

**MINUTES OF CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF**  
**LUFKIN, TEXAS, HELD ON THE**  
**21st OF MAY 2002**

On the 21st day of May 2002 the City Council of the City of Lufkin, Texas, convened in a Called Meeting in the Council Chambers of City Hall with the following members thereof, to wit:

Louis A. Bronaugh	Mayor
Dennis Robertson	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Rose Faine Boyd	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Bob Bowman	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
C. G. Maclin	City Manager
James Hager	Asst. City Manager/Finance
Atha Stokes Martin	City Secretary
Bob Flournoy	City Attorney
Keith Wright	City Engineer
Kenneth Williams	Director of Public Works
Stephen Abraham	Director of Planning

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Thomas Anglin, Victory Assembly of God Church.
2. Mayor Bronaugh welcomed visitors present.

**3. APPROVAL OF MINUTES**

Minutes of the Regular Meeting of May 13, 2002 were approved on a motion by Councilmember Jack Gorden, Jr. and seconded by Councilmember Dennis Robertson. A unanimous affirmative vote was recorded.

**4. APPOINTMENT OF COUNCILMEMBER – WARD 2 – ROSE FAINE BOYD**

Mayor Bronaugh stated that it was with a heavy heart that the Council would now consider a replacement for Councilmember Don Boyd.

Mayor Bronaugh stated that he would accept a motion from the Council to appoint the person to take Don Boyd's place on the Council.

Motion was made by Councilmember R. L. Kuykendall and seconded by Councilmember Lynn Torres that Rose Faine Boyd be appointed as the Councilmember of Ward 2 to serve out the unexpired term of Councilmember Don Boyd. A unanimous affirmative vote was recorded.

**5. OATH OF OFFICE – ROSE FAINE BOYD – COUNCILMEMBER WARD 2**

City Attorney Bob Flournoy administered the oath of office to Rose Faine Boyd, Councilmember, Ward 2.

**6. APPOINTMENT – APPROVED – MAYOR PRO TEM – LYNN TORRES**

Mayor Bronaugh stated that Mrs. Torres was the only Councilmember to express an interest in serving as the Mayor pro tem at the last Council meeting. Mayor Bronaugh stated that now would be the appropriate time for Council to nominate Mrs. Torres and confirm her appointment to serve as Mayor pro tem.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Bob Bowman that Councilmember Lynn Torres be appointed to serve as the City of Lufkin's Mayor pro tem. A unanimous affirmative vote was recorded.

**7. APPOINTMENTS – APPROVED – DETCOG BOARD OF DIRECTORS – MAYOR BRONAUGH – DENNIS ROBERTSON – JACK GORDEN, JR. – R. L. KUYKENDALL**

Mayor Bronaugh stated that the next item for consideration was appointments to DETCOG Board of Directors.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Bob Bowman that Mayor Bronaugh, Jack Gorden, Jr., R. L. Kuykendall and Dennis Robertson be appointed to serve as the City of Lufkin's representatives on the DETCOG Board of Directors. A unanimous affirmative vote was recorded.

**8. APPOINTMENT – APPROVED – TAX APPRAISAL DISTRICT**

Mayor Bronaugh stated that the next item for consideration was an appointment to the Tax Appraisal District to serve out the unexpired term of Councilmember Don Boyd who served many years on that Board.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember R. L. Kuykendall that Bob Bowman be appointed to the Tax Appraisal District as the City of Lufkin's representative to serve out the unexpired term of Councilmember Don Boyd. A unanimous affirmative vote was recorded.

**9. REQUEST – TABLED – ZONE CHANGE – PLANNED UNIT DEVELOPMENT (NO. 3109) TO LOCAL BUSINESS – LAWRENCE A. CATES AND ASSOCIATES, INC. – TULANE DRIVE BETWEEN LOOP 287 AND HARMONY HILL DRIVE**

Mayor Bronaugh stated that the next item for consideration was the request of Lawrence A. Cates and Associates, Inc. to change the zoning classification on approximately 28.75 acres of land located on the east side of Tulane Drive between Loop 287 and Harmony Hill Drive from "Planned Unit Development (No. 3109)" zoning district to a "Local Business" zoning district.

