

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 4TH DAY OF NOVEMBER, 1975, AT 7:30 PM

On the 4th day of November, 1975, 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:

Pitser H. Garrison	Mayor
R. A. Brookshire	Commissioner, Ward No. 1
Pat Foley	Commissioner, Ward No. 2
Joe E. Rich	Commissioner, Ward No. 3
E. C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
E. G. Pittman	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	City Secretary

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

1. Meeting opened with prayer by Rev. Charles McIlveene, Pastor of First Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed a large group of visitors who were present in connection with items on the agenda or as observers.
3. Approval of Minutes

Comm. Pat Foley made motion that minutes of regular meeting of October 21, 1975, be approved. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

4. Texas Power & Light Company-Rate Increase Request Approved 1st Reading

Mayor Garrison recognized Mr. J. B. Manning who was present with his immediate supervisor, Mr. John Smith, representing Texas Power & Light rate increase request. Mr. Manning stated that information had been furnished members of Commission as requested from last regular meeting and his company desired to propose a 9.6 percent average increase. Comm. W. O. Ricks, Jr., asked Mr. Manning to clarify the 9.6 percent increase request as proposed.

Mayor Garrison stated that since last regular meeting, it had been the general thought of this Commission that the 9.6 percent increase was justified, but a question had been presented by Comm. W. O. Ricks, Jr., at last regular meeting as to how these rates would be distributed inasmuch as Texas Power & Light did not express their desire to implement a 9.6 percent increase in each rate category.

Comm. W. O. Ricks, Jr., made motion that a 9.6 percent maximum rate increase on all schedules be approved with reservation that members of Commission review these rates by next regular meeting for consideration on second and final reading.

Prior to vote on motion, Mayor Garrison stated that the question was whether members of Commission desired to approve a 9.6 percent total gross dollar increase and consider adjustment of rates by category prior to next regular meeting. Mayor Garrison further stated that he had discussed with Texas Power & Light personnel consideration of these rate variations, as reviewed during last regular meeting.

Comm. W. O. Ricks, Jr., stated that he did not agree with rate schedules as proposed at last regular meeting which involved cost breaks between the average home and all-electric homes. Mayor Garrison stated that he had also talked with Mr. Trent Root of Texas Power & Light who volunteered to be present at next regular meeting if members desired to review various rate category variations.

Comm. Pat Foley expressed his concern that members of Commission should consider approval of 8.2 percent adjustment as recommended in the Touche Ross report and other information furnished members of Commission for review.

Comm. W. O. Ricks, Jr., stated that it was his personal concern that a uniform rate be established and no rate be allowed by Texas Power & Light by any particular schedule that would exceed 9.6 percent as indicated in his previous motion.

Comm. E. G. Pittman inquired as to how many cities were in the Texas Power & Light system who had accepted the 9.6 average rate increase. Mr. Manning stated that 216 out of 247 cities in the Texas Power & Light system had previously accepted the 9.6 percent increase without exception to any provision and identical to proposal as submitted to this Commission.

Mayor Garrison recognized Mr. John Smith of Texas Power & Light who stated that Texas Power & Light rates had always been scaled inasmuch as rates were not the same for all users and cost of services varied.

Comm. Joe E. Rich asked Mr. Smith as to what affect a return on the Texas Power & Light investment would have if it reached an amount in excess of 9.6 percent at the end of a one-year period and whether or not citizens would be provided a decrease in their rates. Mayor Garrison stated that rate reductions, to his knowledge, were voluntary under the law and not required. Mr. Smith informed Mr. Rich, however, that Texas Power & Light had reduced rates in the past.

Comm. W. O. Ricks, Jr., also inquired as to whether or not rates would increase beyond the 2000 KW range which was used as a maximum in the rate schedules. Mr. Manning stated that rates would continue to increase beyond this level and 2000 KW had been established as a recommended high-point as requested by City Manager Westerholm for study purposes.

