

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 19TH DAY OF OCTOBER, 1971, AT 7:30 P.M.

On the 19th day of October, 1971, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the regular meeting place of said City, with the following members thereof, to-wit:

Roy L. Leamon, M.D.	Commissioner, Ward No. 1
Joe E. Rich	Commissioner, Ward No. 3
Edgar C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
B. E. Atkinson, Jr., M.D.	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Lynn Durham	City Secretary

being present, and

Pitser H. Garrison	Mayor
J. T. Hopson	Commissioner, Ward No. 2

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

1. Meeting opened with prayer by Rev. W. R. Richardson, Pastor of Bethel Nazarene Church, Lufkin, Texas, who was thanked by Mayor Pro Tem, B. E. Atkinson, Jr., M.D., for his participation.
2. Mayor Pro Tem B. E. Atkinson, Jr., M.D., welcomed a small group of visitors who are present as observers or in connection with items on the agenda.
3. Approval of Minutes

Comm. Roy L. Leamon, M.D., made motion that minutes of regular meeting of October 7, 1971, be approved. Comm. Joe E. Rich seconded the motion and a unanimous affirmative vote was recorded.

4. Work Order Change - Henningson, Durham & Richardson, Inc. - Design of New Sewer Plant

City Manager Westerholm stated that a Work Order agreement with Henningson, Durham & Richardson, Inc., which was previously approved by the City Commission covering the design of the proposed new sewer plant on the Gibson site, should be substituted by a new Work Order with Henningson, Durham & Richardson, Inc., covering the design on proposed new sewer plant on Basham property. He stated this item was held up from previous meeting. Comm. W. O. Ricks, Jr., asked City Manager Westerholm if he had discussed this item further with Mayor Garrison and City Manager Westerholm stated he had not. Comm. E. C. Wareing made motion that Mayor Garrison be authorized to execute the above Work Order agreement covering engineering design of the proposed new sewer plant on the Basham property. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

5. Progress Report by Vumore Company Officials

Messrs. Marion Patten and Jerry Steen, officials of local Vumore Company, were present and Mr. Patten, acting as spokesman, gave a progress report on present Vumore operations as follows:

- (1) Their microwave antenna had been heightened considerably which enabled them to secure a considerably better picture from Channel 13, Houston, than previously;
- (2) They were now able to furnish Cable service to any resident within the corporate limits of Lufkin with the exception of the areas that were just recently annexed to the City; and

- (3) Gave a report on status of their application with the FCC for two additional microwave stations. He stated that their application with the FCC had been protested by the Southwestern Bell Telephone Company, which they claimed would interfere with their operations if same was granted. Mr. Patten stated he did not have any information as to what effect this protest would have on Vumore's application.

Comm. E. C. Wareing inquired as to the possibility of furnishing Cable service outside the city limits of Lufkin. Mr. Patten stated the only area that might be served at this time was the Allen Gin Road but that citizens in the city limits would have preference.

Comm. Roy L. Leamon, M.D., made motion that the City Manager be instructed to write a letter on behalf of the City of Lufkin and its citizens to Mr. Robert Sandiford of the Southwestern Bell Telephone Company indicating the local interest in Vumore's application for two additional microwave stations. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

6. Purchase of Six (6) Police Units

City Manager Westerholm stated that City had received following bids covering six (6) units for the Police Department, which is included in the Budget:

Tipton-Billingsley Ford, Lufkin, Texas (Ford)	\$17,457.38
Gibbs Motors, Lufkin, Texas (Plymouth)	\$16,237.76
Ralph New Motors, Lufkin, Texas (Oldsmobile)	\$20,817.86
Sewell Buick-Pontiac, Lufkin, Texas (Pontiac)	\$18,575.92

He stated that Gibbs Motors was the low bidder for these six (6) units and recommended that same be purchased from Gibbs Motors at a price of \$16,237.76. Comm. E. C. Wareing made motion that the six (6) units for the Police Department be purchased from Gibbs Motors, Lufkin, Texas, for a price of \$16,237.76. Motion seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

7. Two 4-Door Sedans for Public Works Director & Tax Department

City Manager Westerholm stated that City had received following bids covering the above two proposed sedans:

Tipton-Billingsley Ford, Lufkin, Texas (Ford)	\$6,805.34
Gibbs Motors, Lufkin, Texas (Plymouth)	\$6,945.22
Ralph New Motors, Lufkin, Texas (Oldsmobile)	\$8,039.98
Sewell Buick-Pontiac, Lufkin, Texas (Pontiac)	\$7,142.26

