

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 19TH DAY OF APRIL, 1977, AT 5:00 P. M.

On the 19th day of April, 1977, 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:

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, and

Pitser H. Garrison Mayor

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

1. Meeting opened with prayer by Rev. Charles McIlveene, Pastor of First Baptist Church, Lufkin, Texas.
2. Mayor Pro Tem Wareing 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. G. Pittman made motion that minutes of regular meeting of April 5, 1977, be approved. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

4. Abandoned Vehicle Ordinance - First Reading Postponed

Mayor Pro Tem Wareing requested that City Manager Westerholm report on proposed abandoned vehicle ordinance. Mr. Westerholm stated that other Cities had mixtures of methods with regard to disposing of abandoned vehicles and local wrecker services expressed their willingness to bid for the pickup and storage of all abandoned vehicles on an annual basis. Mr. Westerholm stated that this bidding could be done on a pick-up charge and a per-day storage cost, and the wrecker company could bill the City in accordance with their bid. Mr. Westerholm stated that the vehicle owner could then pay the City to secure the release of vehicle with all transactions being made between the vehicle owner and the City. Mr. Westerholm further stated that the wrecker company would be required to have a bonded storage to protect the vehicle owner and the City, and if the vehicle owner, after contact, did not redeem the vehicle within a specified period, the City could be authorized to sell the vehicle.

Comm. R. A. Brookshire stated that inasmuch as the City Manager did not make recommendation with regard to locating a City-owned pound area for the storage of these vehicles, possibly the City should consider this proposal to provide annual bid contracts for local wrecker services.

Comm. E. G. Pittman inquired as to how many local wrecker services were in the city. Police Chief Leonard Latham, who was present, stated that there were ten wrecker services within the City, all of which could not presently furnish a pound area.

Comm. R. A. Brookshire inquired of City Manager Westerholm as to whether or not the City should consider this bid proposal in the next budget year. City Manager Westerholm stated that the financial obligations of the City were not so great that it would have any affect on the present City Budget.

Mayor Pro Tem Wareing suggested that the City Manager and City Attorney consider a properly worded request for proposed bids to determine costs of these services prior to approval of proposed ordinance.

Mayor Pro Tem Wareing recognized Mr. James Williams, of Williams Wrecker Service, who personally desired to see the bid proposal request a specific amount for wrecker service and a set fee for storage regardless of how long the vehicle was to be considered for storage. Mayor Pro Tem Wareing suggested a maximum time of 60 storage days.

Comm. R. A. Brookshire suggested that the Commission accept Mayor Pro Tem Wareing's suggestion not to consider first reading of this ordinance until next regular meeting when bids could be reviewed with regard to cost of these services.

Further consideration of this item was then tabled until next regular meeting as unanimously agreed by members of Commission.

5. Homestead Tax Exemption Increased from \$3,000 to \$5,000-Ordinance Approved on Second Reading

Mayor Pro Tem Wareing stated that the Homestead Tax Exemption had been recommended for an increase from \$3,000 to \$5,000 for all residents over the age of 65, and an ordinance had been approved on first reading at last regular meeting.

There were no persons present appearing in opposition. Comm. W. O. Ricks, Jr., made motion to approve this Homestead Tax Exemption increase from \$3,000 to \$5,000 on second and final reading. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

6. Zone Change Approved 2nd Reading-Fred L. Walker from LB to RS District

Mayor Pro Tem Wareing stated that zone change application by Fred L. Walker from LB to RS District covering property located West of & fronting on N. Second Street, North of Laurel Avenue intersection, had been approved on first reading at last regular meeting.

There were no persons present appearing in opposition to application. Comm. Pat Foley made motion that zone change application by Fred L. Walker from LB to RS District be approved on second and final reading. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

7. Sewer Surcharges-Ord.Approved 2nd Reading-Certain Commercial Operations

Mayor Pro Tem Wareing stated that this Commission had approved by majority vote at last regular meeting adoption of national average rates to be charged commercial customers with regard to sewer usage and the provisions that commercial operations could pay a cheaper rate if sampling operations were established at their locations and showed a reduction.

