

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 7TH DAY OF NOVEMBER, 1989, AT 5:00 P.M.

On the 7th day of November, 1989, 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:

Louis A. Bronaugh	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Danny Roper	Commissioner, Ward No. 3
Bob Bowman	Commissioner, Ward No. 4
Jack Gorden	Commissioner, Ward No. 5
Paul Mayberry	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Brian Boudreaux	Assistant City Manager
Robert Flournoy	City Attorney
Ron Wesch	Public Works Director
Atha Stokes	City Secretary

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Frank Starr, Minister First Lutheran Church.

2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of October 17, 1989 were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Bob Bowman. A unanimous affirmative vote was recorded.

4. ORDINANCE - APPROVED - PUBLIC PROPERTY FINANCE CONTRACTUAL OBLIGATIONS

Mayor Bronaugh stated that the first item for consideration was an Ordinance approving and authorizing the execution and delivery of Public Property Finance Contractual Obligations.

Mike Byrd of First Southwest Company, financial advisor for the City, stated that the Notice of Sale and bidding instructions on the \$800,000 Public Property Finance Contractual Obligation bonds had been distributed throughout the State of Texas and the United States.

The following is a tabulation of the bids:

<u>ACCOUNT</u>	<u>EFFECTIVE INTEREST RATE</u>
First Southwest Company	7.113659
Rauscher Pierce Refsnes, Inc.	7.258928
Dean Witter Reynolds, Inc.	7.178159
NCNB Texas	7.231044
Bank One, Texas	7.095038
Prudential Bache	----
Paine Webber, Inc.	6.986607

Mr. Byrd recommended that the City accept the bid of Paine Webber, Inc., stating that it represents a very good deal for the City.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry that Ordinance be approved on First Reading as presented, and that bid of Paine Webber, Inc. be accepted as the best bid. A unanimous affirmative vote was recorded.

5. RESOLUTION - APPROVED - PAYING AGENT/REGISTRAR AGREEMENT - FIRST CITY TEXAS, AUSTIN

Mayor Bronaugh stated that the next item for consideration was a Resolution approving and authorizing the execution of a Paying Agent/Registrar Agreement.

Mr. Byrd stated that this Resolution recommends the First City Texas Bank of Austin as the paying agent and the Bank has agreed to handle these securities for a minimum of \$400.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Don Boyd that Resolution approving and authorizing the execution of a Paying Agent/Registrar Agreement be approved as submitted. A unanimous affirmative vote was recorded.

6. ORDINANCE - APPROVED - FIRST READING - TMRS - UPDATED SERVICE CREDIT - INCREASE TO ANNUITANTS - MILITARY SERVICE CREDIT

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance adopting new TMRS provisions for updated service credit and 70% increase to annuitants, and military service credit.

City Manager Westerholm stated that the updated service credit allows City of Lufkin retirees to use the last three years of employment as basis for their retirement.

City Manager Westerholm stated that the updated service credit is done yearly and establishes a history of retirement payments based on the last three (3) previous years. City Manager Westerholm stated that the Ordinance also provides for the adoption of 70% of the Consumer Price Index to be added to the retiree's benefits. City Manager Westerholm stated that the adoption of these two items will change the City's contribution rate from 7.57% to 7.59% of gross pay, or approximately \$707 for the remainder of this fiscal year.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

City Manager Westerholm stated that item "b" (Military Service Credit) allows employees with military service to buy back this time up to 60 months at \$15 for each month of military service. City Manager Westerholm stated that the military service credit will only affect three or four employees.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Don Boyd that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

7. AUTHORIZATION - APPROVED - COUNTYWIDE REGIONAL WATER SYSTEM STUDY - ADDITIONAL SERVICES

Mayor Bronaugh stated that the next item for consideration was authorization for additional services performed on the countywide regional water system study.

City Manager Westerholm stated that Jimmy Griffith has requested \$8,000 in additional funds for services performed in the regional water study, which have exceeded the original estimate of work. City Manager Westerholm stated that the maximum grant was for 50% of \$82,000 and the contract with Mr. Griffith was for \$74,000.

