

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 18TH DAY OF JULY, 1989, AT 5:00 P.M.

On the 18th day of July, 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:

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| Louis A. Bronaugh | Mayor |
| Danny Roper | Commissioner, Ward No. 3 |
| 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 |
| Tommy Deaton | Assistant City Attorney |
| Atha Stokes | City Secretary |

being present, and

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| Percy Simond | Commissioner, Ward 1 |
| Don Boyd | Commissioner, Ward 2 |

being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Bob Lewis, Minister, Victory Assembly of God Church.
2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of special meeting of July 5, 1989 were approved on a motion by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman. A unanimous affirmative vote was recorded.

4. RESOLUTION - EFFICIENCY ADVISORY COMMITTEE

Mayor Bronaugh stated that a Resolution had been prepared in appreciation of the members of the Efficiency Advisory Committee.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Danny Roper that Resolution be approved as presented. A unanimous affirmative vote was recorded.

City Manager Westerholm stated that a more thorough report by the City staff in response to the Committee's final report would be forthcoming in November.

5. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE REQUEST - S. H. MORRISON, JR. - 1707 ALLENDALE - RESIDENTIAL LARGE TO RESIDENTIAL LARGE, SPECIAL USE (SAUSAGE AND MEAT KITCHEN: WITH STIPULATION THAT THERE WILL BE NO EXTERNAL ADVERTISING)

Mayor Bronaugh stated that the first item for consideration was Second Reading of Ordinance for Zone Change request by S. H. Morrison, Jr. covering property located at 1707 Allendale from Residential Large, to Residential Large, Special Use (Sausage and Meat Kitchen: With stipulation that there will be no external advertising).

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

6. AGREEMENT - APPROVED - FOUR SQUARE GAS COMPANY, INC.

Mayor Bronaugh stated that the next item for consideration was an agreement between Four Square Gas Company, Inc. and the City of Lufkin.

City Manager Westerholm stated that a copy of an easement agreement for Four Square Gas Company, Inc. to operate within the City limits had been included in the Commissioner's packets for consideration. City Manager Westerholm stated that Four Square has suggested a rental fee of \$0.50 cents per foot for the actual footage of easement utilized. City Manager Westerholm stated that the gas company will require 20,000 feet of right-of-way along four streets located inside the City limits - Spence, Lake, FM 2251 and Lotus Lane.

Danny Vines stated that the complete facility will undergo an inspection by the Railroad Commission upon completion.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Paul Mayberry to approve contract agreement as presented by Four Square Gas Company, Inc. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - CECIL W. AYCOCK - 1119 PAUL - RESIDENTIAL MEDIUM TO RESIDENTIAL MEDIUM, SPECIAL USE (SEWING MACHINE AND VACUUM CLEANER REPAIRS; WITH STIPULATION THAT ONLY THIS TYPE OF WORK BE DONE AT THIS LOCATION; SIGN NOT BE LOCATED ON PROPERTY LINE; AND CIRCLE DRIVE WITH ENTRANCE AND EXIT SIGNS)

Mayor Bronaugh stated that the next item for consideration was First Reading of Ordinance for Zone Change request by Cecil W. Aycock covering property located at 1119 Paul from Residential Medium to Residential Medium, Special Use (Sewing Machine and Vacuum Cleaner Repairs; With Stipulation that only this type of work be done at this location; sign not be located on property line; and circle drive with entrance and exit signs).

Mr. Aycock stated that the sign has been relocated on the property and that the circle drive is near completion. Mr. Aycock stated that he will continue to make every effort to comply with the Special Use stipulations of the Ordinance.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

8. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE REQUEST - JOE TREVATHAN - 307 COLLEGE DRIVE - RESIDENTIAL LARGE TO RESIDENTIAL LARGE, SPECIAL USE (TEMPORARY OFFICE BUILDING)

Mayor Bronaugh stated that the next item for consideration was First Reading of Ordinance for Zone Change request by Joe Trevathan covering property located at 307 College Drive from Residential Large to Residential Large, Special Use (Temporary Office Building).

