

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LUFKIN, TEXAS, HELD ON THE
18TH DAY OF NOVEMBER, 1997 AT 5:00 P. M.**

On the 18th day of November, 1997 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
Percy Simond	Councilmember, Ward No. 1
Don Boyd	Councilmember, Ward No. 2
Betty Jones	Councilmember, Ward No. 3
Bob Bowman	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
Tucker Weems	Councilmember, Ward No. 6
C. G. Maclin	City Manager
Bob Flournoy	City Attorney
Atha Stokes	City Secretary
Keith Wright	City Engineer
Stephen Abraham	Director of Planning
Kenneth R. Williams	Public Works Director

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Bettye Kennedy, Minister, Collins Chapel, CME.

2. Mayor Bronaugh welcomed visitors present.

3. **APPROVAL OF MINUTES**

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that the minutes of the Regular Meeting of November 4, 1997 be approved as presented. A unanimous affirmative vote was recorded.

4. **PUBLIC HEARING - ANNEXATION - CROWN COLONY SECTION VIII-B - CHAMPIONS DRIVE**

Mayor Bronaugh opened Public Hearing to consider the request to annex approximately 19.188 acres of land to be known as Crown Colony VIII-B and generally located south of Champions Drive southwest of the Crown Colony Section VIII-A.

No one appeared in opposition to the annexation request.

Mayor Bronaugh closed Public Hearing.

5. **ORDINANCE - APPROVED - ZONE CHANGE - SECOND READING - RESIDENTIAL LARGE TO COMMERCIAL - 3406 COLLEGE DRIVE - OTIS ALEXANDER**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to change the zoning from "Residential Large" to Commercial" on approximately 1.43 acres of land designated as 3406 College Drive (FM 819) as requested by Otis Alexander.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Tucker Weems that Ordinance to change the zoning from "Residential Large" to "Commercial" on approximately 1.43 acres of land designated as 3406 College Drive (FM 819) as requested by Otis Alexander be approved on

Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. ORDINANCE - APPROVED - SECOND READING - ADOPTION OF 1997 STANDARD MECHANICAL CODE - 1996 NATIONAL ELECTRICAL CODE - 1997 STANDARD GAS CODE - 1997 STANDARD BUILDING CODE - 1997 STANDARD PLUMBING CODE

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance adopting the 1997 Standard Mechanical Code, the 1996 National Electrical Code, the 1997 Standard Gas Code, the 1997 Standard Building Code and the 1997 Standard Plumbing Code, and all schedules and appendices.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Don Boyd that Ordinance adopting the 1997 Standard Mechanical Code, the 1996 National Electrical Code, the 1997 Standard Gas Code, the 1997 Standard Building Code and the 1997 Standard Plumbing Code and all schedules and appendices be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - SECOND READING - VALET PARKING - CITY ENGINEER/TRAFFIC ENGINEER

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance amending Ordinance No. 193 regulating valet parking in the City of Lufkin and designating the City Engineer as the Traffic Engineer for the City.

In response to question by Mayor Bronaugh, City Manager Maclin stated that the City has a City Engineer and staff felt like it would be appropriate to use this item to clearly designate the City Engineer as the Traffic Engineer.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Betty Jones that Ordinance amending Ordinance No. 193 regulating valet parking in the City of Lufkin and designating the City Engineer as the Traffic Engineer for the City be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

8. REQUEST - WITHDRAWN - SPECIAL USE PERMIT - COMMERCIAL DISTRICT - 2700 E. DENMAN AVENUE - ALTA STREET - TOWER LANE - JOHNNY MARLOW

Mayor Bronaugh stated that the next item for consideration was the request of Johnny Marlow to grant a Special Use Permit on property located in the "C" Commercial District located at 2700 E. Denman Avenue (Hwy. 69) generally located on the south side of Denman Avenue between Alta Street and Tower Lane.

Mayor Bronaugh stated that a letter had been received from Mr. Marlow requesting that this item be withdrawn.

9. RESOLUTION - APPROVED - SALE OF SURPLUS PROPERTY - TxDOT - 69N (KURTH DRIVE) - SELLER STREET

Mayor Bronaugh stated that the next item for consideration was a Resolution for the sale of surplus property by TxDOT at 69N (Kurth Drive) and Sellers Street.

City Manager Maclin stated that included in the Council packet is a letter of request to the City Engineer from Neal Clifton, the right-of-way agent for the Lufkin District. City Manager Maclin stated that this is part of a procedure whereby the State allows the City to give any input regarding the sale of this surplus property. City Manager Maclin stated that the City does have a water line and an easement has been provided for that water line within this piece of property, therefore, the City

staff has no problems with moving forward on this surplus sale.

