

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LUFKIN, TEXAS, HELD ON THE
17TH DAY OF JUNE, 1997 AT 5:00 P. M.**

On the 17th day of June, 1997 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
Don Boyd
Percy Simond
Betty Jones
Jack Gorden, Jr.
Tucker Weems
C. G. Maclin
Darryl Mayfield
Bob Flourney
Atha Stokes
Keith Wright
Stephen Abraham
Kenneth R. Williams

Mayor
Mayor pro tem
Councilmember, Ward No. 1
Councilmember, Ward No. 3
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
Asst. City Manager/Finance
City Attorney
City Secretary
City Engineer
Director of Planning
Public Works Director

being present, and

Bob Bowman

Councilmember, Ward No. 4

being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Max Griffin, Minister, Chestnut Baptist Church.

2. Mayor Bronaugh welcomed visitors present.

3. **APPROVAL OF MINUTES**

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that the minutes of the Regular Meeting of June 3, 1997 be approved with a correction to item 2. A unanimous affirmative vote was recorded.

4. **CERTIFICATE OF APPRECIATION - CYRUS POLING**

Mayor Bronaugh stated that periodically the Council has a chance to recognize those individuals who have either excelled in their position, or gone above and beyond the call of duty in their efforts within the City, and tonight there are a number of those to be recognized. Mayor Bronaugh asked Mr. Cyrus Poling to come forward, and then read a letter he had written to Mr. Poling praising him for his unselfish bravery by rescuing an individual struggling for his life at Ellen Trout Lake on May 25, 1997. Mayor Bronaugh stated that it is a privilege for the City Council and citizens of Lufkin to recognize someone whose actions truly defines that of a hero. Mayor Bronaugh stated that Mr. Poling's lack of hesitation to provide assistance to someone in need is the kind of action that helps define Lufkin as one of the finest communities in East Texas. Mayor Bronaugh stated that it is the pleasure of the City Council to recognize Mr. Poling and say on behalf of our community "thank you for a job well done".

Mr. Poling made a statement to the Council expressing his appreciation for the privilege of living in Lufkin. Mr. Poling praised the Police Department for their service to the community.

5. CERTIFICATES OF APPRECIATION - FIRE AND POLICEMEN - RESCUE EFFORTS - ANGELINA HOUSE FIRE

Mayor Bronaugh stated that this item is another instance of bravery. Mayor Bronaugh read a letter from Chief Pete Prewitt of the Fire Department giving the details of a fire at the Angelina House on Saturday, June 7, 1997.

Mayor Bronaugh presented Certificates of Appreciation, assisted by Chief Murry Brown and City Secretary Atha Stokes, to the following:

Fire Department Personnel:

Tom Brazel
Chris Clemmons
Richard Davis
Richard Eubank
Brad Galloway
O. T. Haygood
Gary Hill
Grover Holst
Ted Lovett
Steve McCool
Russel Nix
LeeFran Ross
Coty Sewell
Mike Ward

Police Department:

Janell Anthony
Barbara Martinez

Fire Administration Staff:

Tom Carrington
Dwayne Freeman
Clayton Havard
Steve Howland
Donald Moorland
Lynn Stephen
David Wilkerson

Representatives from local organizations:

Glenda Phillips - American Red Cross
Angelina County Sheriff's Department
Brazos Transit - Belinda Stephens
DETCOG - Colleen Storrs
Hudson Volunteer Fire Department - Chief Helwig
Salvation Army - Captain Paul White
Kenneth Williams - Lufkin Emergency Management Coordinator

Special Mention for actions which resulted in the saving of lives:

Fire Department:

John Rawls
Duane Turner
Hershel Lee
Matt Wells
Eddie Arnold
Charlie Grumbles
Cal Tipton
Eric Parrish
Jesse Moody
James Leftwich

Police Department:

Kevin Mobley
Jim Porter
Scott Cagnon
Wes Ross
David Womack
Paul Weatherford

6. PUBLIC HEARING - ANNEXATION - UNITED PENTECOSTAL CHURCH - U S HIGHWAY 59 AND FM 819

Mayor Bronaugh opened Public Hearing to consider the request of Danny Russo of the United Pentecostal Church to annex two tracts of land approximately 29.3895 acres adjacent to the campground and generally located at the southwest corner of U. S. Highway 59 and FM 819.

