

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
LUFKIN, TEXAS, HELD ON THE  
18TH DAY OF AUGUST, 1998 AT 5:00 P.M.**

On the 18th day of August, 1998 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  
Jack Gorden, Jr.  
R. L. Kuykendall  
Don Boyd  
Betty Jones  
Bob Bowman  
Tucker Weems  
C. G. Maclin  
James Hager  
Bob Flournoy  
Atha Stokes  
Keith Wright  
Stephen Abraham  
Kenneth Williams

Mayor  
Mayor pro tem  
Councilmember, Ward No. 1  
Councilmember, Ward No. 2  
Councilmember, Ward No. 3  
Councilmember, Ward No. 4  
Councilmember, Ward No. 6  
City Manager  
Asst. City Manager/Finance  
City Attorney  
City Secretary  
City Engineer  
Director of Planning  
Director of Public Works

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Joel Nabors, Pastor, Glad Tidings Assembly of God Church.
2. Mayor Bronaugh welcomed visitors present.
3. **APPROVAL OF MINUTES**

Motion was made by Councilmember Don Boyd and seconded by Councilmember R. L. Kuykendall that the minutes of the Regular Meeting of August 4, 1998 be approved as presented. A unanimous affirmative vote was recorded.

**4. ORDINANCE - APPROVED - SECOND READING - SPECIAL USE PERMIT -  
SINGLE FAMILY/MIXED USE DISTRICT - WOOD STREET BETWEEN STARK  
AND LUBBOCK STREETS - DEAN LEGGETT - LUBBOCK STREET CHURCH OF  
CHRIST**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to grant a Special Use Permit for a church within a "SF/MX" Single Family/Mixed Use District located on the north side of Wood Street between Stark and Lubbock Streets as requested by Dean Leggett on behalf of the Lubbock Street Church of Christ.

8/18/98

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Bob Bowman that Ordinance granting a Special Use Permit for a church within a "SF/MX" Single Family/Mixed Use District located on the north side of Wood Street between Stark and Lubbock Streets as requested by Dean Leggett of East Texas Surveying on behalf of Lubbock Street Church of Christ be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**5. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - PLANNED UNIT DEVELOPMENT AND RESIDENTIAL LARGE SINGLE FAMILY TO PLANNED UNIT DEVELOPMENT - HARMONY HILL DRIVE - TULANE DRIVE - DAVID MILES - CARD MILES ENTERPRISES**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to change the zoning from "PUD" Planned Unit Development and "RL" Residential Large Single Family to "PUD" Planned Unit Development on approximately 11.959 acres of land located on the north side of Harmony Hill Drive and beginning approximately eight hundred feet east of Tulane Drive as requested by David Miles of Card Miles Enterprises.

City Manager Maclin stated that this request will require six affirmative votes to pass.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Don Boyd that Ordinance to change the zoning from "PUD" Planned Unit Development and "RL" Residential Large Single Family to "PUD" Planned Unit Development on approximately 11.959 acres of land located on the north side of Harmony Hill Drive and beginning approximately eight hundred feet east of Tulane Drive be approved on Second and Final Reading with the following conditions: 1) The front setback line for all units shall be 25 feet as shown on the proposed concept plan; 2) The side yard setbacks on the interior of the property shall be 10 feet on one side and 0 feet on the other; 3) There shall be a minimum living area of 1,400 square feet per unit; and, 4) No lot shall have access onto Harmony Hill Drive. A unanimous affirmative vote was recorded.

**6. ORDINANCE - DENIED - FIRST READING - ZONE CHANGE REQUEST - RESIDENTIAL MEDIUM SINGLE FAMILY TO NEIGHBORHOOD RETAIL - NORTH RAGUET AND GROVE STREET - 420 N. RAGUET - HEATHER RAWLINSON - DEBBIE WATSON - DORIS STRANGE**

