

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

On the 17th day of October, 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
Pat Foley	Commissioner, Ward No. 2
E. C. Wareing	Commissioner, Ward No. 4
W. O. Ricks, Jr.	Commissioner at Large, Place A
Richard Thompson	Commissioner at Large, Place B
Harvey Westerholm	City Manager
Robert L. Flournoy	City Attorney
Roger G. Johnson	Asst. City Manager

being present, and

R. A. Brookshire	Commissioner, Ward No. 1
Jack McMullen	Commissioner, Ward No. 3

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

1. Meeting opened with prayer by Rev. Morris House, Pastor of First United Methodist Church, Lufkin, Texas.
2. Mayor Garrison welcomed visitors present.
3. Approval of Minutes

Comm. W. O. Ricks, Jr., made motion that minutes of regular meeting of October 3, 1978, be approved. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

4. Open Hearing-Annexation & Permanent Zoning-Wickes Lumber Company, Home Savings & Loan Association and Texas Power & Light Company-Ordinance Set for 1st Reading

Mayor Garrison officially opened hearing regarding annexation and permanent zoning of property owned by Wickes Lumber Company, Home Savings & Loan Association and Texas Power & Light Company, covering property located between U. S. Highway 59 South and Brentwood Drive.

There were no persons present appearing in representation or opposition to this annexation and permanent zoning. Mayor Garrison closed hearing. There were no comments by members of Commission. Comm. W. O. Ricks, Jr., made motion to consider first reading of ordinance for annexation and permanent zoning of this property as advertised at next regular meeting on November 7, 1978. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

5. Mossfield Road Area-Annexation Approved 2nd Reading

Mayor Garrison stated that ordinance had been approved on first reading at last regular meeting annexing property located in the Mossfield Road area between Southridge Subdivision and Loop 287 West.

There was no opposition present and no further discussion from members of Commission. Comm. Richard Thompson made motion that annexation of Mossfield Road area 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 Approved 2nd Reading-Edgar Casper, Jr., from RL to RM District

Mayor Garrison stated that zone change application by Edgar Casper, Jr., from RL to RM District covering property fronting on West side of Casper Street, South of McMullen Street, East of North Raguet Street, had been approved on first reading of ordinance at last regular meeting.

10/17/78

There were no persons present appearing in opposition to this zone change request. Comm. Richard Thompson made motion that zone change application by Edgar Casper, Jr., from RL to RM District be approved on second and final reading. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

7. Zone Change Approved 1st Reading-Alton Carrier, Jr., from RL to HM District

Mayor Garrison stated that zone change application by Alton Carrier, Jr., from RL to HM District covering property located South of A&NR Railroad tracks & North Loop 287, West of Lake Street, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change as requested. Comm. E. C. Wareing made motion that zone change application by Alton Carrier, Jr., from RL to HM District be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

8. Zone Change Approved 1st Reading-Dallas Pierre from RS to A District

Mayor Garrison stated that zone change application by Dallas Pierre from RS to A District covering property located North of & fronting on Lofton Street, South of Kurth Drive, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change as requested. Comm. Pat Foley made motion that zone change application by Dallas Pierre from RS to A District be approved on first reading of ordinance. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

9. Zone Change Approved 1st Reading-Dallas Pierre from LB & RM to D Dist.

Mayor Garrison stated that zone change application by Dallas Pierre from LB & RM to D District covering property fronting on West side of Booker Street, North of Kurth Drive, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change as requested. Comm. Pat Foley made motion that zone change application by Dallas Pierre from LB & RM to D District be approved on first reading of ordinance. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

10. Zone Change Approved 1st Reading-Carl Rode & R. L. Cunningham from RL to C District

Mayor Garrison stated that zone change application by Carl Rode and R. L. Cunningham from RL to C District covering property in Tract I located adjacent to Southern Pacific Railroad tracks below South John Redditt Drive overpass; and Tract II located below South John Redditt Drive overpass adjacent to Lane Drive, had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in opposition to zone change as requested. Comm. W. O. Ricks, Jr., made motion that zone change application by Carl Rode and R. L. Cunningham from RL to C District be approved on first reading of ordinance. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

11. Bids Awarded-Fire Dept.-Civic Center Kitchen Equipment-Plastic Trash Liners & Leaf Bags

City Manager Westerholm reported that bids had been received from the following companies for purchase of a passenger vehicle and two van-conversion vehicles for use in the Fire Department:

<u>Name of Company</u>	<u>Bid Amount-Sedan</u>	<u>Bid Amount-2 Vans</u>
Ralph New Motor Company	\$7,055.77	No Bid
Morrow Buick-Pontiac, Inc.	\$6,855.05	No Bid
Angelina Chevrolet-Cadillac Co.	\$6,852.45	\$17,072.74
Greater Lufkin Ford Sales	\$6,525.82	\$16,909.22

10/17/78

City Manager Westerholm stated that of the above listed bids, Greater Lufkin Ford Sales was the low bidder and it had been recommended by the Fire Chief that consideration be given for purchase of the alternate bid of the low base bidder to obtain a privacy glass for the ambulance conversion vehicles at a cost indicated in bid tabulation.