No one appeared for or against this item.

Mayor Bronaugh closed Public Hearing.

7. ORDINANCE - APPROVED - SECOND READING - SPECIAL USE PERMIT - PRIVATE CLUB - CENTRAL BUSINESS DISTRICT - 109/111 E. SHEPHERD - DARRELL BARNHILL - SERVICE DATSUN, INC.

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for a special use permit to allow for a restaurant with a private club in a "CB" Central Business District on property at 109/111 E. Shepherd Street as requested by Darrell Barnhill on behalf of Service Datsun, Inc.

City Manager Maclin stated that this is a Second Reading of an Ordinance that was approved by Council on May 20th.

Councilmember Boyd stated that this item was supposed to be on the agenda for the last Council meeting and it was tabled; he would like to know what was the reason the request was tabled. Councilmember Boyd asked if perhaps the applicant was informed that there would only be five Councilmembers present and that there was a possibility that it would not pass and it was tabled.

City Manager Maclin stated that staff had received a letter from Mr. Bryd, the owner of the property, requesting that the item be tabled.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Percy Simond that Ordinance for a special use permit to allow for a restaurant with a private club in a "CB" Central Business District on property at 109/111 E. Shepherd Street as requested by Darrell Barnhill on behalf of Service Datsun, Inc. be denied on Second and Final Reading, for the reasons that were stated in the past. The following vote was recorded:

Aye: Councilmembers Boyd and Simond

Nay: Councilmembers Gorden, Weems, Jones, Mayor Bronaugh

Motion failed for lack of four affirmative votes.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Betty Jones that Ordinance for a special use permit to allow for a restaurant with a private club in a "CB" Central Business District on property at 109/111 E. Shepherd Street as requested by Darrell Barnhill on behalf of Service Datsun, Inc. be approved on Second and Final Reading as presented.

The following vote was recorded:

Aye: Councilmembers Gorden, Weems, Jones and Mayor Bronaugh

Nay: Councilmembers Boyd and Simond

Mayor Bronaugh stated that motion carried on a vote of 4 to 2.

8. ORDINANCE - APPROVED - SECOND READING - SPECIAL USE PERMIT - RESIDENTIAL MEDIUM AND SPECIAL USE (MASONRY) DISTRICT - GLASS AND MIRROR SHOP - 2010 ATKINSON DRIVE - ROGER GAY

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to grant a Special Use Permit on property zoned "RM & SU" Residential Medium and Special Use (Masonry) District to allow for a glass and mirror shop on property located at 2010 Atkinson Drive as requested by Roger Gay.

City Manager Maclin stated that this request was approved on First Reading with the following stipulations: 1) The hours of operation shall be limited to between 7 a.m. and 7 p.m. seven days a week; 2) The Special Use Permit shall pertain only to the front portion of the property with the dimensions of 185.6' x 102.2' and the rear portion of the property shall maintain its "RM" Residential Medium Single Family zoning designation; and, 3) No outdoor storage of goods and materials shall be

permitted within 5 feet of the west property line.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Tucker Weems that Ordinance to grant a Special Use Permit on property zoned "RM & SU" Residential Medium and Special Use (Masonry) District to allow for a glass and mirror shop on property located at 2010 Atkinson Drive as requested by Roger Gay be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

9. ORDINANCE - APPROVED - FIRST READING - ISSUANCE OF CITY OF LUFKIN WATERWORKS & SEWER SYSTEM REVENUE BONDS, SERIES 1997

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance authorizing issuance of \$3,025,000 City of Lufkin Waterworks and Sewer System Revenue Bonds, Series 1997.

