MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 4TH DAY OF SEPTEMBER, 1984 AT 7:30 P.M.

On the 4th day of September, 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:

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
Lori Nix	Assistant City Secretary
Ron Wesch	Public Works Director
Nicholas Finan	City Planner

being present, and

Pitser H. Garrison	Mayor

being absent when the following business was transacted.

1. Meeting opened with prayer by Rev. Larry Morrison, Minister of Keltys/Redland United Methodist Church, Lufkin.

2. Mayor pro tem welcomed visitors present.

3. APPROVAL OF MINUTES

Mayor pro tem Foley stated that the agenda indicates that the minutes of the regular meeting of August 21, 1984, and special meeting of August 28, 1984, were to be considered for approval but minutes of the special meeting were received by the City Commission at tonight's meeting and the City Commission might like to postpone their approval until next regular meeting of the City Commission.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Don Boyd that minutes of regular meeting of August 21, 1984, be approved as presented. A unanimous affirmative vote was recorded.

It was a concensus of opinion that the minutes of the special meeting of August 28, 1984, be considered for approval at next regular meeting of this Commission.

4. OPEN HEARING - TAX RATE FOR FISCAL YEAR 1984-1985 - CITY BUDGET DISCUSSED - COMPREHENSIVE MASTER PLAN - WATER STUDY - CONTINGENCY FUND - REVENUE SHARING BUDGET - CLOSE HEARING

Mayor pro tem Foley officially opened public hearing on tax rate and stated that a public hearing was required by Charter to allow discussion of proposed tax rate and budget for the next fiscal year. Mayor pro tem Foley stated that the present budget as proposed for consideration and public hearing has established the tax rate at $1 per $100 valuation which is the same rate as last fiscal year.

Ed Waggoner was present in regard to proposed tax rate and stated that the drainage and erosion problems in the City of Lufkin have increased and the City Commission should follow the recommendations of the Planning and Zoning Commission to include plans for a City wide drainage and erosion study to help correct the worst areas and prevent further problems.

Mayor pro tem Foley stated that he was pleased that the City of Lufkin was able to keep the tax rate static and that the increase in sales tax revenue over the last few years is presently bringing in more revenue than the ad valorum taxes

There was no further discussion in regard to the tax rate and Mayor pro tem Foley declared hearing closed.

Mayor pro tem Foley officially opened the public hearing in regard to City budget for the fiscal year 1984-1985. Mayor pro tem Foley stated that the allocation for Comprehensive Master Plan for the City of Lufkin had been suggested at $20,000, that the proposed allocation for a water study was $50,000 and contingency fund allocation had been suggested at 100,000.

Sam Griffin, Chairman of the Planning and Zoning Commission stated that he had been invited by Mayor Garrison and members of the City Commission to explain anything that they would like to question in regard to the suggestion that a Comprehensive Master Plan be prepared for the City of Lufkin.

City Planner Nick Finan stated that in regard to the Comprehensive Master Plan, he had received a letter from Texas A & M University Center for Urban Affairs stating that his inquiry had been referred to their office because the contemplative scope of work was beyond the departmental activities. City Planner Finan further stated that the University had suggested that the scope of work would require $50,000-$50,000 over two (2) fiscal years.

Chairman Sam Griffin stated that the present Comprehensive Master Plan is approximately 12 years old and some suggested items have been completed, but updating is greatly needed. Chairman Griffin stated that a workable Comprehensive Master Plan should be updated every five (5) years and is a needed tool to plan streets, water plants, or even sewer needs for a city. Chairman Griffin further stated that the 1972 preliminary plans and goals had set up 15 goals and 96 objectives and when it was approved there was no Exposition Center, Crown Colony, or even the Lufkin Zoo.

In response to question by Commissioner Percy Simond, City Planner Finan stated that his office had just done an assessment of the fees being charged by the Planning and Zoning Department and at the present time, $25.00 was charged for administrative costs and $25.00 for notification costs for a total charge of $50.00 for a zone change. City Planner Finan stated that there are no charges levied for an Annexation and Permanent Zoning request and each applicant pays the same regardless of the size of proposed zone chan .

