

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF
THE CITY OF LUFKIN, TEXAS, HELD ON THE 8TH DAY OF
JANUARY, 1980, AT 7:30 P.M.

On the 8th day of January, 1980, 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
Don E. Boyd	Commissioner, Ward No. 2 (new plan)
Pat Foley	Commissioner, Ward No. 4 (new plan)
W. O. Ricks, Jr.	Commissioner at Large, Place A (old plan)
Richard Thompson	Commissioner at Large, Place B (old plan)
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	Assistant City Manager
Dayle V. Smith	Commissioner, Ward No. 2 (old plan)
E. C. Wareing	Commissioner, Ward No. 4 (old plan)

being present, and

Gayle Dickey	Assistant City Secretary
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being absent, when the following business was transacted:

1. Meeting opened with prayer by Rev. Charles McIlvene, Pastor of First Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed visitors present.
3. Approval of Minutes

Minutes of the meeting of December 18, 1979, were approved on motion by Commissioner Richard Thompson and second by Commissioner Pat Foley. A unanimous affirmative vote was recorded.

4. Annexation and Permanent Zoning Request - JTT Distributors, Inc. - Approval of Ordinances - Second Reading

Mayor Garrison stated that ordinances had been approved at last regular meeting annexing and permanently zoning property to Light Manufacturing District as requested by JTT Distributors, Inc., covering property fronting on Spence Street north of Loop 287.

There were no persons present appearing in opposition to either the annexation or permanent zoning of this property. Motion was made by Commissioner Dayle Smith and seconded by Commissioner Don Boyd that annexation ordinance be approved on second and final reading formally annexing property requested by JTT Distributors, Inc. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Dayle Smith and seconded by Commissioner Don Boyd that ordinance be approved on second and final reading formally zoning this property to Light Manufacturing District. A unanimous affirmative vote was recorded.

5. Zone Change Approved Second Reading - Elvin and Lester Lowery From RL&NR to C District

Mayor Garrison stated that zone change application by Elvin and Lester Lowery from Residential Large and Neighborhood Retail to Commercial District covering property containing 18.089 acres between Valley Avenue and Loop 287 East being Lots 34, 35, 47, and 48 of the Lufkin Land Addition #2 had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to zone change application. Motion made by Commissioner Dayle Smith that zone change application by Elvin and Lester Lowery from RL&NR to C District be approved as requested on second and final reading of ordinance. Motion was seconded by Commissioner Don E. Boyd, and a unanimous affirmative vote was recorded.

6. Sanitation Department - Purchase of Special Sanitation Equipment Approved - Roll-off System - Hydraulic Tilt Frame and Reeving Assembly

City Manager Westerholm stated that City Public Works Coordinator Dwayne Humphrey had made considerable study regarding the purchase of a Roll-off system utilizing a hydraulic tilt frame and reeving assembly as requested from last regular meeting. City Manager Westerholm stated that Lufkin Industries and Texas Foundries had discussed this proposal but desired not to make any formal commitments until the City Commission had a definite rate. City Manager Westerholm stated that it would be necessary for the City Commission to establish the rates in order to gain these services based on the recommendation submitted to them for consideration by City Public Works Coordinator as follows:

One run will take approximately 1.3 hours.

<u>Comparison Operating Cost</u> <u>Present System</u>		<u>Proposed System</u>	
1 load = 34 yds.		1 load = 42 yds.	
22 stops per load		1 stop per load	
Time to load 2.5 hours		Time to load .1 hours	
Time to landfill 1.3 hours		Time to landfill 1.3 hours	
Cost to business @ 1.00/yd. -		Cost to business @ 2.00/yd. -	
	\$176.00		\$84.00
Cost of landfill @ .76/yd. -		Cost of landfill @ .76/yd. -	
	\$ 25.84		\$31.92
Cost of truck @ 44.00/hr -		Cost of truck @ 38.00/hr -	
	\$167.20		\$53.20
Difference	-17.04	Difference	-1.12
Suggested rate for Roll-off users		\$2.00/cu.yd. compacted	
		1.25/cu.yd. noncompactd	

Potential Customers

<u>Customer</u>	<u>No. of Containers</u>	<u>Pick-up Rate</u>
Sears	1	Twice weekly
Penneys	1	Twice weekly
Lufkin Mall	2	1 container/day
Angelina Periodicals	1	Daily
Georgia Pacific	1	2/wk.