City Manager Maclin stated that at the last Council meeting a Resolution was passed for a Notice of Intent to Issue Revenue Bonds for \$3,025,000. City Manager Maclin stated that these are the items that were discussed last year in the budget preparation and will include the installation of a new water well to increase the City's water production capacity, to construct a new million gallon ground storage tank to help improve water quality by increasing the retention time for additional aerification, to make improvements at the Waste Water Treatment plant in the clarifiers, and to pay for the expense of relocating a sewer line at the intersection of U S 69 North and Loop 287.

Motion was made by Tucker Weems and seconded by Councilmember Jack Gorden, Jr. that Ordinance authorizing issuance of \$3,025,000 City of Lufkin Waterworks and Sewer System Revenue Bonds, Series 1997, be approved on First Reading as presented. A unanimous affirmative vote was recorded.

10. CERTIFICATE OF CORPORATE RESOLUTIONS - NATIONS BANK

Mayor Bronaugh stated that the next item for consideration was a Certificate of Corporate Resolutions with NationsBank.

City Manager Maclin stated that included in the Council packet is a copy of a Certificate of Corporate Resolution. City Manager Maclin stated that in review of the documentation and records at NationsBank they realized that this document needed updating from a previous Director of Accounting.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that Certificate of Corporate Resolutions with NationsBank be approved as presented. A unanimous affirmative vote was recorded.

11. PRESENTATION BY TEXAS DEPARTMENT OF TRANSPORTATION - OVERVIEW OF PLANS FOR GRADE CROSSING - U. S. 69 AND LOOP 287

Mayor Bronaugh stated that the next item for consideration was a presentation by the Texas Department of Transportation representative for an overview of plans for a grade crossing at U. S. 69 and Loop 287.

City Manager Maclin stated that there had been a lot of questions by Council and citizens to have an understanding of the complexities of this intersection. City Manager Maclin stated that this is a very dangerous intersection and TxDOT will be going to bid in the very near future on this project. City Manager Maclin stated that staff had asked TxDOT to send a representative to answer questions and provide information, and Cheryl Flood, Resident Engineer, was gracious enough to accommodate the City in this request.

Ms. Flood stated that the District was very proud of the work they had done in the

design section of this intersection, and that this is the largest single project that the Lufkin District has let. Ms. Flood stated that the City did have 10% of the right-of-way and eligible utility adjustments in the project development and she was happy to come before Council and explain where the City's money is being used. Ms. Flood stated that the District is working to complete right-of-way acquisitions and working with utility companies to make sure their lines are clear by the anticipated start work date of October 1st. Ms. Flood stated that they will be opening bids on July 9th in Austin, and estimate the project to be completed in approximately three years. Ms. Flood stated that the engineer's estimate for the project is \$17.2 million dollars.

Sam Skrehot, Senior Design Engineer for the project, gave an overview of the phase construction. Mr. Skrehot stated that this is a very complicated project and had taken years to design. Mr. Skrehot stated that in the first phase the contractor will start working on a channel that will drain most of the intersection. Then work will begin on the frontage road and the realignment of FM 2680. Mr. Skrehot stated that at this time there will be no traffic detours, but there will be signs, cones and a slower speed limit. Mr. Skrehot stated that two intersections will be constructed in phase two. There will be two types of intersections, one will be a "T" aligning Kurth Drive to come in like a "T", and a "diamond" aligning the farm road up with Loop 287 and State Highway 103. Mr. Skrehot stated that this will be an intersection at the same grade as the ground is, and will be a signalized intersection. Mr. Skrehot stated that the next stage, towards the Loop to the southern most frontage road with part of the interstate sections constructed - on the drawing the "pink" indicates the detour traffic which will be on the left and the construction will be on the right. Moving to the stage four construction, at this point the traffic will be on both frontage roads, splitting them, with room to construct the high rise of the main lanes which will consist of retaining walls and a bridge structure at each location, much like the bridge at the Highway 94 intersection. Mr. Skrehot stated that stage five will finish up the Loop work, which will be concrete pavement, with elaborate storm sewer systems, retaining walls and two bridges. Stage six construction will finish up in front of Cherry's Grocery with some final tie-in work and hopefully that will complete the project in three years. Mr. Skrehot stated that this construction will cause delay to the traveling public but will be safer once the signs are up and the traffic slows down. Mr. Skrehot stated that after construction is completed it should be tremendously safer.

