

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF LUFKIN, TEXAS, HELD ON THE  
19TH DAY OF MARCH, 1996 AT 5:00 P. M.**

On the 19th day of March, 1996 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
Don Boyd	Mayor pro tem
Percy Simond	Councilmember, Ward No. 1
Betty Jones	Councilmember, Ward No. 3
Bob Bowman	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
Tucker Weems	Councilmember, Ward No. 6
Ron Wesch	Asst. City Manager/Public Works
Darryl Mayfield	Asst. City Manager/Finance
Stephen Abraham	Director of Planning
Bob Flournoy	City Attorney
Atha Stokes	City Secretary

being present, and

C. G. Maclin	City Manager
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being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Keith Whitaker, Minister, First United Methodist Church.
2. Mayor Bronaugh welcomed visitors present.
3. **APPROVAL OF MINUTES**

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that the minutes of the Regular Meeting of March 5, 1996 be approved as presented. A unanimous affirmative vote was recorded.

4. **PUBLIC HEARING - ANNEXATION - SABINE INVESTMENT COMPANY - CROWN COLONY COUNTRY CLUB - CHAMPION DRIVE**

Mayor Bronaugh opened Public Hearing to consider a request of Sabine Investment Company and Crown Colony Country Club to initiate annexation proceedings on approximately 117.677 acres of land south of, and between the two current termination points of Champion Drive.

No one appeared in opposition of the request.

Mayor Bronaugh closed Public Hearing.

5. **ORDINANCE - APPROVED - SECOND READING - CITY ELECTION - POLLING PLACES - ELECTION DATE**

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.

Mayor Bronaugh stated that on the Council table there was a handout which reflects the addition of the Judge and Alternate Judge for Ward 5 and the Alternate Judge for Ward 3.

Motion was made by Councilmember Jack Gorden, Jr. and Councilmember Don Boyd that Ordinance providing for the called 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.

**6. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - RESIDENTIAL SMALL SINGLE FAMILY TO SINGLE FAMILY MIXED USE - PENSON STREET - JOHNNY AND NATHA JOHNSON**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to change the zoning from "RS" Residential Small Single Family to "SF/MX" Single Family Mixed Use, on approximately a 2.99 acre tract of land located along both sides of Penson Street as requested by Johnny and Natha Johnson.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that Ordinance to change the zoning from "RS" Residential Small Single Family to "SF/MX" Single Family Mixed Use, on approximately a 2.99 acre tract of land located along both sides of Penson Street as requested by Johnny and Natha Johnson be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**7. ORDINANCE - APPROVED - SECOND READING - SPECIAL USE PERMIT - AUTOMOBILE PAINT AND BODY SHOP - LOCAL BUSINESS DISTRICT - ABNEY AVENUE - RICARDO MORALES**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for a Special Use Permit for an Automobile Paint and Body Shop in a "LB" Local Business District, on approximately a .74 acre tract of land located at Abney Avenue as requested by Ricardo Morales.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Betty Jones that Ordinance for a Special Use Permit for an Automobile Paint and Body Shop in a "LB" Local Business District on approximately a .74 acre tract of land located at 718 Abney Avenue as requested by Ricardo Morales be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**8. RESOLUTION - APPROVED - COLLECTIVE BARGAINING OPPOSITION**

Mayor Bronaugh stated that the next item for consideration was a Resolution of the City Council of the City of Lufkin, Texas opposing Collective Bargaining.

Asst. City Manager Mayfield stated that the issue of Collective Bargaining will be on the May 4th election ballot. Mr. Mayfield read the Resolution to those present. (A copy of the Resolution is on file in the City Secretary's office.)

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Tucker Weems that Resolution of the City Council opposing Collective Bargaining be approved as presented. A unanimous affirmative vote was recorded.

**9. DESIGNATION OF GATE RECEIPT FUNDS - APPROVED - ELLEN TROUT ZOO - GRANT APPLICATION**

Mayor Bronaugh stated that the next item for consideration was authorization to utilize Ellen Trout Zoo gate receipt funds as matching monies for grant application.

Asst. City Manager Mayfield stated that in 1993 the City Council authorized gate admissions be charged for the Ellen Trout Zoo and designated that gate receipts be used for repairs, improvements and new construction. Mr. Mayfield stated that the

Friends of the Zoo are conducting a broad base grant application search and needs some matching funds to trigger private foundation support. Mr. Mayfield stated that included in the Council packet are letters from Gordon Henley, Director of the Zoo and Mary Leah Duran, President of the Friends of the Zoo. Mr. Mayfield stated they are seeking \$200,000 in matching funds for the grant application.

Mr. Henley stated that the funds are available in the Zoo Building Fund account, which has been designated for the improvements. Mr. Henley stated that he is seeking authorization to utilize \$200,000 to begin grant applications to implement Phase I of the Master Plan.

Mr. Mayfield stated that in 1993 \$234,750 was collected when the Dinamation Exhibit was on display at the Zoo. Mr. Mayfield stated that since that time admission gate receipts for 1994 have been \$101,180, and in 1995 gate receipts were \$101,847.

