MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 17TH DAY OF JANUARY, 1995 AT 5:00 P. M.

On the 17th day of January, 1995 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
Percy Simond	Councilman, Ward No. 1
Don Boyd	Mayor pro tem
Larry Kegler	Councilman, Ward No. 3
Bob Bowman	Councilman, Ward No. 4
Jack Gorden, Jr.	Councilman, Ward No. 5
Tucker Weems	Councilman, Ward No. 6
C. G. Maclin	City Manager
Ron Wesch	Asst. City Manager/Public Works
Darryl Mayfield	Asst. City Manager/Finance
Bob Flournoy	City Attorney
Atha Stokes	City Secretary

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Bettye Kennedy, Collins Chapel CME Church.

2. Mayor Bronaugh welcomed visitors present.

3. **APPROVAL OF MINUTES**

Motion was made by Councilman Don Boyd and seconded by Councilman Bob Bowman that minutes of Regular Meeting of January 3, 1995 be approved as presented. A unanimous affirmative vote was recorded.

4. **ORDINANCE - APPROVED - SECOND READING - SPEED LIMIT - FM 3439 - HWY. 69/LOOP 287 (SPENCE STREET) - TEXAS DEPARTMENT OF TRANSPORTATION**

Mayor Bronaugh stated that the first item for consideration was Second Reading of an Ordinance establishing maximum speeds of motor vehicles on FM Road 3439 from its intersection with Hwy. 69/Loop 287 to a point 1,145 feet northward, a distance of approximately 0.217 mile, the speed limit shall be fifty (50) miles per hour in either direction.

Motion was made by Councilman Don Boyd and seconded by Councilman Jack Gorden, Jr. that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

5. **ORDINANCE - APPROVED - FIRST READING - SPECIAL USE PERMIT - ADULT DAY CARE CENTER - ELSIE STREET - SOUTH SECOND STREET - CENTRAL BUSINESS ZONING DISTRICT - SALVATION ARMY**

Mayor Bronaugh stated that the next item for consideration was request of the Salvation Army for approval of a Special Use Permit for an Adult Day Care Center located at the southeast corner of Elsie Street and South Second Street and within a Central Business zoning district.

City Manager Maclin stated that this request was unanimously recommended by the Planning and Zoning Commission.

Motion was made by Councilman Bob Bowman and seconded by Councilman

Larry Kegler that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

6. **ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - RESIDENTIAL LARGE, COMMERCIAL AND HEAVY MANUFACTURING TO HEAVY MANUFACTURING - LOOP 287 BETWEEN LOOP LANE AND HOMER ALTO ROAD - BOB SMITH CORPORATION**

Mayor Bronaugh stated that the next item for consideration was request of Bob Smith Corporation to change the zoning on approximately 10.403 acres located on the inside of Loop 287 between Loop Lane and Homer Alto Road from a mixture of Residential large, Commercial and Heavy Manufacturing zoning districts to a single zoning classification of Heavy Manufacturing.

Motion was made by Councilman Don Boyd and seconded by Councilman Bob Bowman that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

7. **ORDINANCE - APPROVED - SECOND READING - ISSUANCE OF REVENUE BONDS - WATERWORKS & SEWER SYSTEM EXPANSION AND IMPROVEMENTS**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance authorizing the issuance of revenue bonds for improvements and extensions to the City's Waterworks and Sewer System.

Mayor Bronaugh stated that Mike Byrd of First Southwest Company was present and would conduct the bid opening of the revenue bonds.

City Manager Maclin stated that there was two readings of this Ordinance, one in December and one earlier this month, regarding the issuance of revenue bonds in the amount of $2.65 million and those two readings passed unanimously. City Manager Maclin stated that the purpose of the issuance of these bonds is to have funds necessary to replace asbestos cement pipeline in the City's well fields on the north side of Lufkin, which have deteriorated over the past 30-35 years and are now causing some problems. City Manager Maclin stated that the installation of filters is a temporary solution of the problems and the replacement of the line with PVC pipe is the long term solution to the problem. City Manager Maclin stated that the second item for inclusion in this $2.65 million issuance is for some improvements in the Wastewater Treatment Plant, specifically in enlarging the digesting capacity of the plant. City Manager Maclin stated that this will allow the City to meet the EPA Federal guidelines and State guidelines, as well as expand the future capacity of the plant to handle future growth in the City.