Mayor Bronaugh stated that the next item for consideration was the request of Heather Rawlinson and Debbie Watson on behalf of Doris Strange to change the zoning from Residential Medium Single Family to Neighborhood Retail located at the southeast corner of N. Raguet Street and Grove and commonly known as 420 N. Raguet Street.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Planning Department along with a unanimous vote with one extension recommendation of approval from the Planning & Zoning Commission, but not exactly as the request has been made. City Manager Maclin stated that the recommendation coming to Council from the Planning & Zoning Commission is for a Special Use Permit for a beauty shop within a Residential Medium Single Family zoning district instead of changing the zoning classification to Neighborhood Retail, the Planning & Zoning Commission also recommends the following conditions be placed on this Special Use Permit: 1) A six foot site bearing fence shall be erected and maintained along the eastern and southern property lines 2) The hours of operation shall be limited to 8:00 a.m. until 8:00 p.m. 3) Not more than one free standing sign shall be permitted and shall be limited to a maximum of 24 square feet; and 4) Changes to the exterior of this structure, which will alter the residential character or appearance of the structure shall be prohibited.

City Manager Maclin stated that the request before Council is not the original request but a modification from the Planning & Zoning Commission for consideration today.

Mayor Bronaugh stated that Council has before them a petition from the residents of the Mantooth Neighborhood Association with 77 signatures.

Linnette Scagliola thanked Council for the opportunity to speak on behalf of the Mantooth area residents in opposition to the proposed Special Use Permit allowing a beauty shop at 420 N. Raguet. Ms. Scagliola stated that the Mantooth area residents have several concerns regarding this Special Use Permit. Ms. Scagliola stated that the parking lot is a big concern, with either a paved or gravel parking area to accommodate 19 parking spaces plus turning area, no doubt will create a problem in many ways and will impact the adjoining properties to the south of this parking area. A paved area will cause runoff from the rain and the gravel will cause mud or dust, plus the noise caused from the automobiles coming in and out. Ms. Scagliola stated that the residents understand that if a Special Use Permit is granted that if the owners who operate this business fail or wish to give it up the house would automatically be rezoned as a family dwelling with a 19 space parking lot with modifications to the interior of the house for beauty shop working spaces for eight operators. Ms. Scagliola stated that this does not seem very logical that one could assume that such an arrangement would work, that this house would revert to residential after being used in such a manner. Ms. Scagliola stated that the application for this change was submitted in the name of Doris Strange but records show that this property is owned by Casey Holmes and Edna Sanders. Ms. Scagliola stated that the question is, "Who is the owner of this property?" Ms. Scagliola asked, "What is the definition of a beauty shop?", "Will the operators do hair and nails only?", "Will they give facials and massages?", and "Could they sell cosmetics and other gift items?" Ms. Scagliola stated that this is already a high

traffic area and the additional traffic that this beauty shop would create would certainly compound the problem and cause the residents lots of problems. Ms. Scagliola stated that the residents would like to keep this a safe environment for the young children in this area and an area where all could feel free without fear of traffic. Ms. Scagliola stated that there are several young families in this area who have small children that have to be carried out in their walkers and carriages and they feel a hesitancy in getting out and exposing their children to the danger of traffic that will increase by using this property as a business would create. Ms. Scagliola stated that the plat for this property shows that there is an alley or easement on the south side of this property with large oak trees. Ms. Scagliola asked what and how will this be used or dealt with, and how will the alley be used. Ms. Scagliola asked if there would be lights that would be a disturbance to the neighbors. Ms. Scagliola stated that it is noted from the Planning and Zoning Commission meeting, which the residents attended, that the recommendation of the Planning Board seems to them that the law is being bent to fit the situation rather than to comply with the law. Ms. Scagliola stated that all of us are reminded daily to protect and conserve our forests, our rivers and streams, our energy and most of all to protect our heritage. Ms. Scagliola stated that the Mantooth area residents feel that to allow this property at 420 N. Raguet for any type of commercial use would degrade the heritage of this area of which they are very proud and want to protect. Ms. Scagliola stated that the residents strive constantly to protect the historical significance of the Mantooth area. Ms. Scagliola stated that many new residents have moved in and are there because they like the residential and historic atmosphere, many of them believe this to be a good neighborhood in which to raise their families. Ms. Scagliola stated that the residents believe that to allow this Special Use Permit would attract others to use other historical homes in the same manner. It would be tragic to have this happen and defeat the purpose in trying to preserve the historical homes throughout this area. Ms. Scagliola thanked Councilmembers for listening to the side of the Mantooth area neighbors.

