

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE
3rd DAY OF APRIL 2001 AT 5:00 P. M.

On the 3rd day of April 2001 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
R. L. Kuykendall
Don Boyd
Bob Bowman
Jack Gorden, Jr.
C. G. Maclin
James Hager
Atha Stokes Martin
Bob Flournoy
Keith Wright
Kenneth Williams
Stephen Abraham

Mayor
Mayor pro tem
Councilmember, Ward No. 2
Councilmember, Ward No. 4
Councilmember, Ward No. 5
City Manager
Asst. City Manager/Finance
City Secretary
City Attorney
City Engineer
Director of Public Works
Director of Planning

Being present, and

Lynn Torres
Dennis Robertson

Councilmember, Ward No. 3
Councilmember, Ward No. 6

Being absent when the following business was transacted.

1. Reverend John W. Greene, Pastor, Harmony Hill Baptist Church opened meeting with prayer.
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 minutes of the regular meeting of March 20, 2001 be approved as presented. A unanimous affirmative vote was recorded.

4. RESOLUTION – APPROVED – DRUG FREE ZONES – CITY OF LUFKIN

Mayor Bronaugh stated that the next item for consideration was a Resolution and map designating "Drug Free Zones" in the City of Lufkin.

City Manager Maclin stated that included in the Council packet is a Resolution and on the Council table is a copy of the map. Mr. Maclin stated that this gives Council the overview and provides the shaded area for the appropriate distance designation. Mr. Maclin stated that by providing this map, and with a Council Resolution, it would improve the capability or enforcement of Federal drug laws and regulations. Mr. Maclin stated that it would provide the Federal District Attorney with the appropriate documentation necessary for conviction under this Statute of the law. Mr. Maclin stated that the sale of drugs in a drug free zone can typically carry a greater penalty in terms of prison terms, etc. Mr. Maclin stated that there have been some occasions where the City Engineering Department has been called to testify about the designation of these drug free zones. Mr. Maclin stated that by providing a Resolution it would give greater official authority to our jurisdiction in terms of the District Attorney's ability to prosecute and successfully make a case. Mr. Maclin stated that staff is seeking Council's concurrence today to approve this map and a Resolution designating drug free zones in Lufkin based on proximity to schools, churches, daycare facilities and other similar facilities.

In response to question by Mayor Bronaugh, City Manager Maclin stated that at one time the City put up signs near the schools prohibiting drugs but this level of mapping sophistication capability was not available at that time. Mr. Maclin stated that what Council is doing here comes to the City from Al Charanza, the Assistant District Attorney with Angelina County, and it is to utilize Section 481.135 of the Texas Health and Safety Code on a State level basis.

Keith Wright, City Engineer, stated that the Resolution and map would be filed at the Angelina County Court House once it is approved as a matter of record.

In response to question by Councilmember Gorden, City Manager Maclin stated that according to the District Attorney's Office these are all the eligible locations in Lufkin, which includes schools, parks and daycare centers. Councilmember Gorden stated that the area of the Buckner Daycare Center for Angelina College needs to be extended to U. S. 59. City Attorney Flournoy stated that there is a provision in the Ordinance whereby it can be modified from time to time when new places are identified.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Bob Bowman that Resolution and map designating "Drug Free Zones" in the City of Lufkin be approved as presented. A unanimous affirmative vote was recorded.

5. RESOLUTION - APPROVED - AMENDMENT TO FEES - PLANNING DEPARTMENT

Mayor Bronaugh stated that the first item for consideration was a Resolution amending the fees charged by the Planning Department.

City Manager Maclin stated that included in the Council packet is a memorandum from the Director of Planning with an explanation and a chart showing the current fees charged and the proposed fees for a revision in the Planning Department fees. Mr. Maclin stated that on the next page there is a fee schedule survey of Texas cities and East Texas cities, and finally a Resolution should Council want to go ahead and make these changes as recommended.

Stephen Abraham, Director of Planning, stated that what brought this to a head is that the Planning Department had no fee for the Board of Adjustments. Mr. Abraham stated that when an applicant did not like a provision of the Zoning Ordinance they were requesting to go to the Board of Adjustments because there was no cost associated with it. Mr. Abraham stated that staff wanted to divide what the Board of Adjustment did into two categories: one would be the appeal, which is simply when the Planning Department makes a determination on what the Zoning Ordinance requires and the applicant has a different opinion they can go to the Board of Adjustments, and the Board of Adjustments mediates that concern.

Mr. Abraham stated that the Planning Department's cost for zone changes and special use permits includes a written notice to everybody within 200' of the property, a notice in the Legal section of the newspaper, and out of courtesy they post their agenda in the newspaper on the Saturday preceding their Planning & Zoning meeting on Monday. Mr. Abraham stated that the Department does have some advertising costs. Mr. Abraham stated that the cost for zone change requests and special use permits have not changed since 1995. Mr. Abraham stated that the annexation fee is to cover the cost of the zoning process.

In response to question by Mayor Bronaugh, Mr. Abraham stated that if Council turns down a request that has been forwarded by the Planning & Zoning Commission then the applicant must pay another fee if they want to be re-considered. If Council simply refers the applicant back to the Planning & Zoning Commission for further review, there is no cost to the applicant.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall to amend the fees charged by the Planning Department as presented. A unanimous affirmative vote was recorded.

6. CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGERS

City Manager Maclin stated that the First Friday luncheon would be held on Wednesday, April 4 at the new Library and the speaker would be Liz Carpenter.

City Manager Maclin stated that Attorney General Cronyn would speak at a luncheon sponsored by the Chamber on April 11th.

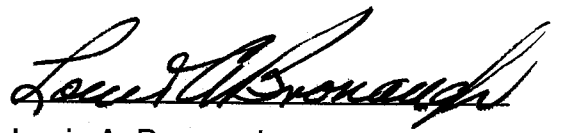
City Manager Maclin stated that the next Comprehensive Steering Committee meeting would be held on Thursday, April 5th.

City Manager Maclin stated that on Saturday, April 7th, there would be a park dedication ceremony at Mantooth Park.

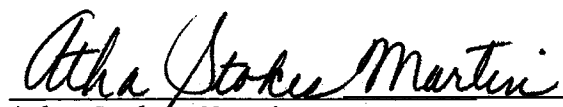
City Manager Maclin stated that the Council retreat at Pine Island would be on May 22nd.

City Manager Maclin stated that he would be attending a meeting on Friday along with the City Engineer and the Director of Public Works

7. There being no further business for consideration, meeting adjourned at 5:23 p.m.


Louis A. Bronaugh
Mayor

ATTEST:


Atha Stokes Martin
City Secretary