Ms. Flood stated that she has a full set of plans in her office and if anyone needs more detail or to ask questions, they are welcome to stop by.

12. TRAFFIC ANALYSIS STUDY - APPROVED - US 59 SOUTH AND LOOP 287

Mayor Bronaugh stated that the next item for consideration was participation in a traffic analysis study for U. S. 59 South and Loop 287.

City Manager Maclin stated that included in the Council packet is a proposal for a traffic study at the intersection of U. S. 59 South and Loop 287. The purpose of this traffic proposal is to identify alternatives that will help in both short term and long term planning to ease some of the traffic congestion and improve safety at this location. City Manager Maclin stated that it is the opinion of the staff that this study will also help provide some alternatives that will aid in the further economic development of this intersection. The total cost for this project is \$13,800 and the City has gone into partnership with the Economic Development Partnership. City Manager Maclin stated that the Chamber of Commerce will be considering participation at their Board meeting tomorrow. The City's portion of the cost is \$5,900, which may come from the Engineering Department from unexpended funds or from the Contingency Fund.

In response to question by Councilmember Boyd, City Manager Maclin stated that TxDOT will participate in the actual construction of the results of the study. City Manager Maclin stated that the City is trying to help in partnership expedite the

process by paying for a portion of this study as a method of trying to help expedite the time factor to get this study done.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Betty Jones authorizing participation, at a cost of \$5,900, in a traffic analysis study for U. S. 59 South and Loop 287 as presented. A unanimous affirmative vote was recorded.

13. CITY EASEMENT - APPROVED - TEXAS DEPARTMENT OF TRANSPORTATION - GRADE CROSSING - US 69 AND LOOP 287

Mayor Bronaugh stated that the next item for consideration was granting an easement owned by the City of Lufkin to the Texas Department of Transportation for the construction of a grade crossing at U. S. 69 and Loop 287.

City Manager Maclin stated that included in the Council packet is a letter from Weldon Gastin with the Lufkin District of TxDOT regarding their need for this easement for the project that was just presented by Ms. Flood. City Manager Maclin stated that also enclosed is an assignment document from the City to the State for purposes of example, along with maps and parcels designating this location. City Manager Maclin stated that basically TxDOT is seeking Council's authorization in granting this easement from the City to TxDOT to be used as part of the overpass project.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that easement owned by the City of Lufkin be granted to the Texas Department of Transportation for the construction of a grade crossing at US 69 and Loop 287. A unanimous affirmative vote was recorded.

14. PARKS MASTER PLAN - APPROVED - PARKS MASTER PLAN ADVISORY COMMITTEE

Mayor Bronaugh stated that the next item for consideration was the adoption of a Parks Master Plan as recommended by the Parks Master Plan Advisory Committee.

City Manager Maclin stated that last summer in the budget process the City Council ranked as its number one priority the need for the development of a Master Plan for City parks. City Manager Maclin stated that Council then appointed a Parks Master Plan Advisory Committee and that committee has been working since last October to put together the Master Plan that is included in the Council packet. City Manager Maclin stated that last week Council had a joint meeting with the Parks Master Plan Advisory Committee and they submitted their work and proposal and today they are seeking Council's consideration to formally adopt this document as the City's Master Plan for park improvements. City Manager Maclin stated that this critical for the City's request in the future for grants from Texas Parks and Wildlife as they desire that each City have a master plan, and that they use the Master Plan as a guideline for grants application.

Mayor Bronaugh recognized the following members of the Parks Master Plan Advisory Committee: Chairman Sid Medford, Hector Rojas, Trey Henderson, Pam Fletcher, Lela Simmons, Dennis Robertson, Tim Hale, Peggylu Watkins and Johnny Giles.

