

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 17TH DAY OF JANUARY, 1978, AT 5:00 PM

On the 17th day of January, 1978, 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
Jack McMullen	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	Asst. City Manager

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

1. Meeting opened with prayer by Roger G. Johnson, Asst. City Manager, Lufkin, Texas.
2. Mayor Garrison welcomed a small group of visitors who were present in connection with items on the agenda or as observers.
3. Approval of Minutes

Comm. E. C. Wareing made motion that minutes of regular meeting of January 3, 1978, be approved. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

4. Annexation & Permanent Zoning Ordinances Approved 1st Reading-Tom Gann-Whitehouse Drive

Mayor Garrison stated that hearing had been held at last regular meeting on request by Tom Gann for annexation and permanent zoning of property located South of Whitehouse Drive, between U. S. Highway 59 South and FM 58.

There were no persons present appearing in opposition to same and there were no further questions from members of Commission.

Comm. Jack McMullen made motion that ordinance be approved on first reading annexing the above described property as advertised. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

Comm. W. O. Ricks, Jr., made motion that ordinance be approved on first reading for permanent zoning of the above described property as advertised. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

5. Annexation & Permanent Zoning Ordinances Approved 1st Reading-R. H. Duncan-Brookhollow #9 Subdivision

Mayor Garrison stated that hearing had also been held at last regular meeting for annexation and permanent zoning of Brookhollow #9 as requested by Mr. R. H. Duncan covering property located South of & adjacent to Brookhollow Nos. 5 & 6 at end of Live Oak Lane.

No further questions were asked by members of Commission and no opposition was present. Comm. E. C. Wareing made motion that ordinance be approved on first reading annexing the above described property as advertised. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

Comm. Jack McMullen made motion that ordinance be approved on first reading for permanent zoning of above described property as advertised. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

6. Annexation Ordinance Approved 1st Reading - Herty Area

Mayor Garrison stated that hearing had been held at last regular meeting regarding request by property owners in the Herty area located South of Highway 103 East & East of existing City Limits.

There were no persons present appearing in opposition to request for annexation and no further discussion developed by the City Commission. It was discussed that this area would be brought into the City as an "R" zone inasmuch as no zoning was specified. Mayor Garrison expressed his opinion that the City Planning & Zoning Commission should recommend a zoning of this area within the near future.

Comm. E. C. Wareing made motion that ordinance be approved on first reading annexing above described property as advertised. Motion was seconded by Comm. R. A. Brookshire and the following vote was recorded:

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

Voting Nay: Comm. Pat Foley

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

Mayor Garrison requested that City Manager Westerholm relate request of the City Commission to the City Planning & Zoning Commission to consider zoning of this property in the near future for recommendation to the City Commission.

7. Zone Change Approved 2nd Reading-Lufkin Industries, Inc., from RM to RM District & Special Use, Item 18 (Parking Lot)

Mayor Garrison stated that zone change application by Lufkin Industries, Inc., from RM to RM District & Special Use, Item 18 (Parking Lot), covering property being a portion of Lot 3, Block 1, Hill Addition, fronting on South side of Jefferson Avenue between Falvey & Raguet Streets, had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to application and Comm. E. G. Pittman recused himself from discussion or vote on this item due to his affiliation with Lufkin Industries.

Comm. W. O. Ricks, Jr., made motion that zone change application by Lufkin Industries, Inc., from RM to RM District, Special Use, Item 18 (Parking Lot), be approved on second and final reading. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

8. Zone Change Approved 2nd Reading-Mrs. J. J. Young from RM to RM & C District, Special Use (Construction Storage Yard)

Mayor Garrison stated that zone change application by Mrs. J. J. Young from RM to RM & C District, Special Use (Construction Storage Yard), covering property being Lots 10 & 11, Block 1 of Forest Park Second Addition, fronting on East side of Timberland Drive, between McCall Drive & Duncan Street, had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to application. Comm. W. O. Ricks, Jr., made motion that zone change application by Mrs. J. J. Young from RM to RM & C District, Special Use (Construction Storage Yard), be approved on second and final reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

9. Zone Change Approved 2nd Reading-El Chico Corporation from C to C District & Special Use, Item 16 (Private Club)

Mayor Garrison stated that zone change application by El Chico Corporation from C to C District, Special Use, Item 16 (Private Club), covering property located at existing El Chico Restaurant, South of Loop 287, West of & fronting on South First Street (U. S. Highway 59 South), had been approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to application. Comm. W. O. Ricks, Jr., made motion that zone change application by El Chico Corporation from C to C District, Special Use, Item 16 (Private Club), be approved on second and final reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

10. Zone Change Approved 1st Reading-Eula B. Carney from RM to A District

Mayor Garrison stated that zone change application by Eula B. Carney from RM to A District covering property fronting on West side of Tulane Drive, across from Armory Drive intersection, had been recommended by the City Planning & Zoning Commission for approval.

There were no persons present appearing in opposition to application and there was no further discussion by City Commission members. Comm. R. A. Brookshire recused himself from discussion or vote on this item due to his interest in this property.

