

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF LUFKIN, TEXAS, HELD ON THE
2ND DAY OF NOVEMBER, 1993 AT 4:00 P.M.**

On the 2nd day of November, 1993 the City Council of the City of Lufkin, Texas, convened in a Regular Meeting in the Council Chambers of City Hall with the following members thereof, to wit:

Louis A. Bronaugh	Mayor
Don Boyd	Mayor pro tem
Larry Kegler	Councilman, Ward No. 3
Bob Bowman	Councilman, Ward No. 4
Jack Gorden, Jr.	Councilman, Ward No. 5
Tucker Weems	Councilman, Ward No. 6
C. G. Maclin	City Manager
Darryl Mayfield	Asst. City Manager/Finance
Ron Wesch	Asst. City Manager/Public Works
Bob Flournoy	City Attorney
Atha Stokes	City Secretary

being present, and

Percy Simond	Councilman, Ward No. 1
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being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Charles Treptow, Minister, Angel of Joy Lutheran Church.

2. Mayor Bronaugh welcomed visitors present.

3. **APPROVAL OF MINUTES**

Minutes of a Called Meeting of October 14, 1993 and Regular Meeting of October 19, 1993 were approved on a motion by Councilman Don Boyd and seconded by Councilman Tucker Weems. A unanimous affirmative vote was recorded.

4. **CITY CHARTER REVIEW**

Mayor Bronaugh stated that at last meeting Councilmembers decided to make this item a part of the regular agenda as opposed to a Workshop Meeting. Mayor Bronaugh stated that the City Charter was adopted in February, 1966 and has not been revised to keep up with the many changes that have been made over the years. Mayor Bronaugh stated that Councilmembers feel that the time is right to update the Charter by making the necessary changes, and then present it to the voters of the City of Lufkin, and they will in turn approve or disapprove the proposed changes. Mayor Bronaugh stated that if the voters do not approve the proposed changes, then the Charter will remain in its original form. Mayor Bronaugh stated that in the Charter it states that the Lufkin City Commission is the body to review the Charter. Mayor Bronaugh stated that recently the City Manager and both Assistant City Managers met with the City Attorney to review the total Charter in regard to "housekeeping".

Mayor Bronaugh stated that the first consideration should be given to how the Council will go about reviewing the Charter. Mayor Bronaugh stated that this meeting will be open to comments from the audience. Mayor Bronaugh stated that the Council is meeting an hour earlier than usual in order to have sufficient time to discuss this particular item.

Councilman Bowman stated that in reviewing the changes that the City Manager and the City Attorney marked in the old Charter, it appears that there is no need for a massive re-write of the Charter. Councilman Bowman stated that since the changes appear to be relatively minor, it is his opinion that this is something the Council can do quite effectively. Councilman Bowman stated that all Councilmembers represent a certain segment of the community, and in his opinion, they would be able to represent their constituency and handle the rewriting of the Charter.

City Manager Maclin stated that at last meeting Council requested staff to review the existing Charter in terms of "housekeeping" and State statutes, or Federal statutes that have changed since 1966. City Manager Maclin stated that staff has taken the Charter booklet and converted it into the wordprocessing copy that is included in the Councilmembers packets. City Manager Maclin stated that the changes in the "wordprocessing copy" are reflected in bold italics print or with strike through notations. City Manager Maclin stated that all staff has done in terms of the corrections or "housekeeping" is that all references of City Commission have been changed to City Council; the document gender has been changed to reflect a neutral gender; the balance of the other changes represent things that Council has already been doing as far as elections being held in the City of Lufkin for the past several years. City Manager Maclin stated that the Charter specifies a date on which the election is to be held and it has now been changed to read "according to State law", eliminating the need to change the Charter every time the Secretary of State changes the election date.

City Manager Maclin stated that the purchasing procedure reflects the recent Resolution adopted by the City Council as a policy. City Manager Maclin stated that basically what is being done here is to give Council, through the Charter, the authority by Resolution to make minor revisions based on when the State law changes. City Attorney Flournoy pointed out a correction to Section 9, line 12, which should read "The Council may by Ordinance confer upon the City Manager general authority to contract for expenditures without further approval of the Council for budgeted items not in excess of the amount allowed by State Law." (In excess of added).

