

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE
21ST DAY OF MARCH 2000 AT 5:00 P. M.**

On the 21st day of March 2000 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 Bronaugh	Mayor
Bob Bowman	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Don Boyd	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Dennis Robertson	Councilmember, Ward No. 6
C. G. Maclin	City Manager
James Hager	Asst. City Manager/Finance
Atha Stokes Martin	City Secretary
Bob Flournoy	City Attorney
Keith Wright	City Engineer
Kenneth Williams	Director of Public Work
Stephen Abraham	Director of Planning

being present, and

Jack Gorden, Jr.	Councilmember, Ward 5
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being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Jeff Robinson, Pastor, Southside Baptist Church.

2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of the regular meeting of March 7, 2000 and the called meeting of March 9, 2000 were approved on a motion by Councilmember Don Boyd and seconded by Councilmember Lynn Torres. A unanimous affirmative vote was recorded.

4. PRESENTATION OF TREE CITY USA AWARD AND TREE GROWTH AWARD

Mayor Bronaugh stated that the first item for consideration was presentation of the Tree City USA Award and the Tree Growth Award.

Chris Brown, District Forester, Texas Forest Service, stated that he was present on behalf of the National Arbor Day Foundation to present the City with the Tree City USA Award and the Tree Growth Award. Mr. Brown stated that the Tree City USA Award recognizes the City of Lufkin for 10 years of meeting the standards of being a Tree City USA, a program sponsored by the National Arbor Day Foundation that recognizes cities of the United States for exceptional efforts in maintaining and caring for their trees. Mr. Brown stated that some of the requirements to maintain that recognition are to have a Tree Board, to have an established Tree Ordinance as well as recognize Arbor Day as a City. Mr. Brown stated that the fact that the City has received the award for 10 years says a lot about the City of Lufkin. Mr. Brown presented the Mayor with a special 10-year flag to be flown at City Hall.

Mayor Bronaugh stated that the City has proudly displayed the Tree City USA flag at City Hall and at the Civic Center.

Mayor Bronaugh stated that members of the Tree Board are John Courtenay, Chairman, who was not present, Joe Pase, Dennis Robertson, Lynn Torres and R. L. Kuykendall.

Mr. Brown also presented the Growth Award, which is presented for going over and above what is required for the Tree City USA. Mr. Brown stated that Lufkin was awarded the Growth Award because of the Landscape Ordinance, which was recently passed, and hiring a City Arborist. Mayor Bronaugh stated that the City's Arborist was not present at the meeting tonight because she was on her way back from a meeting in Austin.

**5. ORDINANCE – APPROVED – SECOND READING - ZONE CHANGE –
RESIDENTIAL LARGE TO LOCAL BUSINESS – HARMONY HILL DRIVE – TONY
PERRY – EVELYN PERRY CLARKE**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to change the zoning from "Residential Large" to "Local Business" on approximately 5.83 acres of land located approximately 800 feet north of Harmony Hill Drive, 570 feet south of S. Medford Drive and 1240 feet west of FM Highway 58 as requested by Tony Perry on behalf of Evelyn Perry Clarke.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres that Ordinance to change the zoning from "Residential Large" to "Local Business" on approximately 5.83 acres of land located approximately 800 feet north of Harmony Hill Drive, 570 feet south of S. Medford Drive and 1240 feet west of FM Highway 58 be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. AMENDMENTS – APPROVED – SECOND READING - ZONING ORDINANCE

Mayor Bronaugh stated that the next item for consideration was Second Reading of Amendments to the Zoning Ordinance.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Dennis Robertson that Amendments to the Zoning Ordinance as recommended by the P

**7. ORDINANCE – APPROVED – FIRST READING – ZONE CHANGE –
RESIDENTIAL LARGE AND COMMERCIAL TO LOCAL BUSINESS – THOMPSON
HIGHWAY ADDITION – 1601 AND 1611 SOUTH FIRST STREET - HI-LO AUTO
SUPPLY – BILLIE JANE SHOTWELL**

Mayor Bronaugh stated that the next item for consideration was the request of Hi-Lo Auto Supply, L. P., on behalf of Billie Jane Shotwell to change the zoning from "Residential Large and Commercial" to "Local Business" on approximately 2.27 acres of land described as Blocks 8, 9 and 10 of the Thompson Highway Addition and being located between 1601 and 1611 South First Street.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Planning Department stating the Comprehensive Plan does indicate that this site is suitable for non-residential development. Mr. Maclin stated that the Planning and Zoning Commission, by unanimous vote, recommends the zone change be approved as requested.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Don Boyd that Ordinance to change the zoning from "Residential Large and Commercial" to "Local Business" on approximately 2.27 acres of land described as Blocks 8, 9 and 10 of the Thompson Highway Addition and being located between 1601 and 1611 South First Street as requested by Hi-Lo Auto Supply, L. P., on behalf of Billie Jane Shotwell be approved on First Reading as presented. A unanimous affirmative vote was recorded.