Comm. Pat Foley made motion that zone change application by Eula B. Carney from RM to A District be approved on first reading of ordinance. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

11. Zone Change Approved 1st Reading-Sabine Investment Company from D to C District on Tract 1; from RS & SU to C District on Tract 2; from RS & SU to D District on Tract 3; and from RM to D District on Tract 4

Mayor Garrison stated that zone change application by Sabine Investment Company from D to C District on Tract 1, from RS & SU to C District on Tract 2, from RS & SU to D District on Tract 3, and from RM to D District on Tract 4, covering property located in Crown Colony Subdivision East of U. S. Highway 59 South, across from Angelina Junior College, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to application. Comm. Jack McMullen made motion that zone change application by Sabine Investment Company from D to C District on Tract 1, from RS & SU to C District on Tract 2, from RS & SU to D District on Tract 3 and from RM to D District on Tract 4, be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

12. Lufkin Fire Dept.-Civil Service Classification Plan Amended to Add Senior Captain/Training Officer Position

Mayor Garrison stated that members of Commission had been furnished minutes from the Civil Service Commission which had recently recommended amendment to the City Civil Service Classification Plan for the Lufkin Fire Department to add a Senior Captain/Training Officer position which was provided in the recent budget by the City Commission.

City Manager Westerholm explained that it was the requirement of the Civil Service regulation that the governing body of the City make formal amendment to the classification plan to provide for this new position.

Mayor Garrison made reference to the fact that it was his understanding the Captains in the Fire Department would not take this examination. City Manager Westerholm explained that this was also his understanding and in the event the Captains did not take the exam, it would become available to Lieutenants who were in the next lower position.

Mayor Garrison questioned a system that did not encourage growth and development and City Manager Westerholm explained that the Senior Captain/Training Officer position was a 40-hour week job and did not provide the same opportunities as would the Captain position.

Comm. W. O. Ricks, Jr., made motion to approve recommendation of the City Civil Service Commission to amend the Civil Service Classification Plan for addition of a Senior Captain/Training Officer position on first reading of ordinance. Motion was seconded by Comm. E. G. Pittman and the following vote was recorded:

Voting Aye: Comms. R. A. Brookshire, Pat Foley, Jack McMullen, E. C. Wareing, W. O. Ricks, Jr., and E. G. Pittman

Voting Nay: Mayor Garrison

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

Comm. Pat Foley requested that City Manager Westerholm monitor this newly created position and report to the City Commission in the event same did not appear to be adaptable.

13. Plumbing Code-Proposed Ordinance Recommended for Amendment

City Manager Westerholm stated that members of City Commission had previously requested a proposed amendment to the Plumbing Code which would require cast iron pipe on all piping and fitting in house collection and drainage systems, which were identifiable by all areas subject to water flow or flooding. City Manager Westerholm reported that the present ordinance, as strictly enforced, could effect this requirement. City Manager Westerholm explained it was his opinion that there should be some notice to this effect since it had not been enforced in the past. City Manager Westerholm also stated that the City was presently using only copper, lead or cast iron in areas where same was under the slab. City Manager Westerholm stated that there was a type of plastic pipe which could be used, but not within five feet of any concrete foundation, and the City had only been applying this requirement horizontally and not vertically.

City Manager Westerholm recommended that the City Commission may desire to consider an ordinance of amendment to clarify this procedure. Mayor Garrison was in agreement with recommendation by City Manager Westerholm to provide a more explicit interpretation of these requirements as was agreed by Comms. W. O. Ricks, Jr., and E. C. Wareing. Commission members than unanimously agreed to authorize the City Manager to prepare a proposed ordinance for consideration at next regular meeting to amend the Plumbing Code to clarify this procedure.

Comm. R. A. Brookshire also requested that more information be submitted to the City Commission on the use of PVC pipe under the slab, or additional information from surrounding Cities concerning the use of same. Comm. Brookshire desired the City Commission consider the use of PVC under slab while also considering code clarification concerning materials to be used in the waste collection system as previously discussed.

City Manager Westerholm stated that he would have this information available for review at next regular meeting.

Mayor Garrison recognized Mr. Tim Hill who was present in representation of the Lufkin Plumbing Association. Mr. Hill stated that he would furnish members of Commission information regarding the use of PVC and ABS pipe. Mayor Garrison thanked Mr. Hill for his assistance and stated that members of the City staff would welcome any information they desired to present to assist in clarification of this question.

