

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

On the 5th day of September, 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
Percy Simond, Jr.
Don Boyd
Danny Roper
Bob Bowman
Jack Gorden
Paul Mayberry
Brian Boudreaux
Ron Wesch
Robert Flournoy
Atha Stokes

Mayor
Commissioner, Ward No. 1
Commissioner, Ward No. 2
Commissioner, Ward No. 3
Commissioner, Ward No. 4
Commissioner, Ward No. 5
Commissioner, Ward No. 6
Assistant City Manager
Public Works Director
City Attorney
City Secretary

being present, and

Harvey Westerholm

City Manager

being absent when the following business was transacted.

1. Meeting was opened with prayer by Mrs. Janet Peterson, Religious Education Coordinator, Lufkin State School.

2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of August 15, 1989 and special meeting of August 29, 1989 were approved on a motion by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden. A unanimous affirmative vote was recorded.

4. RESOLUTION - APPROVED - REGIONAL MEDICAL CENTER OF DEEP EAST TEXAS

Mayor Bronaugh stated that in the past fifty years the City of Lufkin and Angelina County had worked hard to improve and upgrade the medical facilities for it's citizens. Mayor Bronaugh stated that Lufkin now has hospitals equipped with specialty programs for cancer and cardiac care, and that the V. A. Hospital will be opening a clinic in the City in the very near future.

Mayor Bronaugh stated that a Resolution had been prepared in recognition of the value and contributions of Lufkin as the Regional Medical Center of Deep East Texas.

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

5. PUBLIC HEARING - STREET CLOSING - CALVERT STREET BETWEEN KERR AVENUE AND TIMBERLAND DRIVE - FRANCHISE FINANCE CORPORATION OF AMERICA

Mayor Bronaugh opened Public Hearing to consider request by Franchise Finance Corporation of America for street closing located and being an unused portion of Calvert Street between Kerr Avenue and Timberland Drive.

Mayor Bronaugh stated that the street is currently undeveloped and has no expected future use.

Larry Durrett, representing Taco Belle, stated that his firm wished to purchase all of the street if possible, but would purchase one-half if the other property owner was interested in buying his half of the street. Mr. Durrett stated that his office had attempted to contact Mr. Rong Ming Lee by mail and by telephone but had been unsuccessful.

Mayor Bronaugh stated that, in his opinion, every effort should be made to contact the other property owner, and he suggested sending a letter by certified mail.

The appraised value of the land is \$10,500.

There was no opposition present.

Mayor Bronaugh closed Public Hearing.

6. PUBLIC HEARING - ALLEY CLOSING - FRANK STREET AND MANTOOTH AVENUE/FRANKLIN STREET - MEMORIAL MEDICAL CENTER

Mayor Bronaugh opened Public Hearing to consider request by Don Duran, representing Memorial Medical Center, for alley closing located and being an unused portion of an alley between Frank Street and Mantooth Avenue and extending east from Franklin Street to the eastern edge of Lot 14, Block 11 of the Woodland Heights Addition.

Don Duran, representing Memorial Medical Center, stated that the hospital owns the property on both sides of the alley, which had been rezoned in April of this year.

The appraised value of the alley is \$1,200.

There was no opposition present.

Mayor Bronaugh closed Public Hearing.

7. PUBLIC HEARING - ENTERPRISE ZONE - REINVESTMENT ZONE

Mayor Bronaugh opened Public Hearing to consider establishing the Enterprise Zone as a Reinvestment Zone, generally described as North Lufkin.

Assistant City manager Brian Boudreaux stated that in order to grant Tax Abatements in the Enterprise Zone a Reinvestment Zone must be created following the State requirements for the establishment of a Reinvestment Zone. Mr. Boudreaux stated a Public Hearing is required with proper notification to taxing entities and the passage of an Ordinance. Mr. Boudreaux stated that the Texas Department of Commerce has approved the City's Enterprise Zone but has requested a copy of the Ordinance creating the Enterprise Zone as a Reinvestment Zone.

There was no opposition present.

Mayor Bronaugh closed Public Hearing.

8. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - LEROY SHANKLE - 1703-A SAYERS - RM TO NR, SU (BEAUTY SHOP)

Mayor Bronaugh stated that the next item for consideration was Second Reading of Ordinance for Zone Change request by Leroy Shankle, covering property located immediately south of 1703-A Sayers Street from Residential Medium to Neighborhood Retail, Special Use (Beauty Shop).

