

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 20TH DAY OF JUNE, 1989, AT 5:00 P.M.

On the 20th day of June, 1989, 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	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Bob Bowman	Commissioner, Ward No. 4
Jack Gorden	Commissioner, Ward No. 5
Paul Mayberry	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, and

Danny Roper Commissioner, Ward 3

being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Eddie Hayworth, Minister, Herty Baptist Church.

2. Mayor Bronaugh welcomed visitors present, and recognized Lufkin Service League provisionals: Lisa Warner, vice-president, Sarah Thrasher, Pat Todd, Pam Dowd, Cherry Slover, Bridget Grubb, Janet Samford and Julie Rhodes.

3. APPROVAL OF MINUTES

Minutes of regular meeting of June 6, 1989 were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Bob Bowman. A unanimous affirmative vote was recorded.

4. RESOLUTION - APPROVED - RAY HENSON - ZONING BOARD OF ADJUSTMENT AND APPEALS

Mayor Bronaugh presented a copy of a Resolution and a plaque to Ray Henson for 19 years of service on the Zoning Board of Adjustment and Appeals.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that Resolution to Ray Henson for serving on the Zoning Board of Adjustment and Appeals be approved as presented. A unanimous affirmative vote was recorded.

5. PUBLIC HEARING - REINVESTMENT ZONES - DOWNTOWN AREA- HERIDER FARMS BUILDING AT CANAL AND LUFKIN AVENUE - WHITES BUILDING AT 1402 NORTH JOHN REDDITT DRIVE - LUFKIN STEEL FABRICATORS BUILDING AT 1310 NORTH JOHN REDDITT DRIVE - U. S. HOMES BUILDING OFF WEST LOOP 287 ON BORDEN DRIVE - WOODY'S TOYS BUILDING AT 100 REGAL ROW OFF HIGHWAY 94 - FORMER UNIT RIG BUILDING AT 711 INDUSTRIAL BOULEVARD - SOUTHWESTERN FLORAL BUILDING AT 800 ELLEN TROUT DRIVE

Mayor Bronaugh officially opened Public Hearing to consider designation of "Reinvestment Zones" for the following locations:

- 1) Downtown area
- 2) Former Herider Farms building at Canal and Lufkin Avenue
- 3) Whites building at 1402 North John Redditt Drive
- 4) Lufkin Steel Fabricators building at 1310 North John Redditt

- Drive
- 5) U. S. Homes building off West Loop 287 on Borden Drive
  - 6) Former Woody's Toys building at 100 Regal Row off Highway 94
  - 7) Former Rig Unit building at 711 Industrial Boulevard
  - 8) Southwestern Floral building at 800 Ellen Trout Drive

City Manager Harvey Westerholm stated that anyone who wishes to occupy these particular buildings, or a building in the downtown area, will be eligible for a Tax Abatement and it will not be necessary for them to come before the City Commission for the designation of a reinvestment zone.

Mayor Bronaugh closed Public Hearing.

6. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - CECIL C. BERRY - 911 O'QUINN - RS TO LB ON LOT 10 - RS TO LB, SU (WITH RESTRICTIONS THAT OPERATING HOURS ARE FROM 6:00 A.M. TO 8:00 P.M.; SIGHT BEARING FENCE TO THE SIDE OF PROPERTY TO PROTECT RESIDENTIAL AREA; WITH NO FURTHER EXPANSION TO THE BUILDING; AND, PARKING AS IS WILL BE SATISFACTORY) ON LOT 11

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for Zone Change request by Cecil C. Berry, covering property located at 911 O'Quinn from Residential Small to Local Business on Lot 10, and from Residential Small to Local Business, Special Use on Lot 11 with restrictions that operating hours are from 6:00 a.m. to 8:00 p.m.; sight bearing fence to the side of property to protect residential area; and, parking as is will be satisfactory.

