

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
LUFKIN, TEXAS HELD ON THE 6<sup>TH</sup> DAY OF JULY, 2004**

On the 6<sup>th</sup> day of July 2004, 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
Rose Faine Boyd	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Lynn Torres	Councilmember, Ward No. 3
Don Langston	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
Dennis Robertson	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Renee Thompson	City Secretary
Robert Flournoy	City Attorney
David Koonce	Director of Human Resources
Kenneth Williams	Director of Public Works
Debbie Fitzgerald	Asst. Public Utilities Director
Doug Wood	Director of Accounting

None being absent when the following business was transacted.

1. Meeting was opened with prayer by Reverend Larry Hinsley, First Congregational Methodist Church.
2. Mayor Louis Bronaugh welcomed visitors present. Councilmember Langston recognized John Ainsworth, son of Jane and Rick Ainsworth, who is working on a merit badge, advancing to become an Eagle Scout, Troop 140.

3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of the June 15, 2004 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Rose Boyd. A unanimous affirmative vote was recorded.

4. **AUTHORIZATION TO EXEMPT BUILDING PERMIT FEES – APPROVED - FOR  
THE ANGELINA COUNTY EXPOSITION CENTER SIGN**

Mayor Bronaugh stated that the next item for consideration was the authorization to exempt the building permit fees for the proposed Angelina County Exposition Center Sign. City Manager Paul Parker stated that this was a request from the Exposition Center. He explained that they are proposing to build a sign that is valued at approximately \$160,000. He said the total fee to be waived would be \$995 including electrical, plan review, and permit fee.

City Manager Parker stated that the City of Lufkin has a unique partnership with the Exposition Center due to the fact that they are partially funded through the Hotel/Motel Tax. City Manager Parker further stated that because of this arrangement, and in keeping with the permitting system, staff requests that Council waive these fees. City Manager Parker stated that only City Council has the authority to waive any fees. In response to Councilmember Rose Boyd's question, if this meant that the City would also waive the inspection, City Manager Parker stated that the answer is no, and that the City would still have to do all the inspections. City Manager Parker further stated that they still must meet all code requirements, and that the sign had been reviewed by the Planning Department. City Manager Parker stated that Steve Abraham, former Director of the Planning Department had assured him prior to his leaving that this met all of the requirements of the permitting, indicating that the only thing with this request would be to waive the building fees. City Manager Parker stated that the staff recommended the waiving of these fees.

Mayor Bronaugh added that Jerry Hill was in the audience, in which Mr. Hill also waived his fees as the architect of this project. After no further comments, Mayor Bronaugh asked Council if there were any comments or questions. After none, Councilmember Jack Gorden moved to approve the authorization of exemption of building permit fees for the Angelina County Exposition Center, and was seconded by Councilmember R. L. Kuykendall. A unanimous affirmative vote was recorded.

5. **BID FOR WASTEWATER TREATMENT PLANT DIGESTER REHABILITATION AND RESOLUTION - APPROVED – AUTHORIZING AN AMENDMENT TO THE 2003/2004 OPERATING BUDGET (BUDGET AMENDMENT NO. 4) AND PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE WATER/WASTEWATER RENEWAL AND REPLACEMENT FUND.**

Mayor Bronaugh stated that the next item for consideration was a bid for the Wastewater Treatment Plant digester and rehabilitation and resolution authorizing an amendment to the 2003/2004 Operating Budget (Budget Amendment No.4). City Manager Paul Parker stated that the City has two (2) of our 700,000 gallon digesters that are in need of repair. City Manager Parker explained that this would involve sandblasting and repainting the interior of these digesters. City Manager Parker stated that these had originally been budgeted at \$60,000; however, the actual budget cost would now be \$64,000. City Manager Parker stated that this is the reason for the budget amendment of \$4,000, to budget the full cost of the bid for this item. City Manager Parker stated that staff recommends that the Council consider authorizing this bid in the amount of \$64,000.