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

9. AMENDMENT - APPROVED - ORDINANCE - SPEED ZONE - LOOP 287 (JOHN REDDITT DRIVE)

Mayor Bronaugh stated that the next item for consideration was an Ordinance amending speed zoning on Loop 287 (John Redditt Drive).

City Manager Westerholm stated that due to the recent completion of the underpass on Loop 287 at Tulane Drive and U. S. Highway 59 the Highway Department has proposed raising the speed limit at four locations around the Loop. (Maps of the proposed area were included in the Commissioner's packets.)

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that Ordinance amending speed limits on Loop 287 as outlined in the Ordinance be approved as submitted. A unanimous affirmative vote was recorded.

10. EXTENSION OF LUFKIN TRANSIT SERVICES - DISCUSSED

Mayor Bronaugh stated that the next item for consideration was a request from Alice Duke, et al, for extension of Lufkin Transit service through the weekends.

City Manager Westerholm stated that a petition had been received from a group of citizens requesting that transit service be extended through the weekends.

Billy Clemons, representing the Lufkin Transit System, stated that the transit system has not received an increase in grant monies and at this time it would not be economically feasible to extend the service through the weekend.

Mayor Bronaugh stated that the marketing department of the Brazos Transit System might be able to come up with some ideas for getting sponsors for weekend service.

Mr. Clemons stated that the Transit System is presently working on providing shelters at various locations within the City.

11. ANGELINA COUNTY REGIONAL WATER STUDY REPORT

Mayor Bronaugh stated that the next item for consideration was a report on the Angelina County Regional Water Study by Jimmy Griffith.

Mr. Griffith stated that the conclusion of the study is that a regional entity should be formed to negotiate water rights and to construct the necessary facilities to provide a regional treatment and supply system. Mr. Griffith stated that this entity could either operate the system, or perhaps contract either with the City of Lufkin or another entity for the operation of the system. Mr. Griffith stated the regional option ensures that all areas of the County will have an adequate supply of water both now and in the future. In addition, sufficient water sources would be developed to ensure that all present and future industries would have an adequate supply of water.

Mr. Griffith stated that probably the most important development during the study was the recognition by Champion Paper Mill of significant decreases in groundwater consumption through a combination of conservation and greater usage of surface water.

Mr. Griffith stated that Champion has committed to hold their groundwater production to a maximum of 12.0 million gallons per day thereby freeing up approximately 8.0 MGD in the Carrizo Aquifer. Mr. Griffith stated that the Carrizo Aquifer generally provides a less expensive source of water with high quality, and is probably a more acceptable source of public water.

Commissioner Mayberry stated that, in his opinion, the City should acknowledge Champion's contribution to the water program.

Commissioner Bowman suggested that the City Manager research ways to prepare for payment of future water needs by setting aside funds now.

12a. BID - APPROVED - SEWER PIPE AND MATERIALS - BARTMESS DRIVE - BIG STATE UTILITIES

Mayor Bronaugh stated that the next item for consideration was bids for sewer pipe and other related materials for the installation of lateral sewer lines off of Bartmess Drive in Fuller Springs.

City Manager Westerholm stated that the low bid had been received from Golden Triangle Pipe and Water Supply of Beaumont in the amount of \$10,614.66. The bid of Big State Utilities of Lufkin was \$10,772.30, which represents a difference of \$157.64.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Bob Bowman to accept the bid of Big State Utilities in the amount of \$10,772.30. A unanimous affirmative vote was recorded.

12b. BID - APPROVED - WORKER'S COMPENSATION COVERAGE - DEEP EAST TEXAS WORKER'S COMPENSATION INSURANCE FUND

Mayor Bronaugh stated that the next item for consideration was bids for Worker's Compensation Coverage from August 1, 1989 through June 30, 1990.

City Manager Westerholm stated that bids had been received from TML and the Deep East Texas Self-Insurance Fund, and that TML had used a modifier of 0.68 and that DETSIF had used a modifier of 1.40. City Manager Westerholm stated that the TML bid indicates that the bid will need to be adjusted in October.

City Manager Westerholm stated that the bids of TML would represent a savings of \$270,000, however, if the same modifier is used, DETSIF would be the better bid.