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

7. ORDINANCES - APPROVED - FIRST READING - REINVESTMENT ZONES - DOWNTOWN AREA - HERIDER FARMS BUILDING AT CANAL AND LUFKIN AVENUE - WHITES BUILDING AT 1402 NORTH JOHN REDDITT DRIVE - LUFKIN STEEL FABRICATORS BUILDING AT 1310 NORTH JOHN REDDITT DRIVE - U. S. HOMES BUILDING OFF WEST LOOP 287 ON BORDEN DRIVE - FORMER WOODY'S TOYS BUILDING AT 100 REGAL ROW OFF HIGHWAY 94 - FORMER UNIT RIG BUILDING AT 711 INDUSTRIAL BOULEVARD - SOUTHWESTERN FLORAL BUILDING AT 800 ELLEN TROUT DRIVE

Mayor Bronaugh stated that the next item for consideration was First Reading of Ordinances for Reinvestment Zones at:

- 1) Downtown area
- 2) Herider Farms Building at Canal and Lufkin Avenue
- 3) Whites building at 1402 North John Redditt Drive
- 4) Lufkin Steel Fabricators building at 1310 North John Redditt Drive
- 5) U. S. Homes building off West Loop 287 on Borden Drive
- 6) Former Woody's Toys building at 100 Regal Row off Highway 94
- 7) Former Rig Unit building at 711 Industrial Boulevard
- 8) Southwestern Floral building at 800 Ellen Trout Drive

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that Ordinances for above described Reinvestment Zones be approved on First Reading as presented. A unanimous affirmative vote was recorded.

8. LEASE AGREEMENT - DISCUSSED - ALCOHOL AND DRUG ABUSE COUNCIL OF DEEP EAST TEXAS - PARKS AND RECREATION BUILDING

Mayor Bronaugh stated that the next item for consideration was a lease agreement with the Alcohol and Drug Abuse Council of Deep East Texas for space in the Parks and Recreation Building.

Sarah Beth Teutsch, Executive Director of the Alcohol and Drug Abuse Council, stated that in the past they have had a one-year lease agree-

ment with the City and would now like to renew the agreement for five years.

In response to question, David Cochran, Purchasing Agent, stated that bids for elevator maintenance will be opened tomorrow (Wednesday, June 21st), and the present contractor, if awarded the bid, has agreed to continue servicing the elevator in the Parks and Recreation building at no charge.

City Manager Westerholm stated that the organization contributes \$50 per month towards the utilities.

Mayor Bronaugh requested that the City Attorney prepare an agreement between the City of Lufkin and the Deep East Texas Alcohol and Drug Abuse Council for consideration at the next City Commission meeting.

#### 9. UNION DUES PAYROLL DEDUCTION - DENIED - AFSCME

Mayor Bronaugh stated that the next item for consideration was request from the American Federation of State, County and Municipal Employees Union representative for union dues payroll deduction.

Debra Carr, Executive Director of Golden Triangle Public Employees Local #385, introduced her associate Charles Jimona, and various members of local unions.

Ms. Carr stated that she had met recently with City employees who were considering forming a union and union members of the Police and Fire Departments, and was requesting that the City Commission make a decision at tonight's meeting on payroll deduction for union dues. Ms. Carr stated that she had signed cards from City employees for payroll deductions to be presented to the Personnel Department if the request is approved. Ms. Carr stated that AFSCME asks for payroll deductions through the Personnel Department and has never been denied.

In response to question by Commissioner Bowman, Ms. Carr stated that if the request for payroll deduction is denied, members would have to send in monthly dues of \$14 per month. Commissioner Bowman stated that if employees were sincere about being a member of a union they would send their personal check for monthly dues.

City Manager Westerholm stated that the City is required by law to make payroll deductions for withholding tax, Social Security, court ordered child support, Federal Tax levy and retirement. Other deductions are for employees dependent hospital insurance, credit union, ICMA Deferred Compensation Plan, rent on City houses and employees life insurance. City Manager Westerholm stated that employees life insurance deductions began 20 years ago and no new deductions have been allowed since. City Manager Westerholm stated that it has been the City's policy not to allow additional payroll deductions.

Ms. Carr stated that there are two vacant places on employee's checks for other deductions that could be used for union dues and they were "miscellaneous deductions" and "uniforms".

Ms. Carr stated that AFSCME would pay the initial cost of setting up the payroll deductions on the computer.

Commissioner Bowman stated that the issue is that the City has a long-standing policy, and a vote against the payroll deduction would not be a vote against the union.

Mayor Bronaugh stated that he did not recall Ms. Carr telling him in an earlier meeting that employees could not be a part of the union if payroll deduction was not possible.

Mr. Jimona stated that the union does not believe in strikes, and that they will represent the employees without payroll deduction but need to have the assurance that dues will be paid.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that the City continue its policy not to allow any additional payroll deductions.

The following vote was recorded:

Aye: Commissioners Mayberry, Bowman, and Gorden and Mayor Bronaugh

Nay: Commissioners Boyd and Simond

Mayor Bronaugh stated that motion carried by a vote of 4 to 2.