Jeff Chance, attorney, stated that he was present on behalf of the applicants. Mr. Chance stated that the applicants are certainly aware of the historical significance of the neighborhood in which they propose to run their establishment. Mr. Chance stated that from the beginning their intention has been to maintain the historical character of the residence and keep the house looking like a residence. Mr. Chance stated that when he initially visited with the Planning & Zoning Department he was told that perhaps the best route for them to take was to file an application for Neighborhood Retail use, however, they indicated from the beginning that they were open to doing whatever the Planning Department felt was most appropriate to accomplish the use that the applicants desire. Mr. Chance stated that towards that end, without any objection at all, they acquiesced to each of the stipulations and requirements, which are quite stringent, with respect to the use of the property. Mr. Chance stated that the applicants have indicated that they want to do nothing less than to improve the character of that particular residence by renovating the exterior and interior, maintaining the outside in its residential appearance. Mr. Chance stated that the applicants are aware that there are some very lovely trees on

the property and the plan is to leave those in place. Mr. Chance stated that he would answer questions by Council or the neighbors about the proposed use, and feels that the request is consistent with other uses along Raguet.

Councilmember Gorden stated that there has been Commercial use of property on Raguet for some time , and if the applicants can bring the house back to the original character that it had, he would be in favor of the request. Councilmember Gorden stated that he was very concerned about the trees and was glad to hear that they would be preserved.

In response to question by Councilmember Weems, Mr. Chance stated that the site plan prepared previously by the Planning Department does not show that it includes the alley on the site plan. Mr. Chance stated that the applicants could have objected to all of the restrictions that were placed on the Special Use Permit but they have not done that, they agreed to put up the site bearing fence, to try and make sure that the activities that take place on this property do not interfere with other residences near by. Mr. Chance stated that, in his opinion, the applicants have done everything they possibly can to happily co-exist with the neighbors and the neighbors will see if the Special Use Permit is ultimately approved by Council that the applicants will be a good addition to the neighborhood as opposed to a problem to the neighborhood.

In response to question by Councilmember Weems, Mr. Abraham stated that there were a couple of the neighbors who attended the P&Z meeting, but not a great number. Mr. Abraham stated that several people spoke, which is recorded in the P&Z minutes, specifically a Mr. John Finney. Mr. Abraham stated that Ms. Scagliola was present but chose not to speak at that time.

In response to question by Councilmember Jones, Mr. Abraham stated that the parking lot will have to be an all-weather surface according to the City Ordinance. Councilmember Jones stated that she had noticed that the first parking space was barely off of the street which will put four to five cars parking in front of the building. Mr. Abraham stated that there is a minimum space requirement to make sure that all the maneuvering is done on their property and not within the right-of-way. Mr. Abraham stated that no one will be allowed to back out onto Raguet. Councilmember Jones stated that it appears that one of the parking spaces is obstructing the proposed sidewalk.

In response to question by Councilmember Weems, Mr. Abraham stated that there is an alley as shown on the map, but he is not sure of the ownership of it. Mr. Abraham stated that the alley is not included in this site plan. Mr. Abraham stated that if the alley is owned by the City of Lufkin the applicants would be required to purchase it, and they have not even inquired about it at this point.

In response to question by Mayor Bronaugh, Mr. Abraham stated that the vote at P&Z was unanimous, a 5 to 0 vote with six members present and one abstention.

Councilmember Boyd stated that he had noticed on the list of owners within 200' with 13 on the list, that only one person opposed. Mr. Abraham stated that the one resident that did oppose the request stated that he was afraid that there would not be ample parking.

Councilmember Kuykendall asked if Councilmembers were to consider what could possibly be sold in the facility. Mr. Abraham stated that there are things that the applicants could do that the Planning Department would consider going beyond a beauty shop. Mr. Abraham stated that exactly what there is he could not tell Council but there is a point at which they could start carrying on activities that he would stop them and ask them to come in for another look before the Planning & Zoning Commission for a zone change. Mr. Abraham stated that, in his opinion, anything that is typical of a beauty shop (selling of hair spray, etc.) would be perfectly acceptable, but when they started going to other items such as massages that might be typical in other places but not be typical here. In response to question by Councilmember Weems if tanning beds would be included, Mr. Abraham stated that that has not been discussed. Mr. Abraham stated that the applicants have made no suggestion that that is part of their operations, and he specifically asked for them to tell him about their operations. Mr. Abraham stated that the Planning Department would take a very narrow view of what is allowed in a beauty stop.