14. Bids Awarded-Fire Dept.(Van)-Street Dept.(Street Sweeper, Dump Trucks & Asphalt Paver)

City Manager Westerholm stated that bids had been received for the purchase of an asphalt paving machine, street sweeper and two dump trucks for the Street Department, and one van-type truck for the Fire Department, and the following bids were reviewed:

FIRE DEPARTMENT VAN

Angelina Chevrolet-Cadillac Company	\$7,354.41	No Alternate
Greater Lufkin Ford Sales	\$7,496.05	\$7,593.61

ASPHALT PAVER

Asphalt Pavers Supply Company	\$19,295.00	\$16,995.00
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TWO DUMP TRUCKS

Greater Lufkin Ford Sales	\$10,902.00	(2)\$21,804.00
Angelina Chevrolet-Cadillac Co.	\$10,662.00	(2)\$21,324.00
E-Tex International	\$ 9,971.20	(2)\$19,942.40

ONE STREET SWEEPER

R. B. Everett & Company	\$42,140.00	Alt.-\$41,155.85
BDM Equipment Company	\$36,100.00	" \$34,100.00
Universal Engineering	\$51,455.00	None

City Manager Westerholm stated that the alternate bid submitted by Greater Lufkin Ford Sales in the amount of \$7,593.61 was the low bid meeting specifications as requested. Comm. Pat Foley made motion to approve low alternate bid submitted by Greater Lufkin Ford Sales for the purchase of a van-type truck vehicle in the amount of \$7,593.61. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

City Manager Westerholm stated that of the above listed bids for street sweeper, low bid recommended was from BDM Equipment Company in the amount of \$36,100.00. Mayor Garrison recognized Public Works Coordinator Wesley Byrd who stated that by considering a 1977 chassis, \$2,000 could be saved on the purchase of this sweeper. Comm. R. A. Brookshire made motion to approve low bid submitted by BDM Equipment Company in the amount of \$36,100.00, with the condition that \$2,000 be deducted for consideration of a 1977 chassis for a total amount of \$34,100.00. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

City Manager Westerholm stated that bids were received for two dump trucks in the Street Department as stated above, and the low bid submitted was from E-Tex International in the amount of \$19,942.40.

Comm. W. O. Ricks, Jr., inquired as to whether or not International trucks would provide adequate part availability. Public Works Coordinator Wesley Byrd stated that part supply houses were located in Houston and Dallas and same should not be a problem to obtain. Comm. Pat Foley inquired of delivery date which was not indicated and Mr. Byrd explained that these vehicles should be delivered within a 60 to 90-day period.

Comm. Pat Foley made motion to approve low bid submitted by E-Tex International for two dump trucks in the amount of \$19,942.40. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

City Manager Westerholm stated that only one bid was received for an asphalt paving machine to be used in the Street Department and Public Works Coordinator Wesley Byrd had furnished bid information to five companies who supplied this type machinery, while also advertising same in local paper as required. Mr. Byrd explained that the difference between the two bids submitted in the amount of \$19,295.00 and alternate bid of \$16,995.00 was that one of these machines was rubber-tired and the other was mounted on tracks. Mr. Byrd recommended the purchase of the chain-drive track type paving machine in the amount of \$19,295.00.

A brief discussion developed as to whether or not the single bid should be accepted. Comm. Pat Foley made motion to accept bid from Asphalt Pavers Supply Company in the amount of \$19,295.00 as recommended. Motion was seconded by Comm. E. C. Wareing and the following vote was recorded:

Voting Aye: Mayor Garrison, Comms. Pat Foley, Jack McMullen, E. C. Wareing and E. G. Pittman

Voting Nay: Comms. R. A. Brookshire and W. O. Ricks, Jr.

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

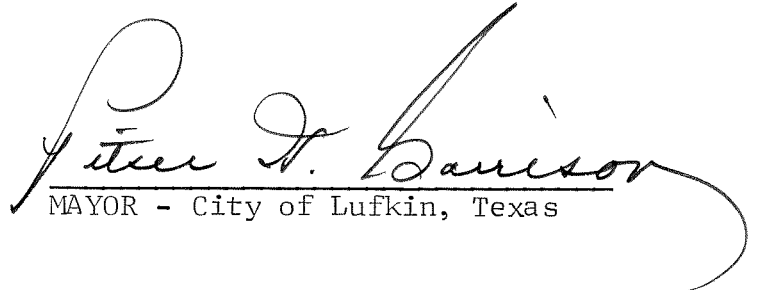
Comm. R. A. Brookshire requested that members of Commission be furnished information in the future regarding the amount of money budgeted for the purchase of items being considered for bids. City Manager Westerholm stated that he would supply this information in the future.

15. Abandoned Vehicle Board - Appointment Considered

Comm. E. C. Wareing stated that it had been brought to his attention the necessity for appointing an Abandoned Vehicle Board and members of Commission should consider suggested names submitted by City staff or make additional recommendations between now and next regular meeting, at which time same should be considered for appointment. Members of Commission were in agreement with suggestion by Comm. E. C. Wareing and requested that this item be placed on the agenda for consideration at next regular meeting.

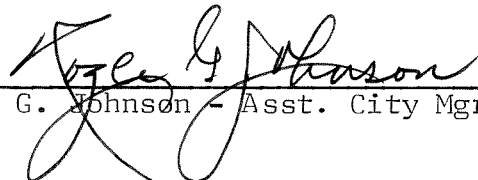
16. Adjournment

There being no further business for consideration, meeting adjourned at 6:02 p.m.


MAYOR - City of Lufkin, Texas

ATTEST:




Roger G. Johnson - Asst. City Mgr.