

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 16TH DAY OF JANUARY, 1990, AT 5:00 P.M.

On the 16th day of January, 1990, 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:

Louis A. Bronaugh	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Danny Roper	Commissioner, Ward No. 3
Jack Gorden	Commissioner, Ward No. 5
Paul Mayberry	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Brian Boudreaux	Asst. City Manager
Robert Flournoy	City Attorney
Ron Wesch	Public Works Director
Atha Stokes	City Secretary

being present, and

Don Boyd	Commissioner, Ward 2
Bob Bowman	Commissioner, Ward 4

being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Brance Moyer, Minister, First Church of the Nazarene.

2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of January 2, 1990 were approved on a motion by Commissioner Paul Mayberry and seconded by Commissioner Jack Gorden. A unanimous affirmative vote was recorded.

4. ORDINANCE - APPROVED - SECOND READING - DESIGNATION OF FIRE LANES

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance designating fire lanes at various shopping centers and malls throughout the City.

Motion was made by Commissioner Danny Roper and seconded by Jack Gorden that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

5. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - JOSEFINA RODRIGUEZ - 403 BERRY ROAD - RESIDENTIAL LARGE TO RESIDENTIAL SMALL

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for a Zone Change as requested by Josefina Rodriguez for property located at 403 Berry Road from Residential Large to Residential Small.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Danny Roper that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. ORDINANCE - APPROVED - FIRST READING - ANNEXATION/PERMANENT ZONING - RUFUS DUNCAN - HOMER/ALTO ROAD

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance for Annexation and Permanent Zoning as requested by Rufus Duncan for property on Homer-Alto Road west of Loop 287.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Jack Gorden that Ordinance for Annexation and Permanent Zoning as requested by Rufus Duncan for property on Homer-Alto Road west of Loop 287 be approved on First

Reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE - TABLED - REGULATION OF KENNELS

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance regulating kennels.

City Manager Westerholm stated that at the present time there is no regulation of kennels in the City of Lufkin. City Manager Westerholm stated that the Zoning Ordinance defines a kennel as a business entity owning more than five dogs or cats for the purpose of breeding, buying, selling, trading, training or boarding. City Manager Westerholm stated a suggested Ordinance has been prepared by Cathy Clark of the Animal Shelter and members of the Humane Society, which includes the licensing of dogs and cats.

Ms. Clark stated that license for dogs and cats can be obtained at the Animal Shelter, Humane Society and at the Public Works Department in City Hall. Ms. Clark stated that the guidelines for licensing of these animals have been set forth by the Texas Department of Health.

City Attorney Flournoy stated that the provisions of the Kennel Ordinance would cover any pet animal, but the registration is for dogs and cats only.

In response to question by Mayor Bronaugh, City Manager Westerholm stated that kennels cannot be located in a residential area and must have a "Special Use" if located on sites of five (5) acres or more.

Ms. Clark stated that each cat that is registered will have to have a collar, and that dogs have to be confined in such a way that they can not get off the premises.

City Attorney Flournoy stated that this Ordinance will not stop some of the problems neighbors are experiencing but will help to determine who the animal belongs to.

Several people attending the meeting expressed their objections to irresponsible pet owners.

Mayor Bronaugh requested that the City Attorney review the Ordinance and have it ready for the next City Commission meeting on February 6th.

8. RESOLUTION - APPROVED - EQUESTRIAN SUPPORT - SHEP, INC.

Mayor Bronaugh stated that the next item for consideration was a Resolution for City Commission support of a Sport Horse Equestrian Park to be located on a thirty-four acre tract behind the Ellen Trout Park.

Don Leach, President of SHEP, Inc., stated that he had explained the basic concepts of the organization to the City Commission several months ago. He stated that he wanted to bring the Commission up-to-date on the Sport Horse Equestrian Park, and to seek a resolution of support from the City Commission for the project and discuss the lease agreement being prepared by the City Attorney.

Mr. Leach stated that it is time to apply for foundation grant money, and he was also seeking a Resolution from the Chamber of Commerce in support of the Park.

Mr. Leach stated that since the organization will be investing \$1,000,000 in buildings on the site he was requesting a 50-year lease.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Paul Mayberry that Resolution in support of Sport Horse Equestrian Trail be approved. A unanimous affirmative vote was recorded.

9. AUTHORIZATION - APPROVED - EMPLOYMENT OF CONSULTANT -
SEWER RATE STUDY - MAURY STIVER

Mayor Bronaugh stated that the next item for consideration was authorization to employ consultant to perform a sewer rate study.

City Manager Westerholm stated that he had received a letter from Bobby Mott, Sewer Treatment Plant Supervisor, stating that the plant's effluent B.O.D. content has been exceeding the monthly average allowable and that he had been advised by the EPA that the City would be receiving an Administrative Order because of the B.O.D. violations.

Mr. Mott stated that he and Public Works Director Ron Wesch met with Maury Stiver on January 10th, and Mr. Stiver has recommended a new rate study to ensure an equitable sharing of costs by all customers. The rate study will cost approximately \$3,500.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Jack Gorden authorizing the City Manager to employ Maury Stiver to perform a sewer rate study. A unanimous affirmative vote was recorded.

10. There being no further business for consideration, meeting adjourned at 6:25 p.m.


Louis A. Bronaugh, Mayor

ATTEST:


Atha Stokes, City Secretary