

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 17TH DAY OF SEPTEMBER, 1991 AT 5:00 P.M.

On the 17th day of September, 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	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
C. G. Maclin	City Manager
Darryl Mayfield	Asst. City Mgr./Finance
Ron Wesch	Asst. City Mgr./Public Works
Bob Flournoy	City Attorney
Atha Stokes	City Secretary

being present, and

Paul Mayberry	Commissioner, Ward No. 6
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being absent when the following business was transacted.

1. Meeting was opened with prayer by C. G. Maclin, City Manager.
2. Mayor Bronaugh welcomed visitors present.

Mayor Bronaugh recognized M. D. Scarborough, Bobby Mott and Dennis Wankan for their participation in the application to the Texas Water Works Association enabling the City of Lufkin to receive the Community Relations Award for 1991.

3. APPROVAL OF MINUTES

Minutes of special called meeting of August 13 and regular meeting of September 3, 1991 were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Jack Gorden. A unanimous affirmative vote was recorded.

4. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - R. A. & SUSIE WALL - 2500 BLOCK OF LUFKIN AVENUE - RESIDENTIAL LARGE AND SPECIAL USE (EDUCATIONAL INSTITUTION) TO RESIDENTIAL LARGE, SPECIAL USE (DAY NURSERY)

Mayor Bronaugh stated that the first item for consideration was Second Reading of an Ordinance as requested by R. A. and Susie Wall for a change of zoning from Residential Large and Special Use (Educational Institution) to Residential Large, Special Use (Day Nursery) on .6348 acres of land located on the south side of east Lufkin Avenue in the 2500 block.

There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that Ordinance for zone change as requested by R. A. and Susie Wall from Residential Large and Special Use (Educational Institution) to Residential Large, Special Use (Day Nursery) for property located on the south side of east Lufkin Avenue in the 2500 block be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

5. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - CASTILLO COMPANY (STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY) - LOOP 287 BETWEEN TULANE DRIVE & CHESTNUT STREET - RESIDENTIAL LARGE TO LOCAL BUSINESS, SPECIAL USE (PROFESSIONAL OFFICES)

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance as requested by Castillo Company (on behalf of State Farm Mutual Automobile Insurance Company of Bloomington, IL) for a zoning change from Residential Large to Local Business on approximately 2.2 acres of land with frontage on the north side of Loop 287 between Tulane Drive and Chestnut Street.

There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper that Ordinance for zone change as requested by Castillo Company (on behalf of State Farm Mutual Automobile Insurance Company of Bloomington, IL) from Residential Large to Local Business for property located on the north side of Loop 287 between Tulane Drive and Chestnut Street be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. APPROPRIATIONS ORDINANCE - APPROVED - SECOND READING

Mayor Bronaugh stated that the next item for consideration was Second Reading of the Appropriations Ordinance.

There was no opposition present.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that Appropriations Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

7. TAX LEVYING ORDINANCE - APPROVED - SECOND READING

Mayor Bronaugh stated that the next item for consideration was Second Reading of the Tax Levying Ordinance.

There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Percy Simond that Tax Levying Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

8. ORDINANCES - APPROVED - SECOND READING - RATE INCREASE - SANITATION RATES - WATER RATES (RESIDENTIAL & COMMERCIAL) - SEWER RATES - WATER & SEWER DEPOSIT FEES

Mayor Bronaugh stated that the next item for consideration was Second Reading of Ordinances increasing rates for the following City services:

- a) Sanitation Rates
- b) Water Rates (Residential and Commercial)
- c) Sewer Rates
- d) Water and Sewer Deposit Fees

There was no opposition present.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that Ordinances increasing sanitation rates, water rates (residential and commercial), sewer rates and

water and sewer deposit fees be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

9. AMENDMENT - APPROVED - SECOND READING - TAXI CAB ORDINANCE

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Amendment to the Taxi Cab Ordinance.

