MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 7TH DAY OF JUNE, 1983, AT 7:30 P.M.

On the 7th day of June, 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 A. Simond, Jr. | Commissioner, Ward No. 1 |
| Don Boyd | Commissioner, Ward No. 2 |
| Gil Fears | 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 |
| Bob Flournoy | City Attorney |
| Ann Griffin | City Secretary |
| Brian Boudreaux | Assistant City Manager |
| Ron Wesch | Public Works Director |

being present, and

| | |
|---|---|
| Libby Sims | Assistant City Secretary |

being absent when the following business was transacted.

1. Meeting opened with prayerby Rev. Stephen Bancroft, Pastor of St. Cyprian's Episcopal Church, Lufkin.

2. Mayor welcomed visitors present.

3. Approval of Minutes

   Minutes of regular meeting of May 17, 1983, were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Pat Foley. A unanimous affirmative vote was recorded.

4. Ordinance Approved - Second Reading - Food & Food Establishment Ordinance

   Mayor Garrison stated that the Food & Food Establishment Ordinance had been approved on first reading at last meeting of this Commission without any opposition. There was no opposition present.

   Mayor Garrison stated that hair restraints were discussed at first reading of the ordinance, and if included in the Ordinance , the stipulation should be strictly enforced. James Templeton, City-County Health Unit, stated that the present ordinance does not speak to hair restraints, but the item was included on the inspection checklist which he regularly marked but could not enforce.

   After further discussion, motion was made by Commissioner Pat Foley and seconded by Commissioner Richard Thompson that Ordinance be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

   James Templeton stated that restaurants inside the City received a copy of the proposed ordinance last Friday,and all other establishments that handle food would be made aware of the ordinance immediately.

   Commissioner E. C. Wareing stated that a report on enforcement of the Ordinance could be given in October to allow several months for a determination of enforcement problems. Mayor Garrison requested Mr. Templeton to report back to the City Commission at the October 18th meeting.

5. Ordinance - Approved - Second Reading - Curb & Gutter Paving - Scarbrough Street

   Mayor Garrison stated that Curb & Gutter Ordinance had been approved at last meeting of City Commission for Scarbrough Street from Davis Street to the deadend.

   City Manager Westerholm stated that 18 responses had been received from the property owners regarding the type of surface to be used, and concrete was favored 17 to 1.

   Motion was made by Commissioner Richard Thompson and seconded by

Commissioner Don Boyd that Curb & Gutter Paving Ordinance be approved on second and final reading with provision for a concrete street at a cost not to exceed $20.76 per front foot. A unanimous affirmative vote was recorded.

6. Ordinance - Approved - First Reading - Robert Cherry - RL to RS

Mayor Garrison stated that zone change application by Robert Cherry covering property located on Loop Lane between Loop 287 and Highway 103 West from Residential Large to Residential Small had been recommended to City Commission for approval by the Planning & Zoning Commission. There was no opposition present.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner E. C. Wareing that zone change ordinance be approved on first reading as presented. A unanimous affirmative vote was recorded.

7. Ordinance - Approved - First Reading - Hood Davis - RM to RS

Mayor Garrison stated that zone change application by Hood Davis covering property located at 1600 Sayers Street between Kurth Drive and Country Club Drive from Residential Medium to Residential Small had been recommended to City Commission for approval by Planning & Zoning Commission. There was no opposition present.

Mayor Garrison stated that Mr. Davis had moved three (3) small houses that did not meet requirements of Residential Medium zoning onto the property, and a building permit for remodeling could not be issued without a zone change.

Motion was made by Commissioner Don Boyd and seconded by Commissioner E. C. Wareing that zone change ordinance be approved on first reading as presented. A unanimous affirmative vote was recorded.

8a. Bid- Approved - Air Masks - Fire Department - Casco Industries

Mayor Garrison stated that bids had been received for the purchase of Air Masks for use in the Fire Department, and requested that City Manager Westerholm present the staff recommendations.

City Manager Westerholm stated that Casco Industries, Inc., of Shreveport, Louisiana,was the low bidder in the amount of $6,780, and Fire Chief Billy Stephens had recommended acceptance of this bid.

