

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3RD DAY OF NOVEMBER, 1987, AT 5:00 P.M.

On the 3rd day of November, 1987, 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:

Pitser H. Garrison	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Danny Roper	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Jack Gorden, Jr.	Commissioner, Ward No. 5
Louis Bronaugh	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Brian Boudreaux	Assistant City Manager
Ron Wesch	Public Works Director
Robert Flournoy	City Attorney
Atha Stokes	City Secretary

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Gary Sills, Minister, Parkview Baptist Church, Lufkin.

2. Mayor Garrison welcomed visitors present.

3. RESOLUTION - OSCAR BROOKSHIRE

Mayor Garrison stated that at last meeting a resolution verbally memorializing the life of Oscar Brookshire had been passed with a request that the City Attorney put the resolution into written form and that a copy of same be presented to Mrs. Dorothy Brookshire.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that Resolution memorializing the life of Oscar Brookshire be adopted as presented. A unanimous affirmative vote was recorded.

4. APPROVAL OF MINUTES

Minutes of regular meeting of October 20, 1987 were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Pat Foley. A unanimous affirmative vote was recorded.

5. ORDINANCE - APPROVED - FIRST READING - PERSONAL PROPERTY FINANCE CONTRACT

Mayor Garrison stated that the City has been considering a method of purchasing personal property by adopting a financing program over a period of years, that the period of payments would be shorter than the life of the equipment.

City Attorney Bob Flournoy stated that an interlocal property acquisition agreement had been worked out through a Houston/Galveston area council. Mr. Flournoy stated that initially there was a contract entered into by the City of Belton and by signing an additional party agreement, the City becomes a party to that, which permits the City to have bonds sold on its behalf. Mr. Flournoy stated that the Commission has, in fact, already approved an Ordinance on First and Second Reading adopting the Personal Property Contract but was not aware that Rauscher Pierce had not furnished information providing the interest rate. Mr. Flournoy stated that because it is necessary that

the documents are proper and exact, they are now before the Commission again for approval.

In response to question by City Commissioner Pat Foley, City Manager Westerholm stated that the interest rate is 6.8%.

Commissioner Percy Simond stated that he had mentioned the computerized water system in a previous meeting and was still not sure if this item could be included in a Personal Property Finance Contract.

Mr. Levi Davis, representative of Rauscher Pierce, stated that, in his opinion, this would be a fixed item and could not be considered under the contract.

Mayor Garrison stated that he would like for the City Manager to prepare a letter as to what would be entailed for the computerized water system and submit same to Mr. Davis for consideration.

First reading of Ordinance was unanimously approved by the Commission.

6. GARBAGE BAGS - PRICE INCREASE

Mayor Garrison stated that recently the City had invited firms to bid on garbage bags that have been provided to residents of the community. Mayor Garrison stated that some residents need more than the two boxes that the City provides annually and the City has been charging a price for additional bags which is less than they can be justifiably sold for in the future because the price has gone up. Mayor Garrison stated that the City Manager was requested to make a study to see what kind of a price bags were selling for so that that information can be used in fixing the price of the bags sold by the City.

City Manager Westerholm stated that based on the study made by the Public Works Director, the staff is recommending that the cost of the bags be raised from \$4.00 to \$5.50 and leaf bags from 15¢ per bag to 18¢ per bag.

In response to question by Commissioner Pat Foley, City Manager Westerholm stated that the new price per bag that the staff is recommending is .0688 per bag and the City had been getting them for a little over 4 1/2¢ per bag. City Manager Westerholm stated that a roll had been costing \$2.28 and the City was selling it for \$4.00, and now it is costing \$3.44 and based on the staff recommendation they will be sold for \$5.50.

In response to question by Commissioner Percy Simond, City Manager Westerholm stated that the bags are transferred from the storage center to the window in the Water Department, and that twice a year the City uses part-time labor to pass out bags to customers as they redeem their coupons at the trailer in the parking lot.

In response to question by Mayor Garrison, City Manager Westerholm stated that the City sells approximately \$40,000 worth of bags over the counter annually.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Louis Bronaugh that price of garbage bags be raised to \$5.50 including tax. A unanimous affirmative vote was recorded.