In response to question by Commissioner Boyd, Ms. Carr stated that the union would concede going through the Credit Union if the City Manager will agree to let the Police and Fire Departments participate.

Owen Chastain, President of the Lufkin Firefighter's Association stated the firemen had payroll deduction through the Credit Union at one time with 95% participation, and when the deductions were stopped participation dropped to 50%.

Mayor Bronaugh stated that he would like to keep the line of communications open with AFSCME and would urge the union to proceed.

10. GRANT APPLICATION - APPROVED - TEXAS PARKS AND WILDLIFE DEPARTMENT - HURRICANE CREEK AZALEA TRAIL

Mayor Bronaugh stated that the next item for consideration was submission of application to Texas Parks and Wildlife Department for a grant on the Hurricane Creek Azalea Trail.

Grady Lowery stated that a committee composed of himself, Stacy George, Jimmy Griffith, Don Hannabas, Bob Bowman and Floyd Yancey had been working on the Azalea Fitness Trail for approximately eighteen months.

Mr. Lowery stated that the Committee is proposing that the initial trail of the system be developed along Hurricane Creek between Kiwanis City Park and Grace Dunne Richardson Park. Mr. Lowery stated that if approved the trail will be developed without any City tax dollars.

Mr. Lowery stated that the committee would like to apply for a Local Park Fund Grant from the Texas Parks and Wildlife Department. Mr. Lowery stated that 90% of the land for the trail has been verbally committed.

Mr. Lowery stated that the committee is requesting that land owners donate land in the floodway to the City which can then be matched with State money. Mr. Lowery stated that acceptance of the land donation would be by Angelina Beautiful Clean and would be donated to the City of Lufkin.

Commissioner Bowman stated that he would like to see the committee enlist the aid of local service clubs in the maintenance of the trail to avoid a budgetary cost to the City. Mr. Lowery stated that Mr. Hannabas has estimated that one new employee would be needed to maintain the trail. Mr. Lowery stated that the next step for the committee is to organize businesses to make a commitment for preservation of the trail.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden approving the grant application to be submitted to the Texas Parks and Wildlife Department for the development of the Azalea Fitness Trail along Hurricane Creek between Kiwanis City Park and Grace Dunne Richardson Park. A unanimous affirmative vote was recorded.

11. AGREEMENT - AUTHORIZATION APPROVED - STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION - TRAFFIC SIGNAL INSTALLATION - JANEWAY AND U. S. 59 (SOUTH FIRST STREET)

Mayor Bronaugh stated that the next item for consideration was authorization to enter into agreement with the State Department of Highways and Public Transportation concerning signal lights in Lufkin.

City Manager Westerholm stated that the Highway Department had conducted a study at the junction of Janeway Street and U. S. 59 (South First Street) and decided that the flow of traffic justified the installation of a traffic signal. City Manager Westerholm stated that the City will not participate financially in the project.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Don Boyd authorizing the City to enter into an agreement with the State Department of Highways and Public Transportation for the installation of a traffic signal at the junction of Janeway Street and U. S. 59 (South First Street). A unanimous affirmative vote was recorded.

12a. BID - APPROVED - RODENTS FOR ZOO - R M & R ANIMALS

Mayor Bronaugh stated that the next item for consideration was bids for rodents for the Zoo.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Paul Mayberry that bid of R M & R Animals in the amount of \$7,766.83 be accepted as presented. A unanimous affirmative vote was recorded.

12b & c. BIDS - APPROVED - SEWER LIFT STATION - REPLACEMENT AT ELLEN TROUT PARK - PUMP AND POWER EQUIPMENT - CONCRETE SEWER PIPE - GIFFORD - HILL

Mayor Bronaugh stated that the next item for consideration was bids for a replacement sewer lift station at Ellen Trout Park.

City Manager Westerholm stated that Purchasing Agent David Cochran is recommending the low bid of \$21,200 from Pump and Power Equipment for the pumps and the low bid of Gifford - Hill in the amount of \$8,982.68 for the concrete pipe. The total amount of \$30,182.68 will exceed the budget by \$5,182.68 and the City Manager requested that this amount be funded from the Water and Sewer Contingency Fund.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that the bid of Pump and Power Equipment in the amount of \$21,200 and the bid of Gifford - Hill in the amount of \$8,982.68 be accepted as presented, and that \$5,182.68 be taken from the Contingency Fund. A unanimous affirmative vote was recorded.

