

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 18TH DAY OF FEBRUARY, 1975, AT 5:00 PM

On the 18th day of February, 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:

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, and

Pitser H. Garrison	Mayor
R. A. Brookshire	Commissioner, Ward No. 1

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

1. Meeting opened with prayer by Rev. A. D. Thomas, Pastor of Goodwill Baptist Church, Lufkin, Texas.
2. Mayor Pro Tem Wareing welcomed visitors who were present in connection with items on the agenda or as observers.
3. Approval of Minutes

Comm. Joe E. Rich made motion that minutes of regular meeting of February 4, 1975, be approved. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

4. Zone Change Application-Larelco & Land O'Pines from LB District to LB and C District, Special Use, Item 18 (Erection of On-Premise Sign in Excess of 36 Square Feet)

Mayor Pro Tem Wareing stated that zone change application by Larelco & Land O'Pines from LB District to LB and C District, Special Use, Item 18 (Erection of On-Premise Sign in Excess of 36 Square Feet) covering property located between Highway 69 East and FM 58 intersection at present site of Okay Food Store had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to zone change application. Comm. W. O. Ricks, Jr., made motion that zone change application by Larelco & Land O'Pines from LB District to LB and C District, Special Use, Item 18 (Erection of On-Premise Sign in Excess of 36 Square Feet) be approved on second and final reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

5. Zone Change Application-Larelco & Land O'Pines from NR District to NR and C District, Special Use, Item 18 (Erection of On-Premise Sign in Excess of 36 Square Feet)

Mayor Pro Tem Wareing stated that zone change application by Larelco & Land O'Pines from NR District to NR and C District, Special Use, Item 18 (Erection of On-Premise Sign in Excess of 36 Square Feet) covering property located West of Trenton Street near intersection with Highway 103 East at present site of Okay Food Store, had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to zone change application. Comm. W. O. Ricks, Jr., made motion that zone change application by Larelco & Land O'Pines from NR Dist-

riect to NR and C District, Special Use, Item 18 (Erection of On-Premise Sign in Excess of 36 Square Feet) be approved on second and final reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

6. Zone Change Application-Rev. N. C. Simmons from R-3 District to R-3 District & Special Use, Item 6 (Day Nursery)

Mayor Pro Tem Wareing stated that zone change application by Rev. N. C. Simmons from R-3 District to R-3 District & Special Use, Item 6 (Day Nursery) covering property located immediately South of Sunrise Street at intersection with Warren Street had been unanimously recommended for approval by the City Planning and Zoning Commission during a previous meeting.

There were no persons present appearing in opposition to zone change application. Comm. W. O. Ricks, Jr., made motion that zone change application by Rev. N. C. Simmons from R-3 District to R-3 District & Special Use, Item 6 (Day Nursery) be approved on first reading of ordinance. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

7. Resolution Approved-Rental Rates for Certain City-Owned Equipment & Machinery Established

City Manager Westerholm explained that the City's 50-50 participating grant from the Parks & Wildlife Department for certain improvements to the City's parks required the use of City equipment and it was necessary for the Commission to consider approval of a resolution establishing rates for which the City would receive credit for its participation in the matching fund.

Comm. W. O. Ricks, Jr., expressed his concern that proposed rates should be increased. City Manager Westerholm explained that these equipment rates as indicated did not include labor costs which would be figured separately. Finance Director Royal Dunlap explained that these rates were subject to be increased or decreased at the discretion of the Parks & Wildlife Department, following completion of the project and the establishment of same was only preliminary for book purposes. Mr. Dunlap further explained that establishment of these rates was necessary for the City to receive reimbursement on a monthly basis.

Following considerable discussion, Mr. Dunlap suggested that establishment of these rates be postponed for two weeks to allow further consideration.

Comm. E. G. Pittman stated that he would provide equipment rental rate information to Public Works Director prior to next regular meeting. Further discussion of this item was then tabled for consideration at next regular meeting.

8. Bids Awarded for Construction of Box Culvert & Street - Kit McConnico Park

City Manager Westerholm stated that bids had been received for construction of street and box culvert across Shirey Creek to the Ottis Locke lift station through Kit McConnico Park. City Manager Westerholm further reported that HDR had sent a telegram recommending low bid from Moore Brothers Construction Company in the amount of \$72,350.84.

