

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 5TH DAY OF MARCH, 1991, AT 5:00 P.M.

On the 5th day of March, 1991, 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
Jack Gorden	Commissioner, Ward No. 5
Paul Mayberry	Commissioner, Ward No. 6
C. G. Maclin	City Manager
Ron Wesch	Public Works Director/ Assistant to City Manager
Bob Flournoy	City Attorney
Atha Stokes	City Secretary
David Cochran	Purchasing Agent

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. L. D. Bell, Minister, Mt. Olive Baptist Church.

2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting and Financial Workshop meeting of February 19, 1991 and minutes of the Wastewater Treatment Plant Workshop of February 26, 1991 were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Paul Mayberry. A unanimous affirmative vote was recorded.

4. ORDINANCE - TABLED - SECOND READING - ANGELINA COUNTY WATER PROJECT AGREEMENT - ANGELINA & NECHES RIVER AUTHORITY

Mayor Bronaugh stated that the next item was actually a Second Hearing of the Angelina County Water Project Agreement rather than a Second Reading of the Ordinance.

Mayor Bronaugh stated that the City Manager had passed out a copy of "Staff Overview & Comments Relating to the Proposed Regional Water Plan" for consideration by the Council. Commissioner Bowman requested that City Manager Maclin read the overview and comments for the benefit of those in attendance who did not have a copy. (Copy on file in the City Secretary's office.)

Mayor Bronaugh stated that a copy of the Agreement had been sent to the City Attorney for review. Mr. Flournoy stated that the Contract was in order and it was a question of policy, a matter for the Commission to decide as to how they wanted to proceed. Commissioner Mayberry stated that he would like for the Council to look at some alternatives, and that he likes the concept of regionalization.

It was the consensus of opinion that the Council would like to have more time to consider the Agreement.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Paul Mayberry that this item be tabled for 30 days. A unanimous affirmative vote was recorded.

5. ORDINANCE - APPROVED - SECOND READING - STREET CLOSING - ARTHUR AVENUE (20' PORTION) - METHODIST RETIREMENT SERVICES, INC.

Mayor Bronaugh stated that the next item for consideration was Second Reading of Ordinance closing a 20' portion of Arthur Avenue as requested by Methodist Retirement Services, Inc.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Don Boyd that Ordinance closing a 20' portion of Arthur Avenue as requested by Methodist Retirement Services, Inc. be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. ORDINANCE - APPROVED - SECOND READING - REPEALING BIENNIAL T. B. SKIN TEST REQUIREMENT - DAY CARE CENTER PERSONNEL

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance repealing biennial T. B. skin test requirement for day care center personnel.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Jack Gorden that Ordinance repealing biennial T. B. skin test requirement for day care center personnel be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - SECOND READING - CITY ELECTION

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance providing for the calling of a City election, establishing polling places, and setting a date for the election.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Don Boyd that Ordinance providing for the calling of a City election, establishing polling places, and setting a date for the election be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

8. ORDINANCE - APPROVED - FIRST READING - ANNEXATION/PERMANENT ZONING - BROOKHOLLOW ADDITION NO. 12 - R. H. DUNCAN

Mayor Bronaugh stated that the next item for consideration was an Ordinance for Annexation and Permanent Zoning as requested by R. H. Duncan for property being located at Brookhollow Addition No. 12, a subdivision of 50.132 acres, lying west of and adjacent to Brookhollow Additions Nos. 5, 9, and 11 between Copeland Street and F. M. Road No. 1336 (Gobblers Knob Road).

In response to question by Mayor Bronaugh, Sharon DeLoss, Acting City Planner, stated that there were two other areas on the map that will be considered for annexation as Mr. Duncan expands this subdivision.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Bob Bowman that Ordinances for Annexation and Permanent Zoning be approved on First Reading as presented. A unanimous affirmative vote was recorded.

9. LEASE - APPROVED - PITNEY-BOWES POSTAGE MACHINE

Mayor Bronaugh stated that the next item for consideration was authorization to lease new Pitney-Bowes postage machine.

