

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 15TH DAY OF MAY, 1990, AT 5:00 P.M.

On the 15th day of May, 1990, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Chambers of City Hall with the following members thereof, to wit:

Louis A. Bronaugh	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Danny Roper	Commissioner, Ward No. 3
Bob Bowman	Commissioner, Ward No. 4
Paul Mayberry	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Robert Flournoy	City Attorney
Ron Wesch	Public Works Director
Atha Stokes	City Secretary

being present, and

Jack Gorden	Commissioner, Ward No. 5
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being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Barry Stephens, Minister, First Congregational Methodist Church.

2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of May 1, 1990 were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Danny Roper. A unanimous affirmative vote was recorded.

Minutes of Workshop meeting of April 25, 1990 were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Danny Roper. A unanimous affirmative vote was recorded.

Minutes of Special meeting of May 8, 1990 were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Danny Roper. A unanimous affirmative vote was recorded.

4. RECOGNITION OF POLICE OFFICERS - GERALD WILLIAMSON AND ALLEN WALLACE

Mayor Bronaugh recognized Officers Gerald Williamson and Allen Wallace for exceptional service in the Police Department.

Mayor Bronaugh stated that Officer Williamson had recently been recognized by the Optimist Club as the outstanding officer of 1990, and that Officer Wallace had been recognized by the Chamber of Commerce as the Angelina County Peace Officer of the month for solving the bank robbery at People's Bank.

5. ORDINANCE - APPROVED - SECOND READING - ESTABLISHMENT OF LIBRARY DEPARTMENT

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance creating and establishing a Library Department within the City of Lufkin governmental framework.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Don Boyd that Ordinance creating and establishing a Library Department within the City of Lufkin governmental framework be approved on Second and Final Reading. A unanimous affirmative vote was recorded.

6. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - GERARDO

AND ELIVRA GUILLEN - 1409 LARK - RESIDENTIAL SMALL TO NEIGHBORHOOD RETAIL, SPECIAL USE (BEAUTY SHOP)

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance for a Zone Change request by Gerardo and Elvira Guillen covering property located at 1409 Lark from Residential Small to Neighborhood Retail, Special Use (Beauty Shop).

Rita Ellison, City Planner, stated that the Planning and Zoning Commission had approved a small building to be used as a beauty shop, with a 30' setback, and Mrs. Guillen has since stated that she will now be purchasing a small portable building with a 25' setback.

In response to question as to whether area residents should have been notified, City Attorney Flournoy stated that the changes are not significant enough to be concerned with.

Commissioner Mayberry stated the Planning and Zoning Commission minutes reflect that Lee Carney, owner of the adjacent property, still has options on the requirement of the sight-bearing fence. Ms. Ellison stated that she has not had any further information from Mr. Carney regarding the fence. Commissioner Mayberry stated that if Mr. Carney requests that a sight-bearing fence be installed, Mrs. Guillen will have to comply.

There was no opposition present.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Don Boyd that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - FIRST READING - SEWER RATES INCREASED

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance adopting an increase in sewer rates.

City Manager Westerholm stated that this Ordinance sets forth the change in the minimum rates from \$2.50 to \$4.35.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

8. ORDINANCE - APPROVED - FIRST READING - RECORDS AND INFORMATION MANAGEMENT PROGRAM - RECORDS MANAGEMENT OFFICER

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance providing for the establishment and administration of a Records and Information Management Program for the City of Lufkin and designation of a Records Management Officer.

City Attorney Flournoy stated that the State statute requires that the City adopt an Ordinance providing for the maintenance, use and disposition of all City records through a comprehensive system, and designating the City Secretary as the Records Management Officer.

Commissioner Mayberry stated that he had a problem with the designation of a position.

City Manager Westerholm stated under the State law the City Secretary is the official keeper of the records. Commissioner Mayberry stated that it is the City Manager's responsibility to see that the work is done.

In response to question by Commissioner Mayberry, City Manager Westerholm stated that, in his opinion, the staff is probably keeping records longer than is required by the law. Rita Jenkins, Finance Director, stated that she is keeping records for

the Accounting Department for seven years. City Manager Westerholm stated that all the Ordinances, minutes, and some of the accounting records are on microfilm with duplicate copies being kept in the bank vault.

