

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 20TH DAY OF NOVEMBER, 1984, AT 4:30 P.M.

On the 20th day of November, 1984, 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:

Pitser H. Garrison	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Lynn Malone	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Jack Gorden, Jr.	Commissioner, Ward No. 5
Louis Bronaugh	Commissioner, Ward NO. 6
Harvey Westerholm	City Manager
Brian Boudreaux	Assistant City Manager
Robert Flournoy	City Attorney
Ann Griffin	City Secretary
Nicholas Finan	City Planner
Ron Wesch	Public Works Director

being present when the following business was transacted.

1. Meeting opened with prayer by Reverend Michael Grubbs, Minister of Education, First Christian Church, Lufkin.

2. EXECUTIVE SESSION - Appointments Discussed-Planning & Zoning Commission-Air Conditioning, Heating & Mechanical Refrigeration Board

Mayor Garrison stated that the City Commission would now go into Executive Session to discuss appointments to Planning & Zoning Commission and Air Conditioning, Heating & Mechanical Refrigeration Board. Mayor Garrison Recessed formal open meeting of the City Commission at 4:34 p.m. Mayor Garrison reconvened meeting of City Commission and made announcement to those present regarding results of Executive Session at 5:00 p.m.

Mayor Garrison stated that appointments had been discussed, names had been mentioned and ideas exchanged. Mayor Garrison further stated that another Executive Session would be held at the beginning of the next City Commission Meeting and appointments would be made at that meeting.

3. Mayor Garrison welcomed visitors present.

4. APPROVAL OF MINUTES

Minutes of the regular meeting of November 6, 1984, were approved on a motion by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh. A unanimous affirmative vote was recorded.

5. ORDINANCE - APPROVED - SECOND READING - ANNEXATION AND PERMANENT ZONING - HARMONY HILL BAPTIST CHURCH - RL

Mayor Garrison stated that the Annexation and Permanent Zoning request by Harmony Hill Baptist Church covering property located north of Rice Drive and west of FM 58 directly behind and adjoining Harmony Hill Baptist Church property to be zoned

Residential Large had been approved on first reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that annexation be approved on Second and final reading as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that zoning to Residential Large be approved on second reading as presented. A unanimous affirmative vote was recorded.

6. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - KENNY R. STOVALL - D TO D, SU (Daycare Center)

Mayor Garrison stated that zone change request by Kenny R. Stovall covering property located at 518 Bremond between Fifth and Sixth Streets from Duplex to Duplex, Special Use (Daycare Center) had been approved on first reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that ordinance be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - SECOND READING - SCHOOL ZONE ESTABLISHED - WORD OF LIFE SCHOOL (ELLIS AVENUE)

Mayor Garrison stated that Ordinance designating a school zone at Word of Life School located on Ellis Avenue had been approved on first reading at last meeting of this Commission.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that Ordinance be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

8. AMENDMENT - APPROVED - SUBDIVISION ORDINANCE - PVC-SDR35 GRAVITY SEWER PIPE APPROVED EQUAL TO VITRIFIED CLAY PIPE

Mayor Garrison stated that Amendment to the Subdivision Ordinance approving PVC-SDR35 Gravity Sewer Pipe as an approved equal to vitrified Clay Pipe had been approved on first reading at last meeting of this Commission.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that amendment to the Subdivision Ordinance be approved as presented on second reading. A unanimous affirmative vote was recorded.

9. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - L.T. GLOVER - RL to RS

Mayor Garrison stated that Zone Change request by L.T. Glover covering property located at 500 Tower Lane between Darceille St. and Fuller Springs Drive from Residential Large to Residential Small had been recommended to City Commission for approval by the Planning & Zoning Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd, seconded by Commissioner

Percy Simond that ordinance be approved on first reading as presented. A unanimous affirmative vote was recorded.

10. ORDINANCE- APPROVED - FIRST READING- ZONE CHANGE- WILLIAM E. SEXTON - RL to RS

Mayor Garrison stated that Zone Change Request by William E. Sexton covering property located adjacent to 401 Alta Street between Joyce Lane and Tower Lane from Residential Large to Residential Small had been recommended to City Commission for approval by the Planning & Zoning Commission. There was no opposition present.

