MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 16TH DAY OF SEPTEMBER, 1986, AT 5:00 P.M.

On the 16th day of September, 1986, 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:

Pat Foley	Mayor pro tem
Percy Simond, Jr.	Commissioner, Ward No. 1
Danny Roper	Commissioner, Ward No. 3
Jack Gorden	Commissioner, Ward No. 5
Louis Bronaugh	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Ron Wesch	Public Works Director
Nick Finan	City Planner
Bob Flournoy	City Attorney
Atha Stokes	City Secretary

being present, and

Pitser Garrison	Mayor
Don Boyd	Commissioner, Ward No. 4
Brian Boudreaux	Assistant City Manager

1. Meeting was opened with prayer by Rev. Bob Lewis, Minister, First Assembly of God Church.

2. Mayor pro tem Foley stated that new members of the Service League were present at tonight's meeting, and he would like to welcome them and all other visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of September 2, 1986, were approved on a motion by Commissioner Louis Bronaugh and seconded by Commissioner Jack Gorden. A unanimous affirmative vote was recorded.

4. PUBLIC HEARING - REINVESTMENT ZONE/TAX ABATEMENT - JOHN ROSS KAY - 200-200A-202 AND 204 E. LUFKIN AVENUE - 105 S. SECOND STREET

Mayor pro tem Foley stated that the Commission now had for consideration a Public Hearing to consider designation of Reinvestment Zone for the Tax Abatement Program as requested by John Ross Kay covering property located at 200-200A-202 and 204 E. Lufkin Avenue and 105 S. Second Street.

Mayor pro tem Foley recognized Mr. Kay who stated that the letter he had submitted to the City Secretary's office regarding this request was self-explanatory.

Mr. Kay stated that he planned to refurbish the exterior of the building by removing the aluminum sheathing and repairing and replacing the stucco, and painting of the entire building. Mr. Kay stated that future plans include the rehabilitation of the commercial spaces on the ground floor and the development of a community law library system for the second floor. Mr. Kay stated that an estimated $15,000 to $20,000 will be spent this year in the exterior work and remodeling of ground level spaces. Mr. Kay stated that future plans will probably require expenditure of approximately $40,000.

In response to question by Commissioner Louis Bronaugh, Mr. Kay stated that someone from the Historical Society was making a study to determine if the building would qualify as an historical building.

There was no opposition present.

Mayor pro tem Foley closed Public Hearing due to lack of discussion.

5. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE REQUEST - TRAVIS FULLER - 3700 OLD UNION ROAD - RL TO C, SU (SALVAGE POOL)

Mayor pro tem Foley stated that the Commission now had for consideration Second Reading of Ordinance for Zone Change Request by Travis Fuller covering property located at 3700 Old Union Road from Residential Large to Commercial, Special Use (Salvage Pool).

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Danny Roper that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. FINALIZATION OF BUDGET - FISCAL YEAR - 1986-87 - TAX LEVYING ORDINANCE - APPROPRIATIONS ORDINANCE

Mayor pro tem Foley stated that the Commission now had for consideration several items pertaining to the finalization of the 1986-87 budget.

Mayor pro tem Foley stated that the first item for consideration is the adoption of the Tax Levying Ordinance for October 1, 1986 - September 30, 1987. Mayor pro tem Foley stated that the Ordinance provided a tax of forty-four cents (44¢) on each One Hundred Dollars ($100) valuation of property. Mayor pro tem Foley requested City Attorney Flournoy to read Ordinance caption.

City Manager Westerholm stated that the valuation was broken into two categories: (1) For the maintenance and support of the general government (General Fund) $.36109 on each One Hundred Dollars ($100) valuation of property; and, (2) For the Interest and Sinking Fund $.07891 on each One Hundred Dollars ($100) valuation of property.

Mayor pro tem Foley stated that the $.44 valuation is the same rate as set last year.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Danny Roper that Tax Levying Ordinance be approved as presented. A unanimous affirmative vote was recorded.

Mayor pro tem Foley stated that the Commission now had for consideration an Appropriations Ordinance adopting the budget for the fiscal year October 1, 1986 through September 30, 1987.