Daisy Palmer of TML stated that the modifier of 0.68 was presented to her by the City staff. Ms. Palmer stated that as of October 1st TML will have some new options to present to the City. Ms. Palmer stated that there are six areas of employee classifications that need immediate reclassification.

In response to question, City Manager Westerholm stated that TML represents a plan with more expertise in safety.

Ms. Palmer stated that TML has a very aggressive claims program.

Danny Newsom of DETSIF stated that the City has been a member of his organization for 15 years, and has received \$610,000 in discounts. Mr. Newsom stated that the last three years used for the modifier were years in which the City incurred an unusually large number of claims. Mr. Newsom stated that DETSIF also has an aggressive claims program and utilizes the services of local adjusters, private investigators and attorneys. Mr. Newsom stated that DETSIF is currently investigating five Worker's Comp claims for the City.

Ms. Palmer requested that for clarification the City Attorney read the following excerpt from TML's proposal letter:

"Please note that our proposal shows an expiration date on the summary of contributions. We wish to stress that the contributions quoted are based on our current rating structure, which is not valid as of 10/01/89. Should you choose to elect coverages through the TML Intergovernmental Risk Pool, your contributions will be rerated with the approved rates, new rating structure, and a new experience modifier for the period effective 10/01/89."

Motion was made by Commissioner Jack Gorden to accept the bid of TML for Worker's Compensation coverage.

Mayor Bronaugh declared that motion failed due to lack of a second.

Mayor Bronaugh stated that the City will continue with their present coverage through the DETSIF with instructions to strengthen the safety program, investigate claims more aggressively and to revise employee classification.

13. RESOLUTION - APPROVED - PROPOSED PRISON SITE

Mayor Bronaugh stated that the agenda had been amended to consider a Resolution supporting the Angelina Chamber of Commerce prison proposal.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry authorizing the City Manager to draft a Resolution supporting the Angelina Chamber of Commerce prison proposal. A unanimous affirmative vote was recorded.

14. WATER AND SEWER SERVICE - APPROVED - PROPOSED PRISON SITE

Mayor Bronaugh stated the Commission would now consider a commitment by the City to provide water and sewer service to the proposed prison site.

Mayor Bronaugh stated that the City staff was of the opinion that these services could be supplied to the prison site through issuance of Certificate of Obligation bonds and the revenue generated through the sale of these services would pay off the bonds with no taxable expense to the City of Lufkin.

City Manager Westerholm furnished copies of the Ordinances for the current water and sewer rates. City Manager Westerholm stated that the Commission will need to make a decision as to whether rates for inside the City or outside the City will be charged.

Mayor Bronaugh stated that it is estimated that the water usage for the prison will be 600,000 gallons per day.

City Manager Westerholm stated that residents outside the City limits who receive City water are charged one-and-one-half times the water rate, but at the present time there is no Ordinance on the books for sewer service outside the City. City Manager Westerholm stated the City will be better protected by having an Ordinance for sewer service for the proposed prison site.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Jack Gorden to provide water and sewer service at the present rates for inside the City to the proposed prison site.

The following vote was recorded:

Aye: Commissioners Roper, Gorden, Bowman and Mayor Bronaugh
Nay: Commissioner Paul Mayberry

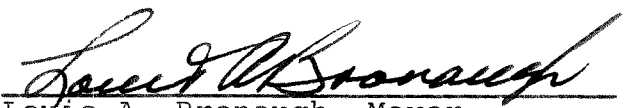
Mayor Bronaugh stated that the motion carried by a vote of 4 to 1.

15. COMMENTS

Commissioner Mayberry stated that he would like for the City Commission to reconsider the Worker's Compensation rates in October.

Assistant City Manager Boudreaux stated that Mr. Newsom will have members of his staff present Thursday (July 20th) to look at reclassification of employees. Commissioner Bowman requested that a report of the reclassification be sent to members of the City Commission.

16. There being no further business for consideration, meeting adjourned at 7:20 p.m.


Louis A. Bronaugh, Mayor

ATTEST:


Atha Stokes, City Secretary