Chairman riffin stated that City Planner had reviewed cities of our size and some charge variable rates but it is difficult to decide on what to base the rate. It was the concensus of opinion of the Planning and Zoning Commission that citizens of the City of Lufkin pay taxes nd so they are paying part of the zone change cost, anyway. Chairman Griffin stated that after reviewing data submitted by City Planner Finan it was decided by Planning and Zoning Commission to retain the $ 0.00 fee unless the City Commission decides that more income is needed. Chairman Griffin further stated that the City is losin approxim tely $35.00 on each zone change because the average cost to the City f r a zone change is estimated at $8?.0?.

In response to question by Commissioner Louis Bronaugh, Chairman Griffin stated that when the same zone change is presented several times for approval, the City Commission might decide to increase the charge each time or to build a delay into the Zoning Ordinance regarding how many times a zone change could be reconsidered. Chairman Griffin stated that he personally felt that time delay might be more beneficial than an increase in the dollar amount.

Commissioner Percy Simond stated that the Planning and Zoning Commission should reconsider the fees because of increased advertising costs and provide the City Commission wit a recommendation regarding a fee increase. Commissioner Percy Simond stated that he had a renewed respect for the Planning and Zoning Commission because it was quite evident that Sam Griffin was a worthy Chairman.

There was no one present to speak in regard to the budget hearing and Mayor pro tem Foley closed public hearing.

Mayor pro tem Foley stated t at the revenue sharing budget for the fiscal year 1984-1985 was $504,708 and opened the floor for any discussion regarding same. There was no one present to speak in regard to the revenue sharing budget and Mayor pro tem Foley declared public hearing closed.

5. 1984-1985 BUDGET - TENTATIVELY APPROVED - 5% SALARY INCREASE

Mayor pro tem Foley stated that the budget for fiscal year 1984-1985 was now under consideration for finalization. Mayor pro tem Foley requested that City Manager Westerholm bring the Commission up-to-date regarding adjustments made at last meeting of this Commission.

City Manager Westerholm stated that after adjustments made at last meeting of this Commission, there is now $40?,40?.?6 remaining in the budget because the proposed amendments amounted to $54,719.57 for the addition of three (3) dispatchers for the Fire Department and Code Enforcement Officer for the Inspection Department. City Manager Westerholm stated that basically the budget has been finalized with the exception of the Comprehensive Master Plan, water study, the contingency fund, and salary adjustments.

Commissioner Lynn Malone stated that he felt the contingency fund should be increased to 150,000.

Commissioner Percy Simons stated that Commissioner Don Boyd had suggested at the special meeting of the City Commission that police officers should have their own squad cars and be responsible for their maintenance. Commissioner Simons stated that if the City of Lufkin had adequate money, he would like to see several extra police cars purchased during the next fiscal year and consecutive years until every patrolman had his own car. Mayor pro tem Foley stated that it would be necessary for the City of Lufkin to begin planning for additional vehicles in the Police Department with next year's budget.

Commissioner Don Boyd stated that initially the plan would be costly, and the City of Lufkin would not be able to purchase all the cars at one time. Commissioner Boyd stated that many cities have initiated this plan which would make more police vehicles visible on the city streets and the cars would last approximately four (4) years rather than one (1) year. Mayor pro tem Foley stated that he would like to have more information from other cities that have implemented the plan regarding savings to the City budget.

Commissioner Don Boyd suggested that acquisition of individual cars for patrolmen be placed on the agenda for next meeting to allow discussion.

Commissioner Jack Gorden stated that if the suggested money were approved for the comprehensive master plan, the water study, and the contingency fund the balance remaining would not allow a substantial raise to the city employees.

Mayor pro tem Foley invited comment on the proposed $20,000. to be included in the budget for the Comprehensive Master Plan. Commissioner Don Boyd stated that it should be included.

Mayor pro tem Foley invited comment on the inclusion of the water study in the amount of $50,000. Mayor pro tem Foley stated that he felt it was important that a long range water plan be developed. Commissioner Don Boyd stated that the water study might be less expensive than anticipated, and Commissioners Jack Gorden and Louis Bronaugh stated that the water study should remain in the budget.

Mayor pro tem Foley stated that in the past the contingency fund has been set at $100,000 and has been adequate for additional needs during the fiscal year. Commissioner Lynn Malone stated that more money should be included in the contingency fund because he would need additional funding for projects in Ward #3. Commissioner Malone stated that he was asking for the addition to the contingency fund now rather than in the middle of the year and that if projects were suggested in Crown Colony for example, there would be no money left for Ward #3.

Commissioner Don Boyd stated that at the present time, no money had been set aside for employee raises. Mayor pro tem Foley stated that if the additional items to the budget were limited to the three (3) proposed, there would be funding for an employee raise between four (4) and five (5) percent.