Mayor pro tem Foley stated that the Ordinance provides: $10,218,218.47 to the General Fund for the payment of operating expenses and necessary capital outlay for the City government; $616,625.00 to the Interest & Sinking Fund for General Obligation Bonds and Warrants of the City for redeeming such bonds and warrants as they mature; $2,981,014.18 to the Water & Sewer Utility Funds for operating expenses and necessary capital outlay for the Water and Sewer Departments; $1,036,286.19 to the Interest and Sinking Funds of the Water and Sewer Departments for general debt service for the purpose of paying interest due on the bonds and warrants of said departments and for redeeming such bonds as they mature; $352,221.92 to the Civic Center Fund for operating expenses and necessary capital outlay; $12,400.00 to the Ellen Trout Zoo Fund for operating expenses and necessary capital outlay; $96,701.37 to the Special Recreation Fund for operating expenses and necessary capital outlay; $103,950.00 to the Convention Center Operating Fund for operating expenses and necessary outlay, for a total of $15,417,417.13.

Mayor pro tem Foley requested City Attorney Flournoy to read the caption for the Appropriations Ordinance.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Jack Gorden that Appropriations Ordinance adopting the budget for the fiscal year 1986-87 be approved as presented. A unanimous affirmative vote was recorded.

Commissioner Simond stated that he noticed that $7,500 had been added back to the budget for the Palmer Drug Abuse Program. Commissioner Simond stated that he was very concerned about the drug problem and wondered if the City was doing enough as far as drugs are concerned in the community. Commissioner Simond stated that, in his opinion, $7,500, with the influx of drugs in the City and County, is not very much. Commissioner Simond stated that the Deep East Texas Regional Council on Drug and Alcohol Abuse doesn't have enough people to administer the program effectively because they obviously do not have enough money.

Commissioner Simond stated that he would like for the Commissioners to monitor the drug program to see if there is more the City can do. Commissioner Simond stated that whether the citizens want to admit it or not, Lufkin does have a drug problem. Commissioner Simond stated that recently there had been a drug bust in Lufkin and as a result the jails were full and overcrowded. Commissioner Simond stated that it seemed evident that if there are drug pushers being arrested, there must be drug users. Commissioner Simond stated that he would like to see more emphasis on drug education.

In response to question by Commissioner Simond, Assistant Chief Goodwin stated that the Police Department has a program where an officer and the Police dog go out to elementary schools with literature from DETCOG to distribute. Commissioner Simond stated that he would like to see an officer assigned specifically to the drug prevention program who would be able to attend schools and seminars and would be able to use this information to prevent drug abuse. Commissioner Simond stated that he would also like to see a reformed drug addict as part of the prevention program to be used in the schools.

Commissioner Simond stated that he had read an article recently which stated that 61% of young people graduating from high school admitted taking drugs. Commissioner Simond stated that he regretted not putting money in the budget so that an officer could be utilized in the school system for drug prevention. Commissioner Simond stated that he was putting the Commissioners on notice that he is going to be pushing for more involvement in the drug program.

Mayor pro tem Foley stated that he and the other Commissioners felt the same concern about the drug problem as Commissioner Simond. Mayor pro tem Foley stated that in addition to the Palmer Drug Abuse Program, the City also had good, effective programs with MHMR, DETCOG, and the Police Department participates with the DET Task Force.

Mayor pro tem Foley requested that City Manager Westerholm bring a report back to the Commission as to the Police Department's programs relating to the drug problem.

Mayor pro tem Foley stated that there are funds available in the Contingency Fund and if personnel is needed for this program, perhaps later in the year it could be worked out.

Mayor pro tem stated that he had voted for the adoption of the budget with the following reservations: (1) Establishing a Purchasing Department this year - not the appropriate time to be doing this when the City is having a "tight" year, (2) Projections for sales tax revenue, and (3) Transferring excess income over expenses into other funds. Mayor pro tem Foley stated that next year he hoped that revenue would not have to be transferred from one account to another, but if it has to be done next year, he hoped that the City Manager would consult with the Commission before-hand. Mayor pro tem Foley stated that it appears that the City will be going to Lake Rayburn in the future for its water needs and he would like to see any excess funds going into a reserve fund for this purpose.

