

MINUTES OF REGULAR MEETING OF CITY COMMISSION OF THE CITY OF LUFKIN,
TEXAS, HELD ON THE 18TH DAY OF JANUARY, 1983, AT 5:00 P.M.

On the 18th day of January, 1983, 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
Percy Simond	Commissioner, Ward No. 1
Bob McCurry	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Richard Thompson	Commissioner, Ward No. 5
E.C. Wareing	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Robert Flournoy	City Attorney
Brian Boudreaux	Assistant City Manager
Ann Griffin	City Secretary
Libby Sims	Assistant City Secretary

being present and,

Don Boyd

Commissioner, Ward No. 2

being absent when the following business was transacted.

1. Meeting opened with prayer by Major Ray Wortham, Salvation Army, Lufkin, Texas.
2. Mayor Garrison welcomed visitors present and acknowledged the presence of Dwight David Thrash, who was presently preparing for his Boy Scout Merit Badge. Mayor Garrison stated that the grandfather of Dwight David Thrash was a former member of the City Commission and was attending a City Commission Meeting between Lufkin and Nacogdoches when he was involved in an accident that claimed his life.
3. Approval of Minutes

Minutes of regular meeting of January 4, 1983, were approved on a motion by Commissioner Pat Foley and seconded by Commissioner Percy Simond. A unanimous affirmative vote was recorded.

4. Ordinance Approved - Second Reading - Reinvestment Zone #6 - John Sloan

Mayor Garrison stated that ordinance approving Reinvestment Zone #6 covering property located at 303 - 305 Frank Street as requested by John Sloan had been approved on first reading at last meeting of City Commission. Mayor Garrison stated that work had begun on improvements to subject property. There was no opposition present.

Motion was made by Commissioner Percy Simond and seconded by Commissioner E.C. Wareing that ordinance be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

5. Rewriting of Zoning Ordinance - Approval to Proceed - Planning & Zoning Commission

Mayor Garrison stated that the Planning & Zoning Commission had requested approval of the City Commission to begin rewriting of present zoning ordinance. Mayor Garrison stated that suggestions for changes and improvements in the present zoning ordinance should be voiced by the Commissioners during the transition.

Commissioner Pat Foley stated that he was in agreement with updating of present zoning ordinance.

Mayor Garrison stated rewriting an entire code or law sometimes results in additional errors, and suggested that the present zoning ordinance be studied and rewritten section by section to avoid creation of more problems with the City Commission reviewing each revision proposed to improve communication between the two Commissions.

Commissioner E.C. Wareing stated that in reviewing the letter from Sam Griffin, Chairman of Planning and Zoning Commission, the time limit of one (1) year should be placed on the rewriting. Commissioner E.C. Wareing further stated that only those sections that were necessary for undating of the present ordinance would be changed.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that Planning and Zoning Commission proceed with the study of the present zoning ordinance and recommendations for changes be presented to the City Commission in sections for approval. A unanimous affirmative vote was recorded.

6a. Bids - Approved - Lufkin Industries - Dumpsters - Sanitation Department

Mayor Garrison stated that bids had been received for the purchase of dumpsters for use in the Sanitation Department.

City Manager Westerholm stated that Benjamin Feld & Associates was the low bidder by \$390.00, but the City Staff would recommend the bid of Lufkin Industries be approved because dumpsters could be stored at the Lufkin Industries Plant. City Manager Westerholm stated that Lufkin Industries had also developed a lighter lid which would allow easier entrance into the dumpster.

In response to question by Commissioner Pat Foley, City Attorney Bob Flournoy stated that statutes provide that the lowest and best bid should be accepted by the municipality in order to give discretion to the purchasing entity to determine what is the best bid, not necessarily the lowest bid.

Commissioner Pat Foley stated that the dumpsters would be purchased from the City by customers and the bids were received to establish a price.

In answer to question by Mayor Garrison, City Manager Westerholm stated that a demonstration dumpster was requested from Benjamin Feld & Associates but had not been received for review by the Sanitation Department.

Commissioner E.C. Wareing stated the locally purchased dumpsters would provide the City additional sales tax and the ability to purchase dumpsters at the time of the sale would not eliminate the need for tying up funds for their purchase.