Commissioner E. C. Wareing stated that previous information received by local industry had been verbal and no written commitments had been made to industry on a formal outline basis describing the actual cost. Mr. Wareing stated that, in his opinion, both industries would accept the Roll-off system but they desired a more formal understanding of proposal.

Mayor Garrison stated that it would be necessary to establish a rate and report this rate to industries.

City Public Works Coordinator Dwayne Humphrey reported to members of Commission that an additional call had been received this date from the new Lufkin Mall requesting two additional containers. Mr. Humphrey also reported that it appeared the trucks which would transport these containers would last about two years longer than the present overhead container units.

Mayor Garrison also recognized Mr. Jack Hicks, a local attorney, representing the Lufkin Mall. Mr. Hicks expressed the desire of the Lufkin Mall to obtain a Roll-off system of this type because of its economy.

Commissioner W. O. Ricks made motion that the Roll-off system be accepted and the recommended rates be approved in the amount of \$2.00 per cubic yard for compacted and \$1.25 per cubic yard for noncompact and combined low bid by TriPack Southwest Alternate (B) in the amount of \$52,137.60 be approved with the condition that industries accept this cost and system. Commissioner Pat Foley then seconded the motion with condition that industry not be made a part of acceptance or rejection of this system.

A brief discussion developed and City Manager Westerholm stated that in the event it was necessary to accommodate additional customers same could be served on a first-come-first-serve basis and a seven-day-per-week schedule could be established if necessary.

Commissioner E. C. Wareing also inquired as to whether or not a back-up vehicle was available in the event the Roll-off carrier vehicle experienced a breakdown. It was reported by Dwayne Humphrey that no particular company had been located which would serve in this capacity during breakdown but other individuals could be contacted regarding this matter.

Commissioner Wareing stated that the City should consider the Roll-off system with or without the back-up vehicle but certainly be aware of same in case of emergency.

Commissioner W. O. Ricks then amended his motion in accordance with request by Commissioner Pat Foley not to require industry to be instrumental in whether or not this system was accepted by the City. A unanimous affirmative vote was then recorded to the previous motion by Commissioner Ricks to accept the Roll-off system, the low bid, and the rate as recommended by the City Staff.

7. City Commission Dates Changed - February Sessions

Mayor Garrison stated that due to a conflict in his work schedule he would be unable to attend a City Commission meeting which was set for February and requested as to whether or not members of the Commission would be desirous of changing the meeting dates for the month of February to the second and fourth Tuesdays with the same times as usual for the first and second meetings of each month. There was no opposition from members of Commission and motion was made by Commissioner W. O. Ricks that suggestion by Mayor Garrison be approved to establish the second and fourth Tuesdays of February as being the two regular meetings of the City Commission for the month of February, 1980, with the standard times being the same for the first meeting of the month at 7:30 p.m. and the second meeting of the month at 5:00 p.m. Motion was seconded by Commissioner Don E. Boyd and a unanimous affirmative vote was recorded.

8. Approval of Bids - Uniforms - All City Departments

City Manager Westerholm stated that bids had been considered for the purchase of uniforms for the various City Departments and only one bid had been received being from Factory Sales of Houston, Texas, which was the City's current supplier of uniforms. It was further reported that their bid was 9% above the City's cost for the previous year. City Manager Westerholm recommended the purchase of uniforms from this company under the circumstances.

Motion was made by Commissioner Dayle Smith and seconded by Commissioner Richard Thompson to purchase uniforms for the City from Factory Sales in accordance with bid as submitted for this year. A unanimous affirmative vote was recorded.