Previous motion by Comm. W. O. Ricks, Jr., as stated, died for lack of second and Comm. R. A. Brookshire made motion to approve first reading of ordinance on Texas Power & Light rate increase request in the amount of 9.6 percent increase and reserve the right of the City Commission to set various categories of rate structure at next regular meeting. Motion was seconded by Comm. Joe E. Rich.

Prior to vote on motion, Comm. R. A. Brookshire stated that he had proposed this motion inasmuch as a majority of cities served by Texas Power & Light had previously approved same request and members of Commission were in agreement that amount of increase was justifiable. Comm. R. A. Brookshire further stated that the City of Houston had recently experienced problems in court by not granting rate increase request which may create the possibility of the City paying an even higher rate increase. Comm. R. A. Brookshire further stated that the present rate design as presented by Texas Power & Light had been the same rate design as used for many years and appeared to be historically strong.

Comm. E. C. Wareing stated that small users of electricity had been protected by this proposed rate increase and same appeared to be a fair practice.

Mayor Garrison informed members of Commission that the Texas Utility Commission would begin operation in September, 1976, and members of Commission would have the benefit of their guidance on future requests of this nature. Mayor Garrison further stated that a motion and second had been presented by Comm. Brookshire to approve a 9.6 percent increase reserving establishment of various rate categories for next regular meeting. The following vote was recorded to previous motion:

Voting Aye: Mayor Garrison, Comms. R. A. Brookshire, Pat Foley, Joe E. Rich, E. C. Wareing and E. G. Pittman

Voting Nay: Comm. W. O. Ricks, Jr.

Mayor Garrison declared motion approved by majority vote of six to one.

5. Sewer Rate Ordinance Amended 2nd Reading

Mayor Garrison stated that members of Commission had approved an amendment to Sewer Rate Ordinance on first reading at last regular meeting which provided changes as outlined in information furnished members of Commission. There were no persons present appearing in opposition to consideration of this amendment on second reading. Comm. Pat Foley made motion that amendment to Sewer Rate Ordinance be approved on second and final reading. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

6. Zone Change Approved 2nd Reading-James W. May from R-2 District to R-3 District

Mayor Garrison stated that zone change application by James W. May from R-2 District to R-3 District covering property located on and South of Parker Drive between Timberland Drive and South First Street had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to proposed zone change and Comm. Pat Foley made motion that zone change application by James W. May from R-2 District to R-3 District be approved on second and final reading. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

7. TMRS Update - Ordinance Approved 2nd Reading

Mayor Garrison stated that members of Commission had approved ordinance on first reading at last regular meeting implementing a 30 percent increase in the TMRS benefits for retired employees. There were no persons present appearing in opposition to consideration of ordinance. Comm. W. O. Ricks, Jr., made motion that ordinance be approved on second and final reading raising TMRS rates accordingly. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

8. Townhouse Ordinance - Amendment Approved 2nd Reading

Mayor Garrison explained that Townhouse Ordinance had been amended on first reading at last regular meeting which provided townhouse owners responsibility for maintenance of undedicated streets within a project and the construction of minimum 18-foot streets within projects, if undedicated. There were no persons present appearing in opposition to ordinance as proposed. Comm. E. C. Wareing made motion that ordinance amending Townhouse Ordinance be approved on second and final reading. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

9. Zone Change Denied-William T. Pennington from R-2 to C Dist.

Mayor Garrison stated that zone change application by William T. Pennington from R-2 District to C District covering property located on S. First Street, South of Menefee Street on East side of S. First Street had been considered by the City Planning and Zoning Commission during two separate meetings and opposition had been presented at the initial meeting. Mayor Garrison further stated that the City Planning and Zoning Commission had recommended approval of zone change application by William T. Pennington from R-2 District to C District on a majority vote of four to two. Mayor Garrison further stated that following recommendation of the City Planning and Zoning Commission, members of Commission

had received letters in opposition from Evelyn Paulus, Ola Tenney, Mrs. E. L. Berry, Mrs. Tom J. Melton, Rev. John F. Caskey, Mr. & Mrs. Eldridge B. Ryman and R. L. Cunningham.