Commissioner Louis Bronaugh stated that it was decided at last year's budget consideration that a four (4) percent raise would be given to the employees with the idea that if more money became available additional raises might be given during the year but further salary adjustments were not made during last budget year. City Manager Westerholm stated that the additional money that was received in last fiscal year's budget was used for emergency measures and none went to employee salaries.

Commissioner Don Boyd stated that the cost of living is increasing and that City employees deserved more than four (4) percent or an employee problem could develop in the City.

Mayor pro tem Foley stated that, in the past, the City Commission had attempted to give raises close to the amount of the consumer price index which is 4.8 percent, but last year's raise was below the consumer price index. Commissioner Don Boyd stated that the salary increase should be at least 5 percent.

In response to question by Commissioner Lynn Malone, Mayor pro tem Foley stated that money had been allocated in the regular budget for use in Ward #3. Commissioner Lynn Malone stated that the City of Lufkin had not spent anything in Ward #3 in previous years and more money was required at the present time because of the deteriorating conditions. Mayor pro tem Foley stated that the City Manager determines where City funds should be spent and which area of town has the greatest need.

City Manager Westerholm stated that in the past, the amount of money spent in each ward has not been calculated, but projects that are needed the most and have the overall greatest effect for the City have been funded.

In response to question by Commissioner Lynn Malone, Mayor pro tem Foley stated that the City of Lufkin has a program for curb and gutter and widening of streets that citizens participate in and in the past, if a need is recognized in this area the City Commission has approved spending the money.

City Manager Harvey Westerholm stated that many of the streets in Ward #3 have not been dedicated because this area has not been subdivided and the City has attempted to maintain the property that has been historically used as streets because the City has no clear title to the land.

Mayor pro tem Foley stated that the employees salary increase should not be below four (4) percent and the $100,000 in the contingency fund should take care of any additional projects during the year.

Commissioner Bronaugh suggested that the amount of employee raises should be decided and the contingency fund amount would be the remaining amount. Commissioner Bronaugh stated that the City of Lufkin could lose employees who would make more money working somewhere else, and if the City of Lufkin continues to give such small raises, many employees would be seeking other job opportunities.

Commissioner Lynn Malone stated that if the contingency fund contained $100,000 or less, this amount could be used up very quickly without benefit to Ward #3. Commissioner Louis Bronaugh stated that since Commissioner Malone served on the City Commission, his voice would assure that more money would be spent in Ward #3. Commissioner Bronaugh stated that the Commission should decide the amount of the raise the City could live with, and with what remains in the City budget would be used for the contingency fund. Commissioner Don Boyd stated that he would not be satisfied with giving the employees less than five (5) percent.

In response to question by Commissioner Louis Bronaugh, City Attorney Flournoy stated that the budget for the City of Lufkin must be finalized by September 27, 1984, but the budget could be amended during the fiscal year.

Mayor pro tem Foley stated that a five (5) percent raise to the City employees would leave approximately $43,000 in the contingency fund.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that a five (5) percent increase be given to the City employees, that allocations of $20,000 for the comprehensive master plan, $30,000 for the water study, and the remaining amount to be used for the contingency fund be approved as presented. A unanimous affirmative vote was recorded.

Commissioner Louis Bronaugh stated that he was not sure that this was the time to propose that the City Manager receive an additional five (5) percent increase, but after looking at a salary scale of comparable cities, other city managers were making $3,000-$4,000 more than City Manager Westerholm. Commissioner Louis Bronaugh stated that the town of Livingston, where City Manager Westerholm came from, pays their City Manager approximately $4,000 more and if the City of Lufkin had to replace City Manager Westerholm, the salary would be in the $50,000 range not to mention the time spent in training the new City Manager.

Commissioner Percy Simond stated that some of the cities in the survey have a higher tax rate than the City of Lufkin and some receive revenue from the sale of liquor. Commissioner Percy Simond stated that he did not object to providing City Manager Westerholm with an additional raise but he did not believe that the salary for a new City Manager would amount to $50,000.

City Manager Westerholm stated that according to the personnel policies followed by the City of Lufkin, people in classified positions have the opportunity to move up within their classification but unclassified employees do not have that option. City Manager Westerholm stated that the unclassified employees work 60 to 70 hours with no opportunity for overtime pay and some classifed employees make more than department heads because of their overtime.

