

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 2ND DAY OF JULY, 1974, AT 7:30 P. M.

On the 2nd day of July, 1974, 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
R. A. Brookshire	Commissioner, Ward No. 1
Pat Foley	Commissioner, Ward No. 2
Joe E. Rich	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
David M. Cook	City Judge
Roger G. Johnson	City Secretary

being present, and

Robert L. Flournoy	City Attorney
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being absent, constituting a quorum, when the following business was transacted:

1. Meeting opened with prayer by Rev. L. D. Bell, Pastor of New Zion Baptist Church, Lufkin, Texas.
2. Mayor Garrison welcomed a small group of visitors who were present in connection with items on the agenda or as observers and invited Mrs. Velma B. Reese, representative from the City Planning and Zoning Commission, to sit with members of the City Commission.
3. Approval of Minutes

Comm. Pat Foley made motion that minutes of special meeting of June 13, 1974, and regular meeting of June 18, 1974, be approved. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

4. Beautify Lufkin Council - City's Governor's Community Achievement Awards - Presentation of Local Member Awards

Mayor Garrison stated that service awards had been prepared to present to members of the Beautify Lufkin Council as a token of appreciation for their efforts in assisting the City of Lufkin in winning a Governor's Community Achievement Award. Mayor Garrison then presented Mrs. William B. Shelton, Mr. Joe Byrd, Mrs. E. W. Leach and Mr. Will Zbranek individual awards for their participation.

Mayor Garrison further stated that awards had been prepared for Mr. Larry Ross, Mr. Walter Atwell and Mr. Bob Bowman who could not be present for this meeting. Mayor Garrison expressed his personal gratitude to each member of the Beautify Lufkin Council for a job well done in winning the Governor's Community Achievement Award, which was described by program officials in Austin as the finest report submitted in the six years of the program's existence.

5. Zone Change Application - McVicker & Evans from R-1 District to LB District

Mayor Garrison stated that zone change application by McVicker & Evans from R-1 District to LB District covering property located North of Zeagler Avenue and West of South First Street being the North One-Half Block No. 1 of the Zeagler-Cochran-Allbritton Addition to the City of Lufkin had been recommended by the City Planning and Zoning Commission for approval during previous meeting.

There were no persons present appearing in objection to zone change application as presented. Comm. E. C. Wareing made motion that zone change application by McVicker & Evans from R-1 District to LB District be approved on second and final reading of ordinance. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

6. Zone Change Application - Dr. Daniel Salas from C District to LM District

Mayor Garrison stated that zone change application by Dr. Daniel Salas from C District to LM District covering property located North of Paul Avenue at intersection of Locke Street and Paul Avenue had been recommended by the City Planning and Zoning Commission for approval during previous meeting.

There were no persons present appearing in objection to zone change application as presented. Comm. E. C. Wareing made motion that zone change application by Dr. Daniel Salas from C District to LM District be approved on second and final reading of ordinance. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

7. Curb & Gutter Paving Petitions Approved - Bledsoe & Voyle Streets Cost Increase Per Linear Foot To Property Owners Rejected

Mayor Garrison stated that Public Works Director had prepared a report concerning the estimated cost for improving Bledsoe and Voyle Streets as requested by Commission during last regular meeting which also included information regarding Pinewood Park which would be considered later in meeting.

Review of report as submitted by Public Works Director indicated the following estimates for streets as listed below if work was completed by a Contractor or City employees:

	<u>Contractor</u>	<u>City Forces</u>
Voyle Street	\$53,812.36	\$35,000.00
Bledsoe Street	\$ 9,520.50	\$ 6,000.00

Public Works Director Hayne Stokes stated that it had been difficult in the past to complete street projects due to the inability of the City to acquire materials. Public Works Director further stated that he had furnished members of Commission a list of all permanent streets completed by the City since 1969 to include streets under construction, a copy of which has been attached to minutes for permanent record.

It was concluded by members of the Commission that a considerable savings would be realized by the City if City employees completed paving projects as listed above; and Comm. E. G. Pittman expressed his concern that same be completed by the City due to the fact that no present petition backlog was pending.

