

**MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF
THE CITY OF LUFKIN, TEXAS, HELD ON THE
17TH DAY OF NOVEMBER, 1992 AT 5:00 P.M.**

On the 17th day of November, 1992 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
Larry Kegler	Commissioner, Ward No. 3
Bob Bowman	Commissioner, Ward No. 4
Jack Gorden	Commissioner, Ward No. 5

being present, and

Tucker Weems	Commissioner, Ward No. 6
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being absent when the following business was transacted.

1. Meeting was opened with prayer by Reverend Virgil Jackson, First Missionary Baptist Church.
2. Mayor Bronaugh welcomed visitors present.

3. **APPROVAL OF MINUTES**

Minutes of Regular Meeting of November 3, 1992, were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Jack Gorden. A unanimous affirmative vote was recorded.

4. **CERTIFICATE OF APPRECIATION - HERBERT CROSS**

Mayor Bronaugh presented a Certificate of Appreciation to Herbert Cross in recognition of his excellent contribution and dedicated service to the citizens of Lufkin on the Planning and Zoning Commission from February 10, 1986 to September 14, 1992.

5. **CERTIFICATE OF COMMENDATION - CHARLES ROSS**

Mayor Bronaugh presented a Certificate of Commendation to Charles Ross in recognition of his unselfish and meritorious service involving a rescue effort of a fire victim on October 13, 1992.

6. **ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - JOE McCULLY/DEEP EAST TEXAS REGIONAL MENTAL HEALTH MENTAL RETARDATION SERVICES - RESIDENTIAL LARGE AND LIGHT MANUFACTURING TO PLANNED UNIT DEVELOPMENT - LOTUS LANE**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for a change of zoning from Residential Large and Light Manufacturing to Planned Unit Development on approximately 12.6 acres of land located on Lotus Lane, as requested by Joe McCully on behalf of Deep East Texas Regional Mental Health Mental Retardation Services.

In response to question by Commissioner Kegler, Mr. McCully stated that adequate provision will be made for whatever security is needed. Mr. McCully stated that he could contract with a security service or ask that the Police Department patrol the area. Mr. McCully stated that he would take whatever measures are necessary to provide adequate protection for the residents. Mr. McCully stated that residents will

be able to make contact with the project manager after 5 p.m.

Commissioner Bowman stated that he was concerned that the Lotus Lane site doesn't have easy access to grocery markets, video stores, etc., and that it would take away the independence of some of the residents by placing them in an isolated area. Commissioner Kegler pointed out that the trolleys stop running at 6 p.m. Mr. McCully stated that he could make arrangements for transportation and would consider purchasing a van if necessary.

In response to question by Commissioner Bowman, Mr. McCully stated that he has met with some of the neighbors who attended the last City Commission meeting and had also visited with the Sisters at the Monastery and explained the program to them.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that Ordinance be approved on Second and Final Reading and submission of site plan be approved as recommended from the Planning & Zoning Commission with the addition that the City Commission would also be required to approve any further development beyond the existing site plan. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - SECOND READING - APPROVING AND AUTHORIZING THE EXECUTION OF A PURCHASE CONTRACT - GENERAL OBLIGATION REFUNDING BONDS, SERIES 1992

Mayor Bronaugh stated that the next item for consideration was an Ordinance approving and authorizing the execution of a Purchase Contract in relation to the "City of Lufkin, Texas, General Obligation Refunding Bonds, Series 1992".

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Don Boyd that Ordinance approving and authorizing the execution of a Purchase Contract in relation to the "City of Lufkin, Texas, General Obligation Refunding Bonds, Series 1992" be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

8. ORDINANCE - TABLED - FIRST READING - GREASETRAP ORDINANCE

Mayor Bronaugh stated that the next item for consideration was First Reading of a new Greasetrap Ordinance.

City Manager Maclin stated that the Ordinance needed additional staff revision and additional input from the Plumbing Board before being considered for approval by the City Commission.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that Greasetrap Ordinance be tabled. A unanimous affirmative vote was recorded.