City Manager Parker added that Tandem Tank was low bidder and that they had done previous work that had been satisfactory to the City. Mayor Bronaugh asked for any comments or questions. Councilmember Don Langston commented that he was amazed in the difference in the two bids. City Manager Parker stated that the City was also amazed and commented that Debbie Fitzgerald, Assistant Director of Public Utilities, would be available to elaborate further on the subject. City Manager Parker stated that the City had talked to the other bidder, and the bidder said that he had not really reviewed the plans that greatly, but had just bid. Ms. Fitzgerald stated that the bidder had never looked at the plans due to the fact he had to leave to attend a funeral.

Councilmember Don Langston then stated that the City had actually received just one bid and City Manager Parker agreed that there was indeed one legitimate bid. Councilmember Dennis Robertson then asked Debbie Fitzgerald if it was safe to assume that Tandem Tank and Tower knew what they are doing, in which Ms. Fitzgerald replied yes. Councilmember Jack Gorden asked if everything the City did required bonding, and again, Ms. Fitzgerald replied yes.

After no further discussion, Councilmember Rose Faine Boyd moved to approve the low bid of Tandem Tank and was seconded by Dennis Robertson. A unanimous affirmative vote was recorded.

6. **RESOLUTION – APPROVED – AMENDING AUTHORIZING REPRESENTATIVES TO THE TEXAS LOCAL GOVERNMENT INVESTMENT POOL**

Mayor Bronaugh stated that the next item for consideration of resolution amending authorized representatives to the Texas Local Government Investment Pool. City Manager Paul Parker explained that this is simply a procedure to remove C. G. Maclin and James Hager from the authorized representative list and allows Paul Parker to be part of that with Debbie Vance and Doug Wood to sign the necessary papers on the City's investments. Councilmember R. L. Kuykendall moved to approve the Resolution Amending Authorization of Representatives to the Texas Local Government Investment Pool, and Councilmember Don Langston seconded the motion. A unanimous vote was recorded.

7. **AGREEMENT WITH THE DIBOLL TEXAS DEPARTMENT OF CORRECTIONS – APPROVED – TO PROVIDE PRISONERS FOR THE PURPOSE OF ASSISTING THE CITY AT ITS REGIONAL RECYCLING CENTER**

Mayor Bronaugh stated that the next item for consideration is an agreement with the Diboll Texas Department of Corrections to provide prisoners for the purpose of assisting the City at its Regional Recycling Center. City Manager Paul Parker stated that this is again reentering into a program that the City of Lufkin had previously with the Prison. City Manager Parker stated that this Agreement would provide prisoners to work on a daily basis, with the responsibility of the City to transport them, and to feed them during the day. City Manager Parker stated that this Agreement would allow the prisoners to perform their recycling duties for the City. City Manager Parker further stated that this would include fifteen (15) prisoners and two (2) correctional officers to oversee the prisoners per day. City Manager Parker stated that this would allow the City to hold off on any automated cost that was previously considered until the City could see how the program worked, and that the City would monitor the reliability of the prisoners coming in. City Manager Parker stated that if this program was as successful as it was before, it would mean a large savings in cost for the City. City Manager Parker stated that he believed that both Mayor Bronaugh and Kenneth Williams,

Public Works Director, have worked diligently with Prison Officials to enable the City to have this contract once again.

Mayor Bronaugh commented that the vehicle to transport the prisoners and guards was a gift from the Brazos Transit System (The District), along with the labor of the prisoners. City Manager Parker stated that the City anticipates about \$2000 per month and about \$24,600 next year for food and gasoline. City Manager Parker further stated that there may be other maintenance and related costs included, but stated that this was still a very reasonable expenditure for fifteen (15) people per day to work at the Recycling Center.

Councilmember Don Langston asked Kenneth Williams, Public Works Director, to remind them about what happened with the last Agreement the City had previously with the Prison. Mr. Williams stated that last year, the Prison Facility had suffered budget problems (like everyone else around the state) and it had gotten to the point where the Prison Facility could not afford the Correctional Guards to travel (for monitoring purposes) with the prisoners anymore. Therefore, the City lost the use of the prisoners. Mr. Williams stated that they had low numbers of prisoners; however, the main problem was with the guards.

Councilmember Rose Faine Boyd asked that if the Council approved the Agreement, would the City be able to get this service. Mr. Williams explained that this had gone back and forth with Warden Humphries, and City Attorney Bob Flournoy, who reviewed the contract, and approved it. The Prison has agreed to the terms in the contract.

