

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 7TH DAY OF NOVEMBER, 1978, AT 7:30 P.M.

On the 7th day of November, 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:

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
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

Pitser H. Garrison	Mayor
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being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Harvey Westerholm, City Manager.
2. Mayor Pro Tem Wareing welcomed visitors present.
3. Approval of Minutes

Comm. Pat Foley made motion that minutes of regular meeting of October 17, 1978, be approved. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

4. Annexation & Permanent Zoning Approved 1st Reading-Wickes Lumber Company, Home Savings & Loan Association & Texas Power & Light Co.

Mayor Pro Tem Wareing stated that open hearing had been held at last regular meeting on annexation and permanent zoning request 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 opposition to request. Comm. Jack McMullen made motion that annexation and permanent zoning of the above described property be approved on first reading of ordinance. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

5. Zone Change Approved 2nd Reading-Alton Carrier, Jr., from RL to RM District

Mayor Pro Tem Wareing 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 approved on first reading of ordinance at last regular meeting.

There were no persons present appearing in opposition to request. Comm. W. O. Ricks, Jr., made motion that zone change application by Alton Carrier, Jr., from RL to HM District be approved on second and final reading of ordinance. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

6. Zone Change Approved 2nd Reading-Dallas Pierre from RS to A District

Mayor Pro Tem Wareing 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 approved on first reading of ordinance at last regular meeting.

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

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7. Zone Change Approved 2nd Reading-Dallas Pierre from LB & RM to D Dist.

Mayor Pro Tem Wareing 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 approved on first reading of ordinance at last regular meeting.

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

8. Zone Change Approved 2nd Reading-Carl Rode & R. L. Cunningham from RL to C District

Mayor Pro Tem Wareing 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 S. John Redditt Drive overpass; and Tract II located below S. John Redditt Drive overpass adjacent to Lane Drive, had been approved on first reading of ordinance.

There were no persons present appearing in opposition to request. 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 second and final reading of ordinance. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

9. Hearing Dates Set for Annexation & Permanent Zoning Requests-Crown Colony Subdivision Section VII-A and R. B. Thompson & Exeter Investments

Mayor Pro Tem Wareing stated that the City Planning and Zoning Commission had recently recommended establishment of hearing dates for annexation and permanent zoning requests by Crown Colony Subdivision Section VII-A located East of U. S. Highway 59 South in the Crown Colony Subdivision area; and R. B. Thompson & Exeter Investments covering property located North of Angelina College Campus and West of Daniel McCall Drive (FM 35).

There was no opposition present. Comm. W. O. Ricks, Jr., made motion to set hearing date on both of these annexation and permanent zoning requests for November 21, 1978, at 5:00 p.m., City Hall Council Chambers. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

10. Zoning Ordinance #1146-Proposed Amendment Denied-"Family" Unit Definition

Mayor Pro Tem Wareing requested that City Attorney Flournoy review a proposed amendment to the City Zoning Ordinance #1146 regarding "family" unit definition which had been requested at last regular meeting for placing on agenda at this meeting. City Attorney Flournoy then read a prepared definition which would amend the existing definition of "family" unit in the City Zoning Ordinance to the extent that only two individuals unrelated by blood could live within a single-family residence. City Attorney Flournoy stated that the existing regulation provided that four individuals unrelated by blood could reside in a single-family residence.

Considerable discussion developed with respect to definition change and Comm. W. O. Ricks, Jr., expressed his personal desire to limit the amount of individuals unrelated by blood living in a single-family unit. Comm. Ricks stated that in his opinion single-family was the intent of the City Zoning Ordinance and same should be limited accordingly. Comm. Ricks then made motion that the new definition previously read by City Attorney Flournoy be adopted and the existing Zoning Ordinance be amended accordingly. Motion was seconded by Comm. Pat Foley.

Prior to vote on motion, Comm. Richard Thompson expressed his concern that disruptions may occur throughout the city regarding the new definition.

Comm. Jack McMullen expressed his opinion that too many difficulties would be experienced if ordinance was amended to the extent to which members of Commission had discussed.

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Comm. R. A. Brookshire expressed his opinion that an individual should not be limited to the amount of guests which were living in his home. Comm. Brookshire also stated that if three families purchased a home, it should be considered a multi-family dwelling and would, in essence, be in violation of the Zoning Ordinance for single-family requirements.

City Attorney Flournoy stated that the City Zoning Ordinance did not refer to ownership as being a requirement in this regard.

Previous motion to approve new amendment as read by City Attorney Flournoy received the following vote:

Voting Aye: Comms. Pat Foley and W. O. Ricks, Jr.

Voting Nay: Comms. R. A. Brookshire, Jack McMullen, E. C. Wareing and Richard Thompson

Mayor Pro Tem Wareing declared motion denied by a majority vote of four to two.