Mayor Garrison recognized Mr. Jim Hurst and Mr. William T. Pennington who were present in representation of application. Mr. Hurst displayed a drawing of area for members of Commission to review and explained in more detail the purpose for which property was being considered for zone change and explained that proposed application would evenly square property to the South and East which was presently zoned C District. Mr. Hurst further explained that inasmuch as one new business was constructed and a new business was being constructed in the area South of this property, proposed area for zoning to C District would best be utilized for a shopping center and retail outlets. Mr. Hurst further stated that First Street was presently receiving heavy traffic and the zoning of this property would provide construction with outlets on Timberland Drive. Mr. Hurst further stated that there was no future plan for business zoning use any farther North to his knowledge and reminded members of Commission that only property owner within 200 feet of proposed zone change, Mrs. Evelyn Paulus, had expressed opposition to application.

Mayor Garrison recognized Mr. R. L. Cunningham who appeared in opposition to zone change application. Mr. Cunningham explained that he owned a residence at Menefee and South First Streets located approximately 215 feet from proposed zoning. Mr. Cunningham stated that the zoning of this property to C District would generate additional traffic on South First Street and requested members of Commission consider his previous request that no business zoning be extended to the North in the direction of his property. Mr. Cunningham stated that previous zone change application in this area which had been approved for C District South of proposed zoning had not received his opposition based on this request. Mr. Cunningham further stated that his continued request at this meeting was that members of Commission not consider the extension of business zoning to the North.

Comm. Pat Foley stated that he had carefully observed this particular area in the past few months and the construction of business outlets on previous zoned property South of proposed zoning location had improved the area. Comm. Foley then made motion that zone change application by William T. Pennington from R-2 District to C District be approved on first reading. Motion was seconded by Comm. Joe E. Rich.

Prior to vote on motion, Comm. W. O. Ricks, Jr., expressed his concern that previous zone change application which had been approved by this Commission for Vines, Smith & Hurst to C District established a stopping point for business zoning and Mr. Cunningham had requested that members of Commission consider a stopping point within this area. Comm. Ricks further stated that it was his opinion a stopping point be observed and zone change be denied as presented.

Comm. R. A. Brookshire stated that presently zoned area appeared to create a buffer zone and it was essential to discontinue business zoning in this area at a defined location. Comm. Brookshire stated that he was in agreement with Comm. Ricks' conclusion.

Mayor Garrison stated that it was his opinion zoning was for the purpose of protecting residential areas and property being considered did not front on Timberland Drive and contained six residential units. Mayor Garrison stated he was in agreement with Comm. Ricks and Comm. Brookshire that a stopping point would be reached in area as presently defined.

Comm. E. G. Pittman asked Mr. Hurst if they would consider a less severe zoning for buffer purposes to LB District which would provide for many types of business outlets. Mr. Hurst and Mr. Pennington stated they would be in agreement with this change if members of Commission desired, as an alternate proposal.

Comm. E. C. Wareing asked Mr. Pennington how long he had owned this property and if same was purchased in present condition. Mr. Pennington stated that he had owned property for approximately 4½ years and property was the same. Comm. Wareing further stated that Article I of the Zoning Ordinance under Title & Purposes asked the question as to whether or not there was a public need for a zone change. Comm. Wareing stated that Highway 59 provided a need as opposed to a need for a business use on First Steeet which was already congested with traffic. Comm. Wareing further stated that additional business locations with outlets on South First Street may necessitate the future widening of South First Street which would defeat the purpose for which Timberland Drive was constructed in the present design to relieve First Street traffic. Comm. Wareing further stated zoning provided that values of presently constructed buildings be conserved in this area and area had not changed since last zone change application by Vines, Smith & Hurst and he would personally be reluctant to consider approval of proposed application.

Comm. E. G. Pittman asked Mr. Cunningham for his opinion regarding consideration of LB District in lieu of C District at this location. Mr. Cunningham stated that he was asked this question by the City Planning and Zoning Commission where he expressed his opinion that LB District or NR District would be an intrusion into a residential area.

Comm. Pat Foley expressed his concern that proposed area being considered for zoning was located on the fringe of a deteriorating residential area which needed improvements.