City Attorney Flournoy stated that in Section 4 of the Ordinance it states that: "The City Manager is responsible for directing and coordinating records management operations among the City offices and departments. The City Secretary shall administer the Records and Information Management Program and shall be responsible for City-wide files management and the direction and control of the City's records disposition program".

Motion was made by Commissioner Percy Simond and seconded by Commissioner Paul Mayberry that Ordinance be approved on First Reading designating the City Manager as the Records Management Officer and the City Secretary to administer the Records Information Program. A unanimous affirmative vote was recorded.

9. AUTHORIZATION FOR BIDS - APPROVED - SEWER PLANT IMPROVEMENTS

Mayor Bronaugh stated that the next item for consideration was authorization to advertise for bids on Sewer Plant improvements.

City Manager Westerholm stated that in December of last year an enforcement order was received from the EPA informing the City that it was out of compliance for a few months in 1989. City Manager Westerholm stated that as a result of the study conducted by Maury Stiver with input from Jimmy Griffith, some recommendations were made to help keep the Sewer Treatment Plant in compliance.

City Manager Westerholm stated that recommendations were made for improvements to the aeration system with better aeration capabilities to improve the dissolved oxygen content in the sludge handling process at the Plant.

City Manager Westerholm stated that the staff was requesting authorization to go out for bids on these improvements. City Manager Westerholm stated that, at the same time, consideration needs to be given to some dechlorination equipment and controls. City Manager Westerholm stated that hopefully there will be enough funds in the bond fund to consider both, but if not, the dechlorination equipment can be considered in next year's budget.

In response to question by Commissioner Simond, City Manager Westerholm stated that the figure of \$416,792 for these improvements is an estimate, and when the bids are received the actual cost may be less.

John Porterfield, representing EGA, stated that the need for these improvements was brought to the City's attention when the Texas Water Commission issued an enforcement order because the effluent was not meeting the criteria. Mr. Porterfield stated there was a problem with high ammonia levels at the plant which was an indication of insufficient aeration. Mr. Porterfield stated that a very detailed denitrification study was conducted on the aeration capabilities of the plant and they are deficient. Mr. Porterfield stated that the equipment is old and there is a loss of air through the piping. He further stated that there is more efficient air transfer equipment at this time than was available at the time the plant was built.

Mr. Porterfield stated that the position taken by both entities and the staff at this point is that the equipment needs to be replaced with more efficient oxygen transfer equipment, a plate diffuser, and some air line improvements. Mr. Porterfield stated that because of Permit requirements, which are to be renewed this year, the State will require the City to dechlorinate the effluent from the Plant. It was necessary to chlorinate the Plant to clean it up, and now it has to be dechlorinated to have it discharged into the receiving waters.

Mr. Porterfield stated that EGA is looking at prices to do these improvements and feels that it will be more economical to do both jobs at the same time rather than separating it into two small projects.

Mr. Porterfield stated that because of the aeration equipment that will be changed, there are some opportunities for some tremendous cost savings if some of the existing blowers can be replaced with newer, more efficient blowers. Mr. Porterfield stated he anticipates that the energy savings alone may be able to pay for all the improvements within a 4-5 year period.

Mr. Porterfield stated that these improvements also addresses the State's concerns that the City takes positive steps to make sure there are no problems in meeting Permit requirements in the future.

In response to question by Commissioner Simond, City Manager Westerholm stated that the ammonia requirement is a new requirement placed on the Permit by the Texas Water Commission.

Mr. Mott stated that the City needs to advise the State of steps that are being taken along with a time frame schedule as to how those steps will be implemented. Mr. Mott stated that the improvements need to be completed by the end of the year.

In response to question by Commissioner Simond, City Manager Westerholm stated that \$248,000 is left in the Water and Sewer Bond fund from the \$8 million plant improvements of 1984. City Manager Westerholm stated that the remainder of the funds needed could be financed through next year's operating budget.

In response to question by Commissioner Simond, City Manager Westerholm stated that 15% of the cost will be for engineering fees. Mr. Porterfield stated that the overall fee covers three phases of the project - cost of the report, design services, and inspection during construction.

In response to question by Commissioner Mayberry, City Manager Westerholm stated that this is the first major modification to the Plant since 1985.

Commissioner Mayberry stated that it might be appropriate to take the sewer rate increase (which was approved in item #7) and set it aside to build up a fund for improvements at the Sewer Plant.