Councilmember Kuykendall asked if changing from the original request could be defined as "bending the law". Mr. Abraham stated that this request is 100% within the law, and looking at the Comprehensive Plan, the Planning Department agrees 100% with the Comprehensive Plan about the residential character of the place. Mr. Abraham stated that there is that transition area where it obviously would not be appropriate for commercial because of its location on Raguet Street, the amount of traffic there, and the fact that other residential structures have been used in this manner, it was his opinion, that this was certainly suitable for consideration by the Planning & Zoning Commission and the City Council.

Mr. Abraham stated that one of the previous discussions was about the use of residential property, and there is something called "adaptive reuse", which allows warehouses and houses to change uses because times have changed and it is a way to maintain structures even though the original use is no longer viable. Mr. Abraham stated that adaptive reuse is used around the country to preserve structures, and this is another thing that the Council can consider in determining whether this would be an appropriate use.

In response to question by Councilmember Gorden, Mr. Abraham stated that the last time he was at the house it was occupied as a residence.

In response to question by Councilmember Gorden, Mr. Abraham stated that he has made it perfectly clear to the applicants that they will comply with the Drainage Criteria Manual and every other construction code document the City has before a

building permit is issued.

In response to question by Councilmember Gorden about the ownership of the property, Mr. Abraham stated that the property owner is listed on the application, and sometimes it is difficult to determine (or verify) because the City only gets a copy of the tax rolls once a year and the property could have been sold during the year. Mr. Abraham stated that ownership in regard to zoning is not really that important from the Planning Department standpoint.

In response to question by Mayor Bronaugh, Mr. Abraham stated that the block in which this property is on is Residential Medium and a block north of it is Residential Medium, and the next block north of Persimmon is half Local Business and Residential Medium.

In response to question by Councilmember Kuykendall, Ms. Scagliola stated that there are four historical homes in the immediate area, one across the street from this particular property, that have a medallion plaque on their house. Ms. Scagliola stated that this house is included in the Original Town Site of Lufkin and has been kept in the state that it is in at this present time makes the residents more proud that they have been able to preserve it to the status that it stands today. Ms. Scagliola stated that this particular house was built in the latter part of the '40's and is a colonial design house which fits the other architectural value of the houses in that area.

Ms. Scagliola stated that this area did not have a representative that could speak for them at the Zoning meeting because he was asked to withdraw, and had to leave the meeting, which left the residents short to protect themselves.

Joy Coble, who lives at 313 Mantooth, stated that she had lived at this residence for 30 years and had watched changes in the neighborhood. Ms. Coble stated that it has been her experience that when zone changes are made it opens the door for other things, which causes problems with drainage.

Councilmember Tucker Weems stated that since this will be an eight-bay beauty shop, and possibly more, and the house being large enough for tanning beds and a massage parlor, and due to the 75 local residents who have opposed this request he would make the motion, seconded by Councilmember Bob Bowman, that the request of Heather Rawlinson and Debbie Watson on behalf of Doris Strange to change the zoning from "RM" Residential Medium Single Family to "NR" Neighborhood Retail on property located at the southeast corner of North Raguet Street and Grove Street and commonly known as 420 N. Raguet Street be denied. The following vote was recorded:

Aye: Councilmembers Weems, Bowman, Jones and Mayor Bronaugh

Nay: Councilmembers Boyd, Kuykendall and Gorden



Motion passed with a 4 to 3 vote in favor of the denial

**7. ANNEXATION REQUEST/SCHEDULE - APPROVED - N. JOHN REDDITT DRIVE (LOOP 287) AND HIGHWAY 69 - DEAN LEGGETT - TEXAS SURVEYING ASSOCIATES - WAYNE COOK - ROYCE WILLIAMS**

Mayor Bronaugh stated that the next item for consideration was the request of Dean Leggett of Texas Surveying Associates on behalf of Wayne Cook and Royce Williams to initiate annexation proceedings on approximately 8.643 acres of land generally located southwest of the intersection of N. John Redditt Drive (Loop 287) and Highway 69.