Councilmember Robertson stated that he would like to comment about the nice trees that are on this piece of property. Mr. Robertson stated that since we do have the Tree City USA award, he would like for the property owners to try and save some of the trees if they possibly can.

8. RESOLUTION – APPROVED – TEMPORARY CLOSURE – FIRST AND FRANK STREETS – TXDOT – 2000 BENEFIT RODEO PARADE – DOWNTOWN HOEDOWN

Mayor Bronaugh stated that the next item for consideration was a Resolution authorizing the City to enter into an agreement with the State for temporary closure of First and Frank Streets for the 2000 Benefit Rodeo Parade and the Downtown Hoe Down.

City Manager Maclin stated that included in the Council packet is a memo from the Main Street Director requesting the closure of this intersection along with the proposed Resolution. Mr. Maclin stated that TxDOT required this Resolution since we will be closing a State-owned highway for a period of time.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Don Boyd that Resolution authorizing the City to enter into an agreement with the State for temporary closure of First and Frank Streets for the 2000 Benefit Rodeo Parade and the Downtown Hoe Down be approved as presented. A unanimous affirmative vote was recorded.

9. REVISED ANNEXATION SCHEDULE – APPROVED – CROWN COLONY SECTION VIII-D

Mayor Bronaugh stated that the next item for consideration was adopting a revised annexation schedule for Crown Colony Section VIII-D.

City Manager Maclin stated that this is a small revision to the schedule of annexation that was approved at the last Council meeting. Mr. Maclin stated that this is requiring an additional meeting of Council suggested for May 23 in order to meet all the compliance, rules and regulations for timing to meet the State and Federal requirements on the annexation process.

City Manager Maclin stated that with Council's indulgence he would explain some other things going on in the month of May. Mr. Maclin stated that at the next Council meeting staff will put another agenda item on to address a multitude of meetings we will have in May. Mr. Maclin stated that the regular Council meetings are the 2nd and 16th of May. There will have to be a called meeting on May 9th to canvas the election results from the May 6th election, and a called meeting on May 23rd for the annexation. Mr. Maclin stated that the annual planning budget retreat would also be held in May, making a total of five meetings. Mr. Maclin stated that he would like to suggest moving the May 2nd meeting to May 9th and the May 16th meeting to the 23rd. Mr. Maclin stated that if Council agrees these changes could be made.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Dennis Robertson that revised annexation schedule for Crown Colony Section VIII-D be adopted as presented and that a called meeting be held on May 23rd at 5:00 p.m. to accommodate the annexation schedule. A unanimous affirmative vote was recorded.

10. INTERLOCAL AGREEMENT – APPROVED – TML INTERGOVERNMENTAL EMPLOYEE BENEFIT POOL – CONSENT TO ASSIGNMENT FORM

Mayor Bronaugh stated that the next item for consideration was adopting an Interlocal Agreement with the TML Intergovernmental Employee Benefit Pool and Consent to Assignment Form.

City Manager Maclin stated that included in the Council packet is a memorandum from the TML Group Benefits Risk Pool along with an Interlocal Agreement document. Mr. Maclin stated that basically what this is doing is bringing to our attention and asking our concurrence with a consolidation of two branches of the TML insurance pool. Mr. Maclin stated that one was the City's health insurance, who we retain as our third party administrator for our self-funded health insurance program, and the other being the risk pool that handled our liability insurance, other public officials liability and vehicle liability insurance. Mr. Maclin stated that basically they are merging these two groups to gain benefit for economies of scale for reduction in cost. Mr. Maclin stated that he did not anticipate any changes in terms of coverage or terms of service.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Dennis Robertson that Interlocal Agreement with the TML Intergovernmental Employee Benefit Pool and Consent to Assignment Form be adopted as presented. A unanimous affirmative vote was recorded.

11. PARTICIPATION – APPROVED – DOWNTOWN MURAL

Mayor Bronaugh stated that the next item for consideration was participation in a downtown mural.

City Manager Maclin stated that over the last several years the City has been fortunate to have several sponsors who have helped install some very attractive downtown-enhancing murals to depict and convey history in Lufkin. Mr. Maclin stated that an additional mural is proposed for the west side of the Kurth Memorial Library, the side facing Angelina Street. Mr. Maclin stated that this mural would depict the history of railroads in Lufkin. Mr. Maclin stated that grant funds have been raised to cover \$25,000 of the cost. The total cost is \$21,500 for the mural and another \$6,700 for the preparation to get the wall ready for the mural to be painted on it. Mr. Maclin stated that there are additional costs in the amount of \$2,786 that are needed. Mr. Maclin stated that the Main Street Advisory Board committed \$1,000 last Thursday at their Board meeting, which will leave a balance of \$1,786. Mr. Maclin stated that the Main Street Department is seeking Council's consideration today if they would be willing to participate in the mural at a cost of \$1,786.