Motion was made by Councilmember Betty Jones and seconded by Councilmember Don Boyd that the Parks Master Plan be adopted as recommended by the Parks Master Plan Advisory Committee. A unanimous affirmative vote was recorded.

15. BID - APPROVED - TRAFFIC PREEMPTION EQUIPMENT - CONSOLIDATED TRAFFIC CONTROLS

Mayor Bronaugh stated that the next item for consideration was award of bids for

traffic preemption equipment.

City Manager Maclin stated that this is an item that has been on going in the budget for several years to try to add more intersections that will provide preemption. City Manager Maclin stated that public safety units (Police, Fire and EMS) will have a device located on their vehicles which would turn the traffic signal to a green light to expedite their travel to emergencies. City Manager Maclin stated that staff had received a bid for the device which is in coordination with the City's other devices, the same manufacturer, through the HGAC competitive bidding. City Manager Maclin stated that the staff recommendation is to award the bid of Consolidated Traffic Controls in the amount of \$18,600.

In response to question by Councilmember Boyd, City Manager Maclin stated that this will add five more intersections. City Manager Maclin stated that basically Lufkin Avenue is the main intersection that had all of the devices initially because of coming from the Police Department and in route to the hospitals.

In response to question by Councilmember Boyd, City Manager Maclin stated that this will give five more intersections on Timberland Drive, which is the next most populated area as far as traffic lights are concerned.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. to award the bid of Consolidated Traffic Controls in the amount of \$18,600 as submitted. A unanimous affirmative vote was recorded.

16. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 6:10 p. m. to enter into Executive Session. Mayor Bronaugh reconvened Regular Session at 6:35 p. m. and stated that the Council had discussed attorney/client matters, personnel matters, and appointments to Boards and Commissions. No decisions were made in Executive Session.

17. COMMENTS

Mayor Bronaugh called on Councilmember Don Boyd who requested that Olu Brown come before the City Council and make a presentation on behalf of the residents on MLK Drive.

Mayor Bronaugh apologized that the lights were out over the podium. Mayor Bronaugh stated that the switch that operates the light has gone out.

Mr. Brown stated that he appreciated the opportunity to speak before Council today.

Mr. Brown read the following statement to Council:

"We the citizens of Lufkin, Texas have come here to day to express our disapproval of the decision to lay asphalt on Martin Luther King Drive instead of concrete."

Mr. Brown stated that he would present several facts to Council that will hopefully convince you (Council) to rebid the contract in favor of concrete. Mr. Brown stated that the first point of concern was the lie that has been told to the residents of MLK Drive. The lie is that "hot mix" will not be laid, but asphalt will be laid. Mr. Brown stated that the community was led to believe that there was a difference between "hot mix" and asphalt. Mr. Brown stated that he presented this question to several asphalt experts such as East Texas Asphalt Lab Technicians, Randolph Moore of Moore Bros. and many other asphalt layers, and the question was "Is there any difference between "hot mix" and asphalt?" Mr. Brown stated that the answer they all gave him was, "They are the same." Mr. Brown stated that the citizens of Lufkin and especially those residing on MLK Drive have been lied to, and if they don't deserve concrete they at least deserve an apology. Mr. Brown stated that the