In response to question by Mayor Bronaugh, Mr. Henley stated that Friends of the Zoo obtained a loan from the Temple Foundation in the amount of \$90,000 to secure the Dinamation exhibit and through the special admission fee charged for that exhibit they were able to repay the loan.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that authorization to utilize Ellen Trout Zoo gate receipt funds in the amount of \$200,000 as matching monies for grant application be approved as presented. A unanimous affirmative vote was recorded.

#### **10. ANIMAL CONTROL AGREEMENTS - APPROVED - CITY OF DIBOLL - CITY OF GROVETON - CITY OF HUDSON - CITY OF HEMPHILL**

Mayor Bronaugh stated that the next item for consideration was renewal of Animal Control Agreements with the cities of Diboll, Hemphill, Hudson and Groveton.

Asst. City Manager Mayfield stated that this is the time of year for renewal of the Animal Control Agreements with the Cities of Diboll, Groveton, Hudson and Hemphill for animal care services.

Cathy Clark, Animal Control & Protection Services Director, stated that the only changes in the agreements is some fee increases on a per animal, which increases from \$15 to \$17, and on rabies testing from \$25 to \$35. Ms. Clark stated that the City of Hudson has one additional change to their agreement and that is that the City of Lufkin will assist the City of Hudson by responding to emergency calls after regular hours as department policy stipulates. Ms. Clark stated that the City of Lufkin will only be available for this service twice a month on an every other week basis, and the fee for this service is \$50.

In response to question by Mayor Bronaugh, Mr. Mayfield stated that the breakdown for handling rabies testing is: boarding costs at \$10.50, a container cost for the specimen at \$2.50, .24 cents for operations, labor costs at \$9.32, the cost for shipping on the Kerrville bus is \$7.35, and some miscellaneous costs at \$5.00. The total cost is \$34.91. Mr. Mayfield stated that staff is asking for an increase of \$10.00 above the current fee of \$25.00.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Don Boyd that renewal of Animal Control Agreements with the cities of Diboll, Hemphill, Hudson and Groveton be approved as presented. A unanimous affirmative vote was recorded.

#### **11. CODE ENFORCEMENT DEPARTMENT REPORT**

Mayor Bronaugh stated that the next item for consideration was a report by the Code Enforcement Department.

Kenneth Williams, Director of Code Enforcement, stated that the backup material for this item had been passed out at the last Council meeting. Mr. Williams presented a slide presentation of the activities of the Code Enforcement Department.

In response to question by Councilmember Jones, Mr. Williams stated that the success rate in the collection of costs incurred for the demolition of properties was low.

In response to question by Councilmember Simond, Mr. Williams stated that Jack Bresie had contacted the heirs of the property at the corner of Chestnut and Paul and was told that they are trying to sell the property.

Mayor Bronaugh stated that the Council is proud of what Mr. Williams and his department have done, and appreciates their work in this area.

## 12. MAIN STREET DEPARTMENT REPORT

Mayor Bronaugh stated that the next item for consideration was a report by the Main Street Department.

Dawn Glover, Main Street Director, presented a video presentation to Council on the downtown activities.

Ms. Glover stated that she and Jack Bresie, Stephen Abraham and Kenneth Williams hold monthly meetings to discuss various problems and their solutions in the downtown area.

Mayor Bronaugh congratulated Ms. Glover on her many accomplishments in the downtown area.

Ms. Glover stated that she had applied for some ISTEAs and was unsuccessful in the last two applications. Ms. Glover stated that the City garnered enough points to get in the final cut but lost in the final cut. Ms. Glover stated that she will be coming back to Council in the near future seeking their support in terms of a match on another application.

## 13. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 5:48 p. m. to enter into Executive Session. Regular Session reconvened at 6:33 p. m. and Mayor Bronaugh announced that real estate, personnel matters and attorney/client matters had been discussed.

## 14. COMMENTS

Asst. City Manager Mayfield stated that there were a number of FYI items in the Council packet, and if Council had any questions, they could call him at their convenience.

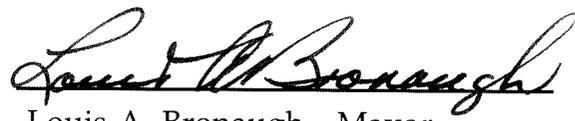
Mayor Bronaugh stated that the next DETCOG meeting will be held in San Jacinto County at Waterwood on March 28th.

Councilmember Bowman stated that there will be a DETDA meeting at 10:00 a.m. on Friday, and the program will be on Electrical Deregulation.

Mayor Bronaugh stated that Kay Bailey Hutchison will be the speaker for the First Friday luncheon, which will be held on Monday, April 1st.

Mayor Bronaugh stated that the annual Planning Retreat for the City Council will be held on Wednesday, May 8, at Pine Island.

15. There being no further business for consideration, meeting adjourned at 6:38 p.m.

  
Louis A. Bronaugh - Mayor

ATTEST:  
  
Atha Stokes - City Secretary