Commissioner Louis Bronaugh stated that City Manager Westerholm had not been given a raise since he was hired and had only received yearly adjustments.

Commissioner Percy Simond stated that if it were being proposed that City Manager Westerholm receive an expense account, he would be in favor of that, but he did not think it would be fair to give the City Manager a ten (10) percent raise and all other employees a five (5) percent raise.

City Manager Westerholm stated that when he came to work for the City of Lufkin, he said that he would not ask for a raise because he thought the City Commission would pay him what he was worth, otherwise, he would have the option to seek other employment. City Manager Westerholm stated that he was embarrassed about it being suggested that he recieve double the amount of pay increase but he felt that his salary had been affected by his original statement that he would never ask for a raise.

Commissioner Percy Simond stated that the City Manager's expense account might be too low and could be considered for an increase at a later date.

Commissioner Percy Simond stated that at a previous City Commission meeting he had voiced his concern about 12 percent of the City employees taking home city vehicles and that he had seen a City pick-up 25 miles from Lufkin which was unnecessary. Commissioner Percy Simond stated that people who really need City vehicles for City business should not be deprived of their availability. City Manager Westerholm stated that the City policies regarding the use of City vehicles had been re-emphasized and that checks were being made on their use.

Commissioner Percy Simond stated that he could see the need for certain Department Heads such as, Police Chief, Fire Chief, City Manager, and Public Works Director being in their car at all times in case they were needed.

City Manager Westerholm stated that according to the additions to the budget and the five (5) percent salary increase, the contingency fund would consist of $63,619 and the budget and the final tax levy should be finalized at the September 18, 1984, meeting.

Mayor pro tem Foley stated that, "line by line" had normally been included in the approval.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Percy Simond that the budget be accepted on a line by line basis as presented with a five (5) percent salary increase, $20,000 allocation for Comprehensive Master Plan, $50,000 allocation for a water study and $63,619 allocation for a contingency fund. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that tax rate be established at 41 per $100 valuation. A unanimous affirmative vote was recorded.

6. ZONE CHANGE - APPROVED - WILBUR E. ALEXANDER - RL TO A

Mayor pro tem Foley recognized Wilbur E. Alexander appearing in representation of zone change request covering property located on South John Redditt Drive and Allendale between Mossfield and Gobuler Knob Road from Residential Large to Apartment. Mayor pro tem Foley stated that the zone change had been recommended to City Commission for approval by the Planning and Zoning Commission.

Mr. Alexander stated that he was requesting that seven (7) acres be zoned apartment, and he planned to construct 120 units.

Mr. Alexander stated that he had provided a green area of at least ? feet between the buildings and the property line and that one entrance would be constructed onto Loop 237. Mr. Alexander stated that he had previously met with representatives from Texas Highway Department who stated that they had no objections or safety problems with the location and construction of the entrance onto Loop 237. Mr. Alexander stated that the entire apartment complex would be fenced from the adjoining neighborhoods. Mr. Alexander further stated that his property was on a high point with a gentle slope of approximately seven (7) feet and there would be no flooding problems created by the development of this apartment complex.

City Planner Nick Finan stated that the drainage problem had been addressed by the City Engineers and Jon Langston of Duncan Construction Company, and Mr. Alexander had assured him that his complex would not have any improvements along the creek. City Planner Finan stated that Mr. Alexander understood that he would not be permitted to cause a drainage problem on adjoining pieces of property and if the construction resulted in any erosion he would be responsible for the damages. City Planner Finan stated that the land slopes to the creek gradually and water runoff would disperse and spread over the land.

Commissioner Lynn Malone stated that the completion of Loop 237 had created a drainage problem because of the replacement of open land with concrete and asphalt.

Commissioner Louis Bronaugh requested information about how the City Commission could hold an individual responsible for correction of a drainage problem and if a zone change is granted to an individual that does not pursue what is proposed could a time limit be established during which it would revert back to the original zone if not developed.

Chairman of the Planning and Zoning Commission, Sam Griffin stated that if the Planning and Zoning Commission had asked for a special use on the property, the zone would have reverted back to the original zone within a six (6) month period. Chairman Griffin further stated that he would recommend that the City Commission state in the motion what is required of the applicant to allow enforcement of the requirements.

Mayor pro tem Foley stated that if a special use were attached to every zone change the zoning map would become a nightmare.

City Planner Finan stated that a change in the drainage patterns and problems with water runoff would be noticed immediately after construction is completed and could be corrected at that time.