City Manager Maclin stated that on page 17 the Court was referred to in the Charter as Corporation Court, which has been changed for clarification to "Municipal Court".

City Manager Maclin stated that on page 22 under Article XI, the General Provisions applied to the first election under a Charter, and since that election was held in 1966, it is the consensus of opinion that that Section is no longer necessary.

City Manager Maclin stated that on page 24, this is making the notice of claim to be in coordination with State law.

City Attorney Flournoy stated that Section II on page 23 probably should be deleted since it applied to the election adopting the first Charter.

City Manager Maclin stated that pages 25-31 reflect the voting district boundaries as established through the 1990 Census redistricting when the services of Dr. Hallman and Dr. Claunch of SFA were utilized to provide a redistricting format that would meet Federal guidelines that have been approved by the Department of Justice.

City Attorney Flournoy stated that in regard to the boundaries, the description should reflect that the boundary lines should begin at the center line or intersection of the street.

City Manager Maclin stated that the aspect relating to the City Tax Assessor/Collector and some of the implications on pages 14, 15, 16 and 17 had been discussed. City Manager Maclin stated that basically Sections 1, 2 and 3 establishes

the City's authority to designate the Tax Assessor/Collector. City Manager Maclin stated that in essence this Section does not have to be changed in a "wholesale fashion", because once the City designates who will be the Tax Assessor/Collector, whether it is the Central Appraisal District, the County Tax Assessor/Collector, or a paid employee of the City, it will not matter because the Charter clearly gives the City Council the authority to designate the Tax Assessor/Collector.

Mayor Bronaugh stated that amending the Charter is addressed in Section 19 on page 32. Mayor Bronaugh stated that the first sentence in this Section states that "Amendments to this Charter may be framed and submitted to the electors of the City by a Charter Commission in the manner provided by law for framing and submitting a new charter." Mayor Bronaugh stated that the changes to the Charter could be submitted to the voters at the next regularly scheduled City election in May of 1994 instead of calling a Special Election. City Manager Maclin stated that it is staff's recommendation that the Charter Amendments be included in the May election so there is no additional expense incurred as for as the ballot is concerned.

City Attorney Flournoy stated that it is not necessary to have a Charter Commission - Council has the authority by Ordinance to call an election and recommend the proposed changes. Mr. Flournoy further stated that the City Council does not have to call itself the "Charter Commission".

City Manager Maclin stated that it is not necessary in making the changes to go into every Section or Article to mention the word "Commission" to "Council" - one sentence can broadly state the change. City Manager Maclin stated that any place there is a universality such as this it can be put in one item on the ballot, whereas if there are substantate changes to a particular Section, they must be printed as a single item on the ballot.

In response to question by Councilman Bowman, Mr. Flournoy stated that there are three ways to call an election for Charter amendments and they are (1) By the appointment of a Charter Review Commission (2) By a petition from a certain percentage of the voters, and (3) By this Council adopting an Ordinance making those changes and calling for the Election.

Mr. Flournoy stated that the City Council would function in lieu of a Charter Commission, not as a Charter Commission. Mr. Flournoy stated that Council can conduct Public Hearings for public input. Mr. Flournoy stated that as long as the majority of the Council votes for certain changes and call for an election, that is what will be submitted to the voters.

Councilman Boyd stated that on page 7 where it refers to compensation, this should be deleted since the Council does not receive any compensation. Councilman Boyd stated that on page 8 under Rules and Procedures, it states that "Any member of the Council present and refusing to vote shall be entered in the minutes of such meeting as voting in the affirmative". Councilman Boyd stated that he would like to see that changed to where a Councilmember can abstain without it being reflected as an affirmative vote in the minutes. Councilman Boyd stated that in most places you can vote "yes", "nay", or an "abstention". Councilman Boyd stated that, in his opinion, this takes away some of your rights as an individual or a citizen. Mr. Flournoy stated that there is a provision for an abstention if you have a conflict. Councilman Boyd stated that, in his opinion, he has the right to abstain without giving a reason.