In response to question, Mr. Mott stated that the EPA permit has to be renewed June 1st and the City has been informed that one of their requirements will be dechlorination.

In response to question by Commissioner Roper, Mr. Porterfield stated that EGA will put out a base bid for the aeration system on this project and bid as an alternate the dechlorination equipment controls and additional blowers.

Mayor Bronaugh stated that proposals are not being taken for the engineering services on this project; EGA will be continuing with the engineering work since they have done this work from the start.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Paul Mayberry authorizing the staff to advertise for bids for the Sewer Plant improvements. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that the yield from the increase in sewer rates in accordance with the Ordinance unanimously passed by the Commission in item 7 of this agenda, be placed in a special account for capital improvements at the Wastewater Treatment Plant. A unanimous affirmative vote was recorded.

In response to question by Commissioner Roper, City Manager Westerholm stated he would estimate that \$1,000 per month would be the amount going into the fund until the rates are increased across the board in the next fiscal year.

10. AUTHORIZATION FOR BIDS - APPROVED - PERSONAL COMPUTER AND PRINTER - SEWER PLANT OPERATION

Mayor Bronaugh stated that the next item for discussion was the purchase of a personal computer and printer for the Sewer Plant Operation.

City Manager Westerholm stated that upon the recommendation of Maury Stiver and Jimmy Griffith that the Wastewater Treatment Plant purchase a personal computer and printer to increase efficiency and productivity of their operation, he was seeking authorization for bids on this equipment. City Manager Westerholm stated that the estimated cost of the equipment is \$2,500-\$3,000 and is eligible to be funded from the 1985 water and sewer bond issue.

Bobby Mott, Plant Superintendent, stated that he is required to maintain a five-year history of records at the plant and a personal computer would greatly facilitate storage and retrieval of this information.

Motion was made by Commissioner Don Boyd and seconded Paul Mayberry authorizing bids for a personal computer and printer for the Wastewater Treatment Plant Operation. A unanimous affirmative vote was recorded.

11. AMENDMENT - APPROVED - 911 DATABASE MANAGER FUNDING

Mayor Bronaugh stated that as an amendment to the agenda the next item for consideration was a new proposal for funding the 911 Database Manager.

Mayor Bronaugh stated in the last paragraph of a letter from Norman Hoff, Director, 911 Emergency Number System it states: "The State 911 office agreed to allow the Deep East Texas Council of Governments Regional 911 System to reimburse those entities participating in the funding of the position, but only after all systems in the Regional Plan were operational".

Mayor Bronaugh stated he was asking that consideration by the Commission be given to payment of this \$6,010 to enable Angelina County to have the enhanced system.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Percy Simond approving payment in the amount of \$6,010 for funding of the 911 Database Manager position. A unanimous affirmative vote was recorded.

12a. BID - APPROVED - COPIER - CITY SECRETARY'S OFFICE - STORY-WRIGHT PRINTING AND OFFICE SUPPLIES

Mayor Bronaugh stated that the next item for consideration was bids for a copier to be used in the City Secretary's office.

City Manager Westerholm stated that the two items considered in the Purchasing Agent's recommendation were the cost of the machine and the cost of maintenance. City Manager Westerholm stated that the bid of Story-Wright was being recommended as the best bid. City Manager Westerholm stated that a pre-bid conference had been held on April 12th for the copier.

In response to question by Commissioner Roper, Mr. Cochran stated that the price of supplies had not been included because this is a variable cost and can fluctuate. Commissioner Roper stated consideration should be given to all three criteria if they are in the bid requirements.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that bid of Story-Wright in the amount of \$6,979 be accepted as the best bid.

The following vote was recorded:

Aye: Commissioners Boyd and Simond, Mayor Bronaugh

Nay: Commissioner Bowman, Roper and Mayberry

In response to question by Commissioner Simond, Mayor Bronaugh stated that the copier would be paid for with funds from the Personal Property Contractual Obligations. Commissioner Mayberry stated that the purchase of the copier could be included in next year's budget.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Bob Bowman that bid of Copy Duplicating be accepted as presented.

In response to question, Mr. Cochran stated that the cost of the the maintenance agreement would be taken care of out of the general operating fund.