Mr. Bryd stated that he was pleased to tell Council that Moody's has confirmed the City's rating at "Baa1", and Standard & Poor has this afternoon confirmed the rating of "A".

Mr. Byrd announced the following bids:

Dain Bosworth, Inc.	6.3708
Dean Witter Reynolds, Inc.	6.2549
First Southwest Company	6.3262
Griffin, Kubik, Stephens & Thompson, Inc.	6.4210
Morgan, Keegan & Co., Inc.	6.2725
Prudential Securities Incorporated	6.3145
Raymond James & Associates, Inc.	6.3908
Service Asset Management	6.3394
Smith Barney Shearson	6.3155

Mr. Bryd stated that there were 13 prospective bidders, four of which passed. Mr.

Byrd stated that the low bid was the bid of Dean Witter Reynolds, Inc. at 6.2549.

Motion was made by Councilman Jack Gorden, Jr. and seconded by Councilman Bob Bowman that Ordinance be approved on Second and Final Reading and the bid of Dean Witter Reynolds, Inc. be approved as submitted. A unanimous affirmative vote was recorded.

8. **ORDINANCE - TABLED - FIRST READING - ZONE CHANGE - RESIDENTIAL LARGE TO NEIGHBORHOOD RETAIL - GENE PARKER - FM 58 - BARTMESS DRIVE**

Mayor Bronaugh stated that the next item for consideration was request of Gene Parker to change the zoning on approximately 0.631 acres of land located at the southeast corner of FM 58 and Bartmess Drive from Residential Large to a Neighborhood Retail zoning district.

City Manager Maclin stated that this item was discussed at the Planning & Zoning Commission meeting and there was a 3 - 2 vote recommending denial.

Mr. Parker stated that he would like to request that this item be tabled at tonight's meeting and that it be presented back to the Planning & Zoning Commission.

Motion was made by Councilman Larry Kegler and seconded by Councilman Jack Gorden, Jr. that this item be tabled and sent back to the Planning & Zoning Commission as requested by the applicant. The following vote was recorded:

Aye: Councilmen Kegler, Gorden, Simond, Boyd, Weems and Mayor Bronaugh
Nay: Councilman Bowman

Motion carried by a vote of 6 to 1.

City Planner Abraham stated that the next scheduled Planning & Zoning Commission meeting would be next Monday, and in his opinion, there would not be enough time to notify the adjacent property owners. Mr. Abraham stated that the request could be heard at the February 13 meeting.

9. **RESOLUTION - APPROVED - GRANT REQUEST - DEEP EAST TEXAS REGIONAL NARCOTICS TRAFFICKING TASK FORCE**

Mayor Bronaugh stated that the next item for consideration was a Resolution authorizing the submission of a grant request for the funding of the Deep East Texas Regional Narcotics Trafficking Task Force.

City Manager Maclin stated that included in the packet is a memo from the Chief of Police along with a Resolution which includes a $13,900 match on the part of the City along with other entities. City Manager Maclin stated that these funds are allocated in the 1994-'95 budget.

Chief Collins stated that, in his opinion, the Task Force is doing better than it ever has. Chief Collins stated that they have shifted their emphasis somewhat and are now going trying to go with organized crime and dismember organizations. Chief Collins stated that it is his recommendation that the City continue with the Task Force.

Motion was made by Councilman Bob Bowman and seconded by Councilman Don Boyd that Resolution be approved as presented. A unanimous affirmative vote was recorded.

10. **EMS DELINQUENT ACCOUNTS - APPROVED - FOURTH QUARTER**

Mayor Bronaugh stated that the next item for consideration was EMS delinquent accounts for the fourth quarter.