In response to questions from the Commission, Chief Stephens stated that the law required that self-contained breathing apparatus be supplied to any fireman that entered a burning building, and problems had not been experienced in the past with maintenance of the equipment.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that low bid of Casco Industries in the amount of $6,780 be approved. A unanimous affirmative vote was recorded.

8b. Bid - Approved - Wet Boring Machine - Public Works Department - Vermeer Equipment Co.

Mayor Garrison stated that one bid had been received for the purchase of a Wet Boring Machine for use in the Public Works Department, and requested that City Manager Westerholm present the staff recommendations.

City Manager Westerholm stated that according to Public Works Director Ron Wesch , most companies do not sell wet boring machines because the dry boring machine is more widely used. Public Works Director Ron Wesch stated that because of the clay in Lufkin's soil the wet boring machine would be more effective. Mr. Wesch further stated that $20,000 had been budgeted for the purchase based on information received from a company in Wichita Falls which neglected to provide their bid in time for the opening. Mayor Garrison stated that he was interested in whether the bid of Vermeer Equipment Co. was fair, and consideration should be given to the company which responded to the request for bid.

Motion was made by Commissioner Richard Thompson and seconded by Commissioner Gil Fears that bid of Vermeer Equipment Co., in the amount of $12,908 be approved. A unanimous affirmative vote was recorded.

9. City/County Fire Service Contract - Tabled - Additional Information Requested

Mayor Garrison stated that it had been proposed that the City of Lufkin enter into a contract with Angelina County regarding fire service outside the City of Lufkin to provide liability protection. Mayor Garrison further stated that the sample ordinance provided to the Commission indicated that once the City of Lufkin was under contract with the County, the City would be required to attend each County fire unless our equipment was busy at a City fire.

City Attorney Bob Flournoy stated that the City would be obligated to attend County fires once the contract was initiated. Mayor Garrison expressed concern that the City fire department would be notified instead of the nearest facility because of the contract.

Fire Chief Billy Stephens stated that there are eight (8) other volunteer departments in the County and Lufkin seldom goes to Zavalla, Diboll, or Huntington fires, but Lufkin does dispatch one (1) fire truck and a rescue truck to every structure fire in the northern part of Angelina County.

Mayor Garrison stated that the City should respond on a volunteer basis and not be obligated by a contract. Commissioner E. C. Wareing stated that under the present system the call for assistance is received from the fire chief of the area,and the present system should be continued. Mayor Garrison stated that the contract would necessitate a judgment decision of whether the City could help in a County fire and still be available for service within the City.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Gil Fears that the City Attorney prepare a proposed contract that would be acceptable to the City Commission and Angelina County for consideration at next meeting of this Commission. A unanimous affirmative vote was recorded.

Commissioner Percy Simond expressed concern about the safety of Lufkin citizens when a County fire was attended and the possibility of damage to City fire equipment. City Manager Westerholm stated that in the sample ordinance the County agreed to reimburse the City for any damages incurred at a County fire.

10. Centennial Resolution - Presented-Representative Billy Clemons

Mayor Garrison stated that a Resolution had been approved by the House of Representatives of the 68th Legislature of the State of Texas congratulating the City of Lufkin on its 1982 Centennial. Mayor Garrison further stated that Representative Billy Clemons was present to present the Resolution personally, and expressed the appreciation of the City of Lufkin for the honor.

11. Ambulance Charges - Rates Increased - City, County, & Outside County

Mayor Garrison stated that a proposal had been submitted for an increas in ambulance fees in the following amounts:

| | |
|---|---|
| Inside the City | $45.00 (previously $35) |
| Outside the City | $50.00 (previously $40) |
| Mileage Outside County | $ 1.50 (previously $1.00) |
| Emergency Run | $30.00 (No previous rate) |

Mayor Garrison further stated that there is no mileage charge inside the City, that the County pays $20,000 a year for ambulance service, and that two-thirds (2/3) of ambulance runs are emergency status which results in greater wear and tear on the equipment.

Fire Chief Billy Stephens stated that the emergency charge was suggested because of the advanced life support capability which often requires two (2) ambulances to be dispatched to provide sufficient personnel. Chief Stephens further stated that the charge would reduce the number of false emergency calls.

