

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

On the 3rd day of July 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     | Mayor                      |
| Dennis Robertson   | Mayor pro tem              |
| R. L. Kuykendall   | Councilmember, Ward No. 1  |
| Don Boyd           | Councilmember, Ward No. 2  |
| Lynn Torres        | Councilmember, Ward No. 3  |
| 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 Works   |

being present, and

|                  |                           |
|------------------|---------------------------|
| Bob Bowman       | Councilmember, Ward No. 4 |
| Jack Gorden, Jr. | Councilmember, Ward No. 5 |

Being absent when the following business was transacted.

1. Harold Hancock, Timberland Drive Church of Christ, 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 Dennis Robertson that the minutes of the Regular Meeting of June 19, 2001 be approved as presented. A unanimous affirmative vote was recorded.

4. **PUBLIC HEARING – GRANT APPLICATION – TEXAS PARKS AND WILDLIFE – MATCHING FUNDS FOR THE DEVELOPMENT OF KIT McCONNICO PARK**

Mayor Bronaugh opened Public Hearing to consider grant application to the Texas Parks and Wildlife for matching funds for the development of Kit McConnico Park.

There was no one present to speak for or against the grant application.

Mayor Bronaugh closed Public Hearing.

5. **RESOLUTION – APPROVED – GRANT APPLICATION – TEXAS PARKS AND WILDLIFE – MATCHING FUNDS FOR THE DEVELOPMENT OF KIT McCONNICO PARK**

Mayor Bronaugh stated that the next item for consideration was a Resolution to make grant application to the Texas Parks and Wildlife for matching funds for the development of Kit McConnico Park.

City Manager Maclin stated that included in the Council packet is a copy of the Resolution that is part of the application process. Mr. Maclin stated that staff is now putting the finishing touches on the grant application, which will be submitted at the end of this month to Texas Parks and Wildlife. Mr. Maclin stated that it will be late fall before we know if we were successful in being funded. Mr. Maclin stated that the City is seeking an application for the full maximum amount allowable under an application to Texas Parks and Wildlife for \$500,000. Mr. Maclin stated that two years ago Council

approved, in the Capital Improvements Plan, a funding for the development of Kit McConnico Park for soccer fields and softball fields, and this is the application to help the City get some matching funds to go along with those Capital Improvement Funds designated for the improvements to the park.

Motion was made by Councilmember Don Boyd and seconded by Councilmember R. L. Kuykendall that Resolution to make grant application to the Texas Parks and Wildlife for matching funds for the development of Kit McConnico Park be approved as presented. A unanimous affirmative vote was recorded.

In response to question by Councilmember Robertson, Mr. Leonard Ehrler stated that they are currently revising and finishing up the exhibits for the grant application, which includes a detailed budgetary estimate. He further stated that they feel very confident with the plan that they have, and with their meetings with the Parks Advisory Board.

**6. APPOINTMENT – APPROVED – CITY REPRESENTATIVE – PINEY WOODS GROUND WATER CONSERVATION DISTRICT - KEITH WRIGHT**

Mayor Bronaugh stated that the next item for consideration was an appointment of a City Representative to the newly created Piney Woods Ground Water Conservation District.

City Manager Maclin stated that included in the packet is an actual copy of the Bill. Mr. Maclin stated that this is something that the City has worked together collectively with leaders of Angelina County and Nacogdoches County to seek the creation of the Piney Woods Ground Water Conservation District. Mr. Maclin stated that the legislation allows and actually requires a seven member board to be appointed that will govern the Ground Water District. Mr. Maclin stated that once the Board is formed it will then call for an election on November 6<sup>th</sup>, which will be a confirmation election, and will be on the ballot for all the residents of Angelina County and Nacogdoches County to express their opinions as to whether or not the Ground Water District should be formed. Mr. Maclin stated that it is their hope to be able to do some public education between now and November to help raise public awareness of the need for the Ground Water District and how with the Ground Water District we can have local control as opposed to State or Federal control of our ground water. Mr. Maclin stated that the initial stages of the Ground Water District would be to perform engineering, to study the ground water aquifer, to determine peak pumping capacity and the future life of the ground water, and how other adjoining areas that are part of the same aquifer will impact the levels of our aquifer for future ground water use so that ultimately we would know when we would need, timing wise, to start supplementing our ground water with surface water from Rayburn.