Comm. Pat Foley then made motion that ordinance be approved on first reading approving curb and gutter paving petitions for Bledsoe and Voyle Streets in areas as previously discussed at a rate of \$2.50 per linear foot with City work crews providing labor for completion of same. Motion was seconded by Comm. W. O. Ricks, Jr.

Prior to vote on motion, Comm. E. G. Pittman inquired as to the status of pending petitions for curb and gutter. City Manager Westerholm stated that, to his knowledge, only one other curb and gutter paving petition was pending and it had not been recommended by the City Planning and Zoning Commission inasmuch as the City staff was awaiting decision by the City Council regarding possible increase in amount being charged property owners per linear foot. A unanimous affirmative vote was then recorded to previous motion and second.

Considerable discussion developed regarding possible increase in cost per linear foot being paid by property owners from \$2.50 per linear foot to as much as \$4.00. Comm. W. O. Ricks, Jr., expressed his concern that the City staff should establish a more substantial method of obtaining materials through possible agreements with various companies since Public Works Director had been experiencing difficulty in obtaining same. Comm. W. O. Ricks, Jr., further stated he was of the opinion that the City should continue to encourage construction of good streets and an increase to \$4.00 per linear foot would be excessive.

Comm. R. A. Brookshire made motion that amount being paid by property owners for curb and gutter paving petitions be increased to \$4.00 per linear foot. Motion was seconded by Comm. E. C. Wareing and the following vote was recorded:

Voting Aye: Comms. R. A. Brookshire, Joe E. Rich and E. C. Wareing

Voting Nay: Mayor Garrison, Comms. Pat Foley, W. O. Ricks, Jr., and E. G. Pittman

Mayor Garrison declared motion denied by a majority vote of four to three.

Comm. E. G. Pittman asked that City Manager Westerholm keep members of the Commission advised concerning the amount of pending requests for curb and gutter paving prior to being submitted to the City Planning and Zoning Commission for recommendation to the City Commission.

8. Pinewood Park - Street Reconstruction

Mayor Garrison stated that decision to contract street resurfacing in Pinewood Park had been tabled from last regular meeting in order to allow Public Works Director an opportunity to prepare a report regarding the possibility of using City employees for this reconstruction project. Considerable review was made on report as submitted by Public Works Director, which indicated that the City Street Department employees could complete repair of streets at a cost of approximately \$9,000 for a savings to the City and also include repair of parking areas.

The following information was submitted regarding Pinewood Park as prepared by Public Works Director:

REPAIR OF STREETS IN PINWOOD PARK

Repairing & Resurfacing F. W. Thomas Street Using City Street Department Employees	\$1,200
Repairing & Resurfacing Remaining Streets Using City Street Department Employees	<u>\$7,800</u>
TOTAL	\$9,000

Comm. W. O. Ricks, Jr., made motion that street reconstruction in Pinewood Park be completed by City work crews in accordance with above listed estimates furnished by Public Works Director. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

9. Civic Center Construction - Furniture Bid Alternates Approved - Tables, Chairs & Telescopic Seating.

Mayor Garrison stated that Mr. Jerry Hill, Architect for Weiner, Hill, Morgan & O'Neal Architectural Firm, had written a letter to City Manager Westerholm indicating that there had been a misunderstanding with Vaughn & Associates regarding individual chairs and telescopic seating. Mayor Garrison then called on Mr. Hill who reviewed circumstances which had prevailed as a result of

this situation. Mr. Hill stated that the original 1500 chairs selected by the Commission during last regular meeting was supposed to have been \$42,442 rather than the price recently represented to the Council in the amount of \$23,500.20. In regard to telescopic seating previously discussed at last regular meeting, Mr. Hill stated that Vaughn & Associates only presented the telescopic tiers without the seats and Vaughn & Associates had submitted a letter reducing their price on the original bid to \$104,147. Mr. Hill stated that he would recommend aluminum decking as specified.