7. INVOICE - APPROVED - COMPREHENSIVE MASTER PLAN - BUCHER, WILLIS AND RATLIFF

Mayor Garrison stated that the next item for consideration was an invoice from Bucher, Willis and Ratliff for the Comprehensive Master Plan.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that final invoice from Bucher, Willis and Ratliff in the amount of \$6,944.70 be approved as presented. A unanimous affirmative vote was recorded.

8. RESOLUTION - APPROVED - CONDEMNATION OF PROPERTY FOR STREET RIGHT-OF-WAYS

Mayor Garrison stated that the next item for consideration was a Resolution giving Angelina County consent to proceed in condemning property in street right-of-ways. Mayor Garrison stated that Angelina County, through its attorney, has asked the City to give consent to condemn some property that lies just south of Loop 287 and joins Feagin Drive (Farm Road 819).

In response to question by Commissioner Jack Gorden, City Manager Westerholm stated that the property owners involved in the condemnation were James D. Morgan and Adolph A. Haltmar who had wanted more than the appraised value of the right-of-way.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Danny Roper that Resolution authorizing Angelina County to proceed with condemnation of property east of Farm to Market Road 819 to be approved as presented. A unanimous affirmative vote was recorded.

9. GARDEN CLUB/BEAUTIFICATION PLAN - APPROVED - GRACE RICHARDSON ESTATE

Mayor Garrison stated that the next item for consideration was area garden clubs' plan for beautification with funds from Grace Richardson's estate.

Mayor Garrison stated that the courts had appointed the First City Bank as custodians of funds for Mrs. Richardson's estate and to act as consultant with area council of garden clubs for the disbursement of same. Mayor Garrison stated that Mrs. Richardson had been very active in the area council of garden clubs. Mayor Garrison stated that present at tonight's meeting representing the area council of garden clubs were Mrs. Robert (Sara) Kurth, Mrs. Rennie Mae Hickman, and Mrs. Nannie Massengill Melton.

Mrs. Hickman stated that Mrs. Richardson had left \$60,000 to the area garden clubs for beautification of the City and on behalf of the garden club, she was proposing a 15'x5' brick wall with plants on both sides of the wall to be placed at the entrance of all the City Parks and on Highway's 59 and 69. Mrs. Hickman stated that the garden clubs were asking the City to provide water and maintenance at all sites. Mrs. Hickman stated that the garden clubs were also requesting that the City name the new park behind Fire Station Number 4 "The Grace Richardson Park".

In response to question by Commissioner Foley, Mrs. Hickman stated that they wanted to start with Chamber's Park then continue on to Kiwanis Park, Jones Lake, Winston Park, Morris Frank Park and as far as the money will go. Mrs. Hickman stated that if the park is named for Mrs. Richardson, a double entrance will be placed at the site.

Mayor Garrison stated that it will be necessary for the garden clubs to work with City Management on these sites.

In response to statement by Commissioner Bronaugh that a garden club is presently working on a project at Jones Park, Mrs. Kurth stated that it was their intention to cooperate with all other garden clubs to avoid any conflicts.

In response to question by Commissioner Foley, Mrs. Hickman stated that at the present time Ellen Trout Park was not being considered as part of the project. Mrs. Hickman stated that she would like to start the project in the next three weeks. Mrs. Hickman stated that she already has bids for building the brick backdrops and the plants and is just waiting for City approval.

In response to question by Commissioner Bronaugh, Mrs. Hickman stated that one planter would be placed on the side of the highway as you are approaching from Diboll and Nacogdoches, and one on the other side as you are leaving each City limits. Mrs. Hickman stated that she has tentatively selected the Pentecostal Camp Ground Headquarters as the Diboll site.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd to support the garden club's beautification plan funded by the Grace Richardson Estate and to authorize the City management to provide water and maintenance at each of the sites. A unanimous affirmative vote was recorded.

Mayor Garrison stated that naming of the park on the South Loop would need more consideration.