City Manager Maclin stated that today Council is asked to appoint a City representative, one of a seven member board. Mr. Maclin stated that the City of Nacogdoches will likewise appoint a representative, and the two County Commissioner Courts will appoint two people each, one of which is designated from a Water District or Rural Water Supply, the other would be from industry. Mr. Maclin stated that the seventh member is defined by the legislation as an individual who represents a company that has land in both counties that is of an agriculture interest. Mr. Maclin stated that once those seven members are appointed then the Board will have an organizational meeting followed by the opportunity then to call for the election on November 6<sup>th</sup> with a confirmation election to officially establish the Ground Water District.

Mayor Bronaugh stated that the name of Keith Wright, City Engineer, with his knowledge of the water needs of the City has been offered as the City's representative.

Motion was made by Councilmember R. L. Kuykendall and seconded by Councilmember Don Boyd that Keith Wright, City Engineer, be appointed as the City's representative to the newly created Piney Woods Ground Water Conservation District. A unanimous affirmative vote was recorded.

In response to question by Councilmember Robertson, City Manager Maclin stated that the funds from the one cent per thousand will primarily be used towards engineering

studies. Mr. Maclin stated that even though the Ground Water District will have that authority to drill a well or purchase property for a well, he did not see that as being something on their horizon for many years to come. Mr. Maclin stated that, in his opinion, their main issue is going to be to protect the current interests that we all have in ground water in the area, and to perform studies to have a better understanding of the life of our aquifer at current rates of growth and the impact of other communities who are on the same aquifer and the consumption that they have and the impact that will have on our water future as it relates to ground water.

City Manager Maclin stated that he has been in every one of the organizational meetings from last October until the Bill was approved in May and all these different things were discussed, but that is not the intent of the District as far as purchase of land or property. Mr. Maclin stated that the main intent of the District is to help us control our own destiny as far as the future of water consumption from the ground is concerned in Angelina and Nacogdoches Counties.

In response to question by Councilmember Robertson, Mr. Maclin stated that if ever there was a taxation it would have to go back to the voters in a second election, but it is not the intent of the members who helped form the Board to utilize any type of taxation.

**7. AUTHORIZATION – APPROVED – PURCHASE TWO ASPHALT ROLLERS – STREET DEPARTMENT**

Mayor Bronaugh stated that the next item for consideration was authorization to purchase two asphalt rollers for the Street Department.

City Manager Maclin stated that included in the Council packet is the bid tabulation through the Houston-Galveston Area Council. Mr. Maclin stated that staff is requesting permission to purchase a Ferguson 50" roller in the amount of \$46,347.13 and a Terex Benford 55" roller in the amount of \$38,817.63 for a total of \$85,164.76. Mr. Maclin stated that these are a steel pneumatic roller and a rubber tire roller and will be used in the Street Program, both the Street Program that is through the Capital Improvements Program, and our bond election. Mr. Maclin stated that staff's intent for most of these streets is to contract out the preliminary sub-grade and grade preparation and then the City forces and City equipment will lay down the final asphalt, which will ultimately save thousands of dollars over the life of the street. Mr. Maclin stated that we do need adequate equipment; most of the equipment that is being used now is several years old and to move to the next level in quality and efficiency we need these rollers plus, staff will be coming to Council in a couple of weeks with a request to purchase a laydown machine. Mr. Maclin stated that all of these items would come from our revenues for bond funds that the City is using for street improvements.

In response to question by Councilmember Robertson, Mr. Maclin stated that these would be replacement rollers. Mr. Wright stated that the actual lay down machine and one of the rollers would be kept for backup machines.

Motion was made by Councilmember Don Boyd and seconded by Councilmember R. L. Kuykendall that authorization be given to City staff to purchase two asphalt rollers through H-GAC for the Street Department in the amount of \$85,164.76. A unanimous affirmative vote was recorded.

**8. ANNUAL CONTRACT – APPROVED – UNIFORMS FOR PUBLIC WORKS DEPARTMENTS – CINTAS**

Mayor Bronaugh stated that the next item for consideration was the annual contract on uniforms for the Public Works Department.

City Manager Maclin stated that included in the Council packet is the bid tabulation for the provision of uniforms for various departments. Mr. Maclin stated that three bids were received and staff is recommending the low bid of Cintas in the amount of \$20,123.75.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember R. L. Kuykendall that the annual contract on uniforms for the Public Works Department

received from Cintas in the amount of \$20,123.75 be approved as submitted. A unanimous affirmative vote was recorded.

9. **BID – APPROVED – PAINTING CONCRETE WEIR TROUGH – WATER POLLUTION CONTROL PLANT – TANDEM TANK & TOWER, INC.**

Mayor Bronaugh stated that the next item for consideration was the bid for painting a concrete weir trough at the Water Pollution Control Plant.