Motion was made by Councilman Tucker Weems and seconded by Councilman Bob Bowman that four Articles of the Charter be placed on the agenda for discussion at each Council meeting. A unanimous affirmative vote was recorded.

Councilman Boyd stated that on page 10, under Section 4, it states that "At the head of each department there shall be a director who shall be appointed, and who may be removed by the City Manager." Councilman Boyd stated that under Section 6 it

states that "The City Manager, with the approval of the Council, shall appoint an attorney for the City Attorney", and on page 17 it states that "the Judge of the Municipal Court shall be selected by the City Manager and approved by a majority of the Council qualified and serving." Councilman Boyd stated that, in his opinion, the Council should have some say in the appointment of Department Heads.

Mayor Bronaugh stated that he would like to stress that a list should be made of the items to be discussed over and above the 11 Articles in the Charter. Mayor Bronaugh stated that for the next three meetings the 11 Articles will be discussed, and at the fourth meeting Council will adopt an Ordinance recommending the Charter changes to the citizens. City Manager Maclin stated that it would be necessary to finalize the Charter revisions by February since this is the time for calling an election.

5. ORDINANCE - APPROVED - FIRST READING - WATER CONSERVATION/DROUGHT CONTINGENCY PLAN

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance adopting a water conservation/drought contingency plan for the City of Lufkin.

City Manager Maclin stated that approximately one and a half years ago Council discussed some needs for the Wastewater Treatment facility based on encouragement by the State to enact water conservation rates in the City's water and sewer rates. City Manager Maclin stated that water conservation rates are obviously rates that encourage water conservation by having a scale whereby the more water you use the more expensive it gets in cost per thousand. City Manager Maclin stated that Council adopted the water conservation rates which went into effect in October of 1992. City Manager Maclin stated in addition to approval of the water conservation rates, the Texas Natural Resources Conservation Commission, formerly the Texas Water Commission, requires the City to adopt a drought contingency plan to meet compliance guidelines.

Wayne Stolz of EGA was present to answer questions.

City Manager Maclin stated that if there are things that change in the City's system regarding capacity, regarding the ability to meet higher levels of pumping, etc., then the City would want to automatically review and update this Ordinance.

Motion was made by Councilman Tucker Weems and seconded by Councilman Bob Bowman that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

6. ORDINANCE - DENIED - FIRST READING - ZONE CHANGE - ELMA NASH - RESIDENTIAL LARGE TO COMMERCIAL - 3306 FORD CHAPEL ROAD

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance for a Zone Change from Residential Large to Commercial on approximately one acre of land located at 3306 Ford Chapel Road as requested by Elma Nash.

In response to question by Mayor Bronaugh, City Planner Stephen Abraham stated that the Planning & Zoning Commission, on a 2 to 2 vote recommends that the zoning not be changed. City Planner Abraham stated that this recommendation followed a motion to recommend approval of a change to a Commercial zoning district which failed for lack of a second. City Planner Abraham stated that approval of any change to the zoning classification will require a 4/5ths affirmative vote by the City Council.

City Planner Abraham stated that the request was for "Commercial" zoning ostensibly for the purpose of putting in a contractor's storage yard behind the

existing business operated by Don Langston that fronts on the Loop. City Planner Abraham stated that in evaluating this request it was the opinion that a contractors storage yard adequately screened would pose no problem to the long range land use plan and the existing neighborhoods. City Planner Abraham stated that in order to make sure that there was adequate protection he was recommending a zone change to Local Business with a Special Use Permit because Commercial zoning does not require a site-bearing fence. City Planner Abraham stated that he also felt a site-bearing fence was appropriate because there are houses that would face the storage yard. City Planner Abraham stated that Mr. Langston feels that "Commercial" is the proper zoning.