truth is that MLK will be laid in full depth hot mix. Mr. Brown stated that the "hot mix" that will be laid on MLK is an inferior product to concrete and all of you know that fact. Mr. Brown stated that the second issue of concern is an engineer's report on the quality of full depth hot mix. Mr. Brown stated that when he read the engineer's proposal to City Council in favor of hot mix I wondered if they were simply looking at the cost difference or the quality difference. Mr. Brown stated that if I were sitting down looking at numbers only and saw the great difference between the numbers of concrete and the numbers on asphalt on MLK, I would be in favor of laying asphalt also. Mr. Brown stated that if he were really concerned about those living on MLK, those traveling down the street every single day, I would be more concerned about putting a better quality street on MLK regardless of the cost. Mr. Brown stated that the engineer's can tell you (Council) what is best for your money and give you a street good enough to simply get by because they do not have to live on MLK. Mr. Brown stated that today you don't even have to go down MLK to get anything you want; you don't have to go to McCoy's because we have a Lowe's now, and pretty soon you won't have to take your children to Dunbar. Mr. Brown stated that therefore, his belief is that they (Council) were only looking at numbers and not the lives, legacies, and the quality of street the residents of MLK deserve. Mr. Brown stated that he believed without a shadow of doubt that all of you (Council) believe that concrete will make a better street than hot mix, therefore, stop looking at money figures and look more at quality, even if taxes are raised to get concrete on MLK it is worth it. Mr. Brown stated that the members of North Lufkin have been burdened in the past to pay for structures that were nowhere near our community nor benefited our community in any way, and we paid those taxes. Mr. Brown stated that a perfect example is that a couple of years ago taxes were raised 5% to pave four streets, Tulane, Paul, MLK and Feagin. Mr. Brown stated that so far MLK is the only one that is not receiving concrete, but when taxes were raised, his idea and he is sure that all the other taxpayers ideas were that MLK would receive concrete because it deserves it, but guess which street and which community is getting the short end of the stick? Mr. Brown stated that it is his belief that when Tulane comes up for bid that the difference will not be very high between asphalt and hot mix on that and that street will receive concrete also. Mr. Brown stated that today the citizens of North Lufkin are saying that we are tired of helping carry the tax burden for Lufkin and receiving nothing in return. Mr. Brown stated that we have come to say it loud and say it clear and on one accord, we want concrete on MLK because we deserve it, it is right, and it is time. Mr. Brown stated that the third point of concern is the East Texas Engineering and Surveying, Inc., the Texas Highway Department and Moore Bros., stated that a hot mix street would be just as good as a concrete street, if the base is right. Mr. Brown stated that let's look at the theory and the lie of that statement. Mr. Brown stated that the theory is, assuming that this whole statement is true, that asphalt is as good as a street of concrete. Now the lie is, it's not. Mr. Brown stated that let's assume for one moment that that statement was true, now the difference between concrete and asphalt on Feagin Drive was \$164,999, the difference between concrete and asphalt on Paul Street was \$65,310, now assuming asphalt is just as good a street, why didn't you (Council) vote in favor of asphalt and save that money if asphalt is just good a street as concrete, and why did you (Council) vote in favor of concrete instead of asphalt? Mr. Brown stated that Council could have saved well near \$200,000, well over \$200,000 if you (Council) had voted in favor of a street that is just as good as asphalt. Mr. Brown stated that if that statement is true, you (Council) just wasted the taxpayers a whole lot of money. Mr. Brown stated that MLK is getting a bad set of goods and it is wrong, it is unjust. Mr. Brown stated that the people of MLK have waited a long time for a new street, don't put them back in the same circumstances they are in with a broken street. Mr. Brown stated that now one of the Mayor's issues was that they wanted to finish this street before the window of opportunity ran out, because if they don't they will have to wait until next summer. Mr. Brown stated that it is basically the difference of somebody telling you if you want a car today, I will give you a Pinto, but if you wait until next week I'll give you a BMW. Mr. Brown stated that, we the citizens of MLK and citizens of Lufkin, Texas, say, "We'll wait another summer if it means we'll get a better street." Mr. Brown stated that one concrete expert, and he asked many, and he asked them

which one was a better street and they all said concrete is a better street. Mr. Brown stated that one who wanted to be here today but could not, Leroy Shankle who lays concrete professionally, says that he "is a concerned citizen not able to be at this meeting, but concerned about our street, concrete vs asphalt. Concrete is better than asphalt. I see enough of patch work of asphalt work in our neighborhoods. It is time for a change, for the real thing, which is concrete. I pay as much taxes as others and more than some for the better improvement of Lufkin, Texas. Thank you, Leroy Shankle"