He stated that Tipton-Billingsley Ford was low bidder in the amount of \$6,805.34 and recommended these two 4-door sedans be purchased from this firm at a price of \$6,805.34. Comm. E. C. Wareing made motion that City Manager Westerholm's recommendation of purchasing these two 4-door sedans from Tipton-Billingsley Ford at a price of \$6,805.34 be approved. Motion seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

8. One Pickup Truck - 6-Cylinder

City Manager Westerholm stated that two bids were received covering this pickup truck; one from Tipton-Billingsley Ford, Lufkin, Texas, for \$2,802.96 and one from Gibbs Motors, Lufkin, Texas, for \$2,762.11. He also stated that Gibbs Motors had withdrawn

their bid since it developed that they could not meet specifications, leaving only the bid of Tipton-Billingsley Ford of \$2,802.96. Comm. W. O. Ricks, Jr., inquired if specifications called for an 8-cylinder also and was advised by City Manager Westerholm that due to oversight, did not include an 8-cylinder. This matter was discussed briefly and Comm. W. O. Ricks, Jr., made motion that the City re-advertise for the pickup truck with 8-cylinders and that no action be taken on the above bid. Comm. E. C. Wareing seconded the motion and a unanimous affirmative vote was recorded.

9. One Panel Truck for Engineering Department

City Manager Westerholm stated that City had received two bids on the panel truck; one from Tipton-Billingsley Ford, Lufkin, Texas, for \$3,310.15 and one from Gibbs Motors, Lufkin, Texas, for \$3,292.48. He further stated that Gibbs Motors' bid for \$3,292.48 covering a GMC Panel Truck was low bid and recommended same be purchased from this firm. Comm. W. O. Ricks, Jr., made motion that City Manager Westerholm's recommendation be followed and that the panel truck be purchased from Gibbs Motors. Comm. E. C. Wareing seconded the motion and a unanimous affirmative vote was recorded.

10. Rubber Tired Front End Loader for Sewer Plant

City Manager Westerholm stated that City had received two bids for front end loader; one from Piney Woods Tractor & Implement Company, Lufkin, Texas, for \$5,847.00 and one from W. A. DuBose & Sons, Lufkin, Texas, for \$5,152.00. He also stated that W. A. DuBose & Sons' bid did not meet the specifications and Mr. DuBose had called and said he was withdrawing his bid. City Manager Westerholm recommended that the rubber tired front end loader, Case 480, be purchased from Piney Woods Tractor & Implement Company, Lufkin, Texas, for \$5,847.00. Comm. W. O. Ricks, Jr., made motion that the rubber tired front end loader, Case 480, for the sewer plant be purchased from Piney Woods Tractor & Implement Company for \$5,847.00. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous affirmative vote was recorded.

11. Plastic Garbage Can Liners

City Manager Westerholm stated that City had received following bids on 1,000,000 plastic garbage can liners:

St. Regis, Houston, Texas	Black - \$31,750	Other Colors - \$32,950
Mobil Chemical Co., Macedon, N. Y.	Beige - \$29,430, In Box	Beige - \$28,150, On Roll
PaKrite Plastic Corp., Waco, Texas	On Roll - \$32,600	
Adams Industries, Inc., Monroe, Louisiana	Black - \$30,950	

He further stated that Mobil Chemical Company was low bidder, the price being \$29,430.00 in boxes of 50 bags each and recommended that these liners be purchased from this firm. Comm. E. C. Wareing made motion that these garbage can liners be purchased from Mobil Chemical Company as recommended by City Manager Westerholm. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

Some discussion developed on charge City should make for extra number of bags over and above the ones furnished free by the City and a price of \$1.50 per box of 50 bags was agreed on and Comm. E. C. Wareing made motion that this price be set for customers who come in to purchase additional garbage can liners of \$1.50 per box of 50 bags. Motion seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

12. Proposed Pickup Service Charges - Leaves & Limbs

Comm. E. C. Wareing discussed the subject of hauling leaves and limbs by City forces and suggested that an ordinance be prepared covering charge for pickup of leaves not sacked and limbs that were not placed in bundles of 48 inches in length. City Manager Westerholm stated that an ordinance covering the above will be prepared for consideration at a later date by the City Commission.