Considerable discussion developed regarding information as presented by Mr. Hill and Mr. Hill recommended that members of Commission consider the purchase of a plywood platform with Haywood Wakefield chairs furnished by Vaughn & Associates which would be 824 all-aluminum chairs with no plastic in the amount of \$116,106.

Comm. R. A. Brookshire then made motion that bid by Vaughn & Associates in the amount of \$116,106 be awarded for 824 chairs in accordance with recommendation as submitted by Mr. Hill at an additional cost to the City of approximately \$33,000. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

Comm. W. O. Ricks, Jr., made motion that Vaughn & Associates be awarded bid for 1500 chairs (Model #279) in the amount of \$47,570.74 in accordance with recommendation submitted by Mr. Jerry Hill. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

A brief discussion developed regarding recent decision during last regular meeting to decline bids on tables to be used in the Civic Center. Samples of tables were available for review by members of Commission who indicated their desire to purchase tables as bid by Vaughn & Associates. Mayor Garrison recommended that previous decision by members of Council to not accept bids for tables be rescinded in order to provide an opportunity to purchase the type table displayed by Mr. Hill, from Vaughn & Associates. Comm. Pat Foley made motion that previous motion to not accept bids for tables to be used in the Civic Center be rescinded and low bid by Vaughn & Associates be accepted in amount as quoted providing these bids were still valid. Motion was seconded by Comm. W. O. Ricks, Jr., and a unanimous affirmative vote was recorded.

10. Zone Change Application-Josh Duncan from R-1 Dist. to A District

Mayor Garrison stated that zone change application by Josh Duncan from R-1 District to A District covering property located South of Angelina College between Daniel McCall Drive and U. S. Highway 59 South had been recommended for approval by the City Planning and Zoning Commission.

There were no persons present appearing in objection to zone change application as presented. Comm. E. C. Wareing made motion that zone change application by Josh Duncan from R-1 District to A District be approved on first reading of ordinance as recommended by the City Planning and Zoning Commission. Motion was seconded by Comm. Joe E. Rich. Prior to vote on motion, Comm. Pat Foley recused himself from vote on this item due to his working association with this application. A unanimous affirmative vote was then recorded favoring motion with one recussal as previously stated.

11. Purchase of Refuse Containers - Sanitation Department

Mayor Garrison stated that tabulations on bids had been received for twenty, 4-cubic yard refuse containers. Mayor Garrison further stated that members of City staff recommended low bid submitted by Duncan Equipment, Inc., of Arlington, Texas, in the amount of \$4,230. City Manager Westerholm stated that only other bid received was from The Scott Holman Company, Inc., Houston, Texas, in the amount of \$5,500.

Following a brief discussion, Comm. W. O. Ricks, Jr., made motion that City Manager Westerholm be authorized to purchase twenty, 4-cubic yard refuse containers from Duncan Equipment, Inc., Arlington, Texas, in accordance with low bid recommendation in the amount of \$4,230. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

12. Lufkin Telephone Exchange - Public Pay Phone Availability

Mayor Garrison stated that the Commission had recently requested City Manager Westerholm furnish report regarding the availability of public pay phones throughout the Lufkin area.

City Manager Westerholm reported that he had received a letter from Mr. Larry Ross, President of Lufkin Telephone Exchange, explaining the present situation throughout the city. This particular report revealed that 119 pay stations were presently located within the City Limits with 47 of these locations - being made available for 24-hour daily use, which was higher than average and more than enough for a City the size of Lufkin. As indicated in letter submitted by Mr. Ross, Lufkin Telephone Exchange was presently under a program to better mark and identify these locations with proper signs. It was further reported, however, that there were no outside, walkup type pay stations, along Timberland Drive due to the high vandalism rate within this area.

Comm. Pat Foley requested that City Manager Westerholm check with other cities concerning outside pay phone availability and related problems regarding same. Comm. Pat Foley also asked that more identification signs be placed as soon as possible to identify pay phone stations.