Motion was made by Commissioner Don Boyd and seconded by Commissioner

Percy Simond that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

9. ORDINANCE - APPROVED - FIRST READING - APPROPRIATIONS ORDINANCE - TAX LEVYING ORDINANCE

Mayor Bronaugh stated that the next items for consideration were an Appropriation Ordinance adopting a budget for the fiscal year beginning October 1, 1989 and ending September 30, 1990, and an Ordinance levying taxes for the use and support of the municipal government of the City of Lufkin, and providing for the interest and sinking fund for the year 1989 and apportioning each levy for the specific purpose.

Mayor Bronaugh stated for the maintenance and support of the general fund is \$.2466 on each one hundred dollars (\$100) valuation of property, and for the interest and sinking fund \$.1321 on each one hundred dollars (\$100) valuation of property for a total of \$.3787 on each one hundred dollars, valuation of property.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that Appropriations Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Don Boyd that Tax Levying Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

10. ORDINANCE - APPROVED - FIRST READING - STREET CLOSING - CALVERT STREET

Mayor Bronaugh stated that the next item for consideration was First Reading of Ordinance for street closing by Franchise Finance Corporation of America located and being an unused portion of Calvert Street between Kerr Avenue and Timberland Drive.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that Ordinance for street closing be approved on First Reading as presented. A unanimous affirmative vote was recorded.

11. ORDINANCE - APPROVED - FIRST READING - ALLEY CLOSING - MEMORIAL MEDICAL CENTER - FRANK STREET AND MANTOOTH AVENUE/FRANKLIN STREET - WOODLAND HEIGHTS ADDITION

Mayor Bronaugh stated that the next item for consideration was First Reading of Ordinance for alley closing by Don Duran, representing Memorial Medical Center, located and being an unused portion of an alley between Frank Street and Mantooth Avenue and extending east from Franklin Street to the eastern edge of Lot 14, Block 11 of the Woodland Heights Addition.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Don Boyd that Ordinance for alley closing be approved on First Reading as presented.

Commissioner Bob Bowman recused himself from voting.

Mayor Bronaugh stated that motion carried by six affirmative votes.

12. ORDINANCE - APPROVED - FIRST READING - ENTERPRISE ZONE - REINVESTMENT ZONE - NORTH LUFKIN

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance establishing the Enterprise Zone as a Reinvestment Zone, generally described as North Lufkin and specifically described within the Ordinance.

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

Commissioner Simond suggested selling alleys the City does not maintain to adjoining property owners. Public Works Director Ron Wesch stated that his Department has been researching alleys within the City for several months, and will continue to do so.

13. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - PAT PATTERSON/
C. MARTIN CARD, JR. - LOOP 287 BETWEEN TULANE AND CHESTNUT STREET -
RL TO LB, SU (PROFESSIONAL OFFICES)

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance for Zone Change request by Pat Patterson for C. Martin Card, Jr. covering property on a one acre tract on Loop 287 between Tulane and Chestnut Street from Residential Large to Local Business, Special Use (Professional Offices).

Mr. Patterson, representing a group of investors from Stephenville, stated that they were constructing a building at this location to be occupied by State Farm Insurance Company. Mr. Patterson stated that the building will have 5,865 sq. ft. of floor space and there will be 38 parking spaces.

There was no opposition present.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry that Ordinance be approved on First Reading with the following stipulations: sight bearing fence along back portion of property and no storage of vehicles on the property. A unanimous affirmative vote was recorded.

14. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - PHIL MEDFORD/
ARNETT ESTATE - LOOP 287 NORTH OF DENMAN AVENUE - RL, C TO C, SU
(ITEM 26 A-H)

Mayor Bronaugh stated that the next item for consideration was First Reading of Ordinance for Zone Change request by Phil Medford for the Arnett Estate covering property along both sides of Loop 287 north of Denman Avenue from Residential Large, Commercial to Commercial, Special Use (Item 26 a-h).