In response to question by Councilmember Weems, City Manager Maclin stated that this property will be sold in accordance with TxDOT regulations for sale of surplus property.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Bob Bowman that Resolution for the sale of surplus property by TxDOT at 69N (Kurth Drive) and Sellers Street be approved as presented. A unanimous affirmative vote was recorded.

10. HOTEL/MOTEL ASSOCIATION - CIVIC CENTER - RATE REDUCTION AGREEMENT - APPROVED

Mayor Bronaugh stated that the next item for consideration was the Hotel/Motel Association - Civic Center Rate Reduction Agreement.

City Manager Maclin stated that included in the Council packet is a memo from the Director of Parks and Leisure Services along with a proposed agreement. City Manager Maclin stated that for background information, last summer the Hotel/Motel Association met with the City's appointed Board of Development to discuss implementation of a program to help provide additional incentives for local hotel/motel operators to try to attract and recruit additional conventions and trade shows into Lufkin. City Manager Maclin stated that basically the proposal from the Hotel/Motel Association is spelled out in terms of the guidelines within this reduction agreement. City Manager Maclin stated that the agreement would allow a convention or trade show that is recruited by the hotel/motel owner/operator to be able to offer a one-time 50% discount in the regular rates as an incentive to attract that trade show or convention. City Manager Maclin stated that this will not apply to those trade shows or conventions that have previously been in the facility or have been recruited by the Civic Center staff or the Tourist Convention Bureau staff.

In response to question by Councilmember Bowman, City Manager Maclin stated that currently our Civic Center rates are in line with the other communities, and this just gives Lufkin an edge. City Manager Maclin stated that he would attempt to compare this with Tax Abatement in terms of a one time shot, and it does give a tangible incentive on a one time basis to get that convention or trade show to try out Lufkin, and if they have a positive experience they will want to come back. City Manager Maclin stated that he did not anticipate this being utilized in a high frequency, but will be a nominal number of times that it will actually be utilized.

In response to question by Mayor Bronaugh, City Manager Maclin stated that if there are problems with the reservation and the guaranteed advance time of six months to a year the Hotel/Motel Association will come back and staff will make adjustments as needed. City Manager Maclin stated that these will be reviewed on a case by case basis by the Hotel/Motel Association for compliance with the guidelines, as well as the Civic Center staff.

In response to question by Councilmember Bowman, City Manager Maclin stated that the Board of Development approved this pending review by the Civic Center staff, and that has been completed, and now staff is seeking Council authorization since we could not deviate from the existing rate structure without Council authorization.

In response to question by Mayor Bronaugh, City Manager Maclin stated that the agreement is for one year, and at the end of the year it will be reviewed and consideration given to continuing it or discontinuing predicated on the success and response the City has had. Mayor Bronaugh requested that Council be given a report on these activities.

Mike Stanton, President of the Hotel/Motel Association, was present and stated that

he would be willing to answer any of Council's questions.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Tucker Weems that the proposed Hotel/Motel Association - Civic Center Rate Reduction Agreement be approved as presented. A unanimous affirmative vote was recorded.

11. CONTRACT - APPROVED - SABR HOME HOUSING REHABILITATION PROJECT - RAYMOND K. VANN & ASSOCIATES

Mayor Bronaugh stated that the next item for consideration was the Raymond K. Vann & Associates Management Contract for the SABR HOME Housing Rehabilitation Project.

City Manager Maclin stated that included in the Council packet is a letter of presentation from Raymond K. Vann as well as a professional management services agreement. City Manager Maclin stated that this is in coordination with an application that Mr. Vann assisted the City staff in preparing to the Texas Department of Housing and Community Affairs and MHMR for the SABR Housing Grant that was announced a few months back. City Manager Maclin stated that this is a grant that assists individuals with disabilities and/or handicapped to make their homes "handicapped assessible", and can provide up to \$22,000 per home. City Manager Maclin stated that the grant contract provides for eight homes inside the City limits of Lufkin and four homes in Angelina County for a total of 12 homes. City Manager Maclin stated that this contract with Raymond K. Vann & Associates would provide the monthly administration and forms, etc. that are required to be sent in to the State office.

In response to question by Councilmember Boyd, City Manager Maclin stated that the contract is for an 18 month period and staff is confident that we can have all 12 homes taken care of within that time frame. City Manager Maclin stated that the only potential limitation would be qualified contractors. City Manager Maclin stated that if the 12 homes are not completed within the 18 months, the City will apply for an extension.

Motion was made by Councilmember Betty Jones and seconded by Councilmember Jack Gorden, Jr. that the Management Contract by Raymond K. Vann & Associates for the SABR HOME housing rehabilitation project be approved as presented. A unanimous affirmative vote was recorded.