City Attorney Flournoy distributed copies of ordinance which had been amended on request by City Commission at last regular meeting. City Attorney Flournoy stated that proposal added Section III(b) to provide a controlled sampling chamber for use by the approving authority as previously requested. City Manager Westerholm explained that these tests would be conducted by the Neches River Conservation District.

Comm. W. O. Ricks, Jr., stated that a sampling station at these locations would cost approximately \$200. Comm. W. O. Ricks, Jr., made motion that ordinance be approved on second and final reading adopting sewer surcharges for certain commercial operations under the provisions as previously stated which would provide any commercial operation that could show an effluent strength less than what was determined on the national average by sampling, the opportunity to pay a cheaper rate. Motion was seconded by Comm. R. A. Brookshire and the following vote was recorded:

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

Voting Nay: Comm. Pat Foley

Mayor Pro Tem Wareing declared motion approved by majority vote of five to one.

8. Standard Building & Mechanical Codes-Postponement of Amendment Adoption

Mayor Pro Tem Wareing requested that City Manager Westerholm review proposal for adoption of amendments for Standard Building & Mechanical Codes to be considered for approval by this Commission. City Manager Westerholm stated that the City had received all amendments for 1977 as suggested by the Southern Building Code Congress for adoption to the Standard Building & Mechanical Codes. City Manager Westerholm stated that by previous action of this Commission, it was approved by ordinance that all annually recommended amendments to the Standard Building or Mechanical Codes were to be approved by the City Commission prior to implementation on a local basis. City Manager Westerholm reported that the City Commission had adopted the 1976 Standard Building Code on July 20, 1976, and the 1976 edition of the Standard Mechanical Code on the same date.

Comm. W. O. Ricks, Jr., requested that a list of these differences between the existing and the new requirements be considered by the Building Department for review by members of Commission prior to approval of amendments.

City Manager Westerholm recognized Mr. Hubert Stubblefield of the Building Inspection Department who explained, in more detail, the requirements of amendments to be considered. Mr. Stubblefield stated that he had not had an opportunity to completely review the proposal, but it appeared that one specific category provided requirements for insulation in residences be increased to provide more insulation.

Mayor Pro Tem Wareing suggested a brief summary of these amendments be prepared by the Building Department for review by members of Commission.

Comm. W. O. Ricks, Jr., suggested that this synopsis be prepared and listed for attachment to the record to become a part of same for referral to individuals who made use of the two codes.

Comm. Pat Foley made motion that further consideration of proposed amendments to the Standard Building & Mechanical Codes be postponed until next regular meeting to provide City staff an opportunity to prepare a list of the proposed changes by comparison with present standards. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

9. Computer Services-Lease/Purchase Contract for IBM Systems/3 Approved

Mayor Pro Tem Wareing requested City Manager Westerholm review proposal for a lease/purchase contract for new IBM Systems/3 Computer Services. City Manager Westerholm stated that Mr. Royal Dunlap, City Finance Director, was present to answer any questions members of Commission may have with regard to this proposal. City Manager Westerholm stated that he would personally recommend consideration of this lease/purchase contract inasmuch as it would freeze the City's present monthly obligation at a minimum increase for the advantages to be obtained by the City over an eight-year period. Mr. Westerholm stated that the City was presently paying \$3,000 per month and the new computer would cost \$3,300 a month over an eight-year period at which time it would become the property of the City of Lufkin. Mr. Westerholm made reference to the following bids submitted for this service:

Name of Company	Purchase Price	Monthly Rental Charges	Monthly Lease Charges
International Bus.Machines	\$213,058.00	\$7,047.00	\$6,324.00
Business Systems Tech.	\$175,950.00	N/A	N/A
Computer Sales Internat'l	\$170,864.00*	N/A	N/A

\*Under a lease/purchase agreement, this amounts to approximately \$3,300 per month, including maintenance charges.

City Manager Westerholm stated that he would recommend consideration of the bid from Computer Sales International as the low bid in the amount of \$170,864.00.

Members of Commission then asked Finance Director Royal Dunlap a number of questions with regard to implementation of this new system. Mr. Dunlap stated that this system would greatly improve the existing system; provide the City growth opportunities as a top line service. Mr. Dunlap further explained that the City would have the right to cancel this contract at the end of any particular fiscal year period if funds were not appropriated.

