MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3RD DAY OF JANUARY, 1989, AT 5:00 P.M.

On the 3rd day of January, 1989, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Chambers of City Hall with the following members thereof, to wit:

Louis A. Bronaugh	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Danny Roper	Commissioner, Ward No. 3
Bob Bowman	Commissioner, Ward No. 4
Paul Mayberry	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Brian Boudreaux	Assistant City Manager
Ron Wesch	Public Works Director
Bob Flournoy	City Attorney
Atha Stokes	City Secretary

being present, and

Jack Gorden	Commissioner, Ward 5

being absent when the following business was conducted.

1. Meeting opened with prayer by Rev. Steve Shirley, Pastor, Central Baptist Church.

2. Mayor Bronaugh welcomed visitors present. Boy Scout Jeff Frederick was present working on his Citizenship Merit Badge.

3. APPROVAL OF MINUTES

Minutes of regular meeting of December 20, 1988, were approved on a motion by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman. A unanimous affirmative vote was recorded.

4. PUBLIC HEARING - RODGER BAZELL - TAX CAB LICENSE

Mayor Bronaugh opened Public Hearing and recognized Rodger Bazell. Mr. Bazell stated that he was presently working for a beauty supply business which involved driving 250 miles per day. Mr. Bazell stated that he had driven a taxi cab for three years in Chicago.

In response to question by Mayor Bronaugh, Mr. Bazell stated that he would probably start with two vehicles and go up to six if there is public demand. Mr. Bazell stated that he has a commitment from the insurance company to insure the cabs.

Mayor Bronaugh closed Public Hearing.

5. ORDINANCE - APPROVED - SECOND READING - REVISED SPEED LIMITS - U. S. HIGHWAY 69 SOUTH

Mayor Bronaugh stated that the next item for consideration was Second Reading of Ordinance revising the speed limits on U. S. Highway 69.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper that Ordinance be approved on Second and Final Reading. A unanimous affirmative vote was recorded.

6. EMS AGREEMENT - RATIFIED - ANGELINA COUNTY

Mayor Bronaugh stated that the next item for consideration was ratification of EMS Agreement with Angelina County.

City Manager Westerholm presented new agreement to the Commission.

City Attorney Flournoy stated that the County was concerned about the provision in Article I that the City would give priority to City residents. Mr. Flournoy stated that the new agreement has been reworded to read: "The City agrees to respond to all calls received from County residents, however the County acknowledges that the City's primary responsibility is to its own citizens". Mr. Flournoy stated that the Fire Chief or his designated agent shall have the right to determine the priority of emergency ambulance services.

Mr. Flournoy stated that this contract has been written for a period of nine months to coincide with the City's fiscal year. If renewed, the Contract will run from September 30th of this year to September 30th of the next fiscal year.

Mayor Bronaugh stated that the City has agreed to refund payments to Angelina County residents that have been made last year in excess of the $105 base rate.

Mr. Flournoy stated that the numbers will change in Article VII because they were based on a 12-month period ($223,000). The amount for a nine-month period would be $167,250. The 90-day negotiation time would remain the same.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry that the EMS Agreement with Angelina County be ratified as presented. A unanimous affirmative vote was recorded.

7. NEGOTIATIONS AUTHORIZED - NATIONAL EMPLOYEE BENEFIT ADMINISTRATORS - PREFERRED PROVIDERS - GROUP HEALTH INSURANCE

Mayor Bronaugh stated that the next item for consideration was authorizing National Employee Benefit Administrators (NEBA) to negotiate preferred providers for group health insurance.

City Manager Westerholm stated that a letter had been received from Jack Littell proposing the services of Managed Healthcare, Inc. to negotiate with the hospitals for discounted services.

City Attorney Flournoy stated that he had checked to see if the City could buy these services from Memorial Medical Center without going out for bids from some other hospitals and, in his opinion, the City should go out for bids or contract with NEBA to secure discounts.

Mayor Bronaugh recognized E. E. Horn of Managed Healthcare, Inc., who explained the services his firm provides.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Danny Roper authorizing the City Manager to go out for bids from Memorial Medical Center of East Texas and Woodland Heights Hospital for discounted hospital services, and for bids for a cafeteria plan. A unanimous affirmative vote was recorded.