City Attorney Bob Flournoy stated that the Planning & Zoning Commission had required that a thirty foot access to an existing dedicated street be obtained by Mr. Sexton in order to obtain an administrative plat. City Attorney Flournoy stated that if Alta Street was a sixty foot right-of-way, thirty foot access would be available to both tract one (1) and tract two (2) when the property was subdivided. City Attorney Flournoy further stated that when the property was surveyed, it was discovered that the Alta Street right-of-way was only fifty feet, and Mr. Sexton made provisions to purchase an additional fifty feet of property north of Lot two (2) to provide adequate access to both lots. In response to question by Mayor Garrison, City Attorney Flournoy stated that Mr. Sexton owns all of lot one (1) and is planning to convey lot two (2) to his daughter for placement of a mobile home. City Attorney Flournoy stated that after completion of the survey it was necessary for Mr. Sexton to purchase the fifty foot strip north of his property to provide adequate access to the right-of-way of Alta Street for both lot one (1) and lot two (2). City Attorney Flournoy stated that Mr. Sexton has made arrangements to acquire the fifty foot strip, but if he dedicated additional right-of-way to Alta Street as suggested by Mayor Garrison, he would be required to pave and curb and gutter the extension of Alta Street.

Mayor Garrison stated that he would be willing to consider the application on first reading and allow Mr. Sexton time to decide his course of action in regard to the right-of-way before next meeting of this Commission.

It was a consensus of opinion by the Commission that the item be tabled until the end of the meeting to allow City Planner Finan and Mr. Sexton time to discuss the options to provide the right-of-way to the two (2) lots. After discussion the item was reconsidered and the following discussion ensued.

City Planner Nick Finan stated that he had talked with Mr. Sexton who stated he had planned to purchase the foot right-of-way in the future and he would like to handle acquisition of thirty foot frontage in this manner to allow consideration of the zone change tonight, because it was necessary for his daughter to have her mobile home placed on the lot by December 8th.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Don Boyd that Zone Change request be approved as presented on first reading conditional on Mr. Sexton purchasing the fifty foot strip north of lot two (2) to provide adequate street frontage. A unanimous affirmative vote was recorded.

11. ORDINANCE-APPROVED-FIRST-READING-ZONE CHANGE-SABINE INVESTMENTS-RL to RS

Mayor Garrison stated that Zone Change request by Sabine Investments Inc. covering property on Champions Drive between Augusta and Crown Colony Drive from Residential Large to Residential Small had been recommended to City Commission for approval by the Planning & Zoning Commission. There was no opposition present.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that ordinance be approved on first reading as presented. A unanimous affirmative vote was recorded.

12. ORDINANCE- APPROVED- FIRST READING-ZONE CHANGE-ONITA SHOTWELL-RS to A

Mayor Garrison stated that Zone Change request by Onita Shotwell covering property located north of California Street between Nathan and Bledsoe Streets from Residential Small to Apartment had been recommended to City Commission for approval by the Planning & Zoning Commission.

Mayor Garrison recognized Rebecca Allen property owner in the area who was present in opposition to the zone change request. Mrs. Allen stated that she owned an acre of land at the end of Bledsoe Street and when the first apartments were constructed it was proposed, but never constructed, that Shotwell Avenue would be extended. Mrs. Allen stated that the access to the apartments is actually a driveway and is only 25 feet wide which causes a traffic problem in the area. In response to question by Mayor Garrison, Mrs. Allen stated that Mrs. Shotwell also owns property fronting on California Street which could be used to provide access to the apartments.

Mayor Garrison recognized Larry Byrd, local attorney appearing in representation of Mrs. Shotwell, who stated that the existing apartments are occupied by elderly people which generates very little traffic. Mr. Byrd further stated that Bledsoe Street and Shotwell Avenue are wide enough to allow two (2) cars to pass, and a traffic problem does not exist in the area. Mayor Garrison stated that 24 apartments served by a 30 foot access would be confining to the property, and if a 30 foot access could be built from California Street to the apartments, it would be advantageous. Mr. Byrd stated that Mrs. had intended to extend a road from the apartments to California Street in the future to provide for expansion of the apartment complex.

Commissioner Louis Bronaugh stated that the apartments do not have a 30 foot frontage on an existing dedicated street. City Attorney Flournoy stated that when property is subdivided a 30 foot access to an existing dedicated street must be provided, but Mrs. Shotwell was merely asking for a zone change. Mayor Garrison stated that the property needed more than a 25 foot outlet.

Mrs. Mason property owner in the area, stated that the small entrance presented a fire hazard to the area, and it was impossible to enter Shotwell Street without stopping.