Commissioner Simond stated that he would like for Mr. Griffith to be present to answer questions by members of the Commission.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Jack Gorden that the sum of \$8,000 be approved for additional services performed on the county wide regional water system study.

Commissioner Bob Bowman recused himself from voting.

A unanimous affirmative vote was recorded.

8. ORDINANCE - APPROVED - FIRST READING - SANITATION RATES - INCREASED

Mayor Bronaugh stated that the next item for consideration was possible adjustment of sanitation rates to offset the increase in landfill fees.

City Manager Westerholm stated that the State of Texas has imposed an additional fee of 17¢ per compacted cubic yard for the County and the County has passed it on to the City. City Manager Westerholm stated that this additional charge will increase the City's operating costs by 1-1/2%, changing the present residential rate from \$6.65 to \$6.75.

City Manager Westerholm made recommendation that sanitation charges be increased by 10¢ a month on residential customers and by 1-1/2% on commercial customers effective January 1, 1990.

In response to question, Mr. Wesch stated that the City pays \$300,000 annually to the County landfill and that this increase will result in an additional amount of \$25,000.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Jack Gorden to raise sanitation rates by 10¢ a month on residential customers and by 1-1/2% on commercial customers effective January 1, 1990. A unanimous affirmative vote was recorded.

City Attorney Flournoy stated that he will have an Ordinance ready for second reading at next meeting reflecting this increase.

9. CONSTRUCTION PLANS - APPROVED - BROOKHOLLOW ADDITION #12

Mayor Bronaugh stated that the next item for consideration was approval of construction plans for Brookhollow Addition #12.

City Manager Westerholm stated that Rufus Duncan had submitted plans for Brookhollow Addition #12, which were approved unanimously by the Planning and Zoning Commission with the provision that the pavement reduction from 6" to 5" be allowed on an experimental bases as long as it is done in concrete with adequate reinforcement and appropriate soil testing and compaction.

Mr. Wesch stated that he would highly recommend this request since pouring the street monolithically (street and curb at one time) would make a better street.

Philip Goodwin stated that the addition will not have an entrance onto Gobblers Knob.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that construction plans for Brookhollow Addition #12 be approved as presented. A unanimous affirmative vote was recorded.

10. DRUG ABUSE REDUCTION EDUCATION PROGRAM (DARE) - APPROVED

Mayor Bronaugh stated that the next item for consideration was an application to participate in drug abuse reduction education (DARE), and to consider a report from Chief Collins concerning drug trafficking at apartment complexes.

City Manager Westerholm stated that Chief Collins will not have a report tonight concerning drug trafficking at apartment complexes since the Police Department will have their first meeting with apartment complex managers tomorrow (November 8th). Chief Collins stated that the meeting will be held at Deer Cross Apartments and complex managers will be taught how to recognize signs and symptoms of drugs, and legal recourse.

Chief Collins stated that he will need City Commission approval to file a grant application with DETCOG for funding of this program. Chief Collins stated that the grant will be 100% funded for the first year and diminishing each year thereafter by 20%.

Chief Collins stated that he will need to amend the Police Department budget in order to hire two more people. Chief Collins stated that he would like to begin the program when the 1990-91 school year starts in September 1990. Chief Collins stated that the two (2) officers will be used to teach the program in the 5th and 6th grades on all LISD elementary school campuses. Chief Collins stated that each course lasts 17 weeks and both officers will be in the classroom 34 weeks the first year. Only one officer will be needed to teach the course to the 5th grade thereafter.

Chief Collins stated that the City and school will share the expenses 50/50.

Also present in representation of the grant application were: Barbara Davis, Drug Co-ordinator for the Chamber of Commerce; Jerry Campbell, representing LISD and Kenzy Hallmark, spokesman for the community.

Chief Collins stated that LISD has a person who is very knowledgeable about grant applications and is assisting in the preparation of the application.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that application to participate in drug abuse reduction education (DARE) be approved as presented. A unanimous affirmative vote was recorded.