9. LEASE AGREEMENT - APPROVED - ANRA/CITY OF LUFKIN - OLD CITY HALL BUILDING

Mayor Bronaugh stated that the next item for consideration was a Lease Agreement between the City of Lufkin and ANRA regarding the Old City Hall Building.

City Manager Maclin stated that basically ANRA has been leasing the second floor of the Old City Hall building, and due to growth in the organization they now need additional floor space. City Manager Maclin stated that ANRA is agreeing to pay for the interior renovation and payment of all the utilities. City Manager Maclin stated that the only thing they are requesting of the City would be consideration to do some exterior renovation to the facade. They would like to consider restoring the front of the building to its original finish. City Manager Maclin stated that

ANRA has had some estimates for renovation of the exterior in the \$25,000 range.

Gary Neighbors, representing ANRA, stated that by moving the lab to the ground floor it would free up some space on the second floor for storage and records. Mr. Neighbors stated that the ANRA Board of Directors want to be a part of the downtown revitalization. There are currently 13 employees with plans to expand next year.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Bob Bowman to approve the Agreement between the City of Lufkin and ANRA regarding the Old City Hall building. A unanimous affirmative vote was recorded.

10. TEXAS DEPARTMENT OF TRANSPORTATION - ISTE A PROGRAM - APPROVED - CITY STREETS

Mayor Bronaugh stated that the next item for consideration was acceptance of the Texas Department of Transportation's ISTE A Program (Intermodal Surface Transportation Efficiency Act) for City of Lufkin streets.

City Manager Maclin stated that the State has prepared a map of priority streets for potential inclusion in the long range planning for reconstruction or improvement (a copy of the map is included with the packet information).

Tina Walker, P. E. for District Eleven of the Texas Department of Transportation, stated that the Federal-Aid Urban Program which was used to improve city streets has been eliminated and replaced by the Intermodal Surface Transportation Efficiency Act (ISTEA). Ms. Walker stated that ISTE A directs the states to update the functional classification of all public roads. Ms. Walker stated that proper functional classification is important since the funds available to improve the streets and highways within the urban boundaries can be used only on those streets classified as an urban collector or higher.

Ms. Walker stated that the Lufkin District has been allocated programming authority of \$9,900,000 for a ten-year period in the category Urban Mobility/Rehabilitation of Surface Transportation Program. Ms. Walker stated that the Chestnut Street and Paul Avenue projects in Lufkin will be funded under this program.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Jack Gorden to accept the Texas Department of Transportation ISTE A Program for City of Lufkin streets. A unanimous affirmative vote was recorded.

(Refer to tape for discussion of other street improvements discussed by the Commission but not included in this program.)

11. TAX ABATEMENT POLICY - RENEWAL - APPROVED

Mayor Bronaugh stated that the next item for consideration was renewal of the City of Lufkin's Tax Abatement Policy.

City Manager Maclin stated that having worked with Tax Abatements extensively and being extremely familiar with other Tax Abatements, he could assure the Commission that this is a tool that is highly utilized in economic development.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that Tax Abatement Policy be approved as presented. A unanimous affirmative vote was recorded.

12. RESOLUTION - APPROVED - MEMORIAL MEDICAL CENTER OF EAST TEXAS - INSTRUCTIONAL TELEVISION FIXED SERVICE STATION (ITFS) - EDUCATIONAL PROGRAMMING

Mayor Bronaugh stated that the next item for consideration was a Resolution in support of a request by Memorial Medical Center of East Texas to operate an Instructional Television Fixed Service Station (ITFS) for the dissemination of educational programming.

City Manager Maclin stated that a letter from Anton P. Zurbrugg, Vice President of Clinical & Support Services of Memorial Medical Center of East Texas, requesting the City's support in their application to the FCC for an educational television station had been included in the packet. Mr. Zurbrugg stated that the station would not be used for profit status, and that the Hospital would be looking for other entities to benefit from the educational programming.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Don Boyd that Resolution in support of the Instructional Television Fixed Service Station (ITFS) as presented by Memorial Medical Center of East Texas be approved as presented. There were five affirmative votes; Commissioner Bowman recused himself from voting due to a conflict of interests. Motion carried.