City Manager Maclin stated that a cost comparison and a list of advantages of the new system had been included in the Commissioner's packets. City Manager Maclin stated that the City's current lease will expire this summer, and in anticipation

of renewal of the lease he had requested that a representative of the postage machine company provide information on upgrading the present system. City Manager Maclin stated that this would be a 5-year lease that is a fixed expense and would be \$71 per quarter less than the present system. City Manager Maclin stated that 90-days free maintenance and parts come with the purchase of the system and Pitney Bowes will refund the remaining term of the current maintenance contract.

City Manager Maclin stated that the new machine will provide for better accounting reports by department, which is now being done by hand.

Commissioner Mayberry stated that he would suggest getting an insert that would print public service messages.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman granting authorization to lease a new Pitney-Bowes postage machine. A unanimous affirmative vote was recorded.

10. UTILITY EASEMENT CLOSING - APPROVED - CROWN COLONY - SABINE INVESTMENT

Mayor Bronaugh stated that the next item for consideration was a request from Sabine Investment to close a 10' utility easement in Lot 1, Block 3 of Crown Colony Section IV.

City Manager Maclin stated that a letter of request and a plat showing the location of the 10' utility easement had been included in the Commissioner's packets. City Manager Maclin stated that the Public Works Director and the City Engineer do not anticipate any need for this easement in the foreseeable future.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper to close the 10' utility easement in Lot 1, Block 3 of Crown Colony Section IV as requested by Sabine Investment. A unanimous affirmative vote was recorded.

11. RIGHT-OF-WAY ACQUISITION - APPROVED - BRENTWOOD DRIVE - PARCEL #5 - (ARRANGEMENT APARTMENTS)

Mayor Bronaugh stated that the next item for consideration was approval of right-of-way acquisition of parcel #5 (Arrangement Apartments) on Brentwood Drive.

City Manager Maclin stated that a letter from the Public Works Director, a letter to Mr. Medford from BancBoston Mortgage Corporation and various charts, legal descriptions and right-of-way locations relating to this particular street project had been included in the Commissioner's packet.

Public Works Director Ron Wesch stated that this is the next to last piece of property that the City of Lufkin is obligated to purchase along the Brentwood improvements. Mr. Wesch stated that the appraised value is \$7,544, and this amount has been accepted by the lending institution that holds the papers on this particular piece of property. Mr. Wesch stated that the bank has provided the unrecorded Right-of-Way Lien Release on the property.

Mr. Wesch stated that there is one remaining parcel to be purchased for this project.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Jack Gorden granting approval of right-of-way

acquisition of parcel #5 (Arrangement Apartments) on Brentwood Drive. A unanimous affirmative vote was recorded.

In response to question by Commissioner Boyd, City Manager Maclin stated that the budget will have to be amended and contingency funds used, and this will be done later in the year.

12. BUSINESS DRIVING ALLOWANCE INCREASE - APPROVED

Mayor Bronaugh stated that the next item for consideration was adoption of business driving allowance increase.

City Manager Maclin stated that this item relates to standard per mile allowance when City employees use their own personal vehicles for City trips. City Manager Maclin stated that the current rate is 26 cents. City Manager Maclin stated that the IRS is now allowing 27.5 cents per mile to reflect the new 5-cents-per-gallon tax and the recent gas price increase.

City Manager Maclin stated that he was requesting that the City Council give consideration to increasing the business driving allowance from 26 cents per mile to 27.5 cents per mile.

In response to question by Commissioner Bowman, City Manager Maclin stated that Mr. Westerholm's former car has been used by City employees for short course trips.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that the City's business driving allowance be increased from 26 cents per mile to 27.5 cents per mile. A unanimous affirmative vote was recorded.

13. AUTHORIZATION FOR ENGINEERING SERVICES - APPROVED - RE-RATING DAILY CAPACITY - WASTEWATER TREATMENT PLANT - FEASIBILITY STUDY - PLANT CAPACITY EXPANSION

Mayor Bronaugh stated that the next item for consideration was authorization for engineering services to re-rate the daily capacity of the City's Wastewater Treatment Plant and to consider possible feasibility study for plant capacity expansion.

City Manager Maclin stated that at the Wastewater Treatment Plant Workshop February 26th, the Commission discussed the need for this item to be placed on the agenda for tonight's meeting based on the letter received from the Texas Water Commission and the fact that the City exceeded 90% of its daily capacity for three consecutive months.