There was no opposition present.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Don Boyd that Amendment to the Taxi Cab Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

10. ANGELINA WATER SUPPLY COOPERATION - REQUEST APPROVED - FULLER SPRINGS WATER SUPPLY DISTRICT (CARROLL ROAD)

Mayor Bronaugh stated that the next item for consideration was request from the Angelina Water Supply Cooperation to relinquish a small section of the old Fuller Springs Water Supply District (Carroll Road).

City Manager Maclin stated that this request was brought about by map up-dating as required by the Water Commission.

Asst. City Manager Ron Wesch stated that Angelina Water Supply Cooperation had made this request in order to square up their boundary lines. Mr. Wesch stated that there is only one house within this small section and if the owner were to request City water, the costs for laying lines would be extremely expensive.

In response to question by Commissioner Roper, Mr. Wesch stated that there would not be any deeds necessary. Mr. Wesch stated that the Texas Water Commission only needs action by the Governing Body in order to relinquish any portion of this property.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Jack Gorden that a small section of the old Fuller Springs Water Supply District be relinquished to the Angelina Water Supply Cooperation. A unanimous affirmative vote was recorded.

11. LINE ITEM AMENDMENT - APPROVED - 1990-91 FISCAL YEAR BUDGET - TELEPHONE EQUIPMENT

Mayor Bronaugh stated that the next item for consideration was authorization of line item amendment to the budget relating to the purchase of telephone equipment.

City Manager Maclin stated the Commission had authorized the purchase of an upgrade to the City's telephone system that would allow for Direct Inward Dialing. City Manager Maclin stated that all of the equipment had been installed. City Manager Maclin stated that the Commission had approved a \$5,000 down payment and the balance to be paid out of the 1991-92 fiscal year. City Manager Maclin stated that because this was a short term note, it does not meet government accounting procedures for it to be funded out of next years budget. City Manager Maclin stated that the auditors have instructed staff to charge this expense to this fiscal year's budget.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Jack Gorden that line item amendment to the 1990-91 budget for the purchase of telephone equipment be approved as presented. A unanimous affirmative vote was recorded.

12. PERSONNEL HANDBOOK REVISIONS - SAFETY HANDBOOK/SAFETY RESOURCE MANUAL IMPLEMENTATION - APPROVED

Mayor Bronaugh stated that the next item for consideration was approval of revisions in the City of Lufkin Personnel Handbook and implementation of the City of Lufkin Safety Handbook/Safety Resource Manual.

Mayor Bronaugh complemented staff on their work on this presentation.

City Manager Maclin stated that there were three sections: 1) The Employee Handbook - with modifications and updating that, in his opinion, will strengthen the City from a litigation stand point in relating to personnel policies and hiring procedures. City Manager Maclin stated that there is a significant change in the Worker's Compensation Policy so that it will comply with State Statutes in its entirety. City Manager Maclin stated that in the past the City has had a sixty day Worker's Comp leave that has been eliminated in this Policy. City Manager Maclin stated that the City of Lufkin was probably one of the only cities that provided that provision. City Manager Maclin stated that the old policy gave the employee incentive not to come back to work and this format attempts to provide incentive for the employee to come back to work so that they are not making more money being off than they would be working for the City. City Manager Maclin stated that other areas that are addressed in the Handbook include disciplinary action - there is a progressive disciplinary action chart that spells out various offenses and the penalties for first, second, third and fourth offenses. City Manager Maclin stated that other changes have been added to improve clarity and understanding, or eliminate ambiguity.

2) Safety Handbook - this gives specific Policy Statements; Introduction; and Responsibilities of the Employee, of the Management, of the Supervisor, what to do if an employee has an accident, and eighteen sections that deal with various subjects relating to safety rules and practices.