City Manager Maclin stated that Council had on the table a copy of a letter that was sent to the City by Bryan Burger with Lawrence A. Cates & Associates. Mr. Maclin stated that Lawrence A. Cates & Associates is the requestor of record and this letter is requesting Council to table this issue today until the next Council meeting on June 4<sup>th</sup>.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Dennis Robertson that request of Lawrence A. Cates and Associates, Inc. to change the zoning classification on approximately 28.75 acres of land located on the east side of Tulane Drive between Loop 287 and Harmony Hill Drive from "Planned Unit Development (No. 3109)" zoning district to a "Local Business" zoning district be tabled until the June 4, 2002 Council meeting. A unanimous affirmative vote was recorded.

**10. ORDINANCE – APPROVED – FIRST READING – ZONE CHANGE – LARGE SINGLE FAMILY RESIDENTIAL AND LOCAL BUSINESS TO LOCAL BUSINESS ZONING DISTRICT – BETTY SMITH – 505 LARGENT STREET**

Mayor Bronaugh stated that the next item for consideration was the request of Betty Smith to change the zoning classification on approximately 1.16 acres described as Tract 203 of the J. A. Bonton Survey (Abstract No. 5) and more commonly known as 505 Largent Street from "Large Single Family Residential" and "Local Business" zoning districts to a single "Local Business" zoning district.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Director of Planning. Mr. Maclin stated that this request comes to

Council with a recommendation of approval from the Planning & Zoning Commission by a unanimous vote to approve this zone change as requested.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall that Ordinance to change the zoning classification on approximately 1.16 acres described as Tract 203 of the J. A. Bonton Survey (Abstract No. 5) and more commonly known as 505 Largent Street from "Large Single Family Residential" and "Local Business" zoning districts to a single "Local Business" zoning district be approved on First Reading as presented. A unanimous affirmative vote was recorded.

**11. AMENDMENT – APPROVED – FUTURE LAND USE PLAN OF THE COMPREHENSIVE PLAN – WEST SIDE OF LARGENT STREET – NORTH OF OLD UNION ROAD**

Mayor Bronaugh stated that the next item for consideration was an Amendment to the future land use plan of the comprehensive plan regarding certain properties located on the west side of Largent Street and extending north approximately 1150 feet north of Old Union Road.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Director of Planning on this item. Mr. Maclin stated that this comes to Council from the Planning & Zoning Commission by unanimous vote recommending the future land use plan be amended as submitted.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Lynn Torres that Amendment to the future land use plan of the comprehensive plan regarding certain properties located on the west side of Largent Street and extending north approximately 1150' north of Old Union Road be approved as presented. A unanimous affirmative vote was recorded.

**12. ORDINANCE – APPROVED – FIRST READING – ZONE CHANGE – RONALD J. FOY AND HECTOR M. ESCOBEDO – LARGE SINGLE FAMILY RESIDENTIAL AND LOCAL BUSINESS TO COMMERCIAL – 706 AND 702 LARGENT**

Mayor Bronaugh stated that the next item for consideration was the request of Ronald J. Foy and Hector M. Escobedo to change the zoning on approximately 3.397 acres of land described as Tract 143 and portion of Tract 144 out of the J. A. Boynton Survey (Abstract No. 5) and more commonly known as 706 and 702 Largent Street from "Large Single Family Residential" and "Local Business" to a single zoning classification of "Commercial".

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Director of Planning along with a recommendation of approval by unanimous vote from the Planning & Zoning Commission.

Motion was made by Councilmember R. L. Kuykendall and seconded by Councilmember Dennis Robertson that Ordinance to change the zoning on approximately 3.397 acres of land described as Tract 143 and portion of Tract 144 out of the J. A. Bonton Survey (Abstract No. 5) and more commonly known as 706 and 702 Largent Street from "Large Single Family Residential" and "Local Business" to a single zoning classification of "Commercial" be approved on First Reading as presented. A unanimous affirmative vote was recorded.

**13. RESOLUTION – APPROVED – SIGNATURES FOR 2002 TCDP PROJECT**

Mayor Bronaugh stated that the next item for consideration was a Resolution for authorized signatures for the 2002 TCDP Project.

City Manager Maclin stated that this is a Resolution that authorizes the Mayor, City Secretary, City Manager, and City Engineer to execute signatures for purchase vouchers and payment forms on the City's program. Mr. Maclin stated that this is another water line replacement project, and it is a routine procedure as a part of the grant application to approve a Resolution to this effect.