Mayor Garrison stated that he would be willing to consider the zone change provisionally at this meeting to allow time to obtain further information regarding additional access to the property.

City Planner Finan stated that the Planning & Zoning Commission decided that additional apartments would not add to, or increase, the hazards of the area, but if there were to be more than an additional 12 units, another entrance would be required. City Planner Finan stated that the Planning & Zoning Commission considered the current access adequate for 24 apartment units and the streets in the area are 25 feet or less with normal planning practices requiring 12 feet per lane. City Planner Finan stated that fire trucks have ample access to the property and Bledsoe Street has 18 feet of paved surface.

Larry Byrd stated that Mrs. Shotwell had recently acquired six (6) acres north of her existing property and that a 40 or 50 foot right-of-way could be provided from Shotwell Street if same were a dedicated street.

Commissioner Louis Bronaugh stated that Mr. Byrd had offered to research Shotwell Street to determine if it is a dedicated street and action on the zone change should be delayed until the information is available. Mayor Garrison stated that a 25 foot access into the property would remain and pressure on Bledsoe Street would not be relieved by additional access from Shotwell Street.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that zone change request be tabled until next meeting of City Commission to determine the ownership of Shotwell Street.

Commissioner Louis Bronaugh stated that if Shotwell is not dedicated, the City Commission would then have to decide if a 30 foot right-of-way would be required from California Street. Commissioner Don Boyd stated that if Shotwell is a dedicated street, Bledsoe is too narrow and an additional entrance would be needed from California to provide adequate access.

Commissioner Louis Bronaugh stated he would like to amend his previous motion, and Commissioner Pat Foley agreed to the amendment. The following motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that zone change request be approved on first reading with the provision that a 30 foot drive be provided to the subject property from California Street for access to the apartment complex. A unanimous affirmative vote was recorded.

13A. BID- TABLED- FENCING-PUBLIC WORKS DEPARTMENT

Mayor Garrison stated that bids had been requested for the purchase of fencing to be used in the Public Works Department and requested that City Manager Westerholm provide staff recommendations.

City Manager Westerholm stated that the fencing purchase had not been a budgeted item because bids were requested as a result of a request from Mr. James Mattox subsequent to the budget. City Manager Westerholm stated that the present fencing around the Lake Street water tower is old and in very poor condition, and Mr. Mattox had requested that all City property in the area be fenced to separate it from his property.

Mayor Garrison stated that he was hesitant to fence all of the

City property in this area and would suggest that the area around the water tower be reduced with possible sale of unneeded property to pay for the fencing. Commissioner Pat Foley stated that he was opposed to fencing the entire area. Commissioner Don Boyd stated that the fence was needed to keep the area clean and the new fencing would improve the neighborhood. Commissioner Don Boyd further stated that Mr. Mattox works very hard to keep the area around his property clean. Mr. Percy Simond stated that the fence should be repaired to provide safety for the water stored in the tower. Mayor Garrison stated that the fencing should be secure but the fenced area around the water tower should not be increased, and if Mr. Mattox wanted to share in the cost of the new fencing, he would be in agreement.

Mr. Bronaugh stated that he would be willing to sell the surplus City property around the water tower to Mr. Mattox. Mayor Garrison stated that Mr. Mattox has worked very hard in the area and he would be willing to sell the additional property at a fair rate because the excess property is of no value to the City of Lufkin, but might be of use to Mr. Mattox since it adjoins his present property.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that approval of bids be tabled to allow time to discuss purchase of the property with Mr. Mattox. A unanimous affirmative vote was recorded.

13B. BID - APPROVED - FENCE & MATERIALS - PARKS AND RECREATION DEPARTMENT - JAMIESON FENCE SUPPLY

Mayor Garrison stated that bids had been requested for the purchase of fence and materials for use in the Parks & Recreation Department and requested that City Manager Westerholm provide staff recommendations.

City Manager Westerholm stated that the bids were for fence materials only, and installation would be completed by the Parks & Recreation Department. City Manager Westerholm further stated that the only bid received was from Jamieson Fence Supply in Houston, Texas in the amount of \$3,058.05. City Manager Westerholm stated that the fence would be used to increase the size of Garrison Field and the bid would exceed the budgeted amount by \$58.00 which would be paid by the Baseball Association.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that the bid of Jamieson Fence Supply in the amount of \$3,058.05 be approved as the lowest and best bid. A unanimous affirmative vote was recorded.