12d. BID - APPROVED - FORMICA - REMODELING OF RESTROOMS AT CIVIC CENTER - MICHAEL BRYAN BUILDERS

Mayor Bronaugh stated that the next item for consideration was for formica to be used in remodeling of restrooms at the Civic Center.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that bid of Michael Bryan Builders in the amount of \$2,850 be accepted as presented. A unanimous affirmative vote was recorded.

12e. BID - APPROVED - FLAT BED DUMP TRUCK - WATER DISTRIBUTION DEPARTMENT - ANGELINA CHEVROLET

Mayor Bronaugh stated that the next item for consideration was a flat bed dump truck to be used in the Water Distribution Department.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Bob Bowman that bid of Angelina Chevrolet in the amount of \$20,838.05 be accepted as presented. A unanimous affirmative vote was recorded.

13. VOLUNTARY DONATIONS - APPROVED - FIREWORKS - 4TH OF JULY - LUFKIN JAYCEES

Mayor Bronaugh stated that the next item for consideration was an amendment to the agenda and was a request by the Lufkin Jaycees to solicit voluntary donations at Ellen Trout Park on the 4th of July.

Bert Brady, representing the request, stated the Jaycees have only been able to raise 40% of the amount needed to pay for the fireworks and do not anticipate being able to raise the total amount by the 4th of July. Mr. Brady stated that members will be circulating in the park soliciting contributions and will also approach the people who are parked along the Loop for the actual fireworks display.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that the Lufkin Jaycees be allowed to solicit funds at Ellen Trout Park on July 4th to help defray the cost of fireworks on the 4th of July. A unanimous affirmative vote was recorded.

14. APPOINTMENTS - APPROVED - ZONING BOARD OF ADJUSTMENT AND APPEALS - STANDARD BUILDING CODE BOARD OF ADJUSTMENT AND APPEALS - CIVIL SERVICE COMMISSION - DETCOG

Mayor Bronaugh stated that the next item for consideration was appointments to various City boards.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Jack Gorden that Fenner Roth, Lacy Chimney, Jerry Benson and Thomas Moore be reappointed to the Zoning Board of Adjustment and Appeals. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Don Boyd that J. T. Hopson be reappointed to the Civil Service Commission. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that Lynn Pavlic, Terry Dwire and Jack Jumper be reappointed to the Standard Building Code Board of Adjustment and Appeals. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that Commissioners Mayberry, Simond, Boyd and Mayor Bronaugh be reappointed to DETCOG. A unanimous affirmative vote was recorded.

15. EXECUTIVE SESSION

Mayor Bronaugh recessed regular session of the City Commission at 6:52 p.m. to enter into Executive Session. Regular session was reconvened at 7:13 p.m. and Mayor Bronaugh stated that the City Attorney had recommended four additional houses and a garage for demolition. Real estate matters were also discussed with no decision being made at this time.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Bob Bowman authorizing the City Attorney to proceed with demolition of dilapidated houses located at:

1. 1014 Glenn
2. 305 Booker (2 houses and 1 garage)
3. One house at Mize and Davis

A unanimous affirmative vote was recorded.

16. COMMENTS - GRANT WRITER - ENTERPRISE ZONES - DRUG PREVENTION PROGRAM - "CRACK HOUSE" ORDINANCE - FULLER SPRINGS REPORT

In response to question by Commissioner Simond, City Manager Westerholm stated that he had received a proposal today from a prospective grant writer and would submit copies to each member of the Commission.

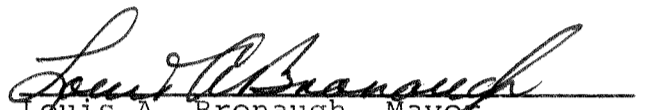
Commissioner Mayberry stated that he had received numerous phone calls regarding the Enterprise Zone advertised in the Lufkin News. Assistant City Manager Brian Boudreaux stated that a Public Hearing will be held on Tuesday, June 27th at 5:00 p.m. to discuss the Enterprise Zones and answer questions. Commissioner Gorden stated that the establishment of Enterprise Zones is an important step for the City towards attracting businesses and creating jobs.

Commissioner Bowman requested that Chief Collins be allotted time on a future agenda for a presentation of ways of preventing drug problems in the City.

Commissioner Boyd requested that the City write an Ordinance for the demolition of "crack houses".

City Manager Westerholm called attention to the report by Public Works Director Ron Wesch on the progress of the Fuller Springs sewer project.

17. There being no further business for consideration, meeting adjourned at 7:28 p.m.

  
Louis A. Bronaugh, Mayor

ATTEST:

  
Atha Stokes, City Secretary