The following persons appeared in opposition to proposed zone change: Mr. and Mrs. James Hubbard, John Pounds, Mr. & Mrs. John Cook.

The following points of opposition were voiced:

A. Existing erosion problems in the area would be increased.
B. Water runoff and flooding would be increased.
C. Residential and country setting of neighborhood would be destroyed.
D. Apartments would deteriorate within ten (10) years.

E. Traffic and noise in the area would increase.
F. Increased population in the area would increase crime.

Mr. Alexander stated that there would be no access to or from the apartment complex other than the entrance and exit on Loop 287. Mr. Alexander stated that the property surrounding the proposed complex is zoned Apartment and for a lodge. Mr. Alexander further stated that the existing apartment zone was there when Mr. Hubbard bought property in the area and is the same distance from his house as the proposed apartment zone. Mr. Alexander stated that he was attempting to make the apartment complex an asset addition to the neighborhood and the entire area would be fenced with a seven (7) or eight (8) foot sight-bearing fence with as much vegetation left in the green area as possible.

In response to question by Mrs. Hubbard, Mayor pro tem Foley stated that the Ordinance will state that there will be one (1) entrance onto the loop, there will be a greenbelt retained, a fence will be constructed and drainage problems will be corrected by Mr. Alexander.

City Attorney Flournoy stated that every development in the City of Lufkin will create some additional water runoff and engineering measures can be taken to direct the drainage to the creek. City Attorney Flournoy stated that whether there will be more drainage going into the creek or erosion will be increased cannot be established at this time. Chairman Griffin stated that the rate of drainage is the problem. City Attorney Flournoy stated that it is difficult to write into an Ordinance the drainage factor.

Mayor pro tem Foley stated that this is one of the more difficult questions that the City Commission has to face when a zone change is opposed by neighbors. Commissioner Jack Gorden stated that he could sympathize with the property owners but the proposed property fronts on the Loop with no access given to the adjoining areas and if the area should be used for smaller residences the number that could be placed on the seven acres would create the same type of problems that the neighbors fear would happen to the neighborhood by construction of the apartment units. Commissioner Gorden stated that he lives in an area of the City where something similar could happen but he would prefer to have the apartment complex rather than a large group of small houses.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Louis Bronaugh that zone change be approved with the following stipulations:

A. One entrance be constructed onto Loop 287.
B. That a 30 foot greenbelt be established.
C. Sight-bearing fence be constructed.
D. Corner of the fence be angled to prevent a dead-end corner.
E. That the problem of drainage not be aggravated by construction of the apartments.

The following vote was recorded: Aye: Mayor pro tem Foley, Commissioners Gorden, Simond, Boyd, Bronaugh. Nay: Commissioner Malone. Mayor pro tem Foley declared motion approved by a vote of five ( ) to one (1).

7. <u>ZONE CHANGE - ORDINANCE - APPROVED - FIRST READING - DAVID PARISH - RS TO RS, SU (GUN SHOP)</u>

Mayor pro tem Foley stated that the zone change request by David Parish covering property located at 410 Wilton Street between Home Avenue and Myrtle Street from Residential Small to Residential Small, Special Use (Gun Shop) had been recommended by the Planning and Zoning Commission for approval.

Mr. Parish stated that he understood the restrictions that would be placed on his property with the special use zoning and assured the City Commission that all restrictions would be adhered to.

In response to question by Commissioner Don Boyd, Mr. Parish stated that the only guns that would be sold in his shop would be to satisfy a mechanics lien on unpaid bills. There was no opposition present.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Don Boyd that zone change ordinance be approved with the following stipulations:

A. No signs be erected.
B. No firing of weapons.
C. No ammunition is sold.

A unanimous affirmative vote was recorded.

8. <u>ENGINEER SELECTED - WATER POLLUTION CONTROL PLANT - STEP 3 CONSTRUCTION PHASE - GRIFFITH AND ASSOCIATES</u>

Mayor pro tem Foley stated that the City Commission now had to decide on an engineering firm to complete the construction phase for Step 3 of the grant application submission and requested that City Manager Westerholm provide Staff recommendations.