Mr. Maclin stated that the \$25,000 grant came from the Angelina Naches River Railroad and the Pineywoods Foundation. Mayor Bronaugh stated that he appreciated Mr. Bowman's participation in this project through the Pineywoods Foundation.

In response to question by Councilmember Boyd, Mr. Maclin stated that staff would do a line item adjustment to the Main Street budget from fund balance to cover the \$1,786.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Don Boyd to participate in the downtown mural funding in the amount of \$1,786. A unanimous affirmative vote was recorded.

12. COST ESTIMATES/PRIORITY RANKING – TABLED – 2000 STREET IMPROVEMENT PROGRAM

Mayor Bronaugh stated that the next item for consideration was cost estimates and priority ranking for the 2000 Street Improvement Program.

City Manager Maclin stated that as part of the City's Capital Improvements Program, staff added the potential of funding through the Street Maintenance Program, between \$850,000 and \$950,000 allocated for the last several years. Mr. Maclin stated that we have talked about the potential of issuing some debt using that money without a tax increase to satisfy that debt and then being able to do about \$4 million worth of street needs. Mr. Maclin stated that when you look at the past history, the City did not spend very much money on our street system in the 1980's due to a down turn in the economy and reduction in property values. Mr. Maclin stated that the streets were neglected for a period of time and many of the older streets did not have adequate base material or adequate preparation, therefore when the Street Department did an overlay the overlay would not have the longevity that it should have. Mr. Maclin stated that when staff talked about putting together a street program for the year 2000 they identified and did a pretty exhaustive survey of all the streets in Lufkin. Mr. Maclin stated that a list was prepared for the local engineering firms to make some estimates based on some predefined specifications from the City Engineer. Mr. Maclin stated that when staff received the lists back from the engineering firms they were a little overwhelmed at the total dollars. Mr. Maclin stated that the original list was around \$4 million but identified around \$13 million of potential need to get all the streets in the condition that everyone would feel is adequate. Mr. Maclin stated that some of the streets have more immediate need than others.

Mr. Maclin stated that it is difficult for staff to come to Council with \$13 million worth of needs and only \$4 million of allocated funds in the budget process through debt issuance. Mr. Maclin stated that staff would like to suggest that Council consider tabling this item recognizing that if there are any specific questions that Council members would like staff to research, they would do that over the next couple of weeks and then have a called workshop where we can concentrate some time and energy on this to look at different options. Mr. Maclin stated that there are options like going to the voters with a dedicated maintenance fund, where the voters would tell Council that they want to spend three cents or five cents of tax rate dedicated strictly for street maintenance and the overlay program. Mr. Maclin stated that staff feels that it is somewhat questionable to issue long-term debt for a short-term fix with the overlays. Mr. Maclin stated that staff put together a list out of the \$13 million that was strictly reconstructions. Mr. Maclin stated that initially staff and Council had talked about using this money for reconstruction that will give much better longevity for an overlay when an overlay is done. Mr. Maclin stated that at last year's Retreat there was discussion about several streets for potential utilization in a street bond election like the 1994 bond election that the voters approved, which brought the improvements to MLK, Paul Avenue, Tulane and Feagin. Mr. Maclin stated that this is a very complex, multiple option significant need that the City has, and is something that a lot of citizens measure the success of their city by in terms of utilization of their tax dollars by the condition of their streets. Mr. Maclin stated that based on that, staff would like to respectfully request that Council consider letting staff have a workshop and concentrate specifically on this.

Motion was made by Councilmember Don Boyd and seconded by Councilmember R. L. Kuykendall that this item be tabled tonight and discussed at a Street Program Workshop meeting on Monday, April 10 at 10:00 a.m. A unanimous affirmative vote was recorded.

13. BID – APPROVED – LITTER CONTRACT – PARKS DEPARTMENT

Mayor Bronaugh stated that the next item for consideration was bids for litter contract for the Parks Department.

City Manager Maclin stated that included in the Council packet is a memo from the Director of Purchasing, and the bid from Catherine Jones with the TIBH Industries Employment for Texans with Blindness and Other Disabilities. Mr. Maclin stated that this is a group that the City has utilized for these litter service for the last several years. Mr. Maclin stated that they are proposing a 2.6% increase over last year's budget to compensate for the CPI. The total cost of the contract is \$12,444.976.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that bid of Goodwill Industries in the amount of \$12,444.96 be approved as submitted. A unanimous affirmative vote was recorded.

14. COMMENTS

Councilmember Robertson stated that he was pleased that the City received the Tree City USA award and the Growth award, and hoped that we would be able to maintain these awards over the next few years and improve the appearance of trees in the City. Mayor Bronaugh stated that the Council and staff have supported the Tree Board over the years, which made it possible to receive this award.

City Manager Maclin stated that on the Council table is a list of the quarterly departmental meetings that he has conducted with the City departments.

15. There being no further business for consideration, meeting adjourned at 5:40 p.m.



Louis Bronaugh
Mayor

ATTEST:

Atha Stokes Martin
Atha Stokes Martin - City Secretary