City Manager Maclin stated that this is a routine procedure that is brought to Council for consideration on a quarterly basis.

Motion was made by Councilman Don Boyd and seconded by Councilman Larry Kegler that EMS delinquent accounts for the fourth quarter in the amount of $95,435.88 be approved for write-off as presented. A unanimous affirmative vote was recorded.

11. **BID - APPROVED - PROPERTIES FOR SALE - LOTS 1, 2, 3, AND 4 - BLOCK 18 - MARTIN WAGON COMPANY SUBDIVISION - LOT 3 - BLOCK 45 - CITY OF LUFKIN - LUFKIN INDEPENDENT SCHOOL DISTRICT**

Mayor Bronaugh stated that the next item for consideration was acceptance of bids for properties for sale and for return to the tax roles.

City Manager Maclin stated that included in the packet is a letter from the Angelina County Tax Assessor/Collector along with letters regarding two different tax suits from Calame, Linebargar Graham and Pena, who takes care of the delinquent taxes for taxing entities in Angelina County. City Manager Maclin stated that the letters are basically requesting Council's approval of these amounts to be recovered under a trust sale performed by the attorney's offices. City Manager Maclin stated that there are two pieces of property, the first one is Lot 3 - Block 45, off of Persimmon and the other lot is near Sayers Street at the intersection of Highlands and just north of North Street. City Manager Maclin stated that the amounts to be distributed in the first lot is $649, of which the recovery by the City would be $158.29, and the City's recovery on the second lot would be $654.52.

Motion was made by Councilman Bob Bowman and seconded by Councilman Tucker Weems to approve the sale of properties (Lots 1, 2, 3, and 4 of Block 18 of the Martin Wagon Company Subdivision and Lot 3 of Block 45 of City of Lufkin) and the allocation of back taxes to the City of Lufkin. A unanimous affirmative vote was recorded.

12. **EXECUTIVE SESSION**

Mayor Bronaugh recessed Regular Session at 5:33 p. m. to enter into Executive Session. Regular Session reconvened at 5:50 p. m. and Mayor Bronaugh announced that Council had discussed real estate matters and personnel matters. No decisions were made in Executive Session.

13. **COMMENTS**

Councilman Bowman stated that he would like to end his year as Chairman of the Chamber of Commerce by thanking City Manager C. G. Maclin, City Planner Stephen Abraham, and Main Street Director Dawn Glover for their assistance this past year. Councilman Bowman stated that the City staff played an important part in securing the Loral Vaught contract.

Councilman Jack Gorden stated that he would like to see the City maintain their present bond rating.

Councilman Larry Kegler stated that he would like to thank Paula Metzinger of the Lufkin News for the nice article in the newspaper this past week.

City Manager Maclin stated that there will be a Housing Committee Workshop session on Monday, January 30, at 1:00 p.m. in the Council Chambers. City Manager Maclin stated that six staff members of the Texas Housing and Community Affairs office will be present for this meeting. Notices will be sent out tomorrow to area citizens and those people who have expressed an interest in housing.

City Manager Maclin stated that he was seeking Council's input for a date to hold a City street bond election workshop to discuss various options. City Manager Maclin stated that the engineers are nearing completion for the routes. It was decided that the meeting would be held on Monday, February 13 at 11:00 a.m. Council requested an executive summary prior to the meeting.

Mayor Bronaugh stated that there is a list of the regional review committee results on the table from the DETCOG regional review held at City Hall last week. Mayor Bronaugh pointed out that the City of Lufkin and Angelina County tied for seventh place.

Mayor Bronaugh stated that the Chamber of Commerce Annual Banquet would take place at 7:00 p.m.

14. There being no further business for consideration, meeting adjourned at 6:04 p.m.

Louis A. Bronaugh

Louis A. Bronaugh - Mayor

ATTEST:

Atha Stokes

Atha Stokes - City Secretary