City Secretary Atha Stokes stated that at the request of the Purchasing Agent she and her secretary went for a demonstration of the Sharp Copier (Story-Wright) and the Minolta Copier (Copy Duplicating). Mrs. Stokes stated that since numerous City employees will be using this machine, the two items she took into consideration were the accessibility of removing paper jams and the in-house maintenance (changing the toner). Mrs. Stokes stated that in comparing the two copiers, the Sharp copier met both of these requirements.

Commissioner Roper rescinded his motion.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Bob Bowman that bid of Story-Wright be accepted as presented.

The following vote was recorded:

Aye: Commissioners Roper, Bowman, Simond, Boyd and Mayor Bronaugh

Nay: Commissioner Mayberry

Motion carried by a vote 5 to 1.

Commissioner Mayberry stated that he voted "no" because he objected to the machine being paid for with funds from the Personal Property Contractual Obligations.

12b. BID - APPROVED - TELEMETRY - ELEVATED STORAGE TANK- WOOD STREET - KILN STREET

Mayor Bronaugh stated that the next item for consideration was bids for furnishing and installation of the Wood Street and Kiln Street elevated storage tank telemetry systems.

City Manager Westerholm stated that \$12,000 had been budgeted for this item, and the low bid was received from Flo-Tron in the amount of \$9,120.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Percy Simond that the bid of Flo-Tron in the amount of \$9,120 be accepted as presented. A unanimous affirmative vote was recorded.

13. EXECUTIVE SESSION

Regular meeting adjourned at 6:28 p.m. for Executive Session. Mayor Bronaugh reconvened regular session at 7:08 p.m. and

stated that the Commission had discussed real estate matters, personnel and appointments and reappointments to various City boards.

14. APPOINTMENTS - APPROVED - STANDARD BUILDING CODE BOARD OF ADJUSTMENT AND APPEALS (JERRY HILL/RAY SCOTT) - ZONING BOARD OF ADJUSTMENT AND APPEALS (FENNER ROTH/THOMAS MOORE/DON LANGSTON) - DETCOG BOARD OF DIRECTORS (COMMISSIONERS DON BOYD, PAUL MAYBERRY, PERCY SIMOND/MAYOR BRONAUGH)

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Danny Roper that Thomas Moore, Don Langston and Fenner Roth be re-appointed to the Zoning Board of Adjustment and Appeals subject to their willingness to be re-appointed. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Don Boyd that Jerry Hill and Ray Scott be re-appointed to the Standard Building Code of Adjustment and Appeals subject to their willingness to be re-appointed. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Bob Bowman and seconded by Commissioners Don Boyd, Percy Simond, Paul Mayberry and Mayor Louis Bronaugh be re-appointed to the DETCOG Board of Directors. A unanimous affirmative vote was recorded.

15. COMMENTS

Commissioner Mayberry requested that staff provide copies of amendments to the budget with dates of formal Commission approval of these revisions, for placement in the budget manual.

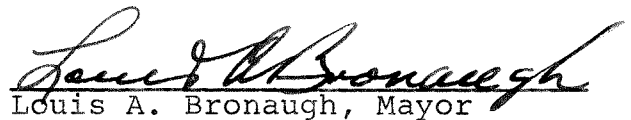
In response to question by Commissioner Roper regarding the entrance sign to the City of Lufkin on Highway 59, City Manager Westerholm stated that Rufus Duncan had been contacted regarding replacement letters for the sign.

Mayor Bronaugh stated that a lighted sign in the yard of Elwyn Gipson on Highway 59 had recently been removed and the utility pole was still there. Mayor Bronaugh requested that the Public Works Director inquire as to whether someone is being charged a minimum charge for electricity.

Mayor Bronaugh stated that an invitation from Public Works Director had been passed out to the Commissioners announcing an Open House at the Recycling Plant on Thursday, May 17th, from 3:00 to 5:00 p.m., with the ribbon cutting at 4:00 p.m.

Mayor Bronaugh stated that the City of Lufkin will celebrate Lufkin Day at the Astrodome on Saturday, May 19th, at 7:00 p.m. Mayor Bronaugh stated that 841 people from Lufkin will be attending and that in a ceremony prior to the game a check in the amount of \$841 will be presented to the Lufkin Baseball Association. Mayor Bronaugh stated that the City of Lufkin Police Department Color Guard will post the colors in the opening ceremony.

16. There being no further business for consideration, meeting adjourned at 7:15 p.m.


Louis A. Bronaugh, Mayor

ATTEST:


Atha Stokes, City Secretary