City Manager Maclin stated that this is a maintenance item that helps prolong the life of the concrete weir and involves a filler layer followed by a sealer layer of an epoxy type paint. Mr. Maclin stated that staff is recommending the low bid of Tandem Tank & Tower in the amount of \$15,900. Mr. Maclin stated that no other bids were received, but the City has used this company on several other jobs and have had good results.

Motion was made by Councilmember R. L. Kuykendall and seconded by Councilmember Don Boyd that the bid of Tandem Tank & Tower, Inc. in the amount of \$ 15,900 be approved as submitted. A unanimous affirmative vote was recorded.

10. **EXECUTIVE SESSION**

Mayor Bronaugh recessed Regular Session at 5:18 p. m. and entered into Executive Session. Regular Session reconvened at 5:34 p. m. and Mayor Bronaugh stated that Council had discussed demolition of dilapidated houses.

City Attorney Flournoy made the recommendation that the following houses be demolished:

1. 315 Davis Street
2. 1302 Lotus Lane
3. 1009 Hoo Hoo
4. 401 Magnolia

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember R. L. Kuykendall that dilapidated houses located at 315 Davis Street, 1302 Lotus Lane, 1009 Hoo Hoo and 401 Magnolia be approved for demolition. A unanimous affirmative vote was recorded.

City Attorney Flournoy stated that if it becomes necessary at this point for the City to go ahead and tear the buildings down if the owners do not come forward and take care of the houses themselves, as soon as the City has established the cost from the demolition we will impose a lien against the property for the City's costs and ultimately hope to recover that cost.

11. **CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER**

Mayor Bronaugh requested that the City Manager give a report on a meeting that they attended last Wednesday and Thursday at Cypressbend Resort area outside Many, Louisiana. Mayor Bronaugh stated that this was the annual meeting of the El Camino East-West Corridor.

City Manager Maclin stated that representatives were present from Georgia, Alabama, Mississippi, Louisiana, and Texas with each state making a report on progress for the corridor as it progresses from Brunswick, Georgia to El Paso. Mr. Maclin stated that the most enlightening part of it from their viewpoint was the announcement of the designation of State Highway 103 being included in the trunk system. Mr. Maclin stated that about a year and a half ago several people from the City went to Huntsville to participate in a Public Hearing put on by TxDOT to allow for input about the trunk system and what elements should be included to classify a highway to be included in the trunk system. Mr. Maclin stated that apparently the efforts of the elected officials and others writing letters paid off as that announcement was made Thursday at the TxDOT Commission meeting in Austin, and likewise a TxDOT official made the announcement at the East-West Corridor meeting. Mr. Maclin stated that this is very

significant because this is what it takes in Texas. If you are not on the trunk system your chances of having a major four-lane upgrade like we are requesting would be next to impossible. Mr. Maclin stated that at the current pace there might be a 10 to 15 year wait before we see that actually become a reality. Mr. Maclin stated that overall there were good reports from the other states. Mr. Maclin stated that the City will be assisting and promoting the East-West Corridor through a web site, which will be available in another 60 days.

Mayor Bronaugh stated that they passed a Resolution at the meeting promoting the Texas 21, which is the El Camino Real de Tejas (San Antonio Highway).

Mr. Maclin stated that there is legislation in Congress that was introduced on April 26<sup>th</sup> and is trying to make its way through the system and is asking for historic trail recognition from Natchitoches, Louisiana down to the Valley to the El Camino Real and this will basically give some additional publicity and designation as a historic trail. Mayor Bronaugh stated that the request came from the Cities of Nacogdoches, San Augustine and Crockett.

City Manager Maclin stated that tomorrow is a City holiday. There will be 4<sup>th</sup> of July activities at Ellen Trout Park including games, contests, competitions and in the afternoon there will be entertainment from various singing groups leading up to the fireworks spectacular sponsored by Brookshire Bros. again this year.

City Manager Maclin stated that a week from Friday on July 13<sup>th</sup> will be the Budget Workshop beginning at 8:00 a.m. and ending around 4:00 p.m.

City Manager Maclin stated that the First Friday luncheon would feature the Asst. Secretary of State Geoffrey Conner as the speaker.

12. There being no further business for consideration, meeting adjourned at 5:43 p.m.

  
Louis Bronaugh  
Mayor

ATTEST:

  
Atha Stokes Martin - City Secretary