Comm. W. O. Ricks, Jr., made motion that this new system be approved in the amount as stated on a rental/purchase agreement of approximately \$3,300 per month. Motion was seconded by Comm. E. G. Pittman.

Prior to vote on motion, Comm. Pat Foley inquired as to the basic differences between the present system and the proposed system. Mr. Dunlap explained these differences in detail which involved considerably more performance and better service to customers while also increasing the City's capabilities. Mr. Dunlap further stated that this bid in the amount of \$3,300 per month also covered maintenance costs. Mr. Dunlap further stated that the implementation of this new system would take approximately three weeks' planning and two days actual conversion with present plan to complete installation of these services by June or July of the present year.

A unanimous affirmative vote was then recorded to previous motion and second to approve the implementation of this system.

10. Angelina Street - Disc. of Construction

Comm. Pat Foley inquired of City Manager Westerholm as to present plans for the extension of Angelina Street. City Manager Westerholm stated that presently money was not available in the budget for the extension of this street, but the next step involved consideration of finances in the budget and procurement of school property in this area for ROW. City Manager Westerholm was asked to actively pursue the acquisition of the needed ROW for this project.

11. City Officials Appointed to New Positions-Roger Johnson & Royal Dunlap

City Manager Westerholm reported that effective Monday, April 18, 1977, he had assigned new titles and duties to two administrative officials. Mr. Westerholm stated that Roger Johnson's present title would be changed from City Secretary to Assistant City Manager in charge of Governmental Affairs, and Royal Dunlap's present title would be changed to Assistant City Manager in charge of Finance & Personnel. Mr. Westerholm asked for official confirmation from the City Commission with regard to these appointments.

Comm. Jack McMullen made motion that appointments of these individuals be endorsed by this Commission, and City Manager Westerholm be commended for his action. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

12. First Baptist Church-Disc. of Lease Agreement-Annex Property

City Manager Westerholm reported that the First Baptist Church would soon be vacating the premises currently leased for the annex building of the First Baptist Church.

Mayor Pro Tem Wareing recognized Rev. Charles McIlveene who was present. Rev. McIlveene stated that he was appreciative of the opportunity the City Commission had given the church with regard to assisting them during their construction period for the use of City-owned buildings in this area. Dr. McIlveene stated that members of the First Baptist Church would soon be occupying their new building near this area.

Mayor Pro Tem Wareing stated that the City Commission was fortunate that the church needed these buildings inasmuch as the property had been preserved and properly maintained during this period.

13. Texas Power & Light Rate Increase Request - Disc. of Proposal

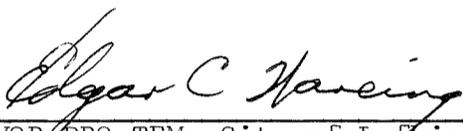
Mayor Pro Tem Wareing stated that he and Mayor Garrison, to include City officials Royal Dunlap and Harvey Westerholm, had recently made a trip to Waco to hear consultants' report on Texas Power & Light Company rate increase request. Mayor Pro Tem Wareing stated that the Texas Power & Light Company had agreed to wait 30 days beyond the date of the decision to be rendered by the Public Utility Commission in its hearing on rates for unincorporated areas.

14. Appointments to Various City Boards-Postponement of Recommendation

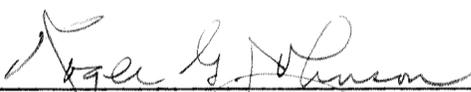
Mayor Pro Tem Wareing made reference to letter from City Manager with regard to appointments of members to various City boards and whether or not members of Commission desired to consider an executive session for these appointments. Comm. R. A. Brookshire requested that this Commission consider these appointments at next regular meeting to allow full council review. Members of Commission were in agreement with this suggestion and further consideration of same was postponed until next regular meeting.

15. Adjournment

There being no further business for consideration, meeting adjourned at 6:00 p.m.

  
MAYOR PRO TEM, City of Lufkin, Texas

ATTEST:

  
Assistant City Manager