

Called

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LUFKIN, TEXAS, HELD ON THE
13TH DAY OF SEPTEMBER, 1996 AT 10:30 A. M.**

On the 13th day of September, 1996 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
Percy Simond
Betty Jones
Bob Bowman
Jack Gorden, Jr.
Tucker Weems
C. G. Maclin
Darryl Mayfield
Atha Stokes

Mayor
Councilmember, Ward No. 1
Councilmember, Ward No. 3
Councilmember, Ward No. 4
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
Asst. City Manager/Finance
City Secretary

being present, and

Don Boyd
Bob Flournoy

Mayor pro tem
City Attorney

being absent when the following business was transacted.

1. Meeting was opened by Mayor Louis Bronaugh.

**2. TEMPORARY APPOINTMENT - APPROVED - MUNICIPAL COURT JUDGE -
JOHN KAY**

Mayor Bronaugh stated that Council had met to consider the appointment of a temporary Municipal Court Judge.

Mayor Bronaugh stated that the reason for the emergency called meeting was because Municipal Court Judge John Sloan is hospitalized and will not be back for approximately two weeks. Mayor Bronaugh stated that the City Attorney felt like it was important to keep the City Court at work so that the citizens could be given speedy action on court related matters. Mayor Bronaugh stated that there was discussion about appointing someone for a temporary appointment and one of names that came up was the name of John Kay. Mayor Bronaugh stated that he checked with Mr. Flournoy and he said that he and Mr. Kay had worked together for many years. Mayor Bronaugh stated that Mr. Kay is here in the immediate area and could do exactly what Judge Sloan has been doing.

City Manager Maclin stated that he had talked with C. A. Raines from Nacogdoches who had been the City Judge for Nacogdoches for 15 years. City Manager Maclin stated that Mr. Raines has recently served as the Associate Pastor of the First Church of the Nazarene in Lufkin. City Manager Maclin stated that he talked with Mr. Raines last night and he indicated that normally he would have been happy to help the City of Lufkin but he just got back from Dallas, where his wife was hospitalized. City Manager Maclin stated that due to Mr. Raines wives' illness he was needed to take care of her during her recovery.

Mayor Bronaugh stated that he had taken the liberty of asking Mr. Kay if he would consider the temporary appointment of Municipal Judge and would be able to serve in this capacity for the two weeks Judge Sloan is out. Mayor Bronaugh stated that he made it clear that this would not be a permanent appointment.

Councilmember Simond stated that he had a problem with the City Attorney or the

Mayor picking the Judge. Councilmember Simond stated that, in his opinion, this matter should have been given to the Council beforehand in order that they might have time to think of someone. Councilmember Simond asked what the Council was there for if they didn't have any input into the selection. Councilmember Simond stated that he did not like approving something after it had been done, even contacting the person. Councilmember Simond stated that one of the other Councilmembers might have had a name to submit.

Mayor Bronaugh stated that this just came up yesterday afternoon. Mayor Bronaugh stated that Mr. Kay's feelings would not be hurt if Council picked someone else.

City Manager Maclin stated that Judge Sloan went into the hospital Wednesday afternoon and it was Thursday that Mr. Flournoy suggested an emergency meeting to consider someone to be appointed temporarily to arraign prisoners and continue to have Court. Mayor Bronaugh stated that he was the one to suggest the emergency meeting because if we waited until a regular meeting, the City would not have a Judge in Court until Wednesday. Councilmember Simond stated that he does not have a problem with John Kay but he had simply given his observation.

In response to question by Mayor Bronaugh, Councilmember Jones stated that she probably had some of the same concerns as Mr. Simond, but since it is a two week duration and not permanent, she understood the emergency nature of the problem.


Motion was made by Councilmember Tucker Weems and seconded by Councilmember Betty Jones that John Kay be appointed as the temporary Municipal Court Judge until Judge Sloan is able to resume his duties. A unanimous affirmative vote was recorded.

In response to question by Councilmember Simond, Mayor Bronaugh stated that compensation to Mr. Kay for his services would be considered at the Council meeting on Tuesday night. In response to question by Councilmember Gorden, City Manager Maclin stated that Judge Sloan is paid an annual salary and his hours fluctuate. City Manager Maclin suggested seeking input from Mr. Kay to see what he would consider a fair compensation.

3. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 10:50 a.m. to enter into Executive Session. Regular Session was reconvened at 11:10 a.m. and Mayor Bronaugh stated that Attorney/Client matters and appointments to Boards and Commissions was discussed.

4. There being no further business for consideration, meeting adjourned at 11:12 a. m.


Louis A. Bronaugh - Mayor

ATTEST:


Atha Stokes - City Secretary