

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE
18th OF JUNE 2002**

On the 18th day of June 2002 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
Lynn Torres	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Rose Faine Boyd	Councilmember, Ward No. 2
Bob Bowman	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
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
Kenneth Williams	Director of Public Works
Stephen Abraham	Director of Planning

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Juan Moreno of Iglesia Cristiana Bautista.
2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting of June 4, 2002 were approved on a motion by Councilmember R. L. Kuykendall and seconded by Councilmember Dennis Robertson. A unanimous affirmative vote was recorded.

4. PROCLAMATION – COUNCILMEMBER DON E. BOYD – TOP LADIES OF DISTINCTION

Mayor Bronaugh stated that the next item is a Proclamation in memory of beloved Councilmember Don Boyd who served the Council for 23 years. Mayor Bronaugh stated that Princess Simond, who is with the Top Ladies of Distinction, requested this Proclamation.

Louise LaVane, President of the Top Ladies of Distinction, stated that Councilman Don Boyd loved the community as he loved the components of the community including their organization. Ms. LaVane stated that Mr. Boyd was very instrumental in many programs of the Top Ladies of Distinction. Ms. LaVane stated that she was presenting a Proclamation on behalf of the Lufkin Chapter of the Top Ladies of Distinction in memory of City Councilman Don E. Boyd to Mrs. Rose Faine Boyd and to the City of Lufkin for their archives.

A framed copy of the Proclamation is hung in the reception area of the Mayor's office.

5. REQUEST – TABLED – ZONE CHANGE – PLANNED UNIT DEVELOPMENT (NO. 3109) TO LOCAL BUSINESS – LAWRENCE A. CATES AND ASSOCIATES, INC. – TULANE DRIVE BETWEEN LOOP 287 AND HARMONY HILL DRIVE

Mayor Bronaugh stated that the next item for consideration was the request of Lawrence A. Cates and Associates, Inc. to change the zoning classification on approximately 28.75 acres of land located on the east side of Tulane Drive between Loop 287 and Harmony Hill Drive from "Planned Unit Development (No. 3109)" zoning district to a "Local Business" zoning district.

City Manager Maclin stated that staff had received a letter from Bryan Berger of Lawrence A. Cates & Associates requesting that Council table this item until the July 2nd meeting.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden Jr. that request of Lawrence A. Cates and Associates, Inc. to change the zoning classification on approximately 28.75 acres of land located on the east side of Tulane Drive between Loop 287 and Harmony Hill Drive from "Planned Unit Development (No. 3109)" zoning district to a "Local Business" zoning district be tabled and rescheduled for the July 2nd Council meeting. A unanimous affirmative vote was recorded.

6. PETITION – APPROVED – ANNEXATION – LANGSTON BUILDING VENTURES LTD – ZIZMONT TREE FARMS LP – FM HIGHWAY 58 – BARTMESS DRIVE

Mayor Bronaugh stated that the next item for consideration was a petition by Langston Building Ventures LTD and Zizmont Tree Farms LP to annex approximately 69.64 acres of land generally located east of FM Highway 58 and south of Bartmess Drive.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Director of Planning along with a plat and exhibits for description of the property in terms of legal description. Mr. Maclin stated that there is a map showing the subject property and a proposed Ordinance for annexation. Mr. Maclin stated that this request comes to Council with a recommendation from the Planning Department that the proposed annexation Ordinance be approved.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall that petition by Langston Building Ventures LTD and Zizmont Tree Farms LP to annex approximately 69.94 acres of land generally located east of FM Highway 58 and south of Bartmess Drive be approved as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE – APPROVED – FIRST READING – ZONING CLASSIFICATION – FM HIGHWAY 58 – BARTMESS DRIVE

Mayor Bronaugh stated that the next item for consideration was the appropriate zoning classification for approximately 69.94 acres of land being considered for annexation and generally located east of FM Highway 58 and south of Bartmess Drive.