9. Texas Power and Light Company - Rate Increase Delayed - Approval of Ordinance First and Final Reading

Mayor Garrison stated that the City Commission had received request from Mr. James Kerbo of Texas Power and Light Company for a rate increase. Mayor Garrison stated that information from the City Manager indicated that the City of Waco planned to intervene before the Public Utility Commission hearing as in the past and members of Commission may desire to consider delay on this application for rate increase request for a period of 120 days pending the results of the PUC hearing.

Mayor Garrison asked City Attorney Flournoy as to whether or not he had an ordinance which would provide a 120-day delay. City Attorney Flournoy stated that a copy of ordinance was available and members of Commission, following a brief discussion, were in unanimous agreement that consideration for delay be approved.

Motion was made by Commissioner Pat Foley that ordinance be approved on first and final reading formally delaying consideration of this rate increase request for 120 days pending approval of Public Utility Commission as stated by Mayor Garrison. Motion was seconded by Commissioner E. C. Wareing and a unanimous affirmative vote was recorded.

Mayor Garrison requested that City Manager Westerholm discuss with other TPL cities possible intervention before the Public Utility Commission. Mayor Garrison also recognized Mr. James Kerbo, manager of Texas Power and Light Company, who stated that his company had three main areas of concern in which this rate increase request was being considered involving the following:

- 1. double-digit inflation
- 2. more state and federal regulations
- 3. continued increase in fuel costs

Mr. Kerbo thanked members of Commission for their consideration.

10. Dog Registration Fee - Approval of Resolution to Eliminate Code Requirement - Discussion of Future Amendment to Ordinance

Mayor Garrison explained that the City of Lufkin was organizing a rabies vaccination program which would provide local veterinarians vaccination opportunities at central locations. Mayor Garrison also stated that all animals which were brought to these central locations would be vaccinated at a reduced fee of \$4.00. City Manager Westerholm recommended that the City Code be amended to remove the requirement of dogs being licensed since the leash law did not allow dogs to run at large. Mayor Garrison also stated that it appeared this would encourage more pet-owners to vaccinate their pets for rabies and curtail any possible rabies epidemic in the Lufkin area.

City Attorney Flournoy suggested a motion to waive this fee until a formal ordinance could be prepared amending the Code which provided for same.

Commissioner Pat Foley then made motion that registration fee of \$1.00 which was the present requirement of the Code be waived until a formal ordinance amending the City Code in this regard could be considered by this Commission. Motion was seconded by Commissioner E. C. Wareing and a unanimous affirmative vote was recorded.

Mayor Garrison stated that ordinance should be prepared for consideration at a later meeting in this regard. Commissioner Pat Foley complimented the City Staff for proceeding with this type program before it achieved an uncontrollable condition as was the recent case in the Houston area.

11. City Water Plant Construction - Approval of Change Order - Field Collection and Elevated Storage Supply Lines - Shull Construction Company

City Manager Westerholm stated that Griffith Engineers had recommended consideration of change order by Shull Construction Company for water well field collection and elevated storage supply lines under construction at the water treatment plant. City Manager Westerholm stated that the change order involved \$16,261.46 which would cover additional costs to provide a minimum of down time while new lines were being coupled in at the plant. City Manager Westerholm stated that he would recommend approval of this change order as a necessary function of the construction.

Motion was then made by Commissioner E. C. Wareing that this change order be approved as Change Order No. 1 for Shull Construction Company. Motion was seconded by Commissioner Pat Foley. A unanimous affirmative vote was recorded.

12. Community Development Block Grant - Status Report

Commissioner Don E. Boyd inquired of City Manager Westerholm as to the status of the City's Community Development Block Grant application. City Manager Westerholm stated that the Community Development Block grant had received approval of the A95 review committee of the Texas Department of Community Affairs and was presently being considered by higher authorities. City Manager Westerholm also stated that further reports would be submitted to the Commission as they were received regarding same.

13. There being no further business for consideration, meeting adjourned at 8:15 p.m.



Edgar C Wareing

Mayor Pro Tem - City of Lufkin

ATTEST:

Walter Garrison

Assistant City Manager