City Attorney Flournoy stated that it would be a bigger step to go to Local Business and add a Special Use Permit in order to add the contractors storage yard to it than it would be if the property is zoned "Commercial" and add a Special Use for the screening. Mr. Flournoy stated that he did not like to have a Special Use for a wall because if you put a Special Use Permit for a wall, the wall could not be removed without coming back for a zone change. Mr. Flournoy stated that Mr. Langston has stated that he is willing to put up a fence if the "Commercial" zoning is approved.

City Manager Maclin stated that it will require a unanimous vote by the Council for this request to pass.

In response to question by Mayor Bronaugh, City Planner Abraham stated that the Council has four choices:

- (1) Local Business, Special Use for a contractors storage yard and tied to the site plan for the fence;
- (2) Commercial zoning which would allow the contractors storage yard without requiring a fence;
- (3) Commercial, Special Use solely for the purpose of requiring a fence; or
- (4) None of the above.

Mr. Langston stated that it was determined at the Planning & Zoning Commission meeting that the fence was a big concern. Mr. Langston stated that he requested a Commercial zone with a requirement of a fence. Mr. Langston stated that Local Business, Special Use (Contractors Storage Yard) works fine today, but there will be a problem if his wife becomes a widow tomorrow and has an opportunity to dispose of the property, or if he goes to the bank to borrow money and the title company has a problem with a Special Use zoning in loaning money for a use that can not change from that use. Mr. Langston stated that Mr. Abraham made the statement at the last meeting that Ford Chapel Road is not a "Commercial" corridor in that there is not Commercial activity up and down the street now, and that Local Business is primarily a retail use. Mr. Langston stated that in the future he could not see Local Business zoning on that piece of property being a reasonable zoning for that use since it is somewhat off the beaten path. Mr. Langston stated that he would like to request "Commercial" zoning with a Special Use, or however it needs to be worded, to require a site-bearing fence adjacent to Mrs. Grimes property.

Jo Grimes who resides at 3304 Ford Chapel Road stated that she was appearing in opposition to the request. Mrs. Grimes stated that there were other neighbors in the area who object to the zoning but because of health reasons they have not been able to come to the meetings. Mrs. Grimes stated that there has been a motor cycle shop on the property previously and there is no guarantee what will be there in the future. Mrs. Grimes stated that she would like for the property to be zoned where there would be some restrictions.

Mr. Abraham read the list of uses allowed in Commercial zoning districts as stated in the Zoning Ordinance.

Mr. Langston stated that the problem he has with the "Commercial" zoning designation with a Special Use is that as a businessman in order to run his business

he has to be in a proper zone, and a lender does not consider a Special Use zone for his business appropriate. Mr. Langston stated that if something were to happen to him, and the lender tried to dispose of the property only another contractor could come in and operate on that property.

Elma Nash stated that she owns the property and had been approached by Mr. Langston a year ago about selling. Mrs. Nash stated that she is a widow and is on disability. Mrs. Nash stated that her home is in too bad a shape to sell as residential property. Mrs. Nash stated that her only option is to sell the property so that she could have enough money to purchase another home. Mrs. Nash stated that if the zone change is not approved she is asking the City officials to help her with a grant to have her home renovated so that it will be liveable.

Councilman Boyd stated that Mrs. Nash could sell the property as Local Business, Special Use and Mr. Langston would be able to place a contractors supply yard without any problems. Councilman Boyd stated that he would go along with the City Planner's recommendation in order to give more protection for the neighbors. Mr. Flournoy stated that, in his opinion, the Comprehensive Master Plan could not be ignored in that it calls for the property to be zoned Commercial.

In response to question by Mayor Bronaugh, Mr. Langston stated that he would not purchase the property if it is zoned Local Business, Special Use.

Motion was made by Councilman Larry Kegler and seconded by Councilman Don Boyd to accept the recommendation of the City Planner for a change of zoning from Residential Large to Local Business, Special Use (Contractor's Yard).

The following vote was recorded:

Aye: Councilmen Boyd and Kegler

Nay: Councilmen Gorden, Bowman, Weems, and Mayor Bronaugh

Motion failed by a vote of 2 to 4.