8. ORDINANCE - APPROVED - ZONE CHANGE REQUEST - FRED WALKER - 1600 BLOCK LOTUS LANE - RESIDENTIAL LARGE TO RESIDENTIAL LARGE, SPECIAL USE (OLD PEOPLE'S HOME)

Mayor Bronaugh stated that the next item for consideration was zone change request by Fred Walker covering property located in the 1600 block of Lotus Lane from Residential Large to Residential Large, Special Use (Old People's Home).

Commissioner Paul Mayberry stated that because he and Dr. Rhodes had been friends for many years he was not going to participate in the discussion of this zone change request.

Mayor Bronaugh recognized Dr. B. D. Rhodes who stated that he and his son planned to build a home for the active elderly at this location. Dr. Rhodes stated that if the zone change request is approved, construction will begin in early spring with the facility being completed in early fall.

Dr. Rhodes stated that this facility will not be a nursing home.

Dr. Rhodes stated that this will be a single story structure with all apartments under one roof.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper that Ordinance be approved on First Reading.

The following vote was recorded:

Aye: Commissioners Roper, Gorden, Bowman, Boyd, Simond and Mayor Bronaugh

Commissioner Paul Mayberry refrained from voting.

Mayor Bronaugh stated that motion carried.

9. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE REQUEST - JUDGE DAN JONES/ANGELINA COUNTY - 600-900 BLOCK LOOP 287 - HEAVY MANUFACTURING TO HEAVY MANUFACTURING, SPECIAL USE (JUVENILE DETENTION CENTER & EMERGENCY SHELTER)

Mayor Bronaugh stated that the next item for consideration was Zone Change Request by Judge Dan Jones of Angelina County covering property between 600-900 block of Loop 287 from Heavy Manufacturing to Heavy Manufacturing, Special Use (Juvenile Detention Center & Emergency Shelter).

Mayor Bronaugh recognized Steve Spencer who stated that this facility will be a place to keep kids who are in trouble with the law and need a place to stay for a few days. Mr. Spencer stated the maximum capacity is ten kids for each facility. Immediate plans are for the construction of the juvenile center and the emergency shelter will be a a future project.

At the present time the closest facility for juveniles is in Beaumont.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that Ordinance be approved on First Reading. A unanimous affirmative vote was recorded.

10. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE REQUEST - JIM BRASSE/SABINE INVESTMENT - SOUTH OF CROWN COLONY DRIVE - APARTMENT, SPECIAL USE TO PLANNED UNIT DEVELOPMENT (WITH EXCEPTION OF REQUESTED 15' SETBACK)

Mayor Bronaugh stated that the next item for consideration was Zone Change Request by Jim Brasse of Sabine Investment covering property located south of Crown Colony Drive from Apartment, Special Use to Planned Unit Development (with exception of requested 15' setback).

Mayor Bronaugh recognized Philip Goodwin representing Sabine Investments. Mr. Goodwin stated that the zone change was being requested to allow for a specific development on Winged Foot Drive. Mr. Goodwin stated that the request had been approved unanimously by the Planning & Zoning Commission with the exception of a 15' setback line which was referred to the Zoning Board of Adjustment & Appeals for a variance. The variance request was approved unanimously on January 3, 1989.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Don Boyd that Ordinance be approved on First Reading. A unanious affirmative vote was recorded.

11. FRANCHISE - APPROVED - CHECKERBOARD CAB CO.

Mayor Bronaugh stated that the next item for consideration was authorization of franchise for the Checkerboard Cab Co., which had been discussed earlier on the agenda.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that franchise for the Checkerboard Cab Co. be approved as requested. A unanimous affirmative vote was recorded.

12. PARK NAME - APPROVED - GRACE DUNNE RICHARDSON PARK

Mayor Bronaugh stated that the next item for consideration was the naming of Southview Park.

Mayor Bronaugh recognized Mrs. Rennie Mae Hickman, Chairman of the Area Council of Garden Clubs. Mrs. Hickman stated that she was requesting that the City Commission name the park at the old sewer plant site the Grace Dunne Richardson Park. Mrs. Hickman stated that Mrs. Richardson had left $60,000 in her estate for beautification of various park sites throughout the City and First City Bank who controls the estate is anxious to close out the account.