3) Safety Program and Resource Manual, which establishes objectives in management methods for a Safety Program, establishes a Safety Committee, and establishes the formation of an Accident Review Board. City Manager Maclin stated that the purpose of the Accident Review Board is to help prevent future accidents by reviewing the accidents and making recommendations, and making decisions as to whether the accidents were preventable or non-preventable. City Manager Maclin stated that the Accident Review Board will be made up of three Department Heads, four foreman supervisory level personnel, three non-supervisory personnel and the Personnel Director. This eleven member Accident Review Board will review all the accidents that there is any question on. City Manager Maclin stated this Board is made up of City employee peers. City Manager Maclin stated that the City Manager, nor the two Assistant City Managers, are on this Board so there would not be the implication of undue influence by management.

City Manager Maclin stated that he had visited with the Texas Municipal League Risk Management staff and they will come down and conduct training seminars to help train the Board in how to effectively perform the duties of an Accident Review Board. City Manager Maclin stated that additional safety handouts will be added to the Safety Manual from time to time and implementation of safety programs within each Department, including videos and things of this nature that will be specifically applicable to a particular Department. City Manager Maclin stated that each

Department will be required to establish a safety program within their own Department, have regular meetings, document regular meetings, thereby providing tangible evidence in the future if the City were to be in litigation relating to negligence.

In response to question by Commissioner Simond, City Manager Maclin stated that vehicle safety is addressed in two ways; 1) there is an entire section in the Safety Handbook on City vehicle operation, including maintenance; and, 2) there are also items relating to discipline for the repeat offenders.

In response to question by Commissioner Simond, City Manager Maclin stated grievance procedures were addressed in Chapter 11. City Manager Maclin stated that this Grievance Committee would replace the previous one.

In response to question by Commissioner Roper, City Manager Maclin stated that there will be meetings within each Department to review the changes with the employees that have been made. City Manager Maclin stated that the first part will be actually going through the book cover to cover, explaining each aspect of the Safety Handbook and the Safety Program. City Manager Maclin stated that each employee will be provided with a copy of all three documents and will be required to sign a document stating that they had received them, read and understand them, and this will be filed in their personnel file.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Bob Bowman that revisions to the City of Lufkin Personnel Handbook and implementation of the City of Lufkin Safety Handbook/Safety Resource Manual be approved as presented. A unanimous affirmative vote was recorded.

13. BID - APPROVED - ALARM SYSTEM - POLICE VEHICLE COMPOUND - ALARMCO SECURITY

Mayor Bronaugh stated that the next item for consideration was bids for an alarm system for the Police Vehicle Compound.

City Manager Maclin stated that there was a need for this alarm system at the impound yard where the City stores seized vehicles from narcotics cases. City Manager Maclin stated that recently there has been a lot of vandalism and theft.

City Manager Maclin that it is our recommendation that the \$2,710, which is the low bid, be paid out of the forfeited funds budget.

In response to question by Mayor Bronaugh, City Manager Maclin stated that vehicles picked up from DWI, etc. do not go in the same area.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Don Boyd that bid of Alarmco Security in the amount of \$2,710 be approved as submitted. A unanimous affirmative vote was recorded.

14. EXECUTIVE SESSION

Mayor Bronaugh recessed regular session to enter into Executive Session at 5:39 P.M. Regular session reconvened at 6:40 P.M. and Mayor Bronaugh stated that legal matters, appointment to the Air Conditioning, Mechanical, Refrigeration, and Heating Board, and appointment to Examining and Supervising Board of Electricians had been discussed.

15. APPOINTMENTS - APPROVED - AIR CONDITIONING, MECHANICAL, REFRIGERATION AND HEATING BOARD (TOM PAXSON) - EXAMINING AND SUPERVISING BOARD OF ELECTRICIANS (CHARLIE CAVER)

Motion was made by Commissioner Danny Roper and seconded by Commissioner Jack Gorden that Tom Paxson be reappointed to the Air Conditioning, Mechanical, Refrigeration and Heating Board. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Bob Bowman that Charlie Carver be reappointed to the Examining and Supervising Board of Electricians. A unanimous affirmative vote was recorded.

16. There being no further business for consideration, meeting adjourned at 6:42 P.M.


Louis A. Bronaugh, Mayor

ATTEST:


Atha Stokes, City Secretary