

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF LUFKIN, TEXAS, HELD ON THE  
3RD DAY OF JANUARY, 1995 AT 5:00 P. M.**

On the 3rd 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 City Manager C. G. Maclin.
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 December 20, 1994 be approved as presented. A unanimous affirmative vote was recorded.

4. **ORDINANCE - APPROVED - SECOND READING - ANNEXATION - FM 324 - FM 1336 - GOBBLER KNOB ROAD - DONALD ARNETT**

Mayor Bronaugh stated that the first item for consideration was Second Reading of an Ordinance to annex approximately 16.985 acres of land bounded by FM 324, FM 1336, Gobblers Knob Road, and the existing City limits as requested by Donald Arnett.

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

5. **ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - APARTMENT - FM 324 - FM 1336 - GOBBLERS KNOB ROAD - DONALD ARNETT**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for an Apartment zoning classification on approximately 15.813 acres of land bounded by FM 324 to the east, Gobblers Knob Road and Loop 287 to the north, FM 1336 to the south as requested by Phil Medford on behalf of Donald R. Arnett.

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

**6. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - DUPLEX TO RESIDENTIAL SMALL - JODIE AVENUE - SOUTH THIRD STREET - CHARLTON STREET - W. C. DENMAN ADDITION - GEORGE GRIFFITH - C & W INVESTMENTS - WEBBEN INVESTMENTS**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to change the zoning from Duplex to Residential Small on property bounded on the south by Jodie Avenue, on the west by South Third Street, and on the east by Charlton Street and being described as lots 2-1, 2-2, 2-3, 2-4, 3-1, 3-2, 3-4, and 3-5 of Block 6 in the W. C. Denman Addition as requested by George Griffith on behalf of C & W Investments and Webben Investments.

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

**7. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - RESIDENTIAL SMALL TO COMMERCIAL - W. C. DENMAN ADDITION - JIMMY HORTON - JOYCE COLLINS**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to change the zoning of Lots 3.1, 3.2 and 4 of Block 32 in the W. C. Denman Addition from Residential Small to Commercial zoning classification as requested by Jimmy Horton and Joyce Collins.

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

**8. ORDINANCE - APPROVED - SECOND READING - ISSUANCE OF REVENUE BONDS - WATERWORKS AND SEWER SYSTEM - IMPROVEMENTS AND EXTENSIONS**

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.

Motion was made by Councilman Bob Bowman and seconded by Councilman Tucker Weems that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**9. ORDINANCE - APPROVED - FIRST READING - SPEED ZONE - FM 3439 - HIGHWAY 69/LOOP 287 - TEXAS DEPARTMENT OF TRANSPORTATION**

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance establishing maximum speeds of motor vehicles on FM 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.

City Manager Maclin stated that included in the packet is a letter from Herbert Bickley, Traffic Operations Engineer, Texas Department of Transportation, requesting Council's consideration of this item along with an Ordinance. City Manager Maclin stated that on the Council table is a map showing the area relating to this item, which is Spence Street from Loop 287 northward for the duration of that portion of Spence Street. City Manager Maclin stated that that portion of Spence Street south of the Loop already has City jurisdiction.

Councilman Simond stated that he was concerned that on FM Road 2251 the speed limit is 55 mph, which is the same speed limit as U. S. 59 going to Houston. Councilman Simond stated that there have been any number of people killed on

this road, and it is too narrow to be driving 55 mph. Councilman Simond stated that he would like to see something done about reducing the speed on this road. City Manager Maclin stated that Councilman Simond can personally express his concerns as a Councilmember, or staff can draft a letter to the Texas Department of Transportation to request their consideration for lowering the speed limit.

City Manager Maclin stated that staff will send a letter to TxDOT and carbon a copy to Councilman Simond. City Manager Maclin stated that as far as that portion north of the Loop, it would be more appropriate for Commissioner I. D. Henderson to send a letter.

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

#### 10. RESOLUTION - APPROVED - HISTORIC OWNERSHIP ASSISTANCE ACT

Mayor Bronaugh stated that the next item for consideration was a Resolution in support of the Historic Ownership Assistance Act.

City Manager Maclin stated that very soon there will be an Act introduced into Congress entitled the Historic Ownership Assistance Act, which will provide incentives for those who purchase or restore old buildings in historic neighborhoods through the federal Historic Rehabilitation Tax Credit for homeowners. City Manager Maclin stated that the Angelina County Historical Commission, as well as other interested parties, brought this to staff for consideration as a means of encouragement through the older neighborhoods so that there would be some tax credit to help them in restoring older homes. City Manager Maclin stated that Main Street and the Angelina County Historical Commission are asking for Council's consideration in passing this Resolution, which will be forwarded on to Congressman Wilson as an indication of the City's support for this particular piece of legislation.

Dawn Glover, Main Street Director, stated that one point she wanted to make was that this will not be limited to just homes that are thought of as being "historic", but will be for someone who will go into an older, deteriorating neighborhood and purchase a home. Ms. Glover stated that this is not intended as funds to preserve antique structures, but is intended to preserve the quality of life in inner-city neighborhoods.

Motion was made by Councilman Bob Bowman and seconded by Councilman Larry Kegler that Resolution in support of the Historic Ownership Assistance Act be approved as presented. A unanimous affirmative vote was recorded.

#### 11. AGREEMENT - APPROVED - ECONOMIC DEVELOPMENT ADMINISTRATION GRANT - RAIL SERVICE - SOUTH PARK INDUSTRIAL PARK

Mayor Bronaugh stated that the next item for consideration was an Agreement with Gary Traylor and Associates for the preparation of an Economic Development Administration Grant to provide rail service to the South Park Industrial Park.