Commissioner Don Boyd stated that the emergency charge would result in very high bills and a smaller percentage of collection. Commissioner Gil Fears stated that a $10 charge for emergency runs inside the City and $30 outside the City would be acceptable. Mayor Garrison suggested that a flat rate of $50 be initiated with no differentiation being made between emergency and routine ambulance runs. Commissioner Don Boyd stated that a fee schedule could be developed for use of the life support system equipment to avoid overcharging for routine ambulance use. Mayor Garrison stated that an emergency run which resulted in the immediate response of two (2) men should be worth $60.

Commissioner Pat Foley stated that Chief Stephens is more familiar with the problems involved in ambulance service, and his suggestions should be considered.

In response to a question by Commissioner Percy Simond, Mayor Garrison stated that a review should be established for past due accounts to investigate the circumstances and determine if payment could be made, and if not, bill should be charged off the books.

Commissioner E. C. Wareing stated that a charge of $45 inside the City without any emergency charge could be initiated tonight and the emergency charge could be considered at a later date after receipt of more supporting evidence. Commissioner Wareing further stated that the charges should be based on the type of service provided.

Motion was made by Commissioner Gil Fears and seconded by Commissioner E. C. Wareing that the basic rate for service inside the City be established at $45. The following vote was recorded: Aye- Mayor Garrison, Commissioners Wareing, Thompson, Fears, Simond,Boyd; Nay- Commissioner Foley. Mayor Garrison declared motion approved by a vote of 6 to 1. Commissioner Foley stated that he voted Nay because emergency calls are more expensive.

Mayor Garrison stated that it had been suggested that the $30 emergency fee be added to calls outside the City. Commissioner E. C. Wareing stated that the emergency charge should be converted into mileage.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Gil Fears that emergency charges on County Service be reconsidered at a later time after the City Manager and Fire Chief make an additional proposal regarding the cost per mile for emergency charges. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Gil Fears that mileage charge proposal for out of county runs be approved in its entirety to provide for an increase to $1.50 per mile and $30 emergency service charge. A unanimous affirmative vote was recorded.

Motion was made by Commissioner E. C. Wareing and seconded by Commissioner Don Boyd that base rate for Angelina County service would be $50. A unanimous affirmative vote was recorded.

12. Certification Pay - Tabled - Emergency Medical Training

Mayor Garrison stated that certification pay for advanced Emergency Medical Training was to be discussed at this time, but City Manager Westerholm had requested that it be tabled .

City Manager Westerholm stated that enough supporting information had not been compiled to warrant discussion at this time, and he would propose that this be deferred until next meeting of this Commission.

13. Affirmative Action Committee - Discussed - Placed on Next Agenda

Commissioner Percy Simond stated that he had been pleased with the reactivation of the Affirmative Action Committee, but had been concerned about the members of same. Commissioner Simond further stated that he had received a copy of the minutes from the last meeting of the Committee and was disturbed about many of the statements that were made. Commissioner Simond stated that the members all work for the City of Lufkin and will not be objective about the City's handling of racial problems. Commissioner Simond stated that the minutes indicated that the members discussed their personal views instead of seeking answers to questions.

Commissioner E. C. Wareing stated that the City Commissioners are not privileged to ridicule members of any Committee of the City, but it would be fine for the Commissioners to suggest a different makeup of the Committee. Commissioner Wareing further stated that the Commission should not instruct the Affirmative Action Committee how to act and what to do, but allow them the freedom to express their views without fear of disagreement.

Mayor Garrison stated that this item was not on the agenda for discussion, but the Affirmative Action Committee is to insure that the City is making every effort to advertise jobs and get proper minority representation. Mayor Garrison further stated that Committee should see that every effort is being made to institute an affirmative action program with no discrimination, that jobs are open to all qualified people, and that an attempt is made to acquire a racial balance.

Assistant City Manager Brian Boudreaux stated that at the first meeting of this Committee he had instructed all the members to be honest without fear of reprisals. Assistant City Manager further stated that the minutes were written to make the City Commission aware that meetings were being held, and he made every effort to keep the discussion relevant to the purpose of the Committee.

Commissioner Don Boyd requested that discussion of the Affirmative Action Committee be placed on the agenda for next meeting of this Commission to discuss their responsibilities and duties.

14. There being no further business for consideration, meeting adjourned at 9:10 p.m.

Pitser H. Garrison

Pitser H. Garrison, Mayor

ATTEST:

Ann Griffin

Ann Griffin, City Secretary