Comm. Pat Foley made motion that bid be awarded to Greater Lufkin Ford Sales for the purchase of two van-conversion vehicles and one passenger sedan in amounts as indicated above, to include the privacy glass on alternate bid as indicated for ambulance conversion vehicles. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

City Manager Westerholm also reported that the following Civic Center Kitchen Equipment bids were received from various companies as indicated:

Dennard Supply Company - #1 - \$3,091.77
 Alt. #1 - \$5,152.95
 #2 - No Bid
 #3 - \$1,265.22
 #4 - \$772.12
 #5 - \$772.12

ANCON/Angelina Commercial Equipment - #1 - \$2,223.00
 Alt. #1 - \$3,705.00
 #2 - \$1,085.50
 #3 - \$1,650.00
 #4 - \$1,860.00
 #5 - \$1,860.00

Gerber's Restaurant Supply - #1 - \$3,845.70
 Alt. #1 - \$6,153.00
 #2 - \$993.75
 #3 - \$1,867.00
 #4 - \$1,867.00
 #5 - \$1,867.00

City Manager Westerholm stated that he would personally recommend that members of Commission purchase above listed equipment in accordance with low bids as submitted. Comm. Richard Thompson inquired as to whether or not companies as indicated above would be desirous of accepting separate bids on this equipment. It was reported by City Manager Westerholm that this information had been received and individual bids would be accepted by companies.

Comm. Pat Foley made motion to accept low bids as stated above with the provision that alternate bid on Item #1 providing five items instead of three items be accepted. Motion was seconded by Comm. W. O. Ricks, Jr.

Prior to vote on motion, Comm. E. C. Wareing informed members of Commission that bid submitted by Dennard Supply Company had not met specifications on Items 4 and 5. Following review of this information, it was determined that Dennard Supply Company was the low bidder on Items 4 and 5 and members of Commission may desire to purchase more of these items at this price to compensate the difference.

Comm. Pat Foley amended his previous motion to provide purchase from the low bidder of three plat and three glass lowerators at the price as indicated. Comm. W. O. Ricks, Jr., was in agreement with this amendment and a unanimous affirmative vote was recorded.

City Manager Westerholm stated that the following plastic trash liner and leaf bag bids had been received:

Name of Company	Trash Liners	Leaf Bags
Marketing Services & Co.	52 Cnt.Roll - \$2.766 Per Bag - \$.05319	100 Cnt.Roll - \$11.50 Alt.100 Cnt.Roll-\$12.50
Adams Industries, Inc.	50/Roll - \$2.7375 52/Roll - \$2.847	Per Bag - \$.1125
Bemis Company, Inc.	No Bid	No Bid
Industrial Disposal Supply Co.	No Bid	No Bid
Winzen Research, Inc.	No Bid	No Bid

10/17/78

City Manager Westerholm stated that of the above indicated bids, Marketing Services had not bid a 2-mil bag and bid as indicated in tabulation reflected only the alternate bid as indicated in specifications which specified a mil gauge thickness of 2.0 mils with a point-to-point variation not to exceed plus or minus 10 percent of the specified gauge. It was further reported that Adams Industries had not bid on the plus or minus 10 percent mil thickness.

Comm. W. O. Ricks, Jr., expressed his concern that members of Commission purchase the 2-mil bag due to a recent conflict with Marketing Services who had the bids from the City on plastic trash liners for the past year with the plus or minus 10 percent variable and same had created a need for a reimbursement. It was reported that Marketing Services had made a reimbursement to the City of Lufkin in failing to meet the gauge requirements as required by specifications.

Following discussion of proposals as presented, members of Commission determined that Marketing Services had only bid the City's alternate proposal which would provide for the plus or minus 10 percent mil thickness variation. Comm. W. O. Ricks, Jr., made motion that members of Commission purchase a 2-mil bag from Adams Industries which was the only bid for a 2-mil bag. Motion was seconded by Comm. Pat Foley.

Prior to vote on motion, Mayor Garrison inquired of a Marketing Services representative who was present concerning why Marketing Services had not bid a 2-mil bag. Representative Randy McDonald of Marketing Services informed members of Commission that Marketing Services would be willing to guarantee a plus or minus 8 percent variation instead of the 10 percent variation as indicated if members of Commission preferred, but informed members of Commission that his company had not bid a 2-mil bag due to the fact that they could not match the bid submitted by Adams Industries.

A unanimous affirmative vote was then recorded to previous motion and second to approve purchase of a 2-mil bag in the amount as indicated above from Adams Industries.