City Manager Maclin stated that there are two items which provide backup to this request and the first is a letter from Peter Maul, Vice President of Corporate Development, American Colloid Company, indicating their desire to come to Lufkin and locate two facilities. The first facility would be a foundry binder blending facility, and two years later a package pet litter facility. City Manager Maclin stated that the foundry binder blending facility would employ eight people full time and the pet litter facility would employ 15 people full time.

City Manager Maclin stated that American Colloid has indicated that they would

like to invest in the Lufkin community and create new jobs, which would be beneficial to the local foundries, but in order to do so they need a site that has rail access. City Manager Maclin stated that American Colloid has been looking at various sites in Lufkin for about two months and have concluded that a site located in the Industrial Park would be suitable if the City could provide rail service to FM 819. City Manager Maclin stated that a rail spur would have to be built in order to attract this particular economic development customer. City Manager Maclin stated that the cost of the rail spur would be between \$325-350,000. The Economic Development administration has Public Works grants that they can provide that will pay as much as 60-70% of the cost through the grant by virtue of a letter like the one from American Colloid indicating that jobs will be created. City Manager Maclin stated that American Colloid is very dependent upon rail service for raw materials as well as their finished product.

City Manager Maclin stated that staff is seeking authorization to work with the Chamber Industrial Foundation to pursue the development of the rail spur in the Industrial Park to retain the services of Gary Traylor to draft a grant application to the Economic Development Administration. City Manager Maclin stated that on the Council table is a copy of a letter Mr. Traylor faxed to staff earlier this afternoon. City Manager Maclin stated that like his other arrangements with the City, all application grant services will be on a "no grant/no fee basis", and grant management services on an approved project will be 10% of the project cost. City Manager Maclin stated that staff is also seeking permission to enter into an agreement with Gary Traylor & Associates to pursue the EDA Grant. City Manager Maclin stated that several months ago Council had discussed the pursuance of a Texas Capital Fund Grant for Pilgrim's Pride to develop Weber Street. City Manager Maclin stated that if it is feasible, staff might try packaging these two projects together, instead of waiting until the Texas Capital Fund Grant accepts applications again in May. City Manager Maclin stated that staff would look at the City and Chamber Foundation working together to try and seek a match, hopefully from private foundations, and if not from private foundations, then working together to cost-share the grant match on the grant application.

In response to question by Councilman Gorden, City Manager Maclin stated that the Recycling Center would have the advantage once the spur is put in of being able to use rail as well as the first four lots on the south side of the Industrial Park property. City Manager Maclin stated that the addition of rail for the Recycling Center would be important particularly in the future for shipments of glass and possibly cardboard. A rail spur would give the Recycling Center the ability to have some extra cars for storage space. City Manager Maclin stated that as the City of Lufkin becomes more of a regional facility, instead of just Lufkin, Nacogdoches and Diboll, it will become more and more important to have rail service.

In response to question by Mayor Bronaugh, City Manager Maclin stated that in the application process American Colloid would be required to sign agreements that they will be creating new jobs and investing the money; there will be some responsibility on their part in the contractual agreements that guarantee these things or they will be held liable.

Jerry Huffman, Executive Director for the Chamber of Commerce, stated that there will still be three valuable lots approximately five acres each at the Industrial Park. Mr. Huffman stated that the City Manager should be commended for making the economic development contact with American Colloid.

Mr. Huffman stated that Southern Pacific no longer serves short spurs and A&NR railroad will contract to serve the area. City Manager Maclin stated that David Perkins of A&NR railroad has been working with staff on cost estimates.

In response to question by Councilman Gorden, City Manager Maclin stated that the City would have to go out for contracts for the construction of the rail.

Motion was made by Councilman Bob Bowman and seconded by Councilman Tucker Weems that Agreement with Gary Traylor & Associates be approved as presented. A unanimous affirmative vote was recorded.

## 12. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 5:36 p. m. to enter into Executive Session. Regular Session reconvened at 7:15 p. m. and Mayor Bronaugh announced that Council had discussed right-of-way acquisition relating to the street improvements approved in the recent Bond election, personnel matters, policy matters, and the performance evaluation of the City Manager.

## 13. COMMENTS

Councilman Simond stated that located on FM 2251 are six churches, one school and one day care center. Councilman Simond stated that he would like to request that the newspaper check their files as to how many accidents and fatal accidents have happened on this road. Mr. Wesch stated that he will check with the Police Department and get a print out of a three year history of the accidents on FM 2251.

Councilman Kegler stated that he had driven around the City recently and, in his opinion, the City is looking better.

City Manager Maclin stated that there will be a County-wide DARE graduation this Thursday, January 5, at the Civic Center.

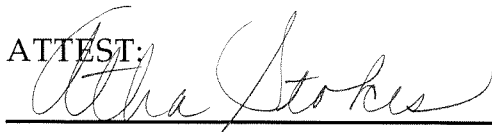
City Manager Maclin reminded Councilmembers of the Legislative Reception next Monday, January 9 in Austin.

City Manager Maclin stated that First Friday luncheon will be held at Crown Colony January 6.

Mayor Bronaugh stated that the Regional Review will be held at City Hall next Thursday at 11:00 a.m., and Councilman Simond will be making a Community Block Grant presentation on behalf of the City.

14. There being no further business for consideration, meeting adjourned at 7:20 p.m.

ATTEST:



Atha Stokes - City Secretary

  
Louis A. Bronaugh - Mayor