Previous motion by Comm. Pat Foley to approve zone change application received the following vote:

Voting Aye: Comms. Pat Foley and Joe E. Rich

Voting Nay: Mayor Garrison, Comms. R. A. Brookshire, E. C. Wareing, W. O. Ricks, Jr., and E. G. Pittman

Mayor Garrison declared motion denied by majority vote of five to two and zone change application by William T. Pennington was not approved.

10. Zone Change Approved 1st Reading-Salvation Army from CB District to CB District & Special Use, Item 3

Mayor Garrison stated that zone change application by Salvation Army from CB District to CB District & Special Use, Item 3, covering property located between S. Second and S.Third Streets at intersections with Jodie Avenue had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change application as presented. Comm. E. C. Wareing made motion that zone change application by Salvation Army from CB District to CB District & Special Use, Item 3, be approved on first reading of ordinance. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

11. Annexation & Permanent Zoning-Hearing Date Set-A. B. Youngblood, Jr. Tulane Drive & Loop 287

Mayor Garrison stated that the City Planning and Zoning Commission had previously recommended members of City Commission consider establishment of a hearing date for request by A. B. Youngblood, Jr., to annex and permanently zone to C District property located South of Loop 287 at intersection with Tulane Drive and existing City Limits.

Comm. R. A. Brookshire made motion that hearing date for annexation and permanent zoning of property by A. B. Youngblood, Jr., be set for November 18, 1975, at 5:00 p.m. Motion was seconded by Comm. Joe E. Rich.

Prior to vote on motion, a brief discussion developed regarding annexations and information to be provided members of Commission when considering same. Comm. W. O. Ricks, Jr., expressed his concern that the overall cost to the City should be considered by the City Commission, and the individual amount citizens would pay, to include amount of taxes same would generate.

Comm. E. C. Wareing stated that the City Commission had previously discussed a procedure be followed for annexation of a particular area and certain information should be furnished members of Commission as stated in previous minutes due to the importance of the City's long-range planning program and other essential areas regardless of the size of property being considered.

Comm. E. G. Pittman asked City Secretary to furnish members of Commission information from previous Commission minutes regarding the City's policy for future annexations for review and consideration prior to hearing date.

A unanimous affirmative vote was then recorded to previous motion and second to establish hearing date for annexation and permanent zoning of this area for November 18, 1975.

12. Bids Awarded-Plastic Trash Liners, Garbage Container Packer Unit and Motor Grader

City Manager Westerholm stated that bids were opened and tabulated for the following items which indicated amounts budgeted and savings to the City:

<u>Item</u>	<u>Low Bid</u>	<u>Amount Budgeted</u>	<u>Savings</u>
Trash Liners	\$57,310.00	\$104,000.00	\$46,690.00
Garbage Container Packer Unit	\$14,653.00	\$ 16,500.00	\$1,847.00
Motor Grader	\$32,000.00	\$ 35,000.00	\$3,000.00

City Manager Westerholm stated that bids were received for plastic trash liners and Adams Industries was low bidder providing 1,000,000 liners were accepted by the City prior to December 31, 1975. City Manager Westerholm further stated that Marketing Services had sent a letter expressing that a lower bid would have been submitted by their company if they had known all liners may have been delivered prior to December 31, 1975:

<u>Name of Company</u>	<u>Total Cost for Bags</u>	
	<u>500,000</u>	<u>1,000,000</u>
Adams Industries	\$28,655.00	\$57,310.00
Mobil Chemical	31,750.00	63,500.00
Marketing Service	30,005.00	60,010.00
Huckster	31,700.00	63,400.00
Pak-Rite	30,930.00	61,860.00
Century Papers	31,450.00	62,900.00

Mayor Garrison recognized Mr. M. E. McDonald of Marketing Services, Inc., who explained that he had submitted an alternate bid following official bid opening requesting consideration of same on the purchase of 1,000,000 bags prior to December 31, 1975. City Manager Westerholm explained that the alternate bid submitted by Marketing Services could not be fairly accepted inasmuch as same was only \$20 difference in bid submitted by Adams Industries which was submitted in accordance with specifications in allotted time provided. City Manager Westerholm recommended that the low bid submitted by Adams Industries for the purchase of 1,000,000 plastic trash liners in the amount of \$57,310.00 be accepted. Comm. W. O. Ricks, Jr., made motion that recommendation by City Manager Westerholm to accept low bid by Adams Industries be approved in above amount as stated. Motion was seconded by Comm. Pat Foley.