Motion was made by Councilmember R. L. Kuykendall and seconded by Councilmember Bob Bowman that Resolution for authorized signatures for the 2002 TCDP Project be approved as presented. A unanimous affirmative vote was recorded.

**14. BUDGET REVISION – APPROVED – CAIN STREET FENCING**

Mayor Bronaugh stated that the next item for consideration was a budget revision for the Cain Street fencing.

City Manager Maclin stated that included in the Council packet is an estimated cost to add fencing to the Cain Street detention project. Mr. Maclin stated that this would be fencing with gates that would provide a safety perimeter separating the playground area from the detention pond and providing perimeter fencing. Mr. Maclin stated that the estimate is approximately \$11,000 for the fencing and if the vinyl coating were added similar to the green vinyl coating that was installed at Jones Park, it would add about \$2,500 on the side closest to the street. Mr. Maclin stated that the vinyl coating would be for aesthetics. Mr. Maclin stated that he and Mr. Kuykendall had looked at this several times.

Mr. Kuykendall stated that he had been asked many times about whether the playground area would be enclosed and when he looked at the detention pond on York and Tulane he thought that that would be the way he would like to see the Cain Street detention pond. Mr. Kuykendall stated that the aesthetic value makes a big difference.

Motion was made by Councilmember R. L. Kuykendall and seconded by Councilmember Lynn Torres that fencing for the Cain Street detention pond be approved to include the vinyl coating and that the amendment to the budget be held until the end of the year, and authorizing the City Engineer to go forward with the installation of the fence. A unanimous affirmative vote was recorded.

**15. AUTHORIZATION – APPROVED – IMPROVEMENTS TO THE INTERSECTION OF WHITEHOUSE DRIVE AND DANIEL McCALL DRIVE**

Mayor Bronaugh stated that the next item for consideration was authorization for improvements to the intersection of Whitehouse Drive and Daniel McCall Drive.

City Manager Maclin stated that this would be the addition of right turn lanes coming off the feeder road on U. S. 59 to Daniel McCall. Mr. Maclin stated that there would be a right turn feeder lane on both sides of Daniel McCall, one that would be feeding into the new retail development area and one that would be feeding for the north bound traffic off of Daniel McCall back onto U. S. 59 southbound. Mr. Maclin stated that it is the opinion of staff that this would be needed in terms of the anticipated increase in traffic in this area this summer. Mr. Maclin stated that staff is proposing that be done with City Street Department manpower and equipment and he estimates the cost to be around \$22,500. Mr. Maclin stated that staff would like to proceed with this work starting the first week in June so that it can be completed in time for the summer opening of the retail development in the area. Mr. Maclin stated that the materials for the project would be taken from the Street Department budget.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres that the City Engineer be authorized to proceed with the improvements to the intersection of Whitehouse Drive and Daniel McCall Drive. A unanimous affirmative vote was recorded.

**16. PARKS MASTER PLAN – APPROVED**

Mayor Bronaugh stated that the next item for consideration was revisions to the Parks Master Plan.

City Manager Maclin stated that included in the Council packet is a letter of explanation from the Chairman of the Parks Board, Victor Bruce. Mr. Maclin stated that there is a list of prioritization of projects as part of this Master Plan. Mr. Maclin stated that this is an item that is needed for the City to maximize our points in the application to the Texas Parks and Wildlife for funding for Kit McConnico Park. Mr. Maclin stated that this also

correlates with some of the comments that were made yesterday at the Planning Retreat and now is the appropriate time to go ahead and make these revisions so the City can get the full points participation from Texas Parks and Wildlife where our Master Plan reflects our priorities more accurately of what we are seeking to construct in the way of park improvements.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall that Parks Master Plan revisions be approved as presented. A unanimous affirmative vote was recorded.

**17. LUFKIN LANDSCAPE TASK FORCE REQUEST - APPROVED -  
PLACEMENT OF BRONZE EAGLE SCULPTURE AT GRACE DUNN  
RICHARDSON PARK**

Mayor Bronaugh stated that the next item for consideration was a request from the Lufkin Landscape Task Force to place a bronze eagle sculpture at Grace Dunn Richardson Park.

City Manager Maclin stated that included in the Council packet is a sketch showing the proposed location for this project. Mr. Maclin stated that this request went to the Parks Advisory Board first and comes to Council as a recommendation from them for consideration of approval.