Councilmember Lynn Torres asked if the City was set up to feed the prisoners, and also if doing so would be an extra burden on the staff at the Recycling Center to feed them. Mr. Williams stated that the City was basically responsible for ordering and picking up the food, and that there was a Break Room already provided at Recycling. This Break Room was used previously during work time because the workers at the City could not co-mingle with the prisoners. City Manager Parker asked if the City allocated \$5.50 per day and was verified by Mr. Williams. City Manager Parker stated that the City would only spend up to the \$5.00 limit and that the City staff would pick up the food. Mr. Williams stated that they had already talked to a couple of food establishments and that they indicated they could feed them for that amount. Councilmember Lynn Torres responded that Angelina College is already in the business of preparing mass lunches and wouldn't there be some way, because of its location, that the City might work with them out there. Mr. Williams assured her that he would talk with them. Mr. Williams further stated that they had talked to Fuller's Restaurant and also to Ray's. Mr. Williams added that they love Ray's hamburgers and he suspects they volunteer, just to get the hamburgers.

Mayor Bronaugh added that while they were at the Prison talking to the Warden, he invited all of the City Council to come to tour the Facility. Mayor Bronaugh further stated that the Warden was very proud of the Facility and welcomed everyone to come down to eat lunch with them. Councilmember Jack Gorden commented that he thought this was a great piece of work and appreciated the fact that it was put together. Councilmember Lynn Torres added that while she thought this was a great program, she was not 100% prepared to give up on eventual Automation at the Recycling Center, because that was a project of hers. Mr. Williams added that this would be a "day to day" contract because Officials were afraid of a "long term" commitment in case they had to pull them out again.

Councilmember Lynn Torres moved to approve the Agreement with the Dibold Texas Department of Corrections, in providing prisoners for the purpose of assisting the City at its Regional Recycling Center. Councilmember Kuykendall seconded the motion. A unanimous vote was recorded.

#### 8. **BUDGET AMENDMENT #3 – APPROVED – 2003/2004 OPERATING BUDGET**

Mayor Bronaugh stated that the next item is to consider Budget Amendment #3 for the 2003/2004 Operating Budget. Mayor Bronaugh stated that the proposed budget would remove \$309,216. City Manager Parker stated that \$309,216 is the amount from the General Fund, and the actual changes reflect also the Civic Center Fund by \$16,414 additional, and the Water and Wastewater Fund \$170,446 removed and Solid Waste/Recycling \$122,879 additional. City Manager Paul Parker stated that the more volume the City had, the more Landfill Cost we have, and that is the reason it fluctuates. City Manager Paul Parker further stated that these are identified cost savings, in which the departments had made during the course of the year. Some of these cost savings were salaries, other items, budget estimates that come in under. City Manager Paul Parker stated that staff was asking Council to roll this out of the budget to insure that the money was actually captured at this time, and would not be spent during the coming year. City Manager Paul Parker stated that these numbers had been


incorporated in the preliminary numbers that was discussed at the Retreat in June, to help balance the budget. City Manager Paul Parker stated that Staff recommends City Council to amend the 2003/2004 Operating Budget to reflect the changes that were indicated in the Tax Resolution.

Councilmember Don Langston commended City staff and the City Manager for the revisions. Councilmember Dennis Robertson moved to Amend the FY 2003/2004 Budget Amendment, with a second from Councilmember Lynn Torres. A unanimous vote was recorded.

**9. EXECUTIVE SESSION**

Mayor Bronaugh recessed the Regular Session at 5:18 p.m. to enter into Executive Session. Regular Session reconvened at 6:27 p.m. Mayor Bronaugh stated that Council had discussed Legal and/or Attorney Client privileges, with no decisions made.

10. Councilmember Lynn Torres commented that the Council welcomed Renee Thompson, City Secretary, to the City Council meetings. City Manager Paul Parker discussed the Budget Calendar with City Council and reminded Council about the Budget Workshop that would be held Monday, July 12<sup>th</sup> to review the Departmental Budget Requests.
11. There being no further business for consideration, the meeting adjourned at 6:39 p.m.

  
Louis A. Bronaugh – Mayor

ATTEST:

  
Renee Thompson – City Secretary