MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 2ND DAY OF OCTOBER, 1979, AT 7:30 P.M.

On the 2nd day of October, 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:

E. C. Wareing	Mayor Pro Tem
Don E. Boyd	Commissioner, Ward No. 2 (new plan)
Dayle V. Smith	Commissioner, Ward No. 2 (old plan)
Pat Foley	Commissioner, Ward No. 4 (new 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

Pitser H. Garrison	Mayor

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

1. Meeting opened with prayer by Rev. Leroy Spradling, Pastor of First Church of the Nazarene, Lufkin, Texas.

2. Mayor Pro Tem Wareing welcomed visitors present.

3. Approval of Minutes

Motion was made by Comm. W. O. Ricks that minutes of regular meeting of September 18, 1979, be approved. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

4. Oaths of Office Administered - New Members of City of Lufkin Heating, Air Conditioning, & Mechanical Refrigeration Examiners & Appeals Board

Mayor Pro Tem Wareing stated that at last regular meeting of Commission, five members had been appointed to the newly organized City of Lufkin Heating, Air Conditioning, & Mechanical Refrigeration Examiners & Appeals Board, and the individuals appointed had agreed to serve on the new board. Mayor Pro Tem Wareing then administered oaths of office to Tom Paxson, Jimmy Lawrence, Richard Smelley, Rayburn Brock, and Roger G. Johnson.

5. Annexation & Permanent Zoning Approved 1st Reading - Property Adjacent to Forest Hills & Kentwood Additions

Mayor Pro Tem Wareing stated that open hearing had been held at last regular meeting on annexation and RL permanent zoning request by property owners adjacent to Forest Hills and Kentwood Additions, East of U. S. Highway 59 South between White House Drive and Harmony Hill Road. Mayor Pro Tem Wareing then asked for comments from individuals present. There were no persons present appearing in opposition.

Mayor Pro Tem Wareing recognized Mr. James Tidwell, property owner, who stated that he owned a small mobile home park in the area, and desired to have the zoning changed at the time of annexation to Mobile Home District.

Mayor Pro Tem Wareing stated that in order to expedite the annexation and permanent zoning request, the City would consider the annexation as presented, and Mr. Tidwell would be given the opportunity to request zone change without having to pay the $50.00 filing fee.

Motion was made by Comm. Dayle V. Smith that annexation and RL permanent zoning request by property owners adjacent to Forest Hills and Kentwood Additions be approved on first reading of ordinance as amended, excluding certain properties as defined at hearing, and that Mr. James Tidwell be granted the opportunity to request zone change before City Planning & Zoning Commission with filing fee waived. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded, with the exception of Comm. W. O. Ricks who recused himself due to family relationship.

6. Annexation & Permanent Zoning Approved 1st Reading - Lufkin Industrial Foundation

Mayor Pro Tem Wareing stated that open hearing had been held at last regular meeting on annexation and LM permanent zoning request by Lufkin Industrial Foundation covering property located at Northeast corner of intersection of Spence Street and Loop 287.

There were no persons present appearing in opposition. Motion was made by Comm. Pat Foley that annexation and LM permanent zoning request by Lufkin Industrial Foundation be approved on first reading of ordinance. Motion was seconded by Comm. Don E. Boyd and a unanimous affirmative vote was recorded.

7. Zone Change Approved 2nd Reading - J. Fred Hoge, III, from RL to A District, Special Use (Children's Home)

Mayor Pro Tem Wareing stated that zone change application by J. Fred Hoge, III, from RL to A District, Special Use (Children's Home) covering property located at 1853 Old Mill Road, between McMullen and North Raguet Streets, had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition. Motion was made by Comm. W. O. Ricks that zone change application by J. Fred Hoge, III, from RL to A District, Special Use (Children's Home) be approved on second and final reading of ordinance. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

8. Water Rates Increased - Ordinance Approved 2nd Reading

Mayor Pro Tem Wareing stated that ordinance increasing water rates for the City of Lufkin had been approved on first reading of ordinance at last regular meeting.

Motion was made by Comm. W. O. Ricks that ordinance increasing water rates for the City of Lufkin be approved on second and final reading of ordinance. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

9. Garbage Collection Rates Increased - Ordinance Approved 2nd Reading

Mayor Pro Tem Wareing stated that ordinance increasing garbage collection rates for the City of Lufkin had been approved on first reading of ordinance at last regular meeting.