Prior to vote on motion, a brief discussion developed regarding specifications prepared by City staff regarding delivery date. Mayor Garrison stated it was his opinion that specifications indicated "on or before" and provided that delivery could be one

or two. Mr. McDonald stated he was of the opinion that bid specifications in this regard were ambiguous and he had interpreted bid to indicate that the City desired two separate orders. Mr. McDonald requested that future bids of this nature more precisely indicate the purchase of these bags on one delivery date. Previous motion and second to approve low bid by Adams Industries in this regard in amount as stated received a unanimous affirmative vote by Commission.

Comm. W. O. Ricks, Jr., requested that future bid specifications be more clearly defined regarding the delivery dates as discussed.

City Manager Westerholm stated that the following bids were received and tabulated for the purchase of a garbage container packer unit:

<u>Name of Company</u>	<u>Amount</u>
Pak-Mor (Amount less 1% discount if paid within 20 days)	\$14,870.00*
Industrial Disposal Supply	\$14,653.00*
*Includes 6,000 #Lift	

City Manager Westerholm stated that there was only a difference of \$68.30 between the two bids as submitted and IDS was low bidder. City Manager Westerholm further stated that the City did not have any IDS equipment but was pleased with the use of Pak-Mor which was also recommended by Sanitation Department Supervisor.

Comm. W. O. Ricks, Jr., expressed his concern that Pak-Mor would be the best buy for the City and made motion that Pak-Mor bid in the amount of \$14,870.00 be accepted as the best bid. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

City Manager Westerholm stated that the following bids were received for a motor grader:

<u>Name of Company</u>	<u>Amount(With Trade-Ins)</u>	<u>Amount(Without Trade-Ins)</u>
Mustang Tractor & Equip.	\$40,200.00	\$48,462.00
South Texas Equipment	\$42,871.00	\$49,210.00
Mercury Const. Equipment	\$46,000.00	\$47,500.00
Plains Machinery Company	\$32,000.00	\$39,000.00
Hi-Way Equipment Company	\$35,565.00	\$46,065.00

City Manager Westerholm stated that the lowest bid for a motor grader was from Plains Machinery Company who manufactured a Gallion grader and considerable difference in price was apparent between the highest bid submitted by Mustang Tractor and the lowest bid submitted by Plains Machinery Company.

Considerable discussion developed regarding the possibility of the City purchasing a Caterpillar motor grader in view of statistical data that was made available indicating the long-range durability and re-sale value in excess of other brands. Comm. W. O. Ricks, Jr., made motion that Mustang Tractor & Equipment Company be awarded bid for the purchase of a Caterpillar motor grader in accordance with bid as submitted.

Prior to second of motion, Comm. Pat Foley asked representative Andy Craven of the Plains Machinery Company if a Gallion motor grader could be serviced in the Lufkin area. Mr. Craven stated that the nearest dealer was in Kountze and one-day service could be made available. Mr. Craven also stated that his company planned to locate a repair shop in the Lufkin area possibly within the next two years and low bid submitted for a Gallion motor grader met City specifications.

Comm. R. A. Brookshire inquired as to the weight difference between the Caterpillar and Gallion motor graders and it was determined that the Caterpillar machine weighed only 500 pounds more than the Gallion. Comm. Brookshire stated that he had discussed the purchase of construction equipment with a local contractor who had recommended Caterpillar.

Previous motion by Comm. W. O. Ricks, Jr., to accept bid by Mustang Tractor & Equipment Company died for lack of a second and Comm. Pat Foley made motion that low bid submitted by Plains Machinery Company for a Gallion motor grader in the amount of \$32,000.00 be approved due to amount of savings that would be afforded the City. Motion was seconded by Comm. R. A. Brookshire.