City Manager Maclin stated that he was requesting authorization from Council, based on the consensus of opinion at the Workshop meeting:

- 1.) To employ the services of EGA to re-rate the plant (not to exceed \$5,000), and
- 2.) A feasibility study to put together a proposal that would give cost estimates on what it would cost to expand the capacity of the plant from what would hopefully be the re-rated capacity of 9.3 MGD to possibly 12, 14, or 18 MGD, and to run some numbers to see if there was a significant decline in the cost per million gallons on the later part, so that it would make it worthwhile for future planning. And, also give the capacity for industrial growth of existing industry, or new industry in the future.

The second part of the feasibility study was to perform a clarifier evaluation which would basically bring in specialists in the clarifier operation to fine tune and

attempt to put the clarifier in the position where it would perform at optimum levels (\$15,000).

In response to question by Commissioner Mayberry, City Manager Maclin stated that the City is "under concern" from the Texas Water Commission to show activity in regards to exceeding the daily capacity. City Manager Maclin stated that it takes approximately six months to complete the re-rating process.

Commissioner Gorden stated that he would also like to see the infiltration problem addressed.

In response to question by Commissioner Gorden, City Manager Maclin stated that the City has an aggressive plan for replacing sanitary sewer lines from clay to PVC.

City Manager Maclin stated that it had been mentioned at the Workshop that a meeting would be set up with local plumbers to request their assistance in locating problems with the sewer lines.

Mr. Griffith stated that under the second part of the proposal his firm will look at the monthly water productions against the sewer flows and do a general computation of how bad the infiltration inflow is, and to see how it compared with the original study in 1980-'81.

Mr. Griffith stated that if it looked significantly worse than the study in 1980-'81, that may indicate that a great deal more effort should be exerted in making repairs.

In response to question by Commissioner Simond, City Manager Maclin stated that he is recommending both the re-rating at \$5,000 and the feasibility study at \$15,000.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Don Boyd that authorization be granted EGA for engineering services to re-rate the daily capacity of the City's Wastewater Treatment Plant and to conduct a feasibility study for plant capacity expansion. A unanimous affirmative vote was recorded.

Commissioner Mayberry suggested that Council take a look at several engineering firms and how they would address various concerns at the Treatment Plant.

14. EXECUTIVE SESSION

Regular meeting adjourned at 5:59 p.m. to enter into Executive Session. Mayor Bronaugh reconvened regular session at 6:52 p.m. and stated that personnel, legal matters and demolition of dilapidated houses was discussed.

City Attorney Bob Flournoy recommended that the following four (4) houses be demolished:

1. Spence Street (Lot 9)
2. 1214 North Avenue
3. 409 Shepherd
4. 1413 Simond Street

Motion was made by Commissioner Percy Simond and seconded by Commissioner Paul Mayberry that all four (4) houses be demolished as recommended by the City Attorney. A unanimous affirmative vote was recorded.

15. COMMENTS

Commissioner Mayberry stated that he had called the City's Water Department, and with some figures he was given he was able to ascertain that water customers are paying 37 cents per day for water. Commissioner Mayberry stated that the last water increase had been in 1982. Commissioner Mayberry stated that if an enterprise fund had been set up in 1982 with a 15% increase there would now have been between \$6-7 million in this fund to answer some of the City's needs, such as the Wastewater Treatment Plant renovation.

Commissioner Mayberry stated that he would like for the City staff, as soon as possible, look into an enterprise fund for this purpose.

In response to question by Commissioner Boyd, Mr. Wesch stated that he currently has six crews patching pot holes in City streets.

Commissioner Simond suggested different color garbage bags for recycling.

Commissioner Roper expressed his appreciation to the City staff and Ruth Brandenburg for all their hard work at the Civic Center for the "Show Our Support" rally.

City Manager Maclin stated that Leadership Lufkin will be having their Municipal Day meeting in City Hall tomorrow.

16. There being no further business for discussion, meeting adjourned at 7:10 p. m.


Louis A. Bronaugh, Mayor

ATTEST:


Atha Stokes, City Secretary