he had prepared a proposed ordinance for consideration by City Commission involving various recommendations for speed zone changes at certain school crossing locations. City Attorney Flournoy stated that this ordinance would set 20 or 30 MPH zones in certain areas during specified times of the day.

Comm. E. C. Wareing made motion that ordinance be approved on first and final reading due to the emergency need since school had already begun. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

It was then brought to the attention of the Commission that one particular location within this ordinance involving the Slack School area was not properly described. Mayor Garrison then recommended that previous action of the Commission be rescinded and Comm. E. C. Wareing made motion that this ordinance be approved on first and final reading subject to correction of the Slack School zone location as discussed. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

10. EDA Grant Project-Application Initiated for Water Distribution System

City Manager Westerholm reported that the Economic Development Administration had indicated an interest in developing a project for the City of Lufkin's Water Distribution System and if the project application was completed, the EDA would fund 60%. City Manager Westerholm further stated that the City had tentatively compiled a project for consideration by the Commission which covered two proposed improvements described in the City of Lufkin's Water System study of July, 1970, being Items 2 and 4 of the proposed improvements to the City's Water Distribution System.

Comm. W. O. Ricks, Jr., expressed his approval for initiation of this grant. Comm. E. C. Wareing stated that this was a good opportunity for the City and suggested that water rates be adjusted and revenue bonds be issued to cover project costs. City Manager Westerholm stated that the City would not be under any financial obligation by indicating interest in initiating this project. Comm. E. C. Wareing then made motion that City Manager Westerholm be authorized to initiate application for this EDA grant as discussed. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

11. Stephens Contracting Co.-Change Order #4 Approved

City Manager Westerholm stated that Stephens Contracting Company had submitted Change Order #4 which would provide for a 15-inch lateral line off the City's major outfall line East to the lift station which served Angelina College and the South Highway 59 area. City Manager Westerholm further stated that this addition to the City's sewer improvements contract would be of significant future benefit if constructed at the present time while the contractor was still in this area. It was further determined that the engineering on the line for this improvement had already been completed and it would be eligible for 55% grant funding with an approximate cost to the City of $19,000, which was available. Following a brief discussion, Comm. Pat Foley made motion that City Manager Westerholm be authorized to make arrangements for completion of this line installation as discussed. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

12. Bid Authority Approved - Sale of Old Water Well Site

City Manager Westerholm explained that the City had purchased an 80x100 foot site for a proposed water well in March of 1966 from A. W. Linton. It was determined that no water well was ever developed at this location due to inadequate water sands. City Manager Westerholm stated that the City had recently had inquiries concerning the property's availability for purchase as a home site. It was determined that the City had paid $800 for this property in 1966 and same had been recently appraised in the amount of $750. City Manager Westerholm stated that, provided members of Commission were in agreement, it would be necessary for the City to obtain authority from the Commission to advertise for bids in order to sell this property. Comm. W. O. Ricks, Jr., made motion that City Manager Westerholm be authorized to advertise for bids for the sale of this property in accordance with information as presented since property was not being utilized by the City. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

13. Fluoridation of Water - Implementation Date Announced

City Manager Westerholm stated that the City Commission had approved fluoridation of the City's water supply at an earlier date and the City would begin implementation of the fluoridation program effective Monday, September 9, 1974.

14. Intersection Improvement-North First & Laurel Streets

Comm. E. C. Wareing stated that the City Commission had previously requested a feasibility study be made of the intersection of North First Street and Laurel Avenue and same had been completed for this area, to include property appraisals.

Comm. E. C. Wareing asked if the City could possibly conduct these improvements under the present street project for the ensuing year. It was the unanimous concensus of the Commission that City Manager Westerholm be authorized to explore the possibility of making necessary property purchases and report additional information to the Commission as soon as possible.

15. Animal Shelter - Disc. of Natural Gas Availability

Comm. E. C. Wareing asked City Manager Westerholm to check with Entex Corporation regarding the possibility of supplying natural gas to the animal shelter area and other surrounding City facilities within this area prior to next regular meeting. Comm. E. C. Wareing further stated that the cost of propane was continuing to rise and natural gas installations within these areas would reflect a considerable savings to the City.

City Manager Westerholm stated that he would discuss this request with Entex officials and report to Commission at next regular meeting.

16. <u>Texas Power & Light Co.-Decision by City Commission to Authorize City Attorney to File An Amicus Curia Brief</u>

City Attorney Flournoy briefly informed the Commission that a case was currently pending before the Texas Supreme Court which could eventually affect Texas Power & Light Company locally and possibly involve changing local customer rates.

City Attorney Flournoy further stated that Texas Power & Light Company and three other utility companies were seeking to prevent Lo-Vaca Gathering Company from diverting substantial amounts of its reserve gas supply to the cities of Austin and San Antonio and the Lower Colorado River Authority. City Attorney Flournoy further stated that Lufkin's opinion upon examining these facts would probably be the same as Texas Power & Light Company and felt that he should seek authorization before preparing brief regarding same.

Comm. Pat Foley made motion that City Attorney Flournoy be authorized to prepare this brief as requested. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

17. <u>Adjournment</u>

There being no further business for consideration, meeting was adjourned at 9:05 P. M.

Peter W. Garrison

MAYOR - City of Lufkin, Texas

ATTEST:

Roger G. Johnson

CITY SECRETARY - City of Lufkin, Texas