13. Curb & Gutter on South Bynum from Markus to Pershing

City Manager Westerholm stated that bids had been received from four local contractors on the above work as follows:

D. E. Sparkman Concrete Co. Lufkin, Texas	Curb & Gutter - \$4,081.00 - 2.65/L.F. Valley Gutter - <u>213.75</u> - 2.25/L.F. Total \$4,294.75
Wallace & Redd Lufkin, Texas	Curb & Gutter - \$4,081.00 - 2.65/L.F. Valley Gutter - <u>232.75</u> - 2.45/L.F. Total \$4,313.75
D & H Contracting Lufkin, Texas	Curb & Gutter - \$4,543.00 - 2.95/L.F. Valley Gutter - <u>218.50</u> - 2.30/L.F. Total \$4,761.50
Moore Bros. Const. Co., Inc. Lufkin, Texas	Curb & Gutter - \$5,390.00 - 3.50/L.F. Valley Gutter - <u>308.75</u> - 3.25/L.F. Total \$5,698.75

He further stated that D. E. Sparkman Concrete Company's bid of \$4,294.75 for curb and gutter and valley gutter was low bid and recommended work be awarded to this firm. Comm. Roy L. Leamon, M.D., made motion that this curb and gutter work be awarded to D. E. Sparkman Concrete Company as recommended by City Manager Westerholm. Motion seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

14. Paving of Streets - Approximately 10 Miles

City Manager Westerholm stated that City had received following bids on the proposed paving of streets during the present fiscal year:

D & H Contracting Co. Lufkin, Texas	Type D - \$12.90/ton 25% Gravel - \$11.58/ton
Moore Bros. Const. Co., Inc. Lufkin, Texas	Type D - \$9.13/ton 25% Gravel - \$8.03/ton
Kenneth Koon Lufkin, Texas	Type D - \$10.20/ton 25% Gravel - \$9.20/ton

He further stated that Moore Brothers Construction Company, Inc., was low bidder and recommended that this paving work be awarded to Moore Brothers, Inc. Comm. W. O. Ricks, Jr., made motion that City Manager Westerholm's recommendation be followed and that Moore Brothers Construction Company, Inc., be awarded this paving work. Comm. E. C. Wareing seconded the motion and a unanimous affirmative vote was recorded.

15. Sale of Fireworks Within City Limits

City Attorney Flournoy read ordinance which he had prepared amending and consolidating all prior ordinances concerning fireworks and the sale, storage and possession of same within the city limits of Lufkin and within 500 feet outside city limits. He stated this ordinance was in accordance with instructions issued at last meeting by the City Commission. He further stated that Section IV contained new provisions with regard to sale of fireworks as follows:

- (a) The prohibition against sale of fireworks shall not become effective in area annexed to the City until the expiration of six (6) months from the date of annexation; and
- (b) The prohibition against the sale of fireworks within 500 feet of the city limits shall not become effective until six (6) months after passage of this amended ordinance.

Comm. Joe E. Rich inquired if this **proposed** ordinance was in accordance with or similar to ordinances in other Cities in Texas and he was advised by City Attorney Flournoy that it was. Comm. E. C. Wareing made motion that ordinance be passed on first reading. Comm. W. O. Ricks, Jr., seconded the motion and a unanimous affirmative vote was recorded.

16. Zone Change Application - George Leo Shotwell & Wife, Oneita Shotwell from R-3 District to A District

City Attorney Flournoy read caption of ordinance by the above applicants from R-3 District to A District covering property located West of Bledsoe Street and South of portions of Shotwell Street for first reading. City Secretary Durham stated this application for zone change was considered by the City Planning and Zoning Commission in regular meeting of September 30, 1971, and it was their recommendation that same be approved by the City Commission. Mr. Sumner Williams, Jr., Attorney, and Mr. Shotwell and his wife, were present to answer any questions the City Commission members had regarding this proposed zone change, and there were no persons present to object to same. Comm. E. C. Wareing was concerned about the dedication of Shotwell Street and Mr. Williams will follow through on this item with property owners. Comm. W. O. Ricks, Jr., made motion that ordinance be passed on first reading. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

17. Purchase of Trenching Machine for Water Department

City Manager Westerholm stated that City had recently received bids as follows on trenching machine for Water Department:

- (a) C. R. Searcy Company \$3,585.00
- (b) Digz-All of Central Texas 3,753.00
- (c) Peerless Equipment Corporation 3,749.00

City Manager Westerholm recommended that this trenching machine be purchased from C. R. Searcy Company for \$3,585.00, same being the lowest bid. Comm. W. O. Ricks, Jr., made motion that the City Manager's recommendation be followed and that this trenching machine be purchased from C. R. Searcy Company for \$3,585.00. Motion seconded by Comm. Roy L. Leamon, M.D., and a unanimous affirmative vote was recorded.