Comm. R. A. Brookshire suggested that family units could be controlled through deed restrictions to a more successful degree than amending regulation as discussed at this meeting. Comm. Brookshire also suggested that this item may be referred to the City Planning and Zoning Commission, if members of Commission desired.

11. Bids Awarded-Variou s City Departments-Vehicles & Equipment

Members of Commission reviewed the following bids and considered approval of same on individual motions:

Name of Company	Dept.	Bid Item	Bid Amount
Ralph New Motor Co.	Adm.	1 4-Dr.Sedan/Cutlass(Diesel)	\$6,275.70
Ralph New Motor Co.	"	" /Cutlass	\$5,663.71
Morrow Buick-Pontiac	"	" /LeMans	\$5,425.56
Greater Lufkin Ford	"	" /Granada	\$5,170.29
Angelina Chevrolet	"	" /Nova	\$5,033.55
Angelina Chevrolet	Health	1 ½-Ton Pickup Truck	\$5,604.58
Gibbs Motor Company	"	"	\$5,596.00
Greater Lufkin Ford	"	"	\$5,444.99
Angelina Chevrolet	San.	1 ½-Ton Pickup Truck	\$5,604.58
Gibbs Motor Company	"	"	\$5,596.00
Greater Lufkin Ford	"	"	\$5,444.99
Barrett Mack Diesel	San.	1 Front-Load Trk.Cab & Chas.	\$43,377.50
Lufkin White Trucks	"	"	\$38,698.00
Greater Lufkin Ford	"	"	\$32,462.60
Lufkin White Trucks	San.	1 Diesel Res.Trk.-Tractor	\$31,440.00
Greater Lufkin Ford	"	"	\$25,370.33
Barrett Mack Diesel	San.	1 Front-Load Trk.Cab & Chas.	\$43,377.50
Lufkin White Trucks	"	"	\$37,350.00
Greater Lufkin Ford	"	"	\$28,562.78
Greater Lufkin Ford	Street	One Dump Truck	\$12,807.82
Angelina Chevrolet	"	"	No Bid
Angelina Chevrolet	Street	(2) ½-Ton Pickup Trucks	\$11,209.16
Gibbs Motor Company	"	"	\$11,192.00
Greater Lufkin Ford	"	"	\$10,889.98
Greater Lufkin Ford	Street	(1) 3/4-Ton PU Trk.(Stake Bed)	\$6,319.31
Angelina Chevrolet	"	"	\$6,245.29
Gibbs Motor Company	"	"	\$6,199.00
Angelina Chevrolet	Street	(1) 3/4-Ton PU Trk.(Standard Bed)	\$5,906.31
Gibbs Motor Company	"	"	\$5,849.00
Greater Lufkin Ford	"	"	\$5,724.29

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Name of Company	Dept.	Bid Item	Bid Amount
Angelina Chevrolet	W&S	One Dump Truck Complete	\$12,577.88/WO Trade
Greater Lufkin Ford	"	"	<u>\$12,027.00/W Trade</u>
Greater Lufkin Ford	W&S	One Cab & Chassis	\$9,101.77/W Trade
Greater Lufkin Ford	"	"	<u>\$9,501.77/WO Trade</u>
Gibbs Motor Compnay	W&S	(1)3/4-Ton PU (Utility Bed)	\$6,816.95/W Trade
Angelina Chevrolet	"	"	\$6,795.90/W Trade
Greater Lufkin Ford	"	"	<u>\$6,648.57/W Trade</u>
Angelina Chevrolet	W&S	(1)3/4-Ton PU (Utility Bed)	\$7,295.90/WO Trade
Gibbs Motor Company	"	"	\$7,066.95/WO Trade
Greater Lufkin Ford	"	"	<u>\$6,998.57/WO Trade</u>
Gibbs Motor Company	W&S	(1)3/4-Ton PU (Standard Bed)	\$5,488.00/W Trade
Angelina Chevrolet	"	"	\$5,347.49/W Trade
Greater Lufkin Ford	"	"	<u>\$5,154.95/W Trade</u>
Angelina Chevrolet	W&S	(1)3/4-Ton PU (Standard Bed)	\$5,747.49/WO Trade
Gibbs Motor Company	"	"	\$5,688.00/WO Trade
Greater Lufkin Ford	"	"	<u>\$5,554.95/WO Trade</u>

Above stated bids were reviewed in order as listed. Mayor Pro Tem Wareing made reference to several items in bids stated above which had not met specifications. City Manager Westerholm made reference to items not meeting specifications and also informed members of Commission regarding purchase of administrative vehicle. City Manager Westerholm stated that he had recommended the purchase of a diesel vehicle, being the high alternate bid, in order to establish a greater savings of fuel. Comm. W. O. Ricks, Jr., expressed his opinion that an economy sized car would not be adequate for use by the City Manager if four or more individuals were traveling. It was unanimously agreed by members of Commission that in view of the fact that a larger vehicle should be considered, bids received from companies as stated above should be reconsidered. Motion was made by Comm. Pat Foley that new bids be received for the administrative vehicle for the purchase of a larger vehicle. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded.