Motion was made by Councilman Jack Gorden, Jr. and seconded by Councilman Bob Bowman to approve a change of zoning from Residential Large to Commercial, Special Use (Screening).

The following vote was recorded:

Aye: Councilmen Gorden, Bowman, Weems, and Mayor Bronaugh

Nay: Councilmen Boyd and Kegler

Motion failed by a vote of 4 to 2.

Mayor Bronaugh stated that the zone for the property will remain Residential Large.

Mrs. Nash requested that the City Council help her in getting a grant to renovate her home. In response to question by Mayor Bronaugh, Mr. Mayfield stated that Mrs. Nash's home is not in the area designated for the HOME grant program. Mr. Mayfield stated that Council might want to amend the area to include Mrs. Nash's street. Mr. Mayfield stated that he will check with Gary Traylor & Associates to see if this is possible. Mayor Bronaugh stated that Council and staff will help in any way they can.

In response to question by Councilman Bowman, Mr. Williams stated that Mrs. Nash would qualify for assistance from the Pineywoods Foundation.

7. AGREEMENT - APPROVED - SALE OF DISCARDED WHITE GOODS - CUMBAA ENTERPRISES, INC.

Mayor Bronaugh stated that the next item for consideration was an Agreement with Cumbaa Enterprises, Inc. for the sale of discarded white goods (refrigerators, washing machines, etc.).

City Manager Maclin stated that this is an opportunity for the City to enter into an agreement with a provider who will pickup white goods (refrigerators, washing machines, etc.) at our collection site and provide a payment of \$10 per gross ton for these items. City Manager Maclin stated that currently the City is using a salvage dealer, and our employees are having to haul the materials to him. This Agreement with Cumbaa Enterprises will save the City a lot of time in man hours and equipment usage. City Manager Maclin stated that staff is proposing a 12 month agreement for a better option of disposing of these white goods.

Mr. McCormick of Cumbaa Enterprises stated that his firm is in the recycling business and they accept all types of metal. Mr. McCormick stated that his firm will bring a baler on site and bale all metal products together before they are hauled off.

Motion was made by Councilman Don Boyd and seconded by Councilman Larry Kegler that Agreement with Cumbaa Enterprises, Inc. be approved as presented. A unanimous affirmative vote was recorded.

8. EXTENSION OF SEWER SERVICE - APPROVED - CHAMBER OF COMMERCE

Mayor Bronaugh stated that the next item for consideration was a request by the Chamber of Commerce for extension of sewer service outside the City limits.

City Manager Maclin stated that included in the packet is a letter from Jerry Huffman of the Chamber of Commerce representing the Industrial Foundation regarding this request. Also, included in the packet information is a map of the location, a letter from the City Planner giving some additional insight relating to this request, and a letter from the Asst. City Manager of Public Works indicating the expense to provide this service. City Manager Maclin stated that basically this particular request is predicated on a prospective business locating in Lufkin. They have indicated their desire to be annexed into the City. City Manager Maclin stated that the annexation process is a lengthy process by State law, and the prospective business is anxious to get a commitment so they can begin acquisition of the property and start construction as soon as possible. City Manager Maclin stated that the purpose of this item being on the agenda today is to serve as the City's interest in the property coming into the City limits and providing City services to this site. City Manager Maclin stated that basically in order to give a tangible indication to this industry of the City's interest in their location in Lufkin, staff is requesting Council's consideration to grant this extension for sewer service outside the City limits with the understanding that this entity, through the Industrial Foundation and/or the RPS, would come to the City as quickly as possible to complete the annexation process.

Motion was made by Councilman Bob Bowman and seconded by Councilman Tucker Weems that the request of the Chamber of Commerce for sewer service outside the City limits be approved as presented.

In response to question by Mayor Bronaugh, City Planner Abraham stated that State law requires that the minimum width for annexation be 1,000 feet along a road way unless all the property owners are petitioning the City. City Planner Abraham stated that there is one property owner between the existing City limit line and this location. City Planner Abraham stated that staff will try and get this property owner to volunteer to come in and then the annexation can be limited to Spence Street to that site. If they do not wish to be annexed the City has two options: (1) the remainder of the property besides this person is under the Industrial Foundation's

control so the City will have an option of just going 1,000 feet wide, which would include Texas Smokehouse, or (2) taking all the Industrial Foundation land in at this time. Mr. Abraham stated that he had spoken with Mr. Huffman about the pros and cons of annexing the Industrial Foundation land.