Commissioner Percy Simond stated that because the bottom of the dumpsters were solid without drain holes, rust makes it necessary that the bottoms be replaced by the City for a considerable fee. Commissioner Percy Simond requested information about providing drain holes in the bottom to prevent this problem.

Commissioner Richard Thompson stated that this Commission had previously discussed each dumpster being placed upon an asphalt pad to prevent Sanitation trucks from becoming stuck when emptying same and the City might consider placing a skid in the bottom of the dumpster to raise the level and allow drainage from dumpster through the side holes.

Mayor Garrison stated that water draining from the dumpsters could contaminate the surrounding area.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Percy Simond that the bid of Lufkin Industries in the following amounts be approved:

4 yard containers - \$315.00
6 yard containers - \$449.00
8 yard containers - \$501.00

A unanimous affirmative vote was recorded.

6b. Bid - Approved - Protective Clothing - Fire Department - Vallen

Mayor Garrison stated that bids had been received for the purchase of protective clothing for use in the Fire Department. Mayor Garrison further stated that Claude Wright Associates was low bidder but did not meet specifications from the National Fire Protection Association as required by the State of Texas. Mayor Garrison further stated that the next lowest bid was Vallen at a price of \$322.61 per outfit.

City Manager Harvey Westerholm stated that 20 units would be purchased and \$30,000 had been budgeted per outfit with the remainder being absorbed by the current budget.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner Bob McCurry that the bid of Vallen in the amount of \$322.61 per outfit be approved. A unanimous affirmative vote was recorded.

7. Main Street Project - Budget Approved

Mayor Garrison stated that the Main Street Project had been approved by the City Commission last year and application was submitted to receive the grant. Mayor Garrison further stated that Lufkin was one of five cities receiving the grant at which time the City agreed to underwrite the expenses of the program for the first year. Mayor Garrison stated that a budget had been proposed in the amount of \$17,197.33, with funds being provided from the unencumbered balance in the 1982-83 budget.

Motion was made by Commissioner E.C. Wareing and seconded by Commissioner Richard Thompson that budget be approved for the Main Street Project in the amount of \$17,200.00, and budget for 1982-83 be amended accordingly. A unanimous affirmative vote was recorded.

8. Ordinance Approved - First Reading - S.O. Limousine Service - Vehicle for Hire - Amended

Mayor Garrison stated that a request for a franchise had been received from Mr. Ron Davis to operate a limousine service in the City of Lufkin. Mayor Garrison stated that there was a demand in the City of Lufkin for this type of service.

City Attorney Robert Flournoy stated that the limousine service should be incorporated into the Taxi Ordinance with the exception of metering and marking of limousines. In answer to question by Commissioner Percy Simond, City Attorney Flournoy stated that the 2% gross sales tax would only apply to business conducted within the City Limits of Lufkin. City Attorney Flournoy further stated that the Taxicab requirements would apply to the limousine in regard to registering, insurance, and inspections.

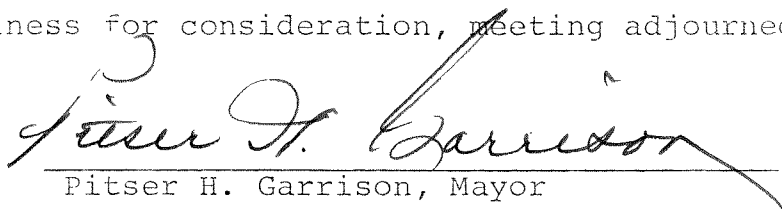
Motion was made by Commissioner Percy Simond and seconded by Commissioner E.C. Wareing that ordinance amending vehicle for hire to include limousine be approved on first reading as presented. A unanimous affirmative vote was recorded.

9. Temporary Permit Issued - S.O. Limousine Service

Mayor Garrison stated that in order to permit S.O. Limousine Service to begin operation, a temporary permit should be issued pursuant to final passage of subject ordinance.

Motion was made by Commissioner Bob McCurry and seconded by Commissioner Percy Simond that temporary permit be issued to Ron Davis for the operation of S.O. Limousine Service in accordance with proposed ordinance. A unanimous affirmative vote was recorded.

10. There being no further business for consideration, meeting adjourned at 5:35 p.m.


Pitser H. Garrison, Mayor

ATTEST:

January 18, 1983 .

Ann Griffin, City Secretary