City Manager Maclin stated that included in the Council packet is a memo of explanation from the Planning Department. City Manager Maclin stated that there are currently water and sewer lines located in the area to service this site, and the Engineering Department anticipates the cost of expanding water and sewer lines to the property will be minimal. City Manager Maclin stated that the Planning Department recommends annexation of the property be initiated and that the attached annexation schedule be adopted.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Bob Bowman that annexation proceedings on approximately 8.643 acres of land generally located southwest of the intersection of N. John Redditt Drive (Loop 287) and Highway 69 as requested by Dean Leggett of Texas Surveying Associates on behalf of Wayne Cook and Royce Williams be approved as presented, and that the annexation schedule be adopted accordingly. A unanimous affirmative vote was recorded.

**8. APPROPRIATIONS ORDINANCE - APPROVED - FIRST READING**

Mayor Bronaugh stated that the next item for consideration was First Reading of the Appropriations Ordinance.

City Manager Maclin stated that the next items 8, 9, 10, 11 and 12 all are items related to the 1998'-99 fiscal year budget to include the appropriations or expenses, the Tax Levying Ordinance, the water rates, the sewer rates and garbage rate. City Manager Maclin stated that an explanation for each of these items is included in the Council packet along with the Ordinance. City Manager Maclin stated that Mr. Faircloth and the Angelina Taxpayers Associations reiterated their desire today for the City to adopt the effective tax rate. City Manager Maclin stated that the proposed rate is to retain the rate the same as last year due to increased expenses for the Year 2000 compliance, as well as increased debt requirements for the drainage detention ponds and other infrastructure projects. City Manager Maclin stated that taking into account the increase in debt structure, the City will be within less than 2 cents tax rate of the effective tax rate. City Manager Maclin stated that, as Mr. Weems pointed out at the Budget Public Hearing two weeks ago, \$4 million has been cut



from the budget from what was requested within this fiscal budget. City Manager Maclin stated that, if it pleases the Council, they could group items 8, 9, 10, 11 and 12 together in a motion and second, basically adopting all the provisions of the budget on First Reading for 1998-'99 if approved.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Don Boyd that items 8, 9, 10, 11 and 12 be grouped together on First Reading for approval. A unanimous affirmative vote was recorded.

Councilmember Weems stated that there were some minor differences between his budget and the numbers on Section I and II of the Appropriations Ordinance. City Manager Maclin stated that those changes came when staff recalculated the salary package along with the impact to interest and sinking as well as due-to due-from.

Motion was made by Councilmember Bow Bowman and seconded by Councilmember Jack Gorden, Jr. that items 8, 9, 10, 11 and 12 be approved on First Reading as presented. A unanimous affirmative vote was recorded.

Councilmember Weems stated that he regretted that Council was not able to keep the rates down for the people in the district but it was necessary to have this increase this year. Councilmember Gorden concurred, and complimented the Angelina Taxpayers Association.

#### **9. TAX LEVYING ORDINANCE - APPROVED - FIRST READING**

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that the Tax Levying Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

#### **10. ORDINANCE - APPROVED - FIRST READING - RESIDENTIAL/COMMERCIAL WATER RATES REVISED**

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that Ordinance to revise residential and commercial water rates be approved on First Reading as presented. A unanimous affirmative vote was recorded.

#### **11. ORDINANCE - APPROVED - FIRST READING - SEWER RATES REVISED**

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that Ordinance to review the sewer rates be approved on First Reading as presented. A unanimous affirmative vote was recorded.

#### **12. ORDINANCE - APPROVED - FIRST READING - SOLID WASTE RATES REVISED**

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that Ordinance to revise the solid waste rates be approved on First Reading as presented. A unanimous affirmative vote was recorded.

**13. AGREEMENTS - RENEWED - ANIMAL SERVICES - HUDSON - DIBOLL - GROVETON - HEMPHILL**

Mayor Bronaugh stated that the next item for consideration was renewal of agreements for animal services with the cities of Hudson, Diboll, Groveton and Hemphill.

City Manager Maclin stated that this is the annual time of year for renewal of these agreements.