13C. BID- APPROVED-PORTABLE STAGING-CIVIC CENTER- WENGER CORPORATION

Mayor Garrison stated that bids had been invited for the purchase of Portable Staging for use at the Civic Center and requested that City Manager Westerholm provide staff recommendations.

City Manager Westerholm stated that only two (2) companies are qualified to bid on Portable Staging and one (1) bid was received from the Wenger Corporation, Owatonna, Minnesota, in the amount of \$19,785.68 which is well under the budgeted amount of \$25,000.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Jack Gorden that bid of Wenger Corporation in the amount of \$19,785.68 be approved as the lowest and best bid. A unanimous affirmative vote was recorded.

13D. BID - APPROVED- AIR-CONDITIONING AND HEATING UNIT- CITY GARAGE - MC WILLIAMS & SON INC.

Mayor Garrison stated that bids had been received for the purchase of an air-conditioning and heating unit for the City Garage and requested that City Manager Westerholm provide staff recommendations.

City Manager Westerholm stated that the unit at the City Garage was unusable and must be replaced for winter, but it was not a budgeted item. In response to question by Mayor Garrison, Public Works Director Ron Wesch stated that the standard warranty would be required on the new unit.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Percy Simond that the low bid of McWilliams & Son, Inc., in the amount of \$1,725.00 be approved and that the budget be amended to provide funds from the contingency fund to purchase the air-conditioning and heating unit. A unanimous affirmative vote. was recorded.

13E. BIDS- APPROVED- VEHICLES-VARIOUS CITY DEPARTMENTS- LUFKIN MOTORS INC., GREATER LUFKIN FORD, MORROW DODGE

Mayor Garrison stated that bids had been received for the purchase of seven (7) vehicles for use in various City departments and requested that City Manager Westerholm provide staff recommendations.

City Manager Westerholm stated that the economy pick-up, four (4) 1/2 ton pickups, and two (2) 3/4 ton pick-ups had all received bids and after consideration of trade-in allowances, following bids were lowest:

Economy Pick-up - Lufkin Motors, Inc.	\$5,389.00
1/2 Ton Pick-up - Greater Lufkin Ford	\$7,921.13
	\$8,171.13
	\$8,071.13
	\$8,171.13
3/4 Ton Pick-up - Morrow Dodge	\$9,695.00
	\$9,895.00

City Manager Westerholm stated that the acceptance of the low bids on each of these vehicles would be a savings of \$8,677.48 over the budgeted amount.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that bids as stated above be approved as the lowest and best bids with the savings over the budgeted amounts being placed in the contingency fund. A unanimous affirmative vote was recorded.

14. WATER STUDY DISCUSSED-ELECTION LAWS DISCUSSED- INDIVIDUAL POLICE UNITS DISCUSSED-ARCHITECTS DRAWINGS DISCUSSED

Commissioner Pat Foley stated that the information regarding the proposed water study had been provided to the City Commissioners

and the distribution system of the City of Lufkin should be considered more fully. Commissioner Foley stated that the present distribution system had some problems and it would be a very important item in the water study. Commissioner Foley stated that the computer model of the distribution system would be an advantage in planning for additional subdivisions in the future, and he would like to have discussion of the distribution system included on the next City Commission agenda. Commissioner Pat Foley stated that \$50,000 had been budgeted for the water study which was estimated to cost approximately \$30,000 and the extra \$20,000 would pay for the study of the distribution system.

Commissioner Lynn Malone stated that he would like to have City Attorney Bob Flournoy check into Election Laws regarding the requirement for minority representation among absentee clerks.

Commissioner Louis Bronaugh stated that a workshop might be held to consider purchase of individual police units for the Lufkin Police Department with the Chief of Police presenting his views in regard to implementing this system. Mayor Garrison stated that a big problem would be the fact that many of Lufkin's police officers live outside the City limits. Commissioner Bronaugh stated that he would like to have the item on the agenda for consideration at the next City Commission meeting. Mayor Garrison stated that he would like to have a memo from Chief Latham in regard to his thoughts on the program before the item was placed on the agenda.

In response to question by Commissioner Don Boyd, City Manager Westerholm stated that the parking meters were being removed at the present time and signs were being placed in the downtown area to designate the parking areas.

Commissioner Percy Simond stated that the City Commissioners should receive a copy of the architects drawings for the new city hall before the item was placed on the agenda.

15. There being no further business for consideration. Meeting adjourned at 6:45 p.m.


Pitser H. Garrison, Mayor

ATTEST:




Ann Griffin, City Secretary