Motion was made by Comm. Richard Thompson that ordinance increasing garbage collection rates for the City of Lufkin be approved on second and final reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

10. Oil Well Drilling Ordinance Approved 2nd Reading

Mayor Pro Tem Wareing stated that oil well drilling ordinance had been approved on first reading of ordinance at last regular meeting.

City Attorney Flournoy explained corrections, to include the emergency provision being removed, the word "town" changed to "city" when used in the ordinance, and hiring/appointing of a City oil and gas inspector to be delegated to the City Manager rather than the City Commission.

Motion was made by Comm. Pat Foley that oil well drilling ordinance be approved on second and final reading of ordinance. Motion was seconded by Comm. Don E. Boyd and a unanimous affirmative vote was recorded.

11. Zone Change Approved 1st Reading - James R. Cornelius, et al, from RS to C & C District, Special Use (Item 18 - Parking)

Mayor Pro Tem Wareing stated that zone change application by James R. Cornelius, et al, from RS to C & C District, Special Use (Item 18 - Parking) covering property being Block 2 of the Townsend Addition, located between Chestnut and Church Streets, adjacent to and immediately West of Kornegay Street, had been recommended for approval by the City Planning & Zoning Commission.

There were no persons present appearing in opposition. Motion was made by Comm. W. O. Ricks that zone change application by James R. Cornelius, et al, from RL to C & C District, Special Use (Item 18 - Parking) be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

12. Bids Approved - Five (5) Four-door Sedans for Various City Departments

City Manager Westerholm stated that four (4) vehicles of similar quality were needed for various City departments, including Tax Department, Water Pollution Control Plant Department, Inspection Department, and Public Works Coordinator. Mr. Westerholm further stated that three City vehicles had been available for trade-in on the new vehicles. Mr. Westerholm also stated that low bid had been received from Greater Lufkin Ford Sales as reflected in bid sheet provided to members of Commission. Mr. Westerholm also explained that in the time period since bids had been received it had been learned that another vehicle of the same general description as the other four was needed for the Fire Department, and the City desired to purchase this vehicle when the others were purchased. Mr. Westerholm explained that this fifth vehicle would be available at the same basic cost as the other vehicles. Mr. Westerholm also stated that the bids received on these vehicles were well under budget estimates for same.

Motion was made by Comm. W. O. Ricks that recommendation from City Manager Westerholm be accepted and all five (5) vehicles be purchased from low bidder, Greater Lufkin Ford Sales. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

13. Bid Approved - Electronic Video Equipment for Jail Security Purposes

City Manager Westerholm stated that low bid on electronic video equipment for jail security purposes had been received from Motorola in the amount of $11,061.00. Mr. Westerholm stated that the City desired to add additional equipment to the purchase in the amount of $589.00, for a total of $11,650.00. Mr. Westerholm further explained that the City's grant from the Criminal Justice Division was in the amount of $15,000.00, and the City would be required to pay 25% of the bid amount. City Manager Westerholm also explained that bids on equipment purchased with Criminal Justice Division grant monies required acceptance of the low bid.

Motion was made by Comm. Dayle V. Smith that recommendation from City Manager Westerholm be accepted, and equipment be purchased from Motorola in the amount of $11,650.00. Motion was seconded by Comm. Don E. Boyd and a unanimous affirmative vote was recorded.

14. Bid Approved - Construction Work at Water Pollution Control Plant

City Manager Westerholm explained that construction work performed at the City Water Pollution Control Plant had been performed in accordance with enforcement order from Texas Department of Water Resources, to increase the capabilities of the water pollution control plant. Mr. Westerholm stated that bids had been received from Crawford Construction Company and East Texas Engineering, and low bid was received from Crawford Construction.

Comm. W. O. Ricks inquired as to what type pipe would be used in the construction of the by-pass line at the plant, and Water Pollution Control Plant Superintendent Bobby Mott explained that low bidder had bid cast iron pipe.

Motion was made by Comm. W. O. Ricks that bid from Crawford Construction Company be approved. Motion was seconded by Comm. Dayle V. Smith and a unanimous affirmative vote was recorded.

15. Salary Adjustment for Municipal Court Judge Approved

City Manager Westerholm stated that Municipal Court Judge Kelly Newman had written a letter requesting increase in salary and citing reasons for request. Mr. Westerholm explained that statistics had been studied regarding this position and it was being recommended that the Municipal Court Judge's salary be increased to $1,400.00 per month.

Comm. Pat Foley inquired as to the percentage of increase and was informed same would be 15.6%.

Director of Administrative Services Linda Lively stated that the Judge's set hours in the City Hall were from 8:00 to 10:00 a.m. daily, and he was required to stay until noon or later on Mondays and Fridays regarding tickets, etc.