Cathy Clark, Animal Control Director, stated that there were some increases with all the cities in regard to quarantining of bite cases, which went from \$50 to \$75. Ms. Clark stated in Diboll and Hudson the fees went up with Lufkin assisting them in the field. Ms. Clark stated that the laboratory services went up on detaching on rabies suspects and sending them to Houston from \$35 to \$50.

Councilmember Bowman stated that philosophically he had never been in favor of the City providing services for other cities, especially those out of our County, however, he would like some assurance that the City is getting the full rebate for those services and are not imposing an undue burden on the tax payers.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Tucker Weems that renewal agreements for animal services with the cities of Hudson, Diboll, Groveton and Hemphill be approved as presented. A unanimous affirmative vote was recorded.

**14. PROPOSAL - APPROVED - CREDIT CARD PAYMENTS - CITY SERVICES**

Mayor Bronaugh stated that the next item for consideration was a proposal to accept credit card payments for certain City services.

City Manager Maclin stated that included in the Council packet is a memo of explanation from the Asst. City Manager James Hager. City Manager Maclin stated that when the City took the bank depository services proposals a few weeks ago there were proposals from some of the banks which included acceptance of credit card payment services. City Manager Maclin stated that included in the memo is a tabulation of the fees charged for that service. City Manager Maclin stated that it is the opinion of staff that this is something many of our citizens would like to use to pay for their retail goods and services. City Manager Maclin stated that this is a trend that is coming into the municipal government arena also. City Manager

Maclin stated that the City has services such as permit fees through the Building Inspection Department, which is one of the first areas for consideration so that builders, contractors and homeowners could take out building permits by using a credit card to pay for those services. City Manager Maclin stated that other areas for consideration would be ambulance fees, traffic fines, utility bills and parks and recreation fees. City Manager Maclin stated that the first two areas for consideration by the City would be building permit fees and ambulance fees. City Manager Maclin stated that the City has a proposal from NationsBank that offers this service at a very affordable price, and it is the staff recommendation that we enter into this agreement and provide credit card payment as an alternative for citizens to pay for City services.

In response to question by Councilmember Weems as to what the City's cost might be, Asst. City Manager Hager stated that the discount rate that would be charged would be 1.45%. Mr. Hager stated that the bid from NationsBank reflected 1.79%, and in conversations with the representative recently, they would offer the City a discount rate of 1.45%. Mr. Hager stated that the monthly service fee per account would be \$10, and the equipment lease would be approximately \$40 per month. In response to question by Councilmember Weems, Mr. Hager stated that the City would probably start with two, Building Inspections and the EMS fees. Mr. Hager stated that he would like to see this service implemented into the Utility Collections Department as quickly as possible. Councilmember Weems stated that he calculated on \$5 million the service charge would be \$72,000 per year. Mr. Hager stated that the bank would be responsible for any bad debts. Mr. Hager stated that when someone comes in to pay by credit card, the machine will automatically see if that account with that customer is in good standing before it will accept the collection.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Don Boyd to accept the proposal submitted by NationsBank for credit card payments for certain City services. The following vote was recorded:

Aye: Councilmembers Gorden, Boyd, Jones, Kuykendall, Bowman and Mayor Bronaugh

Nay: Councilmember Weems

Motion carried with six affirmative votes.

#### **15. LOCAL LAW ENFORCEMENT BLOCK GRANT - APPROVED**

Mayor Bronaugh stated that the next item for consideration was a Local Law Enforcement Block Grant.

City Manager Maclin stated that included in the Council packet is a memo from Chief Collins regarding a Bureau of Justice Assistance Block Grant in the amount of \$65,166. Chief Collins stated that the total amount of the grant will be \$72,407, with \$65,000 coming from the Bureau of Justice and a \$7,200 match from the City.

Chief Collins stated that he proposes that the City match be an in-kind match for the use of the cars and operating expense of the cars on one of the programs this grant will be used for. Chief Collins stated that the Department plans to use this grant to fund the GO Base Manager that was not funded in the budget this year, which is such an integral part of the Department's computerized record system that they feel like they can justify the use of these grant monies to go ahead and get that program started. Chief Collins stated that he proposes to hire a person with the understanding that this is a one year grant program, and the position will be funded by the grant and that there is no guarantee of any employment beyond that one year period. Chief Collins stated that if this is approved it will take approximately \$28,000 to fund this position. The remainder of the grant money would be used to run the overtime program for traffic law enforcement aimed at accident reduction. Chief Collins stated that the Department will pull up the high frequency accident locations and tailor an enforcement program at those particular locations with the idea of reducing the number of accidents that are occurring in certain places. Chief Collins stated that one such location would be at Pershing and the West Loop.