18. Advertisement for Bids on Street Sweepers, Garbage Containers, Collection Units, Air Compressor & Clay Pipe

City Manager Westerholm requested authority to advertise for bids on:

- (a) Two Street Sweepers
- (b) Containers for Garbage Collection
- (c) Two Garbage Collection Units for Residential and Commercial Container Dump
- (d) Air Compressor
- (e) Clay Pipe (Annual Supply)

City Manager Westerholm stated that these items were all in the Budget and would be ordered and installed as money was available. Comm. W. O. Ricks, Jr., made motion that authority be granted City Manager Westerholm to advertise for bids as requested. Comm. Roy L. Leamon, M.D., seconded the motion and a unanimous affirmative vote was recorded.

19. Proposed Paving of Evans Drive from Southwood West to Roy Hurst Residence

City Manager Westerholm stated that he had received petition by a majority of property owners for paving of the above portion of Evans Drive and requested City Commission approval for City Attorney Flournoy to prepare an ordinance covering same for consideration at next meeting. Comm. Roy L. Leamon, M.D., made motion that City Attorney Flournoy be authorized to prepare ordinance in accordance with City Manager Westerholm's recommendation for consideration at next meeting. Comm. E. C. Wareing seconded the motion and a unanimous affirmative vote was recorded.

20. Holiday - Veterans Day

City Manager Westerholm requested authority to change the date of one of the City's regular holidays now set up as Veterans Day - November 11 to October 25 for this year, which is in accordance with precedent now being set by the Federal Government for observance of this particular holiday. Comm. Roy L. Leamon, M.D., made motion that this change in dates be authorized; that is, Veterans Day be changed from November 11 to October 25 for this year. Motion seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

21. Halloween Observance

Comm. Joe E. Rich called attention to the fact that Halloween falls on Sunday, October 31 and thought provisions should be made for "trick or treat" observance by children should be set on another date, probably Saturday, October 30, 1971, in order to not conflict with church services on October 31. City Manager Westerholm stated that a proclamation had been prepared to be signed by the Mayor setting the date of Saturday, October 30, 1971, for "trick or treat" activities for children, at the time to be set by the City Commission. Comm. Joe E. Rich made motion that this proclamation be authorized by the City Commission and the time for "trick or treat" activities be designated between 5:30 P.M. and 9:00 P.M. Motion seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

22. Proposed Installation of Traffic Signal at Fourth & Frank

City Manager Westerholm requested authority to install a traffic signal at the above location after requesting State Highway Department to make a study and recommendation thereon. Comm. W. O. Ricks, Jr., made motion that this request by City Manager Westerholm to install traffic signal at Fourth & Frank, after study and recommendation by State Highway Department, be approved. Motion seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

23. Traffic Conditions-Generally

Comm. W. O. Ricks, Jr., called attention to congested traffic in several areas of the City and especially at Hoskins & Timberland, and also called attention to hazards caused by movement of Mobile Homes through the City that is now congested by heavy traffic. City Attorney Flournoy will contact the State Highway Department with regard to permits for such mobile home movements to see if they could not be routed around the City and kept off streets that are heavily congested with traffic.

24. Street Lighting

Comm. Roy L. Leamon, M.D., led a discussion on present street lighting and inquired as to what provisions were being made by the City for lighting the area on Loop 287 around the City. He called particular attention to the lighting arrangement into the City of Nacogdoches. City Manager Westerholm was instructed to develop costs on practice presently in use and also that were proposed by Comm. Roy L. Leamon, M.D., for better lighting around the Loop.

25. Ambulance Service

Comm. E. C. Wareing called attention to the County Budget that was approved this date by the County Commissioners' Court and was wondering if it included the \$1,000 per month now being paid to the City to help defray the expense of ambulance service by the City of Lufkin. City Manager Westerholm will check with County officials on this item.

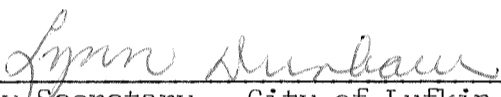
26. Adjournment

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



Mayor Pro Tem - City of Lufkin, Texas

ATTEST:



City Secretary - City of Lufkin, Texas