A unanimous affirmative vote was recorded.

9. RESOLUTION - APPROVED - TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS - GUIDELINES

Mayor Bronaugh stated that the next item for consideration was approval of the Texas Department of Housing and Community Affairs HOME Program Resolution and guidelines.

City Manager Maclin stated that this is a standard operating procedure of the HOME program. City Manager Maclin stated that included in the packet is a copy of a letter from Kenneth Williams, the Housing Coordinator, and a copy of the 1992 HOME program guidelines. City Manager Maclin stated that it would be appropriate at this time for Council to consider for passage the Resolution that is included in the packet.

Motion was made by Councilman Larry Kegler and seconded by Councilman Don Boyd that Resolution for the adoption of the Texas Department of Housing and Community Affairs HOME Program guidelines be approved as presented. A unanimous affirmative vote was recorded.

10. PROPOSAL - APPROVED - DARE PROGRAM - CITY/LISD

Mayor Bronaugh stated that the next item for consideration was a proposal relating to future funding of the DARE Program involving shared cost between the City of Lufkin and the Lufkin Independent School District.

City Manager Maclin stated that included in the packet is a letter of request from Chief Collins regarding the DARE Program. City Manager Maclin stated that the City has been notified by the Texas Commission on Alcohol and Drug Abuse that this will be the final year of our DARE Grant, which is \$25,000 per year. City Manager Maclin stated that in order to be prepared for the new year and maintain what the staff feels is an extremely successful program, staff is requesting Council's consideration for looking at this being a part of the 1994-95 budget. Because this is a cooperative effort between the City and LISD, staff is also requesting permission to seek joint participation by LISD by writing them and making a proposal to split the cost, which is approximately \$45,000 per year for the program on a 50/50 basis, or \$22,500 for each entity.

In response to question by Councilman Boyd, City Manager Maclin stated that staff has not contacted LISD yet because they wanted Council's authorization to know that the City would be willing to put up the \$22,500 out of next year's budget and then if Council agrees and the School District agrees, this program will not have to be discontinued due to lack of State funding. Councilman Boyd stated that, in his opinion, this is a good program and the City should continue participation.

Motion was made by Councilman Don Boyd and seconded by Councilman Larry Kegler that proposal relating to future funding of the DARE Program involving shared cost between the City of Lufkin and LISD be approved as presented.

Councilman Gorden asked if there was any reason the City is not asking the School District to fund the entire program. Chief Collins stated that the total cost of the program includes the officer's salary year round - he works for the Police Department three months and nine months for the School. Chief Collins stated that the 50/50 split cost was only a starting figure and he was seeking Council's permission to go to the School District and negotiate a deal. Councilman Gorden

asked if the School District could fund the Program at 75% and the City's share at 25%.

Councilman Kegler stated that he had participated in the DARE Program and one of the positive aspects of the program is that it brings the Police Officers in contact with children. Councilman Kegler stated that with the School District like it is now and the money they do have, in his opinion, the City should be willing to go 50/50 on this program.

In response to question by Councilman Bowman, Chief Collins stated that to operate under the DARE America Charter, the City has to provide an experienced Police Officer to teach a set curriculum of drug resistance education in the schools. The City provides the officer and provides the officer with a car. Chief Collins stated that in the past the City has committed \$10,000, the School committed \$10,000, and the State committed \$25,000 for a total of \$45,000. Chief Collins stated that in reality the Council has been approving through the Police Department budget the \$45,000 to support the program and the School reimburses the City \$10,000, and the State reimburses the City \$25,000. Chief Collins stated that in the past the Program has been costing the City \$10,000. Chief Collins stated that he agrees with Councilman Kegler in that the Police Department gets a great deal of benefit from this Program. Mayor Bronaugh recognized Officer Ben Vaughn, the DARE Officer, who was present in the audience. Chief Collins stated that Officer Vaughn was recently elected as "Teacher of the Week".