City Manager Maclin stated that this request comes to Council from the Planning & Zoning Commission that the property be zoned "Large Single Family Dwelling". Mr. Maclin stated that a proposed plat of the property has been provided in the packet information showing the access off of Chestnut for Phase I. Mr. Maclin stated that there are two different phases for the development of the subdivision.

In response to question by Councilmember Bowman, Mr. Maclin stated that this property is contiguous to some property in the City limits, a subdivision developed by Mr. Lowery. Mr. Maclin stated that this piece of property, at one time, was owned by Harmony Hill Baptist Church and was sold to be developed.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres that Ordinance with the appropriate zoning classification for approximately 69.94 acres of land being considered for annexation and generally located east of FM Highway 58 and south of Bartmess Drive be approved on First Reading as presented. A unanimous affirmative vote was recorded.

8. REQUEST – APPROVED – ZONE CHANGE – RESIDENTIAL LARGE AND RESIDENTIAL MEDIUM TO RESTRICTIVE PROFESSIONAL OFFICE – FRANK AVENUE AND NORTH RAQUET STREET – GEORGE K. DUPUY

Mayor Bronaugh stated that the next item for consideration was the request of George K. Dupuy to change the zoning classification on property located at the northwest corner of Frank Avenue and North Raquet Street and being described as Lot 4, Block 5 of the E. J. Mantooh's Addition and also Lot 1, Block 8 of the Woodland Heights Addition from "Residential Large" and "Residential Medium" zoning districts to a "Restrictive Professional Office" zoning district.

City Manager Maclin stated that included in the Council packet was a memorandum of explanation from the Director of Planning along with various zone maps, zoning application form, photographs, and property plat maps. Mr. Maclin stated that this request comes to Council with a unanimous vote recommending approval by the Planning and Zoning Commission for a Restrictive Professional Office zoning designation.

Eddie McFarland, attorney for Mr. Dupuy, spoke in behalf of the request.

In response to question by Councilmember Jack Gorden, Mr. Maclin stated that the RPO designation has opportunities for a variety of office types, restaurants, small drive-in bank facilities and things of that nature. Mr. Maclin stated that the RPO does provide a site plan approval.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Bob Bowman that Ordinance to change the zoning on property located at the northwest corner of Frank Avenue and North Raquet Street and being described as Lot 4, Block 5 of the E. J. Mantooth's Addition and also Lot 1, Block 8 of the Woodland Heights Addition from "Residential Large" and "Residential Medium" zoning districts to a "Restrictive Professional Office" zoning district be approved on First Reading as presented.

Councilmember Dennis Robertson recused himself from discussion and voting on this request.

Motion carried with six (6) affirmative votes.

9. EXTENSION OF CONTRACT – APPROVED – MUSEUM OF EAST TEXAS

Mayor Bronaugh stated that the next item for consideration was extension of contract with the Museum of East Texas.

City Manager Maclin stated that included in the Council packet is a letter of request from J. P. McDonald, the Executive Director of the Museum of East Texas, along with a copy of the City's current lease agreement. Mr. Maclin stated that the Museum is seeking an extension on the lease agreement for long range planning purposes.

Mrs. McDonald stated that the Museum, in order to continue with long range planning, would like to extend their lease with the City of Lufkin by 25 years. City Attorney Flournoy stated that at the present time their lease has a primary term that goes until the year 2013, and they have an option at that time for 10 more years. Mr. Flournoy stated that the Museum is asking, opposed to a 10-year option that it be a 25-year option, which is appropriate since it is in keeping with what the City has done in the past.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Rose Faine Boyd that contract with the Museum of East Texas be approved for a 25 year extension as requested.

Councilmember Kuykendall recused himself from voting on this request.

Motion carried with six (6) affirmative votes.

10. ACCEPTANCE OF PROPERTY – APPROVED – MUSEUM OF EAST TEXAS

Mayor Bronaugh stated that the next item for consideration was acceptance of property adjacent to the Museum of East Texas.