Mr. Brown stated that the fourth point of concern is, the engineers estimated that the street would need an overlay in 10 years. The estimated cost of that overlay is \$167,500. Mr. Brown stated that let's look at the amazing fact, and the amazing fact is that the overlay of the street that the engineer said we would need is simply 1 1/2". Mr. Brown stated that as you all know, what they are putting down is full depth hot mix, which is 7" to 8", and this is supposed to be as good as concrete. Mr. Brown stated that "let's think about it", if full depth hot mix, which is 7" to 9" of asphalt does not last 10 years, how long do you think that 1 1/2" of asphalt or hot mix will last, probably not even a year. Mr. Brown stated that if you (Council) lays this hot mix, which they will have to overlay in 10 years because it did not do a good job, or rather it didn't hold up to what you thought it would, and then they simply go over it again with only a 1 1/2" and what we are going to end up on MLK is with pot holes and waves and all those different types of things. Mr. Brown stated that if he could have some help real quick he would like to pass out some pictures. Mr. Brown stated that he did not have enough to go around so they would have to pass them around, and that they are numbered on the back. Mr. Brown stated that they are different various streets that they have taken pictures of, two in particular, Culverhouse and MLK. Mr. Brown stated that if you look on the back, there is a number one, and number one is what you call deep depth asphalt, which you'll (Council) are supposed to be laying on MLK, and that is where MLK runs out onto the Loop where the Texas Highway Department laid that, and that is deep depth asphalt. Mr. Brown stated that if you will see on the back of number one. Mr. Brown stated that picture number one is where they have had to put sealers and it looks like a whole lot of snakes going through the street, where they put down sealers, that will be what MLK will look like, it looks messy. Mr. Brown stated that number two is another example of deep depth asphalt, and on this street they did not allow any sealers because it was too broken to lay sealers, but they have to repave parts of that, and you can see where it is kind of broken for a major thoroughfare. Mr. Brown stated that on picture number three these are pot holes on MLK Drive that is already the pavement, and those pot holes are either there from trucks going down it or those pot holes are there from water mains being fixed. Mr. Brown asked Council to look at the messy way they (the Street Department) fixed those pot holes. Mr. Brown stated that "let's just say those are made from trucks, now that's a guarantee that that will happen on MLK Drive, guess what that street will look like after Brookshire Bros. trucks keep on going up and down. You'll know for yourselves that this is a major road." Mr. Brown stated that they don't have to fix asphalt good or make it look good. Mr. Brown stated that picture number four was taken on Culverhouse and that was fixed from a water leak. Mr. Brown stated that "as you'll (Council) know that when water leaks happen on asphalt streets and they break down into the road, they fix it, and put asphalt on top, sometimes they sink in, sometimes it makes a speed bump, because that's just simply the messy way it is. Mr. Brown stated that that is an overlay, or a pipe being fixed on number four on Culverhouse Street. Mr. Brown stated that now if that happens on MLK Drive, which it will, when a pipe happens that's exactly what it will look like when they fix it. Now, if you lay concrete you're going to have to break it up, go down, fix it right and then smoothly overlay and it will be a nice finished look if it is laid in concrete. Mr. Brown stated that those are the pictures.

Mr. Brown stated that finally he wanted to show Council some signatures. Mr. Brown stated that the title at the top gives you where those pictures are from, those pictures are from the residents of MLK Drive. Mr. Brown stated that those pictures (signatures on petition?) are from the residents of MLK Drive; they went from