Commissioner Gorden stated that the Commission had spend several sessions discussing the budget and that any one of the Commissioners could pick out an item they weren't happy about, but the situation being what is is, the budget, in his opinion, is still a good document.

7. ORDINANCE - TABLED - ZONE CHANGE REQUEST - LARRY BYRD - 116 NORTH FIRST STREET - CENTRAL BUSINESS TO CENTRAL BUSINESS, SPECIAL USE (DAYCARE)

Mayor pro tem Foley stated that the next item for consideration was a Zone Change Request by Larry Byrd covering property located at 116 N. First Street from Central Business to Central Business, Special Use (Daycare).

Mayor pro tem Foley stated that this particular item did not meet the approval of the Planning and Zoning Commission. Mayor pro tem Foley stated that in order to receive approval by the City Commission the request would need a four-fifths vote by the Commission and since two members were absent, Mr. Byrd requested that the item be withdrawn and rescheduled for the next Commission meeting.

8. CHANGE ORDER NO. 1 - APPROVED - WASTEWATER TREATMENT PLANT

Mayor pro tem Foley stated that the next item for consideration was Change Order No. 1 to the Wastewater Treatment Plant Improvements Contract.

Mayor pro tem Foley recognized Jimmy Griffith who stated that the Change Order would decrease the amount of the Contract by $15,991.22. Mr. Griffith stated that the Change Order included coating the inside of manholes with bituminous coating; re-pulling existing feeders to facilitate addition and relocation of 2000 amp switch; remove and replace unstable material at Digester #2; and, add two (2) yard dump truck for hauling sludge to the disposal sight in lieu of truck and dumpsters.

Mr. Griffith stated that there would probably be a savings of $20,000 on the lines. Mr. Griffith stated that there was an understanding with the State that if any money was saved it would not decrease the EPA's contribution.

Mr. Griffith stated that the work was holding to the schedule and should be completed by the end of March. Mr. Griffith stated that he would like to suggest that the Commissioners come out to the plant and see the work in progress.

Mr. Griffith stated that two (2) lift stations were no longer in operation. City Manager Westerholm stated that he was especially pleased that the Copeland Street lift station had been abandoned and that sewerage was now going to the plant by gravity flow.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Louis Bronaugh that Change Order No. 1 to Wastewater Treatment Plant Improvements Contract be approved as presented. A unanimous affirmative vote was recorded.

9. RESOLUTION - APPROVED - CERTIFICATES OF OBLIGATION - TRIBBLE AND STEPHENS - CITY HALL

Mayor pro tem Foley stated that the next item for consideration was a Resolution authorizing Certificates of Obligation for payment of invoice from Tribble & Stephens for new City Hall construction.

City Manager Westerholm stated that this Resolution is necessary to authorize Certificates of Obligation to pay the August invoice of Tribble & Stephens.

Commissioner Jack Gorden stated that the Payment Certificate signed by the Architect was not included in the packet for this meeting and requested that same be included in future packets.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Louis Bronaugh that Resolution be approved for payment of invoice from Tribble & Stephens in the amount of $193,241.00 as presented. A unanimous affirmative vote was recorded.

10. GRANT AWARD - APPROVED - CRIMINAL JUSTICE DIVISION FOR BURGLARY

Mayor pro tem Foley stated that the Commission now had for consideration acceptance of grant award from the Criminal Justice Division for Burglary Investigation Unit in the Police Department.

Mayor pro tem Foley recognized Assistant Chief J. B. Goodwin who stated that the grant for $14,363 represented 60% of the officer's salary and the City would match this with 40% or $9,575 for a total of $23,938.

Commissioner Percy Simond stated that, in his opinion, burglaries are directly related to drugs.

Assistant Chief Goodwin stated that a large number of people being arrested for burglaries are second-time offenders.