Comm. R. A. Brookshire stated that in view of the fact that a diesel car was being considered, only one company was available to bid in this regard and bidding would not seem necessary if a diesel vehicle was in fact required.

Members of Commission then reviewed bids as stated above for the purchase of a one-half ton pickup truck for the Health Department. City Manager Westerholm recommended low bid in the amount as stated above from Greater Lufkin Ford Sales. Comm. Jack McMullen made motion to accept low bid for the purchase of this vehicle. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

Bids were then reviewed for the purchase of a one-half ton pickup truck in the Sanitation Department. City Manager Westerholm stated that the low bid recommended was from Greater Lufkin Ford Sales in the amount as stated above. Comm. Jack McMullen made motion that low bid from Greater Lufkin Ford Sales be accepted for the purchase of this vehicle. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

Members of Commission then reviewed bids for the purchase of two front-loading truck cab and chassis with different specifications for the Sanitation Department. City Manager Westerholm reported that Greater Lufkin Ford Sales had not met specifications on this particular equipment and Lufkin White Trucks would be the next lowest bidder. Comm. Pat Foley made motion that Lufkin White Trucks be awarded bid for the purchase of the two front-loading truck cab and chassis. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded.

Bids were then reviewed for the purchase of one diesel residential truck-tractor for the Sanitation Department. City Manager Westerholm recommended the purchase of this equipment from Greater Lufkin Ford Sales in the amount as stated above. Comm. Pat Foley made motion that bid for the diesel residential truck-tractor be awarded to Greater Lufkin Ford Sales for purchase of same in the amount stated above. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

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Members of Commission then reviewed bids for the purchase of a dump truck for the Street Department. It was explained that only one bid had been received for this vehicle. Comm. Pat Foley made motion to accept the single bid submitted from Greater Lufkin Ford Sales in the amount as stated above. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded.

Members of Commission then reviewed bids for the purchase of two one-half ton pickup trucks for the Street Department. It was recommended by City Manager Westerholm that low bid submitted meeting specifications was from Greater Lufkin Ford Sales for the purchase of these vehicles. Comm. Pat Foley made motion to purchase these two vehicles from Greater Lufkin Ford Sales per low bid submitted. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

Bids were then reviewed for the purchase of one 3/4-ton pickup truck with stake bed and one 3/4-ton pickup truck with standard bed for the Street Department. It was explained that low bid meeting specifications for the stake bed was from Gibbs Motor Company as stated above and low bid meeting specifications for the standard bed was from Greater Lufkin Ford Sales. Motion was made by Comm. W. O. Ricks, Jr., that low bid submitted for the purchase of the stake bed truck from Gibbs Motor Company be approved. Motion was seconded by Comm. Jack McMullen and a unanimous affirmative vote was recorded. Motion was made by Comm. Pat Foley that low bid submitted for the purchase of the standard bed truck from Greater Lufkin Ford Sales be approved in the amount as stated above. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

Members of Commission then reviewed bids for the purchase of one dump truck complete for the Water & Sewer Department and one cab and chassis for the same department. Decision for awarding of this bid was temporarily delayed and members of Commission reconsidered these purchases later in the meeting. Comm. Pat Foley made motion to purchase the one dump truck complete and one cab and chassis from Greater Lufkin Ford Sales in the amounts as stated above with trade. Motion was seconded by Comm. Richard Thompson and a vote of five to one was recorded, with Comm. W. O. Ricks, Jr., voting against this motion.

Bids were then reviewed for the purchase of one 3/4-ton pickup truck with utility bed for the Water & Sewer Department. It was recommended that members of Commission purchase low bid submitted by Greater Lufkin Ford Sales with trade. Motion was made by Comm. Pat Foley that Greater Lufkin Ford Sales be awarded low bid for purchase of this item as stated above with trade. Motion was seconded by Comm. R. A. Brookshire and a unanimous affirmative vote was recorded.