Phil Medford, representing the Arnett Estate, stated that the TLL Temple Foundation has an option to purchase 18 acres of land on the East Loop and wished to donate it for use by the Farmer's Market. Mr. Medford stated that the Temple Foundation will donate the property to the County and the County will work with the Farmer's Market. Mr. Medford stated that eventually developers of the property will have to submit a site plan to the Planning and Zoning Commission for approval.

There was no opposition present.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Don Boyd that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

15. COMMUNITY CENTER FEES - ADJUSTED - CHAMBERS PARK - BRANDON PARK

Mayor Bronaugh stated that the next item for consideration was adjustment of Community Center fees.

Mayor Bronaugh stated that the staff had recently reviewed the fees charged at the Community Centers and found that they were very low. Mayor Bronaugh stated that the fee for using the centers is \$2.00 per hour, and, in his opinion, the City cannot continue to maintain the

centers at this price. Mayor Bronaugh stated that there had been major expenses recently for plumbing and electrical repairs, reroofing, recarpeting and air conditioning replacement at the centers.

Mayor Bronaugh stated that Chambers Park Community Center has a stove, refrigerator and sink, and a Park's Department employee opens and closes the center.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Paul Mayberry that the following fees be charged at the Community Centers (Chambers Park and Brandon Park): \$25.00 deposit, and a \$10.00 per hour fee with a minimum charge of \$30.00. A unanimous affirmative vote was recorded.

16. TRASH RECEPTACLES - APPROVED - LUFKIN DOWNTOWN DEVELOPMENT CORPORATION

Mayor Bronaugh stated that the next item for consideration was a request from the Lufkin Association Downtown Development Corporation for City's participation to purchase trash receptacles.

Curt Fenley, President of LADDC, stated that he had recently met with the City Manager and the Public Works Director regarding the placement of 25 trash receptacles in the downtown area. Mr. Fenley stated that the total cost for the receptacles would be \$3,750, and the City's share would be \$1,875. The trash receptacles will be manufactured by the Texas Department of Corrections.

Stacey George, representing Angelina Beautiful Clean stated that the trash receptacles will have an 8" x 10" reflective decal, which can be replaced.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that the City of Lufkin participate with LADDC in the purchase of 25 trash receptacles for placement in the downtown area, in the amount of \$1,875, and with the stipulation that the "City of Lufkin" does appear on the decal. A unanimous affirmative vote was recorded.

17a. BID - APPROVED - PIPE AND MATERIALS - BARTMESS DRIVE - BIG STATE UTILITY

Mayor Bronaugh stated that the next item for consideration was bids for pipe and materials for Bartmess Drive to finish the Fuller Springs project.

Mayor Bronaugh stated that there is a difference of \$2.42 between the low bidder of Golden Triangle and Big State Utility, a local supplier. Mayor Bronaugh stated that Purchasing Agent David Cochran has recommended accepting the bid of Big State Utility in the amount of \$14,330.27.

Commissioner Gorden stated that he personally would like to go on record that the City Commission accept the low bid. Commissioner Bowman stated that the City Commission should have some guidelines, giving some preference to local businesses who pay City taxes.

Public Works Director Ron Wesch stated that Big State Utility will hold the material on the yard until such time as it is needed on the job site.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Danny Roper that bid of Big State Utility in the amount of \$14,330.27 be accepted as presented. A unanimous affirmative vote was recorded.

17b. BID - APPROVED - TRASH BAGS - BEMIS COMPANY

Mayor Bronaugh stated that the next item for consideration was bids for trash bags.

Public Works Director Ron Wesch stated that he was recommending the 100-bag roll of trash bags to be given out once a year. Mr. Wesch stated that the bag from the low bidder, Bemis Company, is a gusseted bag and has the same capacity of the bag the City is presently buying.

Mr. Wesch stated that he had budgeted \$84,620 for the bags, and the low bid is approximately \$27,000 less than the amount projected in the new budget.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Bob Bowman that bid of Bemis Company for trash and leaf bags be accepted as the low bid, and that the balance from the budgeted amount be placed in the Contingency Fund. A unanimous affirmative vote was recorded.

Mr. Wesch stated that he anticipates giving out the 100-bag rolls of trash bags in November, and that the price of the bags will be \$9.00 per roll including tax.

18. There being no further business for consideration, meeting adjourned at 6:33 p.m.


Louis A. Bronaugh, Mayor

ATTEST:


Atha Stokes, City Secretary