Chief Collins stated that there would be sufficient money after the GO Base Manager to run 440 plus four hour overtime shifts for officers.

Chief Collins stated that in order to qualify for this grant a committee had to be named to look at the proposal. Chief Collins stated that the committee has met and agreed that this would be a worthwhile project, but it needs Council approval to proceed with the program. In response to question, Chief Collins stated that members of the committee are: Lt. Walter Rankin, Art Buieress, Asst. District Attorney, Judge Joe Martin, Phyllis Grandgeorge, Executive Director of the Deep East Texas Alcohol and Drug Abuse Council, and Johnny Giles, Asst. Superintendent of LISD.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that the Local Law Enforcement Block Grant submitted by the Police Department on behalf of the City of Lufkin be approved as presented. A unanimous affirmative vote was recorded.

#### **16. BID - APPROVED - TRACTOR AND MOWER - STREET DEPARTMENT - TEXAS TIMBERJACK**

Mayor Bronaugh stated that the next item for consideration was bids for a tractor and mower to be used in the Street Department.

City Manager Maclin stated that three bids were received and in the Council packet is the bid tabulation, and staff is recommending the low bid of Texas Timberjack in the amount of \$14,807 for a total amount of \$29,614 for two units. City Manager Maclin stated that as background explanation on this bid, this item comes to Council as a result of the current budget being approved last year and the privatization of

some of the right-of-way mowing. City Manager Maclin stated that when staff went to bid they had budgeted \$40,000 for this item and that was based on a cost per acre with an additional factor in from what TxDOT usually gets on their bids. City Manager Maclin stated that unfortunately when staff went to bid, what they hoped would come in around \$40,000, came in at \$72,000, which far exceeded the budgeted amount. City Manager Maclin stated that as a result the City had to continue right-of-way mowing in the Street Department and the 1978 and 1983 tractors are actually drydocked at this time because they are inoperative and need major expense. City Manager Maclin stated that staff would like to take \$29,000 of the \$40,000 currently in the budget for privatization and go ahead and buy some tractors. City Manager Maclin stated that City manpower can do this mowing for approximately \$55,000 per year compared to \$72,000 based on bids received for privatization. City Manager Maclin stated that the \$55,000 includes labor, parts, equipment depreciation, fuel, Gator Ade, ice, safety glasses, traffic vests and hardhats. City Manager Maclin stated that staff recommendation is to award the low bid of Texas Timberjack.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that the bid of Texas Timberjack in the amount of \$14,807 per unit, for a total of \$29,614 for two units, be approved as submitted. A unanimous affirmative vote was recorded.

#### **17. EXECUTIVE SESSION**

Mayor Bronaugh recessed regular session at 6:10 p.m. to enter into Executive Session. Regular session reconvened at 6:40 p.m. and Mayor Bronaugh stated that appointments to the Parks Advisory Board and legal matters had been discussed.

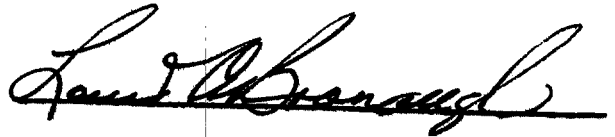
#### **18. APPOINTMENTS - APPROVED - PARKS ADVISORY BOARD - HECTOR ROJAS - PEGGYLU WATSON**

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that Hector Rojas and Peggylu Watson be reappointed to the Parks Advisory Board. A unanimous affirmative vote was recorded.

19. There being no further business for consideration, meeting adjourned at 6:42

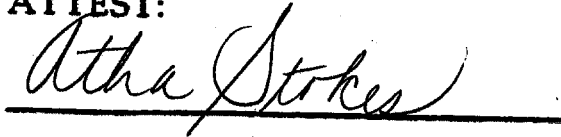
8/18/98

p.m.



Louis A. Bronaugh  
Mayor

ATTEST:



Atha Stokes - City Secretary

8/18/98