Bids were reviewed for the purchase of one 3/4-ton pickup truck with a standard bed for the Water & Sewer Department. It was recommended that low bid be approved from Greater Lufkin Ford Sales with trade in the amount as stated above. Comm. Jack McMullen made motion that low bid from Greater Lufkin Ford Sales in the amount as stated above be approved. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

Comm. Jack McMullen stated that in order that members of Commission remain consistent in the purchase of this equipment, they should accept low bid from Greater Lufkin Ford Sales for the purchase of the cab and chassis for the Water & Sewer Department with trade. Comm. Pat Foley made motion to purchase low bid from Greater Lufkin Ford Sales with trade as stated above. Motion was seconded by Comm. Jack McMullen and the following vote was recorded:

Voting Aye: Comms. R. A. Brookshire, Pat Foley, Jack McMullen, E. C. Wareing and Richard Thompson

Voting Nay: Comm. W. O. Ricks, Jr.

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

12. Earthworm Pilot Testing Results Disc.-Primary & Activated Sludge Feeding

Mayor Pro Tem Wareing recognized Mr. Ed Green appearing in representation of report concerning the results of tests at Early Bird Farms in Shelbyville,

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Texas, using primary and secondary sludge from the City of Lufkin's Water Pollution Control Plant on October 9 through November 3, 1978. Mr. Green briefly outlined the pilot testing program and explained that the worms had experienced no difficulties in the eating of the sludge processed by the Water Pollution Control Plant facility. Members of Commission were shown samples of the sludge, castings and worms used in the project.

City Manager Westerholm stated that the report of the findings by Mr. Green indicated good results from the feeding of primary and activated sludge to these earthworms. City Manager Westerholm stated that he would request authorization from the City Commission to request permission from the Texas Department of Water Resources and the State Health Department to apply the information gathered from the pilot program to an on-site application at the Water Pollution Control Plant. City Manager Westerholm also reported that it would be to the advantage of the City if this project was considered on as small a scale as possible initially in order that the opportunities for the City receiving funding on this project may possibly assist in the overall cost.

Mr. Green reported to members of Commission that, in his opinion, it would be possible to purchase the necessary worms to begin the project at approximately \$2.00 per pound and other materials would have to be gathered to present an overall cost package. Various degrees of capacities were discussed from 25 percent capacity to 12½ percent depending on the degree of magnitude on which members of Commission desired to initiate the program. Mr. Green stated that the buildings for this project could be completed for as little as 50¢ to \$1.00 per square foot. Other costs were discussed by Mr. Green and City Manager Westerholm suggested that members of Commission consider smaller buildings in the initial phases of this program for construction at the Water Pollution Control Plant facility.

City Manager Westerholm stated that if the Zimpro process of the Water Pollution Control Plant facility could be isolated and completed by using earthworms, the City could experience a savings of approximately \$100,000 annually. City Manager Westerholm stated that if this program could be developed, same would be reported to members of Commission at a later date at which time final decision could be made.

Motion was then made by Comm. Jack McMullen that the City Manager be authorized to develop this program and report back to members of Commission regarding same as soon as possible. Motion was seconded by Comm. Richard Thompson and a unanimous affirmative vote was recorded.

City Manager Westerholm stated that, in essence, this authorization would provide him the opportunity to proceed with this program, placing in more detail, the exact costs and consideration by state officials prior to reporting findings to this Commission.

13. State Dept. of Highways & Public Transportation-Signalization Agreement Approved-State Highway 103 West & Loop 287

City Manager Westerholm reported that members of Commission had previously approved an agreement with the State Department of Highways & Public Transportation for signalizing the intersection of State Highway 103 West and Loop 287. City Manager Westerholm stated that the request by the State Department of Highways & Public Transportation submitted for consideration at this meeting was for members to formally exercise agreement involved in this improvement by attaching signatures regarding same. Members of Commission then affixed signatures to this authorization as requested by the State Department of Highways & Public Transportation formally approving agreement.

14. Airport Construction-Angelina & Nacogdoches Counties

Comm. Pat Foley stated that he had recently received information indicating that the proposed Angelina-Nacogdoches Counties Airport had received approval to continue planning. Comm. Foley stated that it was his understanding the City would receive a report from the Planning Committee and same had not been received.

City Manager Westerholm stated, in his opinion, the City Commission should be notified regarding the status of the construction.

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Comm. Pat Foley expressed his opinion that from engineering letter furnished, confirmation should be accepted from all sponsoring agencies in writing. Mayor Pro Tem Wareing stated that a question in this regard was "Who was the sponsoring agency?". Mayor Pro Tem Wareing suggested that this item be placed on the agenda for consideration at next regular meeting. Members of Commission were in unanimous agreement with Comm. Wareing and no further discussion developed.

15. Adjournment

There being no further business for consideration, meeting adjourned at 9:15 p.m.

Edgar C Wareing

MAYOR PRO TEM E. C. Wareing, City
of Lufkin, Texas

ATTEST:



Lytle G. Johnson

Assistant City Manager