house to house and door to door. Mr. Brown stated that it is not covering the residents of Pine Wood Park Apartments nor Lufkin Day Care Center, but they began from Kurth Drive all the way up to Abney, just that section there. Mr. Brown stated that there are about 30 to 33 signatures; they went to every single house on that street that someone lived in. Mr. Brown stated that only two or three homes were missed, simply because they weren't home when we knocked on their doors. Mr. Brown stated that one gentleman did not sign that form in favor of concrete. Mr. Brown stated that that form, so the public will know, that is all the people that live on MLK who are in favor of concrete. One gentleman did not sign that form simply because of his religious purposes, and he chose not to get involved in a political issue. Mr. Brown stated that this really is not a political issue, it's over what we deserve. Mr. Brown stated that about three folk did not sign the form simply because they weren't home, and he could guarantee that if he had of talked to them they would have signed that form. Mr. Brown asked if Council had ever passed a law, have you ever passed anything where virtually everybody didn't disagree? Mr. Brown stated that we have serious issues in our national government like abortion and murder of convicts, and even those controversial issues like that, you find just a few folk in some cases that disagree with it, but have you ever totally seen where virtually everybody didn't agree with it and passed it anyway? Mr. Brown stated that if what he says to Council doesn't say anything, those folk that signed that form say a whole lot more than he can say. Mr. Brown stated that he talked with several gentlemen who were handicapped, they couldn't make it here today, he talked with one woman who had been living on MLK for about 40 years, and after talking with them he realized that this wasn't the fight that he was just trying to fight or these people here were trying to fight but this was their fight. Mr. Brown stated that for those men and women that couldn't make it down here, for those men and women who have been living on MLK all of their lives and they have created a legacy on that street, and so today, this is their fight. Nor is it a political issue because this is simply a issue to saying, "I've lived on this street a long time, I've waited a long time, now it's time for me to get quality service, and I prefer concrete." And, they wrote it, and they said it, and that's not political.

Mr. Brown stated that finally, if this was to happen in other communities, more affluent communities, if the issue of pavement came up, there would be no question or not over asphalt or concrete, in particular, Crown Colony. If you (Council) decided to pave that, there would be no question. And, in fact, there would be no questions from the residents, they know that they deserve concrete, and they would want concrete. Mr. Brown stated that "we deserve concrete on MLK, and we want concrete. Finally, there is a moral statement, it simply says, "Do unto others as you would have them do unto you". Mr. Brown stated that we elected all of you, to do unto us what you would have done unto you, and if this were your street, this was your community, this was your grandmother living on this street, this was your crippled son living on this street that couldn't make it to the meeting here today, that had been living on this street for a long time, what would you want for them. You would want quality at the greatest cost. Do unto us as you would have us do unto you. So, we simply say we deserve concrete, we want concrete, and I realize that we only need two more votes from City Council, we only need four to re-open the bid. Mr. Brown stated that he comes to Council today asking them, trying to persuade them, after talking to you about this and showing you various facts that you already knew about to give us two more votes so we can get four, to rebid this concrete and asphalt issue and give the citizens of MLK Drive what they really deserve.

Councilmember Boyd stated that due to the fact that we have had these citizens come out and make their plea, he would like to request that it be put back on the agenda for next meeting to reconsider MLK Drive.

Councilmember Simond requested that the City Manager call Bob Brown of TU Electric and request that the street lights in North Lufkin be checked at night to identify the lights that need to be replaced. City Manager Maclin stated that he would visit with Mr. Brown.

Councilmember Jones stated that she had recently attended a Planning seminar in Arlington and noticed that copies of the materials used had been placed on the Council table. Councilmember Jones stated that this was a very informative meeting.

Councilmember Gorden stated that he appreciated the large number of people attending the Council meeting.

City Manager Maclin reminded Councilmembers of the DETCOG meeting on Thursday, June 26 in Nacogdoches.

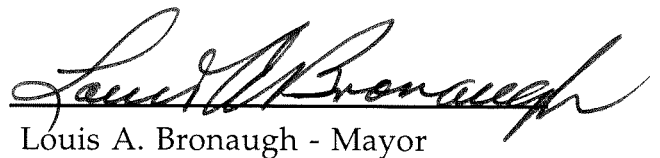
City Manager Maclin stated that at the next Council meeting, July 1, he would like for Council to give him some dates that they would be available for the Budget Workshops. Councilmember Weems stated that he would be out of town on July 1st.

18. There being no further business for consideration, meeting adjourned at 6:40 p.m.

ATTEST:



Atha Stokes - City Secretary



Louis A. Bronaugh - Mayor