City Manager Westerholm recommended that the street through the Kit McConnico property to the lift station be constructed with a hot asphalt sand base to provide an all-weather road, since this could be done at the same price as a gravel road.

Comm. Pat Foley then made motion that low bid by Moore Brothers Construction Company, in the amount of \$72,350.84, be accepted for construction of this project with the provision that six-inch hot sand asphalt be substituted in lieu of gravel at no additional cost. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

9. Approval of Bids - Sewer Rodding Machine

City Manager Westerholm explained that the present sewer rodding machine being used by the City was no longer operable and could not last an additional season. City Manager Westerholm further explained that the City staff had received quotations on a new sewer rodding machine which were furnished members of Commission for review. City Manager Westerholm also stated that it was essential to purchase this machine as soon as possible inasmuch as a 60-day delivery was anticipated. The following bids were reviewed by the Commission:

BAHR Sales & Service, Inc.	\$7,500
J. F. McDermott Company, Inc.	\$7,125
Water Works Supply Company	\$5,979

City Manager Westerholm recommended the purchase of equipment in accordance with low bid submitted by Water Works Supply Company in the amount of \$5,979. City Manager Westerholm explained that this equipment was not in the present City budget, but necessary revenues were available in the Water & Sewer Department to accomodate same.

Comm. W. O. Ricks, Jr., made motion that low bid submitted by Water Works Supply Company in the amount of \$5,979 for sewer rodding machine be approved. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

Comm. E. G. Pittman made motion that the Water & Sewer Budget for 1975 fiscal year be amended to reflect the purchase of this equipment. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

10. Addition to Angelina College Sewer Line - Project Approved

City Manager Westerholm explained that the City Commission, during a previous discussion, reviewed the possibility of Stephens Construction Company constructing a 15-inch sewer line from the large outfall line on Hurrican Creek east to the lift station located on McCall Drive. City Manager Westerholm further explained that this lift station served all the area South of Loop 287 and construction of sewer line would eliminate the lift station on McCall Drive. City Manager Westerholm further explained that Stephens Construction Company was not awarded construction of this project at an earlier date since they desired to charge 25 percent above the contract price. City Manager Westerholm explained that since EPA would not participate in any cost above the original contract, the City could do this work cheaper at a later date. Mr. Westerholm further explained that Mr. Tommy Steele of Steele Construction Company had offered to complete this construction at 12 percent over the original contract of approximately \$38,000, of which the City's share would be approximately \$18,000, and earlier estimates for the City completing same was \$21,000. The following information was reviewed by members of Commission:

	<u>Original Contract</u>	<u>Stephens Construction Offer</u>	<u>Tommy Steele's Offer</u>
Total	\$34,000.00	\$42,500.00	\$38,080.00
E P A Share	\$18,680.00	\$18,680.00	\$18,680.00
City's Share	\$15,320.00	\$23,820.00	\$19,400.00

City Manager Westerholm explained that Water & Sewer Revenue Bond Fund would be adequate to accomodate the recommended offer by Tommy Steele in the amount of \$19,400.00. Comm. W. O. Ricks, Jr., made motion that Mr. Tommy Steele construct a 15-inch sewer line in the amount of \$19,400.00 in the area as previously discussed. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

11. Disc. of ROW Acquisition-Extension of Second Street from Jodie Avenue to Denman Avenue

City Manager Westerholm stated that a report had been submitted by Denzel Percifull indicating the City's progress on ROW acquisition for the opening of Second Street from Jodie Avenue to Denman Avenue. City Manager Westerholm recommended that members of Commission consider an executive session following next regular meeting, if necessary, for the purpose of determining various property appraisal values in this regard.

12. Approval of Resolution-Authority to Support DETCOG Regional Emergency Medical Services Plan

City Manager Westerholm stated that the DETCOG Health Advisory Council & Medical Service Commission had recently met and various priorities were set for the 12 counties of which Angelina County was included. City Manager Westerholm explained that the Emergency Medical Services Plan was based on matching of local contributions with federal funds and the needs for Angelina County were established under three priorities to include communications, ambulances and training. City Manager Westerholm further explained that the proposal as submitted would require consideration of a resolution by this Commission involving 25 percent participation by the City of Lufkin with present participation involving purchase of communications equipment for the City of Lufkin Fire Department in the amount of \$7,400.

Considerable discussion developed and Fire Chief Billy A. Stephens who was present, explained that the purchase of this communication equipment would be an asset to the City of Lufkin Fire Department and provide intercity communication transmissions.