Assistant Chief Goodwin stated that the DETCOG Task Forces undercover grant represents a lot more money, but three counties are involved.

Assistant Chief Goodwin stated that Lt. Amos Lewis is available to the public to do security surveys for residences.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Danny Roper that Grant be accepted and approved as presented. A unanimous affirmative vote was recorded.

11. BUDGET SUMMARY REPORT, DISCUSSED - COMPREHENSIVE PLAN, DISCUSSED NARROW CITY STREETS, DISCUSSED - RESOLUTION TO EMERGENCY MEDICAL PERSONNEL - APPROVED

Commissioner Danny Roper stated that since the budget is especially tight this year, he would like to see the Commissioners monitor the budget on a much closer basis. Commissioner Roper stated that perhaps City Manager Westerholm could bring to the attention of the Commissioners certain expenditures which were not anticipated, when revenues were not coming in as projected, etc., and that the budget be reviewed on a periodic basis.

City Manager Westerholm stated that the statements given to the Commissioners at each monthly meeting record what percent that the budget is at, both in income and expenses. City Manager Westerholm stated that the report shows each category as to how much has been spent and how much is left in the budget.

Mayor pro tem Foley stated that he would be interested in seeing a report periodically showing the City's cash position.

In response to question by Commissioner Gorden, City Manager Westerholm stated that the monthly report outlines the actual cash position of the City but, in his opinion, the report might be difficult to read by someone who is not an accountant. City Manager Westerholm stated that perhaps he could talk with the auditors about setting up the report in a way that would be easier to interpret. Commissioner Gorden stated that he would like to see the general categories simplified. Mayor pro tem Foley requested City Manager Westerholm to be in touch with Alexander & Rogers regarding a Budget Summary.

Commissioner Percy Simond stated that he was concerned about the narrow streets in Lufkin and had spoken to Public Works Director Ron Wesch several times about the possibility of widening Second Street. Commissioner Simond stated that when people open their car doors on a busy, narrow street, such as Second Street is between the Sheriff's office and the Courthouse, it endangers the lives of people and he would like to see an Ordinance addressing this problem. Commissioner Simond stated that he would like for City Attorney Flournoy to check with other cities and see what they are doing about this problem.

Commissioner Louis Bronaugh stated that a copy of an article which had recently appeared in the local newspaper regarding quick treatment by the City's emergency personnel had been placed around the council table for the Commissioner's consideration. Commissioner Bronaugh stated that when he read the article he had immediately thought of recognizing these people in some way and that he and Mayor pro tem Foley had both approached the City Manager about presenting a Resolution to them.

Commissioner Bronaugh stated that he would also like to bring out the fact that open heart surgery had been performed on the patient. Commissioner Bronaugh stated that, in his opinion, it was good to know that Lufkin's medical facilities with physicians like Dr. Garrett and Dr. Denman are such that they are able to do open heart surgery in Lufkin and they should be commended.

Mayor pro tem Foley stated that the people who provide emergency services to the public are often overlooked, and that it is appropriate, in his opinion, to recognize them when the opportunity arises.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Danny Roper that Resolution recognizing the fine performance of Lufkin's Emergency Medical Services employees Tom Carrington, Steve Howland, Tom Brazeil and R. K. Lewis, be approved as presented. A unanimous affirmative vote was recorded.

Mayor pro tem Foley stated that the Resolution could be presented to the firemen at the next meeting of the Commission.

Commissioner Simond stated that he had reservations about having individuals named on the Resolution. Commissioner Simond stated that, in his opinion, a lot of people in the Ambulance Service are doing a real good job, and he would like to see the names left off the Resolution and commend the entire ambulance department.

Mayor pro tem Foley stated that he would like to see individuals recognized from time to time when they give exemplary service above and beyond the call of duty.

Commissioner Simond stated that in the near future he would like to see some individuals from the Police Department recognized.

15. There being no further business for consideration, meeting adjourned at 6:19 P.M.

Pat Foley

Pat Foley - Mayor pro tem

ATTEST:

Atha Stokes

Atha Stokes - City Secretary