13. Angelina County & Cities Health District - Request for Space in St. Cyprian's Church

City Manager Westerholm stated that he had received a request from the Angelina County & Cities Health District for space in the former St. Cyprian's Church building upon termination of use by the present incumbents. City Manager Westerholm reported that previous discussion had been held regarding the use of these buildings as small meeting rooms to compliment the Civic Center.

A brief discussion developed and it was the decision of the City Council that continued use of this office space should be held in abeyance until Civic Center was more near completion in order to provide additional space, if necessary, for Civic Center use. Comm. R. A. Brookshire then made motion that request by Angelina County & Cities Health District be presently denied based on discussion as previously stated. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

14. Commendation to News Media by City Commission - Beautification Program

Comm. E. C. Wareing made motion that members of the Commission recognize the contributions made by the Lufkin News and other news media to include Radio Stations KJCS, KLUF, KRBA, KSPL and KTRE-TV for their recent series of short articles and announcements pointing out various unsightly areas throughout the City that required attention and further extensive role in assisting the promotion of a successful Beautification Program for the City of Lufkin. Motion was seconded by Comm. E. G. Pittman and a unanimous affirmative vote was recorded.

15. Street Resurfacing - Discussion

Comm. E. C. Wareing stated that many of the City's streets had in the past been resurfaced with hot sand which had deteriorated to a great extent and were in need of a repair program in order to salvage materials already used. Public Works Director, Hayne

Stokes, reported that approximately \$140,000 had been set aside in the 1974-75 Fiscal Year Budget for the repair of streets which fell within this category. Comm. E. C. Wareing expressed his personal satisfaction for a program of this type and the need for its existence.

16. Combustible Materials - Disc. of Possible Ordinance

Comm. Pat Foley stated that he was of the opinion the City may possibly need an ordinance to protect citizens from transport of combustible materials along city streets and asked if various truck routes could be established and designated for through-traffic of this nature.

It was the opinion of the Commission that under existing laws, it would be difficult to approve an ordinance of this type, but City Manager Westerholm was asked to check with City Attorney Flournoy regarding the possibility of same prior to next regular meeting.

17. Beautify Lufkin Council - Replacement of Member

City Manager Westerholm suggested that Mr. Larry Ross be appointed to the Beautify Lufkin Council to replace Clayton Jircik who had resigned and also recommended Ed Wagner and John Courtney be appointed as honorary members, who were members of the Beautify Texas Council Board of Directors. Comm. W. O. Ricks, Jr., then made motion that Mr. Larry Ross be appointed to the Beautify Lufkin Council and Mr. Ed Wagner and Mr. John Courtney be appointed as honorary members in accordance with recommendation submitted by City Manager Westerholm. Motion was seconded by Comm. E. C. Wareing and a unanimous affirmative vote was recorded.

18. Audit Firms - Disc. of Use On A Rotation Basis

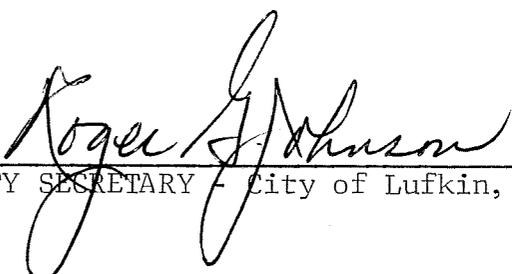
City Manager Westerholm reported that it had been the policy of the City Commission each year to appoint audit firms on a rotation basis to do the City's auditing. City Manager Westerholm asked if members of the City Council desired to continue this policy which would qualify the selection of Axley & Rode as the next firm for use. Comm. R. A. Brookshire then made motion that Axley & Rode audit firm be selected as the City's next audit firm for the ensuing year and the rotation cycle be continued as in the past. Motion was seconded by Comm. Pat Foley and a unanimous affirmative vote was recorded.

19. Adjournment

There being no further business for consideration, meeting was adjourned at 8:53 P. M.

  
MAYOR - City of Lufkin, Texas

ATTEST:

  
CITY SECRETARY - City of Lufkin, Texas