Considerable discussion followed regarding amount of time required by the City Judge to complete City business.

Following discussion, motion was made by Comm. Richard Thompson that Municipal Court Judge's salary be increased to $1,400.00 per month. Motion was seconded by Comm. W. O. Ricks. Comm. Ricks then requested that City Manager Westerholm provide members of Commission with a report regarding time spent by the City Judge on City business. A unanimous affirmative vote was recorded to previous motion and second.

16. Resolution Approved - Authorization to Executive Community Development Block Grant Preapplication

City Manager Westerholm stated that since the City was an active participant in the Section VIII Housing Program, the City would be eligible to make application for Community Development Block Grant (CDBG) funds. City Manager Westerholm further explained that the time period for making preapplication for these funds was November 5, 1979, through November 19, 1979, and City staff was requesting authorization to prepare application on behalf of the City of Lufkin for the CDBG Program.

Mr. Westerholm further explained that application would be made for storm sewer installation from Cain Street southwest to the creek crossing under the Cottonbelt Railroad.

Motion was made by Comm. Richard Thompson that City staff be authorized to prepare application for CDBG funds in this area for the City of Lufkin. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

17. Curb & Gutter Paving Petition Approved 1st Reading - Circle Drive

Mayor Pro Tem Wareing stated that curb and gutter paving petition received from property owners on Circle Drive had been recommended for approval by the City Planning & Zoning Commission, and same was unusual in the fact that this petition included 100% participation by property owners willing to pay costs of curb and guttering.

City Manager Westerholm stated that this curb and gutter project would require the City accepting responsibility for curb and guttering of the esplanade on Circle Drive. Public Works Coordinator Dwayne Humphrey stated that the costs to the City for this curb and guttering would be approximately $6,000.00.

Mayor Pro Tem Wareing recognized Mr. A. B. Patterson, Circle Drive, who stated that he had made request to have his property at the corner of Trenton and Circle Drive curbed and guttered on both streets. Mr. Patterson also stated that two property owners at the end of Circle Drive desired to be added to the curb and gutter paving petition.

City Manager Westerholm then stated that the City had recommended approval of this petition and same was in compliance with City policy.

Motion was made by Comm. W. O. Ricks that curb and gutter paving petition by property owners on Circle Drive be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

18. Executive Session - Appointment to City Planning & Zonign Commission - Discussion of Personnel Matters

Mayor Pro Tem Wareing adjourned regular meeting at 8:25 p.m. to executive session. Mayor Pro Tem Wareing reconvened regular meeting of Commission at 8:45 p.m., and stated that members of Commission had discussed appointment to City Planning & Zoning Commission and the individual appointed to this Board would be contacted to determine if he would be willing to serve, and same would be announced the next day.

Mayor Pro Tem Wareing also stated that members of Commission had discussed City personnel in general.

19. City Planner-Engineer for City of Lufkin Discussed

Comm. Pat Foley requested information regarding the City of Lufkin hiring a City planner-engineer, as discussed at an earlier meeting.

Comm. W. O. Ricks stated that the City work completed by engineering firms was being handled on an economical basis, but if a planner-engineer was hired for the City and provided a staff of workers, considerable cost would be involved.

Comm. Foley stated that he had seen the list of salaries being paid to City planner-engineers in other cities, and he was not sure that the City of Lufkin could afford to pay an employee in this category, but he would like for the City to possibly pursue the hiring of a City planner.

Mayor Pro Tem Wareing stated that in his opinion the City could probably utilize a planner to its advantage due to the City's rapid growth.

Discussion followed regarding the City's comprehensive master plan. Mayor Pro Tem Wareing stated that the City had had a master plan prepared in 1960 which was used as a guide by the City management and City Planning & Zoning Commission, and in his opinion the plan had been good. Mayor Pro Tem Wareing also stated that the City had had an update of this plan prepared under a government grant in 1974, which was not very comprehensive. Mayor Pro Tem Wareing stated that a master plan was just a set of general guidelines for the City to use, and a planner could be used in conjunction with the plan.

Following discussion, City Manager Westerholm was requested to provide members of Commission with information regarding job descriptions for city planner, and city planner-engineer as soon as possible.

20. Adjournment

There being no further business for consideration, meeting adjourned at 9:00 p.m.

Edgar C Wareing
MAYOR PRO TEM - City of Lufkin, Texas

CITY OF LUFKIN TEXAS

ATTEST:

Gayle Dickey
Assistant City Secretary