Prior to vote on motion, Comm. E. C. Wareing expressed his concern that Caterpillar equipment was a better investment from a long-range standpoint, but a 25 percent higher cost was extremely difficult to justify. Comm. Wareing further stated that providing the City desired to purchase certain types of equipment, specifications should be written accordingly. Comm. Wareing further stated that this same principle should apply to all specifications written by the City to avoid possible confusion similar to circumstances that resulted from present bids on plastic trash liners. Comm. Wareing also suggested that future specifications be more carefully drawn in this regard.

A unanimous affirmative vote was then recorded to previous motion and second to accept bid by Plains Machinery Company for a Gallion motor grader.

13. American Association of Small Cities-Approval of Membership

City Manager Westerholm stated that consideration had been discussed at the recent TML convention for the City to join the American Association of Small Cities in order to have representation in Washington. City Manager Westerholm further stated that only those cities above 50,000 in population had the present advantage in this regard and the total cost to the City for joining the Association would be \$345.75 annually.

Comm. E. C. Wareing expressed his opinion that the City should join the Association for the amount involved for at least a one-year period due to the fact that many cities under 50,000 had been excluded from representation. Comm. Wareing then made motion to amend current budget in the amount of \$345.75 to join the American Association to Small Cities for the current year. Motion was seconded by Comm. Pat Foley.

Prior to vote on motion, Comm. R. A. Brookshire expressed his desire that the City Commission not join this association for at least a one-year period in order to see what Washington lobbyists would represent. Comm. Brookshire further stated that a greater national debt may be experienced as a result of approved legislation sponsored by certain lobby groups.

Comm. Pat Foley stated he was of the opinion that the City would deter the efforts in favor of this type legislation through membership of this organization which would provide adequate control.

Mayor Garrison stated that he was inclined to join the Association at the present time in accordance with the opinion expressed by Comm. Wareing.

The following vote on previous motion and second to approve membership in this Association was recorded:

Voting Aye: Mayor Garrison, Comms. Pat Foley, E. C. Wareing,  
W. O. Ricks, Jr., and E. G. Pittman

Voting Nay: Comms. R. A. Brookshire and Joe E. Rich

14. Railroad Crossing Signalization Denied - Ellis & Bremond

City Manager Westerholm stated that the City Commission had recently denied a proposed signalization at Abney Avenue railroad crossing on a participation basis of five (5) percent of the cost and the State Department of Highways and Public Transportation had offered a similar proposal for signalization of railroad crossing at Ellis and Bremond at a cost to the City of approximately \$1,500 at either crossing.



Comm. W. O. Ricks, Jr., expressed his concern that these signs not be approved due to the nearness of these particular crossings to railroad switching yard which would possibly hinder the flow of traffic by stopping same unnecessarily when trains were not actually crossing intersections. Comm. Ricks further stated that he had observed on many occasions at the cross-arm signalized intersection at Angelina and Burke were many times activated as a result of trains being parked near or across intersection.

Mayor Garrison asked City Manager Westerholm to obtain a study from the railroad as to the amount of time these crossings would be blocked as a result of unnecessary use.

Comm. Pat Foley made motion that request by State Department of Highways and Public Transportation be denied for locating signalization points at Ellis and Bremond Streets at the present time. Motion was seconded by Comm. W. O. Ricks, Jr., and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. R. A. Brookshire, Pat Foley, Joe E. Rich and W. O. Ricks, Jr.

Voting Nay: Comms. E. C. Wareing and E. G. Pittman

Mayor Garrison declared motion approved by majority vote of five to two.

15. Pershing Avenue-Certificates of Obligation for Financing Pershing Avenue Postponed

City Manager Westerholm stated that he had recently written members of Commission explaining the City's need to issue certificated of obligation in the amount of \$60,000 to finance Pershing Avenue improvements. City Manager Westerholm further stated that a considerable savings had been made on bid items and he personally recommended the City pay for its share of the improvements out of the General Fund at this point in the budget. City Manager Westerholm further recommended that, providing the City was financially burdened in the latter part of the budget in this regard, time warrants could be issued for any needed projects and interest on these certificates of obligation could be saved, to include a fiscal fee of \$2,645.00.

