

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE
2nd OF DECEMBER 2003

On the 2nd day of December 2003 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
Jack Gorden, Jr.	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Rose Faine Boyd	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Don Langston	Councilmember, Ward No. 4
Dennis Robertson	Councilmember, Ward No. 6
C. G. Maclin	City Manager
Atha Martin	City Secretary
Bob Flournoy	City Attorney
Keith Wright	City Engineer
David Koonce	Director of Human Resources
Kenneth Williams	Director of Public Works
Douglas Wood	Director of Accounting
Stephen Abraham	Director of Planning

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Isiah Lee, Jr., Abundant Life United Methodist Church.
2. Mayor Bronaugh welcomed visitors present. Councilmember Torres welcomed LHS students who were attending the meeting to meet their requirement for their government class.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting of November 18, 2003 were approved on a motion by Councilmember Lynn Torres and seconded by Councilmember Rose Faine Boyd. A unanimous affirmative vote was recorded.

4. ORDINANCE – APPROVED – SECOND READING – FREEZING TAXES - DISABLED AND SENIOR CITIZENS

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance freezing taxes for disabled and senior citizens.

City Manager Maclin stated that he would like to remind Council that the values established in 2004 would then be used as a cap for the tax roll in 2005. Mr. Maclin stated that in the future as a citizen or individual who qualifies as a disabled citizen or who turns 6, it would be that year value then that their property values would be fixed for their homestead.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember R. L. Kuykendall that Ordinance freezing the taxes for disabled and senior citizens be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

5. AMENDMENT – APPROVED – SECOND READING - ORDINANCE NO. 3406 – TECHNOLOGY FUND – SERVICE AND MAINTENANCE AGREEMENTS ON TECHNOLOGY PURCHASED FOR COURTS

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Amendment to Ordinance No. 3406 providing for the use of the technology fund for service and maintenance agreements on technology purchased for courts.

City Manager Maclin stated that this is just a minor update to extend the time frame for utilization of this program in this fund.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Jack Gorden, Jr. that Amendment to Ordinance No. 3406 providing for the use of the technology fund for service and maintenance agreements on technology purchased for courts be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. SPECIAL USE PERMIT – APPROVED – FIRST READING – CENTRAL BUSINESS ZONING DISTRICT – GREAT TEXAS FOODS, INC. – 3107 SOUTH FIRST STREET

Mayor Bronaugh stated that the next item for consideration was the request of Great Texas Foods, Inc. to consider granting a Special Use Permit for a restaurant with private club within a “Central Business” zoning district on property described as Lot 1 of the Luby’s Addition and more commonly known as 3107 South First Street.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Planning Director as well as the maps and plats showing the location. Mr. Maclin stated that the Planning & Zoning Commission by unanimous vote recommends approval of this Special Use Permit with the following conditions: That this Special Use Permit shall be for the sale of alcoholic beverages in conjunction with a full service restaurant facility; and shall not be construed as allowing the structure to be used in a manner which constitutes a night club, tavern, lounge, dance hall or commercial amusement establishment.

Jeff Chance, Attorney for the Zelesky Law Firm, was present to represent Great Texas Foods, Inc.

Motion was made by Councilmember R. L. Kuykendall and seconded by Councilmember Dennis Robertson that Ordinance granting a Special Use Permit for a restaurant with a private club within a “Central Business” zoning district on property described as Lot 1 of the Luby’s Addition and more commonly known as 3107 South First Street be approved on First Reading with the following conditions: That this Special Use Permit shall be for the sale of alcoholic beverages in conjunction with a full service restaurant facility; and shall not be construed as allowing the structure to be used in a manner which constitutes a night club, tavern, lounge, dance hall or commercial amusement establishment. A unanimous affirmative vote was recorded.

7. SALE OF PROPERTY – APPROVED – LISD TRUST PROPERTY – TAX SALE

Mayor Bronaugh stated that the next item for consideration was the sale of property held by the LISD as trust property under a tax sale.

City Manager Maclin stated that this information is included in the Council packet where Linebarger Goggan Blair and Sampson, LLP on behalf of the Angelina County Tax Assessor/Collector’s office took bids on this tract of property located at 1208 Culverhouse. Mr. Maclin stated that the best bid was in the amount of \$4,051, which was less than the taxes owed on the property. Mr. Maclin stated that the actual recovery for the City of Lufkin’s delinquent taxes on the highest bid would be \$809.29.

Mr. Maclin stated that since this bid is less than the original minimum bid it requires each taxing entity to provide individual approval of this proposed method of placing this property back on the tax roll. Mr. Maclin stated that staff is seeking Council's approval of acceptance of this bid in order to recover the \$809.29 and put this property back on the tax roll.

Motion was made by Councilmember R. L. Kuykendall and seconded by Councilmember Rose Faine Boyd the property located at Culverhouse and held as trust property by LISD be approved for a tax sale. A unanimous affirmative vote was recorded.

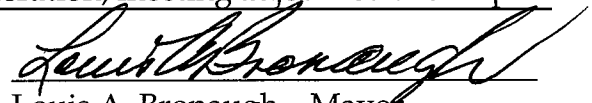
8. APPOINTMENTS – APPROVED – ZONING BOARD OF ADJUSTMENT & APPEALS – KAREN HEATON – DON DURAN

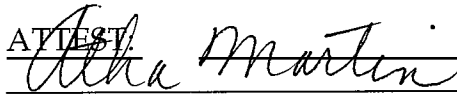
Motion was made by Councilmember Lynn Torres and seconded by Councilmember Rose Faine Boyd that Karen Heaton and Don Duran be reappointed as alternates to the Zoning Board of Adjustment & Appeals. A unanimous affirmative vote was recorded.

9. CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER

City Manager Maclin reminded Councilmembers of the Workshop meeting on Wednesday, December 3rd at 1:30 p.m. with lunch at 12:30 p.m.

10. There being no further business for consideration, meeting adjourned at 5:11 p.m.


Louis A. Bronaugh – Mayor

ATTEST:

Atha Martin – City Secretary