Mayor Bronaugh recognized Genie Flournoy, Chairman of the Site and Sculpture Selection Committee of the Lufkin Landscape Task Force, who was present to represent the request. Mrs. Flournoy stated that the Task Force has been organized for a little over a year and have been involved with the Gaslight Boulevard project, which is an ongoing project for three years. Mrs. Flournoy stated that the groups immediate focus is on a "Spirit of America" bronze sculpture garden in Grace Dunn Richardson Park, which was featured in Sunday's newspaper. Mrs. Flournoy stated that a picture is being passed around of the sculpture that has been chosen. Mrs. Flournoy stated that the sculpturer is Edd Hayes who was named by the Texas State Legislature in 1998-99 as the official sculpturer of the State of Texas and has works all over the United States including three countries. Mrs. Flournoy stated that Mr. Hayes is located in Spring, Texas and will be doing all the work when the sculpture is set at its location. Mrs. Flournoy stated that at the entrance of the Azalea Trail jogging trail the Committee wants to place a 30' flagpole with the American flag and hopefully in the future the Pledge of Allegiance mounted at the base of the flagpole. Mrs. Flournoy stated that there would also be a donor wall and anyone who gives \$1,000 or more will have their name on the wall on a bronze plaque. Mrs. Flournoy stated that members of the Site and Selection Committee are: Mary Jo Gorden, David Miles, Dennis Robertson, Conni Estes, and Christine Diamond. Mrs. Flournoy stated that to help defray the cost of the project the Task Force is sponsoring a Garden Tour on June 1<sup>st</sup> to raise funds. Mrs. Flournoy stated that it is hoped that the garden tour and the article in the newspaper will stimulate the income for the project. Mrs. Flournoy stated that letters of solicitation have been sent out to area businesses and individuals seeking donations. Mrs. Flournoy stated that the sculpture will be set August 15<sup>th</sup> at the Park, but the unveiling and dedication would be September 11, 2002 in honor of past and future heroes of this country that not only have given in war time but give with their faith, prayers and support and unity to this country. Mrs. Flournoy stated that this would be the first patriotic statute that would be dedicated to the unity and faith and strength of this country and how it comes together in a time that we need to be unified. Mrs. Flournoy stated that there is ample parking at this site for field trips for school children.

Mrs. Flournoy stated that after the Committee had contracted with Edd Hayes in the spring, they found out that he had used an eagle at Ellen Trout Zoo as a model for the sculpture.

Mrs. Flournoy stated that the Committee looks forward to making this sculpture garden an asset to tourism in the City of Lufkin and Angelina County. Mrs. Flournoy stated that this would be a low maintenance area, which is important to the City and the Parks Board. Mrs. Flournoy stated that Mr. Hayes said that he would be available if anything happens to the statute and he will be here to fix it. Mrs. Flournoy stated that Mr. Hayes has agreed to do a seminar after the dedication of the statute in City Hall.

Councilmember Robertson stated that he had asked Mr. Hayes if someone could take a ball bat and destroy the statute and he said "No, he had placed a stainless steel liner inside the bronze so it is virtually indestructible."

Mayor Bronaugh stated that the Council appreciated the Landscape Task Force and the work they are doing in Lufkin.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall to grant approval for the Lufkin Landscape Task Force to place a bronze eagle sculpture at Grace Dunn Richardson Park. A unanimous affirmative vote was recorded.

#### **18. EXECUTIVE SESSION**

Mayor Bronaugh recessed Regular Session at 5:37 p. m. and Councilmembers entered into Executive Session. Regular Session reconvened at 5:55 p.m. and Mayor Bronaugh stated that the Council had discussed attorney/client matters and appointments to Boards and Commissions and real estate matters.

#### **19. CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER**

City Manager Maclin stated that the annual DETCOG meeting would be held Thursday at the Civic Center.

City Manager Maclin stated that Monday, May 27<sup>th</sup> is a City holiday.

City Manager Maclin stated that on Wednesday, May 29<sup>th</sup> there would be a ribbon cutting ceremony for the Blue Bell Distribution Center.

20. There being no further business for consideration, meeting adjourned at 5:57 p.m.

  
Louis A. Bronaugh – Mayor

ATTEST:

  
Atha Martin - City Secretary