Mrs. Hickman stated that Lufkin does not have one park or building named for a woman and she would like for this park to be named for Mrs. Richardson.

In response to question by Commissioner Roper, City Manager Westerholm stated that he would estimate the cost to be between \$200 and \$500 to provide water to the planters.

10. TML REQUEST - TABLED - WATER QUALITY STANDARDS

Mayor Garrison stated that the next item for consideration was a request by TML for participation in the cost of intervention in Sportsmen's Club et al versus EPA concerning water quality standards over Texas that TML says will put undue burdens on cities. Mayor Garrison stated that TML has estimated that the cost for the City to participate in this suit will be \$1,071.56.

Motion was made by Commissioner Percy Simond that this item be tabled until the next budget year.

In response to question by Commissioner Louis Bronaugh, City Manager Westerholm stated that he had visited with Susan Horton with the TML legal staff and she stated that TML has intervened, not necessarily taking one side or the other, but to be sure that the restrictions are not so difficult and the standards so high by the EPA that the cities will have to spend a lot of money in the future. City Manager Westerholm stated that sometimes organizations like the Sportsmen's Club or Sierra Club are not concerned about the cost and TML has intervened to protect the cities when the new standards are set.

Motion was seconded by Commissioner Don Boyd.

Commissioner Pat Foley stated that, in his opinion, the Commission had not been provided with enough information, and he would like to know more about what the issues are before this item is tabled.

Motion was amended by Commissioner Percy Simond and seconded by Commissioner Don Boyd to table item until a future meeting of the Commission when more information is available. A unanimous affirmative vote was recorded.

11. REGIONAL WATER SUPPLY STUDY - DISCUSSED

Mayor Garrison stated that at a prior meeting of the City Commission there was some consideration given to a county wide water study to determine whether or not the City of Lufkin and all of the other public water entities of the County could justifiably go together and find a plan to benefit the entire County.

Mayor Garrison stated that it was suggested that the City Manager send proposals to the other public water entities to see if they were interested in joining in such a study.

Mayor Garrison stated, in the opinion of the staff, that there had been enough response to justify considering a formal county-wide meeting to determine whether the City wished to pursue the plan.

Commissioner Foley stated that basically the Commission was wanting to pursue the grant application if there was enough interest.

In response to question by Commissioner Simond, Commissioner Foley stated that since the City of Lufkin has already initiated this type application, and time is of the essence, he would be willing to use the same engineer that Huntington is using and that is Everett Griffith and Associates. Commissioner Foley stated that he was of the opinion that the application must be submitted by December 15th.

Mayor Garrison stated that after the county-wide meeting is held, then is when entities would make commitments on what part of the money they had to provide. Mayor Garrison stated that the meeting between entities could be the beginning of a joint operation depending upon who wanted to go forward with the study.

In response to question by Commissioner Bronaugh, Commissioner Foley stated that several of the entities that were contacted have indicated an interest but could not make a commitment until it was discussed at their board meetings.

Jimmy Griffith stated that there were seven entities involved in the study by the City of Huntington, however, the study was intended to encompass the better part of the County addressing less directly most of the needs of the County and directly those seven entities. Mr. Griffith stated that those included were Diboll, Burke, M & M Water Supply, Redland Water Supply, City of Huntington, Lufkin Industries, and Owens-Illinois Development Corporation who subsequent to that meeting has now sold out to Temple.

In response to question by Commissioner Roper, Mr. Griffith stated that the thrust of the study was to determine take-or-pay methods for freeing up some water in Sam Rayburn, location as far as take points from the lake, alternative routes coming into the various cities, where the water will be delivered to within the cities, capital cost and operation and maintenance cost, putting together the overall plan and scheme of how the different entities needs could be met. Mr. Griffith stated that every entity had a different need and different time frame that they will be needing water and this information will all be brought together into a Comprehensive Plan. Mr. Griffith stated that the intention of the grant program is to encourage organization for the sake of a more efficient treatment and delivery of water to the various entities.

In response to question by Mayor Garrison, Jimmy Griffith stated that the grant is set up on a 50% match by the State. Mr. Griffith stated that the total amount for the study would be approximately \$75,000 to \$90,000 and half of that amount would be related to the entities.