A unanimous affirmative vote was recorded.

11. LEASE PURCHASE - APPROVED - AUTOMATED REFUSE COLLECTION VEHICLES - SOLID WASTE DEPARTMENT - SUMMIT WHITE GMC-DALLAS - THE HEIL COMPANY

Mayor Bronaugh stated that the next item for consideration was lease purchase of seven (7) fully automated refuse collection vehicles for the Solid Waste Department.

City Manager Maclin stated that included in the packet is the bid tabulation for the units that were discussed in Workshop and budget meetings several time last year to convert the City over to automated collection. City Manager Maclin stated that staff recommendation is the low bid of the Heil Company with Summit White/GMC providing the truck portion at a unit price of \$91,503, with quarterly payments of \$36,332.18, and an annual percentage interest rate of 4.92%. City Manager Maclin stated this would be on a five year payout, but the City does have the option to pay the amount out earlier if it so chooses.

City Manager Maclin stated that staff will be sending out the Lufkin Letter (the citizens information letter) within the next three weeks, which will begin to prepare the public for automation. City Manager Maclin stated that prior to that time Mr. Dobson will be coming to Council with some route changes and the current days for pickup to try and get the route changes implemented well before the actual implementation of the automated collection. City Manager Maclin stated that he wanted to reiterate something staff and Council had discussed in previous workshops, and that is that staff will be bidding out the 65 gallon containers this month. City Manager Maclin stated that in order to comply with State desires for 40% reduction of the waste streams and landfills and to meet other environmental and recycling goals, it would be necessary to purchase two containers - a grey container for regular solid waste and a blue container for recycling materials. City Manager Maclin stated that once the citizens are on the program they would have once-a-week regular pickup and once-a-week recycling pickup. City Manager Maclin stated that in the 1,000 homes that have been participating in the pilot project, there has been overall good participation in the program. City Manager Maclin stated that in the future the City anticipates that the program will be expanded to the point that solid waste will be measured and citizens will be able to pay for their waste by poundage, which will give them an incentive to save money. City Manager Maclin

stated that the main point he wanted to make tonight is that the City is headed to the direction of automated collection and will be going out for bids for containers in the near future, and if there are any concerns by Council at this point staff would like to have that input now before a lot of money is invested in the containers.

Councilman Bowman stated that he would like to make sure that the people of Lufkin understand that this is a mandate from legislators in Washington and Austin and is not something that the City Council has dreamed up.

Motion was made by Councilman Tucker Weems and seconded by Councilman Jack Gorden, Jr. that the bid of Summit White GMC-Dallas for the truck chassis, and the bid of the Heil Company for the body, for a total cost of \$91,503 for each truck, with quarterly payments of \$36,332.18 for five years, be approved as submitted. A unanimous affirmative vote was recorded.

12. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 6:00 p.m. to enter into Executive Session. Regular Session reconvened at 6:39 p.m. and Mayor Bronaugh stated that Council had discussed real estate, legal matters and appointments to Boards.

Mayor Bronaugh recognized Boy Scout Landon Spurgeon of Troop 136 sponsored by the Evening Lions Club.

13. APPOINTMENT - APPROVED - PLANNING & ZONING COMMISSION - RONNIE ROBINSON

Motion was made by Councilman Bob Bowman and seconded by Councilman Jack Gorden, Jr. that Ronnie Robinson be reappointed to the Planning & Zoning Commission for a three-year term. A unanimous affirmative vote was recorded.

14. COMMENTS

Councilman Bowman complimented newspaper reporter Paula Metzinger on her reporting of the Council meetings and City Hall news.

Chief Collins reported that the Community Policing Grant Application had been completed and mailed to the Grant Application Board.

15. There being no further business for consideration, meeting adjourned at 6:42 p.m.



Louis A. Bronaugh - Mayor

ATTEST: 

Atha Stokes - City Secretary