Comm. E. C. Wareing made motion that the City Commission approve recommendation by City Manager in this regard and certificates of obligation not be issued at the present time. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

Comm. E. C. Wareing made motion that members of Commission be authorized to enter into agreement with the State Department of Highways & Public Transportation agreeing to terms and conditions of Commission Minute Order #69358 as it applies to the City for assistance and reconstruction of grading structures and surfacing on Old Union Road from FM 1271 to FM 324. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

16. Community Development Fund-Letter of Credit Received-Authority to Advertise for Bids on Projects Approved

City Manager Westerholm stated that the City of Lufkin had received its letter of credit #86-00-6221 from the Department of Housing & Urban Development authorizing the City to draw down funds against \$300,000 which were to be used for improvements in the Keltys area. City Manager Westerholm further stated that it was necessary to obtain authority from the City Commission to advertise for bids on sewer pipe and construction work in this area. Comm. Pat Foley made motion that authority be granted City staff to advertise for bids on this equipment accordingly. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

17. Civic Center - Completion Date Disc.

Comm. E. G. Pittman inquired as to the anticipated completion date of the Civic Center. City Manager Westerholm reported that architect had indicated the possibility of completing construction prior to December 31, 1975.

18. Plastic Trash Liners - Reduction in Price Disc.

Comm. Pat Foley expressed his concern that lower prices on plastic trash liners be passed on to citizens as soon as possible due to recent reductions in cost experienced by the City. City Manager Westerholm stated that he was of the opinion that lower prices could be implemented in January, 1976.

19. Annual Christmas Banquet & Awards Program - Reinstatement Disc.

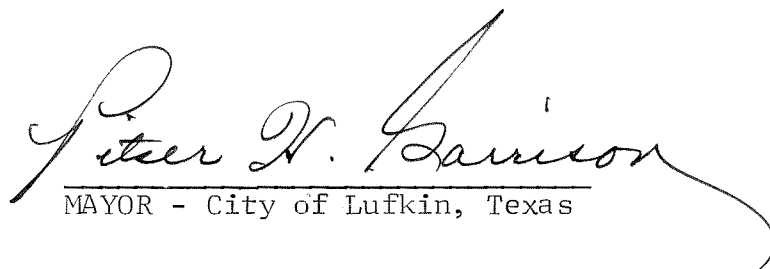
Comm. E. C. Wareing stated that the recent budget preparation for the current fiscal year had involved many alterations, one of which had omitted the annual City banquet and awards program. Comm. Wareing further stated that inasmuch as the City had experienced considerable savings on certain bid items, it was his personal recommendation that the Annual Christmas Banquet & Awards Program be reinstated for the present year. Comm. Wareing then made motion that consideration for reinstatement of same be discussed at next regular meeting. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

20. Delinquent Tax Report Disc.

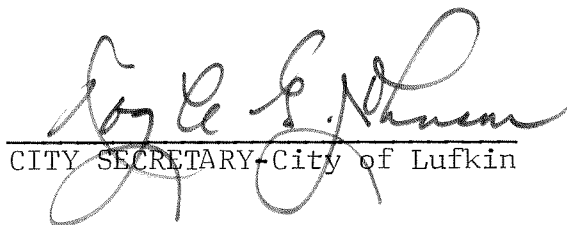
Comm. R. A. Brookshire stated that he had recently reviewed delinquent tax report submitted by the City Tax Office which indicated delinquent taxes in the amount of \$227,000. Comm. Brookshire expressed his concern that the City staff be granted the authority of this Commission to pursue payment of these taxes to whatever necessary extent and made motion to this effect. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

21. Adjournment

There being no further business for consideration, meeting adjourned at 10:15 p.m.

  
MAYOR - City of Lufkin, Texas

ATTEST:

  
CITY SECRETARY - City of Lufkin