In response to question by Mayor Garrison, Mr. Griffith stated that he had committed his firm because, in his opinion, the study is needed

and as a means of encouraging the other entities to join in, he will incur all costs of setting up the meeting.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Danny Roper authorizing Everett Griffith and Associates to call a meeting on behalf of the City of Lufkin Thursday, November 12, at 7:00 P.M. in the City Hall Council Chambers for the purpose of determining if there is an interest in pursuing the grant. A unanimous affirmative vote was recorded.

12a. BID - APPROVED - JANITORIAL SERVICES - COMMERCIAL FLOOR CARE

Mayor Garrison stated that the next item for consideration was bids for janitorial service for the municipal and police buildings. City Manager Westerholm stated that the low bid had been received from City employees, but the bid could not be accepted because it is a violation of the charter for City employees to enter into a contract which is paid from the City treasury.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Don Boyd that bid from Commercial Floor Care for janitorial service, carpet cleaning and window cleaning in the amount of \$26,560 be accepted as the lowest and best bid. A unanimous affirmative vote was recorded.

12b. BID - APPROVED - PIPE AND MATERIAL FOR LOOP 287 - ROHAN COMPANY

Mayor Garrison stated that the next item for consideration was for pipe and material to extend water to two major construction projects within the City.

City Manager Westerholm stated that the City did not have funds in the original budget for these two projects, but when the water and sewer rates were raised the money became available. City Manager Westerholm stated that the low bid had been received from Rohan and Company in the amount of \$37,777.38 and would be paid from unencumbered balance in the water and sewer revenues.

In response to question, Public Works Director Ron Wesch stated that both projects have 12" water mains and will extend 12" water lines to the Berry's Amusement Park on Loop 287 between Highway 94 and 103 West and to the new nursing home being built on the East Loop.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Louis Bronaugh that bid from Rohan Company in the amount of \$37,777.38 be accepted as the lowest and best bid. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that funds for this project be taken from unencumbered funds of water and sewer revenue. A unanimous affirmative vote was recorded.

12c. BID - APPROVED - DATA PROCESSING TAPE DRIVE - IBM

Mayor Garrison stated that the next item for consideration was a tape drive for the computer in the Data Processing Department.

City Manager Westerholm stated that the bid of \$2,802 from IBM was \$125 over the budgeted amount of \$2,677.

Assistant City Manager Brian Boudreaux stated that, in his opinion, the \$125 difference could be absorbed from the Data Processing Department.

In response to question by Commissioner Gorden, Assistant City Manager Brian Boudreaux stated that the tape drive is actually a memory back-up for the IBM 36 and would save approximately \$800 per year.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that bid from IBM in the amount of \$2,802 be accepted as presented. A unanimous affirmative vote was recorded.

13. 911 PHONE NUMBER - TEXAS FLAG - EMERGENCY LIGHTS ON PRIVATE VEHICLES

Commissioner Jack Gorden stated that he had noticed that Nacogdoches County was involved with DETCOG and the 911 phone number.

City Manager Westerholm stated that the subject was brought up at the DETCOG meeting last week and members were informed that all counties would be mandated by 1995 to provide 911 service.


Commissioner Percy Simond stated that he had noticed that the Texas Flag was in place at the entrance of City Hall and he would like to commend the Administration for following up on this project.

Commissioner Simond stated that he had been interested in the discussion of emergency lights on private vehicles which had been brought up at last meeting and would like for Chief Collins to address this subject at a future meeting.

Commissioner Pat Foley stated that he was under the impression that the City Manager was to get some information on the subject for the Commission.

Commissioner Simond stated that he would like to commend Chief Collins for being present at the City Commission meetings. Commissioner Simond stated that, in his opinion, all department heads should be present at the meetings in the event there are questions they could answer and prevent the Manager from having to bring back a report.

14. There being no further business for consideration, meeting adjourned at 6:32 P.M.


Pitser H. Garrison, Mayor

ATTEST:


Atha Stokes, City Secretary