City Manager Westerholm stated that the Texas Department of Water Resources had invited the City of Lufkin to Austin on Thursday, August 30, 1984, to discuss the procedure for receiving funding of the Facility's Plan for the Water Pollution Control Plant. City Manager Westerholm stated that the City of Lufkin was #2 on the priority list and the City had been advised that there was a good possibility for funding of the project. City Manager Westerholm stated that the grant application is to be submitted, preferably within thirty (30) days, but not later than November 30, 1984. City Manager Westerholm stated that the City could retain the present consulting engineers, Everett Griffith and Associates, to prepare the application and proceed through the construction phase or a new firm might be selected. City Manager Westerholm stated that if the City Commission decided to select a new engineering firm, thirty (30) days notice must be given for submission of proposals and then a selection process would begin after which the engineering firm must prepare the application. City Manager Westerholm stated that Sam Quinn, project manager for Everett Griffith and Associates, was present and the approximate cost for submitting the application was $5,000.

In response to question by Mayor pro tem Foley, City Manager Westerholm stated that a bond issue would be needed to provide the City's share of the cost, approximately $3,900,000 and the Federal share would amount to approximately $3,949,714.

Commissioner Don Boyd stated that Everett Griffith and Associates is familiar with the work and it would be more feasible and less time consuming to allow this firm to finalize the job.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that Everett Griffith and Associates be retained for Phase 3 grant application submission. Unanimous affirmative vote was recorded.

In response to question by Commissioner Percy Simond, City Manager Westerholm stated that all work to modify the Water Pollution Control Plant would not be eligible for funding and some would be eligible for 75 percent matching funds. City Manager Westerholm stated that when the total construction cost was received a determination would be made on the percentage of engineering fees which would be returned to the City. City Manager Westerholm stated that he would estimate that $17,372 would be returned to the City for preparation of the plans and specifications since work began on the modification. City Manager Westerholm stated that one-half of the amount to be returned would be received when the bids are received and the other one-half would be returned when the job is finished. City Manager Westerholm stated that the City would need approximately three (3) months to obtain their share of the cost after the grant is offered. City Manager Westerholm stated that a bond election could be held or certificates of obligation could be used for funding. City Manager Westerholm stated that two (2) weeks notice would be given of the decision to issue certificates of obligation and if a referendum were not called for by the citizens, a bond election would not be necessary. City Manager Westerholm stated that once the bonds are issued, the City of Lufkin would be receiving interest to pay the first interest payment and the annual requirement to take care of the interest and principal payment would be approximately $425,000. Mr. Bauman stated that it is estimated that the project would be finished within one (1) year's time. City Manager Westerholm stated that the sewer rate increase was projected to provide $ 0,000 in revenue which would be used to retire the debt on the construction of the Water Pollution Control Plant which should be finished in April of 198 .

9. PROPOSALS SUBMITTED - ALTERNATE WATER SUPPLY STUDY - SELECTION OF FIRM - TABLED UNTIL OCTOBER 2, 1984

Mayor pro tem Foley stated that at a recent meeting it was decided that proposals should be invited from various engineering firms to conduct a study on an alternate source of water for future needs of the City of Lufkin.

City Manager Westerholm stated that five (5) companies had responded and copies of their reports were distributed to members of the City Commission. City Manager Westerholm stated that Camp, Dresser, McKee had estimated their costs at $43,500; Everett Griffith and Associates at $33,000; Goodwin-Lassiter/Turner, Collie Braeden/Clayton Associates at $60,000; Kindle, Stone and Associates at $30,000; and Lockwood, Andrews, Newnam had not provided an estimate. City Manager Westerholm stated that he felt each firm was capable of completing the study and under the laws of Texas, engineering firms cannot give bids on dollar amounts but the City of Lufkin can negotiate with each firm individually and decide which firm would fit the needs of the City of Lufkin.

In response to question by Commissioner Percy Simond regarding the large amount of variance between the different bids, City Manager Westerholm stated that everything the City has asked for in their letter is not exact. Planning and Zoning Commission Chairman Sam Griffin stated that the backlog of jobs waiting to be completed are a factor in the price quoted because if they have a large back log, they are not interested in obtaining more work and each firm has a different way of approaching a particular study such as the one requested by the City of Lufkin.

There were several responses from engineers with the different firms regarding how their proposal had been priced and it was the concensus of opinion that it is impossible to list in a letter everything that would need to be included in the study and only visitation on an individual level would allow each firm to present a more unified figure.

Commissioner Percy Simond stated that he believed all the firms were saying the same thing and that the City Manager should be authorized to indicate to the firms what the City Commission would like to see accomplished and what amount of money would be available for expending on the study. Commissioner Percy Simond stated that he would like to have more time before a decision is made and a recommendation should be provided by the City Manager. Mayor Pro Tem Foley stated that he would prefer additional time to consider the proposal by each firm.