Mayor Bronaugh recognized Lt. Amos Lewis, who stated that Crimestoppers will be sponsoring the "Jailathon" this Thursday and Friday.

Mayor Bronaugh stated that a reception will be held in the City Hall atrium from 5-6:30 p.m. Wednesday to honor the Crimestoppers Board of Directors for recent state and international awards, and Lt. Lewis and Officer David Fudge for their contributions to the program.

11. AMBULANCE SERVICE AGREEMENT - APPROVED - ANGELINA COUNTY

Mayor Bronaugh stated that the next item for consideration was approval of an ambulance service agreement with Angelina County.

City Manager Westerholm stated that this agreement is the same as last year's agreement. City Manager Westerholm stated that there was no need to increase fees since there will be a greater participation from Medicaid and an increase in revenue from adjusted fees, which should be adequate.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry that Ambulance Service Agreement with Angelina County be approved as recorded. A unanimous affirmative vote was recorded.

12. LANDFILL USE - LONG-TERM COMMITMENT - APPROVED - ANGELINA LANDFILL

Mayor Bronaugh stated that the next item for consideration was a long-term commitment to Angelina County for landfill use.

City Manager Westerholm stated that Mr. Rocky Webb has approached the City and County with a proposal to establish a total recycling plant using all the waste materials brought to the County landfill. City Manager Westerholm stated that for Mr. Webb to be able to build such a plant he would want a 10-year commitment for all the garbage and waste materials brought to the County landfill.

City Manager Westerholm stated that the City will need to commit approximately \$9 per ton for solid waste to be placed in the landfill and that increases will be natural increases over a 10-year period. City Manager Westerholm stated that the first three (3) years will be "locked-in" at \$9 per ton and the next seven (7) years based on the Consumer Price Index, with no future increase to be more than 10%.

Mr. Webb stated that he will not be in conflict with the City's recycling program, and will need 150 tons of solid waste per day.

Mr. Webb stated that he presently has fifteen (15) systems in place and they are totally financed by his company.

Mayor Bronaugh stated that Mr. Webb will have an assembly line process in an all enclosed plant and all solid waste will be processed the same day it is brought in.

Mayor Bronaugh stated that the City Commission will not be endorsing this program but merely committing to the County landfill.

City Attorney Flournoy stated that the City's commitment will be through a contract with the County and the commitment will be contingent upon the program going through.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that long-term commitment to Angelina County for landfill use be approved in accordance with contract agreement to be drawn up by City Attorney. A unanimous affirmative vote was recorded.

13a. BID - APPROVED - STREET SWEEPER - INDUSTRIAL DISPOSAL SUPPLY

Mayor Bronaugh stated that the next item for consideration was bid for street sweeper to be used in the Public Works Department.

City Manager Westerholm stated that the low bid had been received from Industrial Disposal Supply in the amount of \$74,026 with a \$3,000 trade-in for a total of \$71,026. The budgeted amount for this item was \$85,000.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that bid of Industrial Disposal Supply in the amount of \$71,026 be accepted as the lowest and best bid. A unanimous affirmative vote was recorded.

13b. BID - APPROVED - SIDE LOADERS - BOND EQUIPMENT

Mayor Bronaugh stated that the next item for consideration was bid for two (2) side loaders.

City Manager Westerholm stated that the low bid had been received from Bond Equipment in the amount of \$165,370.

Mr. Wesch stated that these side loaders would be used as replacement equipment with no trade-in.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry that bid of Bond Equipment in the amount of \$165,370 be

accepted as the lowest and best bid. A unanimous affirmative vote was recorded.

13c. BID - APPROVED - FRONT END LOADER - BARRETT MACK

Mayor Bronaugh stated that the next item for consideration was bid for front end loader.

City Manager Westerholm stated that the low bid had been received from Barrett Mack in the amount of \$94,099.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that bid of Barrett Mack in the amount of \$94,099 be accepted as the lowest and best bid. A unanimous affirmative vote was recorded.

13d. BID - APPROVED - FIRE TRUCK - CASCO INDUSTRIES

Mayor Bronaugh stated that the next item for consideration was bids for a fire truck for the Fire Department.