6-18-02

Mrs. McDonald stated that the Museum of East Texas has been offered the property at 220 Howe by Mr. and Mrs. James Yeates. Mrs. McDonald stated that the Museum would like for the City to accept the actual property and allow the Museum of ET to accept the house that currently is on that property so that they might dispose of the house and retain the property for future expansion of Museum needs. Mrs. McDonald stated that the Museum is very grateful to the Yates for that gift.

Mr. Flournoy stated that Mr. Yeates has a building on the property that he houses his RV in and he would like the opportunity to continue to use this building until such time as the City needs the property up to a maximum of five years. Mr. Flournoy stated that Mr. Yeates would provide the necessary insurance so there would be no liability to the City Councilmember Gordon asked how the City would keep up with the five year time period. Mr. Flournoy stated that it would be five years or whenever the City needs it, whichever comes first.

Councilmember Robertson stated that he would be more comfortable just saying five years unless they want to give it up before five years. Mr. Flournoy stated that Mr. Yeates said that if the City needed the property in two years for a parking lot he would be willing to give it up.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Jack Gordon, Jr. that property donated by Mr. and Mrs. James Yeates to the City adjacent to the Museum of East Texas be accepted as presented.

Councilmember Kuykendall recused himself from voting on this request.

Motion carried with six (6) affirmative votes.

Mrs. McDonald stated that the Museum of East Texas was founded through the generosity of the City of Lufkin and also the hard work of many, many women in what was the Lufkin Service League. Mrs. McDonald stated that they are now entering their 26th year. Mrs. McDonald presented a power point presentation of 25 years of cultural enrichment at the Museum of East Texas.

11. PROPERTY FOR SALE - APPROVED - LEWIS AND POINDEXTER SUBDIVISION

Mayor Bronaugh stated that the next item for consideration was selling a portion of Lot 9 in the Lewis and Poindexter Subdivision.

City Manager Maclin stated that included in the Council packet is a letter indicating the adjacent property owners interested in purchasing this lot. Mr. Maclin stated that staff has provided a plat that shows that the location is 1702 Martin Luther King, Jr. Drive and is just past Jones Park on the right. Mr. Maclin stated that included in the packet information is an appraisal from Jake Lyons, who valued the property at \$1,254. Mr. Maclin stated that staff is seeking Council's consideration to sell this property to the adjacent property owner for \$1,254.

Motion was made by Councilmember R. L. Kuykendall and seconded by Councilmember Dennis Robertson that a portion of Lot 9 of the Lewis and Poindexter Subdivision be approved for sale to the adjacent property owner for \$1,254. A unanimous affirmative vote was recorded.

12. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 5:35 p. m. and Councilmembers entered into Executive Session. Regular Session reconvened at 6:29 p.m. and Mayor Bronaugh stated that the Council had discussed attorney/client matters, appointments to Boards and Commissions, and real estate matters.

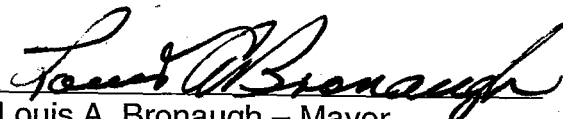
13. CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER

City Manager Maclin stated that it is time for budget workshops. It was the consensus of opinion that the budget workshops would be held on July 16th starting with breakfast at 7:30 a.m. and ending at noon with lunch.

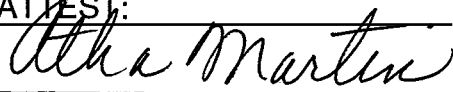
City Manager Maclin stated that the DETCOG meeting is July 27th in Nacogdoches.

City Manager Maclin stated that the group Council picture would be moved to July 16th.

14. There being no further business for consideration, meeting adjourned at 6:37 p.m.


Louis A. Bronaugh – Mayor

ATTEST:



Atha Martin - City Secretary