12. BID - APPROVED - GLOBAL POSITIONING SYSTEM - GEO PLANE SERVICES

Mayor Bronaugh stated that the next item for consideration was the award of bid for Global Positioning System.

City Manager Maclin stated that included in the Council packet is the bid tabulation. City Manager Maclin stated that three bids were received, and staff is recommending the low bid of Geo Plane Services in the amount of \$13,500. City Manager Maclin stated that this amount is within the amount budgeted for this item.

In response to question by Councilmember Simond, Keith Wright, City Engineer, stated that this is surveying equipment that utilizes satellites that the Federal Government put up for military purposes for determining coordinates on where you are on a particular location. Mr. Wright stated that this equipment will be used along with the GIS system to accurately identify the locations of different public works facilities in the City using satellite technology.

In response to question by Mayor Bronaugh, Mr. Wright stated that this equipment is a back pack handheld type unit where you carry the antenna on a backpack, and has a handheld data collector.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Betty Jones that bid of Geo Plane Services in the amount of \$13,500 for a Global Positioning System be approved as submitted. A unanimous affirmative vote was recorded.

13. BID - APPROVED - FINAL CLARIFIER MECHANISMS - J & D CONSTRUCTION

Mayor Bronaugh stated that the next item for consideration was bids for replacement of the final clarifier mechanisms for the Waste Water Treatment Plant.

City Manager Maclin stated that this is part of the City's rehabilitation project at the Waste Water Treatment Plant, and was something that was brought to Council in previous budget workshops. City Manager Maclin stated that this provides for rehabbing and replacing some of the worn out mechanism within the final clarifier. City Manager Maclin stated that staff's recommendation is to award the low bid of J & D Construction in the amount of \$242,000. City Manager Maclin stated that this bid is \$40,000 under the Engineer's estimates.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that bid of J & D Construction Company in the amount of \$242,000 for the replacement of the final clarifier mechanisms be approved as submitted. A unanimous affirmative vote was recorded.

14. BID - APPROVED - WATER LINE REPLACEMENT - PONDEROSA DRIVE - J & D CONSTRUCTION COMPANY

Mayor Bronaugh stated that the next item for consideration was bids for water line replacement on Ponderosa Drive.

City Manager Maclin stated that this line will enhance and improve the water pressure and some of the fire protection services in this area. City Manager Maclin stated that staff recommendation is to award the low bid of J & D Construction in the amount of \$92,838.30. City Manager Maclin stated that the original estimate was \$105,000.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Betty Jones that the bid of J & D Construction Company in the amount of \$92,838.30 for waterline replacement on Ponderosa Drive be approved as submitted. A unanimous affirmative vote was recorded.

City Manager Maclin stated that recognizing that on items 13 and 14, J & D Construction was the low bid, and in item 13 there is about a 30 week delivery time for equipment so there should not be a conflict in that the contractor will have to wait for several months to get all the equipment he needs for item 13.

15. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session to enter into Executive Session at 5:30 p. m. Regular Session was reconvened at 7:47 p.m. and Mayor Bronaugh stated that Council had discussed appointments to Boards and Commissions and Attorney/Client matters.

16. APPOINTMENTS - APPROVED - LUFKIN BOARD OF DEVELOPMENT - DEBBIE JOHNSTON - SUSAN LARKIN

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Don Boyd that Debbie Johnston be reappointed to the Lufkin Board of Development, and that Susan Larkin be appointed to the position vacated by Nick Wolda. A unanimous affirmative vote was recorded.

16. COMMENTS

City Manager Maclin stated that there will be a Public Hearing on December 1st at 6:00 p.m. in the Council Chambers regarding commercial vehicles parking on City streets and right-of-ways. City Manager Maclin stated that this Public Hearing will be advertised and notices had already been sent to the Neighborhood Associations.

City Manager Maclin stated that on December 11th at 7:00 p.m. there will be a Public Hearing in the Council Chambers held by the Parks Advisory Committee to receive input about park master planning.

City Manager Maclin stated that Thursday, November 27th, will be Thanksgiving Day and a City holiday, and the Thursday garbage service will be on Wednesday.

Councilmember Bowman stated that DEDTA will meet this Friday at 10:30 a.m. at Angelina College, and the speaker will be Mike Patterson, the Chairman of the Texas Workforce Commission in Austin.

Mayor Bronaugh stated that the Forestry Museum Education Facility will have an open house on Wednesday at 10:00 a.m.

Mayor Bronaugh stated that the DETCOG meeting this month will be on Thursday, November 20th in Polk County.

Mayor Bronaugh reminded Councilmembers of the reception for Jim Turner at 5:30 p.m. Thursday.

17. There being no further business for consideration, meeting adjourned at 7:50 p.m.



Louis A. Bronaugh - Mayor

ATTEST:



Atha Stokes - City Secretary