City Manager Westerholm stated that Purchasing Agent David Cochran had requested proposals from six (6) companies and had received only one bid. City Manager Westerholm stated that he had received a letter from Mr. Cochran listing the reasons why the other firms had not submitted a bid.

City Manager Westerholm stated that Mr. Cochran was recommending the bid of Casco Industries for a FMC fire truck, to include a Jacobs engine brake, in the amount of \$170,625.

Chief Snyder stated that he and Asst. Fire Chief Murry Brown and three (3) Battalion Chiefs had submitted the specifications for the fire truck to Mr. Cochran.

Mr. Cochran stated that the bid of Casco Industries was received the day the bids were to be opened. Commissioner Gorden suggested that the staff re-evaluate the bidding process.

Chief Snyder stated that if the fire truck has to be re-bid, it would create a time problem because it takes time to build the truck and the delivery date on the truck is 180 days.

City Manager Westerholm stated that the Fire Department personnel wanted to be specific enough to get the equipment that they wanted. Chief Snyder stated that this piece of equipment is expected to last thirty (30) years.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Danny Roper that bid of Casco Industries in the amount of \$170,625 for a FMC fire truck including a Jacobs engine brake, be approved as submitted.

The following vote was recorded:

Aye: Commissioners Bowman, Roper, Gorden, Simond, Mayor Bronaugh

Nay: Commissioners Mayberry and Boyd

Motion carried.

13e. BID - APPROVED - JANITORIAL SERVICES - WALTER SMITH ENTERPRISES

Mayor Bronaugh stated that the next item for consideration was bids for janitorial service for the municipal building and the Police Department.

City Manager Westerholm stated that the low bid for janitorial services had been received from Walter Smith Enterprises for \$23,999.98, including carpet cleaning. City Manager Westerholm stated that Mr. Smith's bid for window washing twice a year was \$400.

City Manager Westerholm stated that last year's bid was for \$29,534, and that the janitorial service did not complete the contract. Asst. City Manager Brian Boudreaux stated that Don Hannabas has supplied the City with two (2) employees until the bid is awarded.

Mr. Cochran stated that in the new contract a statement has been added that the vendor and City will conduct a weekly inspection.

Lane Allen, Executive Director of Goodwill Industries, stated in support of his bid, that his firm is a local, independent firm whose primary function is to hire the handicapped.

Commissioner Roper suggested that the new contract, or future contracts, address some kind of notification policy in writing to the vendor if he is not performing his duties satisfactorily, and a provision for cancelling the contract.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Percy Simond that bid of Walter Smith Enterprises for janitorial services be accepted as presented.

The following vote was recorded:

Aye: Commissioners Bowman, Simond, Roper, Boyd, Mayberry

Nay: Commissioner Gorden

Mayor Bronaugh refrained from voting.

Motion carried.

13f. BID - APPROVED - RADIO SCRAMBLING UNIT - JOHNSTON ELECTRONICS

Mayor Bronaugh stated that the next item for consideration was bid for radio scrambling units to be used by the Police Department.

City Manager Westerholm stated that the low bid had been received from Johnston Electronics at \$250 per unit installed and programmed.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper that bid of Johnston Electronics in the amount of \$250 per unit installed and programmed be accepted as the lowest and best bid. A unanimous affirmative vote was recorded.

13g. BIDS - APPROVED - VEHICLES - WATER AND SEWER - STREET DEPARTMENT - WATER COLLECTION - PARKS DEPARTMENT - ZOO - INSPECTIONS - AL MEYER FORD - ANGELINA AUTOPLEX

Mayor Bronaugh stated that the next item for consideration was bids for vehicles to be used in various City departments.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper that the bid of Al Meyer Ford for three (3) 3/4 ton pickup trucks with utility bed (two vehicles purchased from Water and Sewer Fund and one vehicle purchased with Contractual Obligations) in the amount of \$15,175 each be accepted as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that the bid of Angelina Autoplex for one (1) economy pickup and one (1) 1/2 ton pickup to be purchased from the Water and Sewer Fund and two (2) 1/2 ton pickups to be purchased with Contractual

Obligations be accepted as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that bid of Angelina Autoplex for one (1) staff car for the Inspections Department be accepted as presented. A unanimous affirmative vote was recorded.