Comm. Pat Foley requested City Manager Westerholm to continue monitoring bag mil thicknesses received by the City to determine whether or not they were meeting mil thickness as specified.

City Manager Westerholm also stated that Adams Industries was the low bidder for leaf bags in amounts as indicated in specifications by the City of Lufkin. There were no comments made by members of Commission. Comm. Richard Thompson made motion to purchase leaf bags from Adams Industries in the amount as stated above in bid tabulation. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

12. Water & Sewer Rate Adjustments-Decision to Consider Rate Increases Postponed

Mayor Garrison stated that in order for the City Commission to meet the cost required for water improvements, it had been necessary to develop an additional revenue to support necessary financing. Mayor Garrison inquired of City Manager Westerholm as to whether or not the City had received any informed judgement on the total costs to determine the City's needs in this regard.

City Manager Westerholm reported that the City had not received any conclusive information in this regard and same would not be forthcoming for approximately two weeks.

Comm. E. C. Wareing suggested that the City Commission wait until this information was available before establishing any rate increases. City Manager Westerholm was of the opinion that this information may be available by next regular meeting.

Comm. Pat Foley made motion to defer any action for water and sewer rate adjustments until next regular meeting. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

13. Zoning Ordinance-Proposed Amendment Providing for Definition of "Family" Discussed

Comm. W. O. Ricks, Jr., requested that City Manager Westerholm place on the agenda for next regular meeting consideration by this Commission to amend the existing City Zoning Ordinance to provide a new definition for

10/17/78

"family" as previously discussed at earlier meetings. City Manager Westerholm stated that he would have this information available and placed on the agenda for next regular meeting.

14. Adjournment to Executive Session-Disc. of Appointments to CP&ZC

Mayor Garrison requested that members of Commission recess to an executive session for the purpose of discussing appointments to the City Planning and Zoning Commission to replace two members whose terms had recently been vacated. It was reported by City Manager Westerholm that Mr. Ecomet Burley who had previously been appointed to this Commission would not have to be considered for replacement due to the fact that no conflict now existed in his new job assignment.

Regular meeting of the City Commission was then recessed by Mayor Garrison and open meeting was closed at 5:55 p.m. for this purpose.

At 6:15 p.m. Mayor Garrison reconvened the regular meeting of the City Commission and reopened meeting for the purpose of announcing that members of this Commission had discussed two appointments to the City Planning and Zoning Commission and these appointments would be announced when individuals considered for same were contacted regarding whether or not they would serve on the City Planning and Zoning Commission.

15. Street Department-Amendment to City Budget

Comm. W. O. Ricks, Jr., stated that there was considerable revenue remaining in the balance of the Street Department budget for previous fiscal year 1977-78 which he desired to be placed in the Street Department budget for fiscal year 1978-79. Comm. E. C. Wareing suggested consideration of amendment to the 1978-79 budget to provide for this inclusion.

Comm. W. O. Ricks, Jr., then made motion that the 1978-79 fiscal year City Budget be amended to provide that the remaining balance of the fiscal year 1977-78 budget in the Street Department funds be transferred to the Street Department funds for the 1978-79 City Budget. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

16. City Manager Westerholm/City Staff Personnel Commended

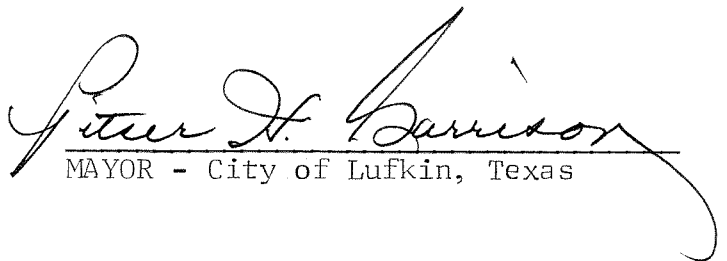
Comm. E. C. Wareing stated that City Manager Harvey Westerholm and his staff should be commended for a job well done in the past year and other members of Commission joined in this commendation. City Manager Westerholm thanked members of Commission for the privilege of being affiliated with the City of Lufkin.

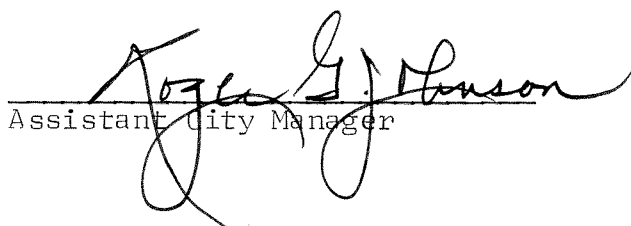
17. Adjournment

There being no further business for consideration, meeting adjourned at 6:15 p.m.



ATTEST:


MAYOR - City of Lufkin, Texas


Assistant City Manager