In response to question, Parks and Recreation Director Don Hannabas stated that the results of a random survey indicated that the public would like more swimming pools. Mr. Hannabas stated that he is currently working with a group that is studying trail development for the park site.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Bob Bowman that park located at the old sewer plant site be named the Grace Dunne Richardson Park. A unanimous affirmative vote was recorded.

13. IMPROVEMENTS - APPROVED - WATER POLLUTION CONTROL PLANT

Mayor Bronaugh stated that the next item for consideration was recommendation for certain improvements to the Water Pollution Control Plant.

City Manager Westerholm stated that he had received a letter from Jimmy Griffith recommending several additional improvements at the Water Pollution Plant - five of which are needed to improve the operations of the wastewater plant, and one that needs more investigation before any recommendation can be made and was included for informational purposes.

City Manager Westerholm stated that the money for these improvements is available in the Bond Fund, which has an unencumbered balance of $145,000.00.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman to proceed with the first 5 items for improvement at the Water Pollution Control Plant on recommendation from Everett Griffith & Associates. A unanimous affirmative vote was recorded.

14. INTEREST PAYMENTS - ADJUSTED - SCARBROUGH STREET - CURB & GUTTER

Mayor Bronaugh stated that the next item for consideration was extending interest payments for one year for curb and gutter on Scarbrough Street.

Commissioner Percy Simond stated that, in his opinion, receiving a bill 5 years after the work was completed at 9% is a form of harassment to the residents of Scarbrough Street and he was asking the Commission to give consideration to a one year extension on the interest.

In response to question, City Attorney Flournoy stated that if the bill is paid 90 days after the work is done no interest is charged.

Mr. Wesch stated that revised billing was sent out on December 16th, and he had talked with the City Manager and they agreed that the 90-day period would begin December 16th. Mr. Wesch stated that the cost was less because it had been figured at contract costs and City crews had done the work cheaper. Mr. Wesch stated that residents on other streets that have been curbed and guttered have worked out payments over a 12 or 24 month period and some residents on fixed income had paid out over 36 months.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Bob Bowman that interest for curb and gutter work on Scarbrough Street begin 90 days from today (January 3, 1989), with a two year payment plan. A unanimous affirmative vote was recorded.

15. ACCEPTANCE OF FUNDS - APPROVED - ELVEN MC ADAMS - SANITARY SEWER LIFT STATION - FOUR SEASONS SUBDIVISION

Mayor Bronaugh stated that the next item for consideration was acceptance of funds from Elven McAdams in lieu of constructing sanitary sewer lift station in the Four Seasons Subdivision.

City Manager Westerholm stated that a letter from Mr. McAdams had been included in the Commissioners' packets that was self-explanatory, along with a letter of recommendation by Ron Wesch, Public Works Director.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Don Boyd to accept the contribution of $20,000 from Mr. Elven McAdams in return for installing an 8-inch gravity sanitary sewer line to the Four Seasons Subdivision. A unanimous affirmative vote was recorded.

16. BID - APPROVED - PIPE & MATERIAL - NORTH LUFKIN PROJECT - BIG STATE UTILITY

Mayor Bronaugh stated that the next item for consideration was bids for pipe and material for North Lufkin.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman to accept the low bid of Big State Utility in the amount of $14,002.82. A unanimous affirmative vote was recorded.

17. TAX ABATEMENT PROGRAM

Mayor Bronaugh stated that the next item for discussion was the Tax Abatement Program.

Commissioner Simond stated that he would like for the City administration to make a recommendation as to how to determine areas for 5-10-15 year abatements. Commissioner Simond stated that the County and School Board should have some input as to the length of abatements.

Mayor Bronaugh stated that he would like to see the Tax Abatement Program discussed in a Workshop.

Commissioner Bowman stated that he would like to see representatives from the Chamber of Commerce, School Board and County involved in the Workshop.

Commissioner Mayberry suggested that the staff review the Tax Abatement program used by McKinney, and make recommendations to the City Commission before a workshop date is set.

18. ZOO ATTENDANCE

City Manager Westerholm stated that Zoo Director Gorden Henley had informed him that 194,000 people had visited the Zoo in 1988.

19. There being no further business for consideration, meeting adjourned at 7:00 p.m.

Louis A. Bronaugh

Louis A. Bronaugh, Mayor

ATTEST:

Atha Stokes

Atha Stokes, City Secretary