3h. BID - APPROVED - POLICE VEHICLES - POLICE DEPARTMENT - ANGELINA AUTOPLEX - AL MEYER FORD

Mayor Bronaugh stated that the next item for consideration was bids for nine (9) patrol cars and one special purpose vehicle to be used in the Police Department.

City Manager Westerholm stated that the low bid for the special purpose (pursuit) vehicle was received from Al Meyer Ford in the amount of \$12,626.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that bid of Al Meyer Ford in the amount of \$12,626 for the special purpose (pursuit) vehicle be approved as presented. A unanimous affirmative vote was recorded.

City Manager Westerholm stated that the low bid for the nine (9) patrol cars had been received from Knapp Chevrolet in Houston in the amount of \$12,700 each, for a total bid of \$114,300. City Manager Westerholm stated that he was recommending that the Commission accept the local bid of Angelina Autoplex in the amount of \$13,182.08 each, for a total bid of \$118,638.72, because warranty and service maintenance will be available locally.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Jack Gorden that bid of Angelina Autoplex in the amount of \$118,638.72 for nine (9) patrol vehicles be accepted as presented.

The following vote was recorded:

Aye: Commissioners Simond, Gorden, Roper, Bowman, Mayor Bronaugh

Nay: Commissioners Mayberry and Boyd

Motion carried.

13i. BID - APPROVED - LEASE-PURCHASE- BALER & CONVEYOR - INDUSTRIAL DISPOSAL SUPPLY

Mayor Bronaugh stated that the next item for consideration was bid for lease/purchase of a baler and conveyor to be used by the Public Works Department for the recycling program.

Ron Wesch, Public Works Director, stated that there was a separate set of specifications for the baler and conveyor and he is recommending the bid of Industrial Disposal Supply in the amount of \$57,455, based on a 48-month lease/purchase plan at \$1,400 per month. Mr. Wesch stated that he had budgeted \$1,000 per month for the lease-purchase of the equipment for the recycling program.

Mr. Gary Goswick, representing American Baler Company of Bellevue, Ohio, addressed the Commission concerning his firm's bid. Mr. Goswick stated that his firm was second low bidder on the conveyor and was the actual low bid on the baler. Mr. Goswick stated that he had bid a closed-in baler.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Paul Mayberry to accept the bid of Industrial Disposal Supply

for baler and conveyor in the amount of \$57,455 on a lease/purchase agreement at \$1,400 per month as the best bid.

The following vote was recorded:

Aye: Commissioners Roper, Gorden, Bowman, Mayberry, Mayor Bronaugh

Nay: Commissioners Simond and Boyd

Motion carried.

13j. BID - APPROVED - FILING CABINETS - ACCOUNTING DEPARTMENT - PERSONNEL DEPARTMENT - STORY-WRIGHT

Mayor Bronaugh stated that the next item for consideration was bids for filing cabinets to be used in the Accounting and Personnel Departments.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that bid of Story-Wright for eleven (11) filing cabinets in the amount of \$2,585 be approved as presented. A unanimous affirmative vote was recorded.

14. EXECUTIVE SESSION


Mayor Bronaugh recessed formal session of the City Commission at 8:48 p.m. Regular Session reconvened at 8:57 p.m. and Mayor Bronaugh stated that litigation and an appointment to the Tax Appraisal District had been discussed.

15. TAX APPRAISAL DISTRICT - APPOINTMENT - MAYOR LOUIS BRONAUGH

Mayor Bronaugh stated that the next item for consideration was appointment to the Tax Appraisal District.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Don Boyd that Mayor Louis Bronaugh be appointed to the Tax Appraisal District. A unanimous affirmative vote was recorded.

16. There being no further business for consideration, meeting adjourned at 9:00 p.m.


Louis A. Bronaugh, Mayor

ATTEST:


Atha Stokes, City Secretary