13. RESOLUTION - APPROVED - TEXAS LEGISLATION - REGULATION OF CONSUMPTION OF ALCOHOLIC BEVERAGES

Mayor Bronaugh stated that the next item for consideration was a Resolution in support of passage of legislation in the Texas Legislation which would allow Home Rule municipalities to regulate consumption of alcoholic beverages in public places within designated portions of a City.

City Manager Maclin stated that the City had been contacted by a Councilman from the City of Dallas requesting that Lufkin join approximately 51 other cities in support of the legislation through this Resolution.

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

14a. BID - APPROVED - RESURFACING PARKING LOTS - JONES PARK - KIWANIS PARK - GARY WALLACE CONCRETE CONSTRUCTION

Mayor Bronaugh stated that the next item for consideration was bids for parking lots at Jones and Kiwanis Parks.

City Manager Maclin stated that staff was recommending the low bid of Gary Wallace Concrete Construction.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that bid of Gary Wallace Concrete Construction be accepted as submitted. A unanimous affirmative vote was recorded.

14b. BID - APPROVED - JANITORIAL SERVICE - ELITE CLEANING SERVICE

Mayor Bronaugh stated that the next item for consideration was bids for janitorial service for City Hall and the Police Building.

Asst. City Manager Mayfield stated that the low bid was received from Elite Cleaning Service at \$25,000 per year which is well below the cost the City is now paying.

Commissioners expressed concern that the bid was too low. City Attorney Flournoy stated that the City had no choice but to accept this low bid. Mr. Flournoy stated that

the firms references had been checked and there was nothing to disqualify them.

Commissioner Gorden expressed concern that the building is not being thoroughly cleaned and looks bad. There was discussion concerning increasing the frequency of cleaning the carpets.

Robert Womack of Houston was present to represent the bid. Mr. Womack stated that his firm has offices in Houston, Lufkin and California. Mr. Womack stated that he presently has contracts with Crown Colony, Hospice and the Arrangement Apartments for cleaning services.

Motion was made by Commissioner Larry Kegler and seconded by Commissioner Don Boyd that the bid of Elite Cleaning Services be accepted as submitted. A unanimous affirmative vote was recorded.

14c. **BID - APPROVED - CLEANING OUTSIDE OF CITY HALL BUILDING - HURRICLEAN**

Mayor Bronaugh stated that the next item for consideration was bids for cleaning the outside of the City Hall building.

City Manager Maclin stated that staff recommendation is to award the low bid of Hurriclean in the amount of \$2,500.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Larry Kegler that bid of Hurriclean in the amount of \$2,500 be approved as submitted. A unanimous affirmative vote was recorded.

15. **EXECUTIVE SESSION**

Mayor Bronaugh recessed regular session at 6:35 p.m. to enter into Executive Session. Regular session reconvened at 7:15 p.m. and Mayor Bronaugh stated that the Commissioners had discussed legal matters and these matters would be brought before the Commission in the form of two Resolutions at the second meeting in December.

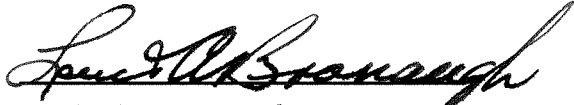
16. **COMMENTS**

Commissioner Simond requested that an Ordinance be written prohibiting log trucks from parking on City streets. Commissioner Simond stated that the people who live on the street paid so much per square foot to have the street paved and the log trucks are tearing up the pavement.

City Manager Maclin reminded the Commissioners of the DETCOG meeting on Thursday, and the DETDA meeting in Nacogdoches on Friday.

Mayor Bronaugh stated that he had recently met with a group out of Louisiana who are proposing that Highway 69 become part of the Interstate Highway System. Mayor Bronaugh stated that he would be attending a meeting on Thursday where five Board members and a Vice President will be selected from the State of Texas to work on this project.

17. There being no further business for consideration, meeting adjourned at 7:22 p.m.


Louis A. Bronaugh - Mayor

ATTEST:

Atha Stokes - City Secretary