Commissioner Don Boyd stated that City Manager Westerholm, Public Works Director Ron Wesch, and Water Plant Superintendent Floyd Long, should meet with the engineers and bring a recommendation back to the City Commission.

City Attorney Flournoy stated that the firms would have to be evaluated on their capabilities with the City Commission selecting the firm they believe would do the best job, and if the staff were unable to negotiate a price within their budget, that firm would have to be eliminated and the next firm on the list interviewed.

Commissioner Louis Bronaugh stated that several of the engineering firms had done work for the City of Lufkin in the past and perhaps their past record could be considered in the selection process.

Commissioner Percy Simond suggested that the City Manager and his Staff visit with each engineering firm in their own offices, and spend as much time there as needed to make their decision.

City Manager Westerholm stated that he would like to see this item tabled until the first meeting in October to allow time for more investigation into the most acceptable engineering firm.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that City Manager be authorized to check into the engineering firms that submitted a proposal and bring a recommendation back to the City Commission by the first meeting in October. A unanimous affirmative vote was recorded.

10. REPAIRS TO WATER WELL #10 - PAYMENT AUTHORIZED - WATER PRODUCTION DEPARTMENT

Mayor pro tem Foley stated that at last meeting of the Commission City Manager Westerholm was authorized to complete repairs on water well #10 if the amount did not exceed $15,000. Mayor pro tem Foley requested City Manager Westerholm provide Staff recommendations in regard to repairs on water well #10.

City Manager Westerholm stated that it was first thought that the repairs could be completed for the amount of $15,000, but after the equipment was removed from the water well, it was decided that the cost of repair would be approximately $20,000. City Manager Westerholm stated that the staff had informed Layne-Western to continue with the repairs and the parts should be received a week from this Monday.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Louis Bronaugh that repairs to Water Well 10 be authorized in an amount not to exceed $20,000. A unanimous affirmative vote was recorded.

11. EXECUTIVE SESSION - APPOINTMENT TO TREE BOARD - APPOINTMENT TO AIR CONDITIONING, MECHANICAL, REFRIGERATION & HEATING BOARD - LITIGATION, DISCUSSED

Mayor pro tem Foley stated that it was necessary for the City Commission to adjourn into an Executive Session to discuss appointments to various City Boards and court cases that the City is involved in at the present time. Mayor pro tem Foley recessed formal open meeting of the City Commission at 10:30 P.M.

Mayor pro tem Foley reconvened meeting of City Commission and made announcement to those present regarding results of Executive Session at 11:05 P.M.

Mayor pro tem Foley stated that City Attorney Flournoy had informed the City Commission on developments in several lawsuits pending against the City and appointments to the Tree Board and Air Conditioning, Mechanical, Refrigeration & Heating Board had been discussed.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that Ron Billings be elected to a two (2) year term on the Tree Board to replace Jon Hufford, elected at last meeting of this City Commission but unable to serve because he resides out of the City of Lufkin. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that Richard Gardinal be elected to the Air Conditioning, Mechanical, Refrigeration & Heating Board to replace Richard Stelley who had resigned because he had moved from the City of Lufkin. A unanimous affirmative vote was recorded.

12. DOWNTOWN PARKING, DISCUSSED - TML MEETING, LIVINGSTON - PREVIOUS WATER REPORTS

In answer to question by Commissioner Percy Simond, City Manager Westerholm stated that bags for the parking meters in the downtown area have been ordered but because they are special made they have not been received at the present time.

City Manager Westerholm stated that the Lufkin Association Downtown was suggesting that the meter heads be removed and replaced with signs designating the amount of free parking for each area. City Manager Westerholm further stated that the meter maids are not giving tickets to citizens parking where the bags are gone and inserting money into the meter.

Commissioner Don Boyd stated that the TML meeting will be held Thursday, September 13, 1984, in Livingston, and the new Executive Director of TML would be present.

Commissioner Louis Bronaugh stated that the City Manager had made previous water studies available to him and that it would be beneficial reading to any of the Commissioners who would like to prepare for the coming study on alternate water for the City of Lufkin.

13. There being no further business for consideration, meeting adjourned at 11:15 P.M.

Pat Foley, Mayor Pro Tem

ATTEST:

Ann Griffin, City Secretary