Comm. W. O. Ricks, Jr., expressed his concern that the hospital staffs should be organized to provide expert communication with ambulance attendants if this communication system was implemented.

Mayor Pro Tem Wareing suggested that resolution also be adopted with the expression of this Commission favoring extension of the program to Woodland Heights Hospital.

Comm. W. O. Ricks, Jr., then made motion that resolution be approved supporting the DETCOG Regional Emergency Medical Services Plan with the expression of this Commission being in support of extending these services to Woodland Heights Hospital. Motion was seconded by Comm. Pat Foley.

Prior to vote on motion, Comm. E. G. Pittman expressed his concern as to what specific obligations would be required by the City following adoption of this resolution. It was the general consensus of the Commission that the City would only be obligated for the present year and future consideration of this plan would provide the City an opportunity to remove itself from obligations, if necessary.

A unanimous affirmative vote was then recorded on previous motion and second.

13. Resolution of Commendation Approved-Police Chief A. J. Schamerhorn

Mayor Pro Tem Wareing recognized Police Chief A. J. Schamerhorn who requested to speak to members of Commission regarding his retirement. Police Chief Schamerhorn expressed his appreciation to the City Commission and City Manager Westerholm for their cooperation and support from his initial appointment. Police Chief Schamerhorn stated that the City of Lufkin had become recognized in the past few years in a manner in which could be admired throughout the state. Police Chief Schamerhorn presented each member of the Commission a badge of their office as a token of his appreciation.

Mayor Pro Tem Wareing, on behalf of the City Commission and citizenry of the City of Lufkin, expressed his appreciation to Police Chief Schamerhorn for the fine work he had completed in the past years.

Comm. Pat Foley made motion that a resolution be approved commending Police Chief A. J. Schamerhorn for his services with the Lufkin Police Department. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded. Comm. W. O. Ricks, Jr., also personally thanked Chief Schamerhorn for his fine work with the Police Department and expert guidance and made motion that Chief Schamerhorn be provided necessary funds to attend the 1975 Texas Municipal League convention having been recently appointed as a Director of the Texas Municipal League representing the Texas Police Chiefs' Association. Motion was seconded by Comm. Joe E. Rich and a unanimous affirmative vote was recorded.

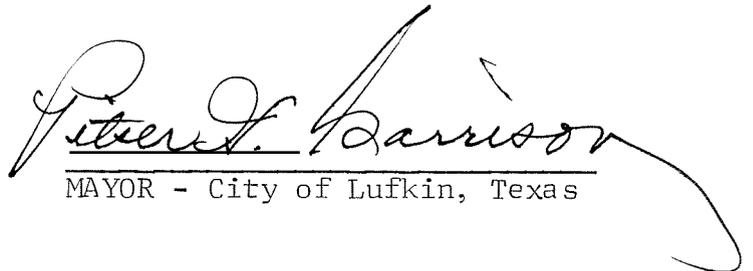
14. Employee Award - Judge David M. Cook - Most Eligible Bachelor

Comm. Joe E. Rich stated that the Honorable Judge David M. Cook was present and should be recognized for his recent award-winning effort in the "Most Eligible Bachelor Contest" held by KJCS-Twin City News Radio. Comm. Joe E. Rich presented Judge Cook a trophy declaring him as the most eligible bachelor for the year 1975 as sponsored by Radio Station KJCS.

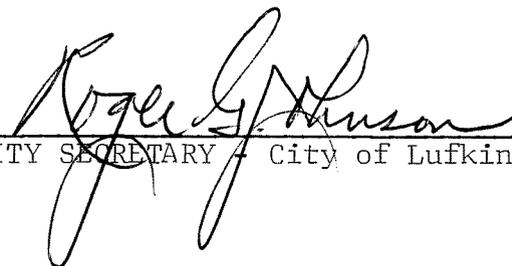
Judge Cook accepted the award and thanked Comm. Rich and members of Commission for their thoughtfulness.

15. Adjournment - Executive Session

There being no further business for consideration, meeting adjourned at 6:10 P. M. to an executive session for the purpose of discussing recent litigation in Kirkley David, et al vs City of Lufkin Law Suit.


MAYOR - City of Lufkin, Texas

ATTEST:


CITY SECRETARY - City of Lufkin, Texas