

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS HELD ON THE 7th DAY OF DECEMBER, 2004

On the 7th day of December 2004, 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 Bronaugh	Mayor
Rose Faine Boyd	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Lynn Torres	Councilmember, Ward No. 3
Don Langston	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
Dennis Robertson	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Renee Thompson	City Secretary
Robert Flournoy	City Attorney
Keith Wright	City Engineer
Kenneth Williams	Public Works Director
Larry Brazil	Police Chief
David Koonce	Director of Human Resources
Doug Wood	Director of Accounting
Nellie Matthews	Director of Civic Center
Dorothy Wilson	City Planner
Murry Brown	Asst. Fire Chief
Melinda Kartye	Recycling
Scott Pasternak	Manager, R. W. Beck

Being present and none being absent when the following business was transacted.

1. Meeting was opened with prayer by Reverend Rick Williams, Chaplain for Woodlands Heights Medical Center
2. Mayor Louis Bronaugh welcomed visitors present. Councilmember Lynn Torres recognized LHS students who were present, satisfying their government class requirement.

3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting on November 16, 2004 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Rose Faine Boyd. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **SECOND READING TO CHANGE THE ZONING FROM "MANUFACTURED DWELLING" TO A "MANUFACTURED HOMES PARK" ZONING DISTRICT - APPROVED - ON APPROXIMATELY 13.9 ACRES OF LAND DESCRIBED AS PART OF THE H. H. BROOKSHIRE SURVEY (ABSTRACT NO. 127) AND THE LEWIS HOLLOWAY SURVEY (ABSTRACT NO. 310) AND LOCATED TO THE NORTH OF WOODMONT DRIVE OFF OF PAUL AVENUE FOR LAVERNE AND DORIS WILLIAMS**

Mayor Louis Bronaugh stated that the next item for consideration was the Second Reading of an Ordinance to change the Zoning from "Manufactured Dwelling" to a "Manufactured Homes Park" Zoning District on approximately 13.9 acres of land described as part of the H. H. Brookshire Survey (Abstract No. 127) and the Lewis Holloway Survey (Abstract No. 310) and located to the north of Woodmont Drive off of Paul Avenue for Laverne and Doris Williams. City Manager Paul Parker stated that the current zoning of "Manufactured Dwelling" requires each unit to be on an individual lot and the proposed "Manufactured Homes Park" zoning allows multiple dwellings on one lot.

Councilmember Rose Faine Boyd moved to approve on the Second Reading the Ordinance to change the Zoning from "Manufactured Dwelling" to a "Manufactured Homes Park" Zoning District on approximately 13.9 acres of land described as part of the H. H. Brookshire Survey (Abstract No. 127) and the Lewis Holloway Survey (Abstract No. 310) and located to the north of Woodmont Drive off of Paul Avenue for Laverne and Doris Williams. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

5. **SECOND READING OF THE ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH CERTIFICATES OF OBLIGATION AND ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF \$8,200,000 "CITY OF LUFKIN, TEXAS, TAX AND WATERWORKS AND SEWER SYSTEM SURPLUS REVENUE CERTIFICATES OF OBLIGATION, SERIES 2004", APPROVED - DATED NOVEMBER 15, 2004, INCLUDING THE RECEIPT OF BIDS THEREFORE AND THE ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH CERTIFICATES OF OBLIGATION**

Mayor Louis Bronaugh stated that the next item for consideration was the Second Reading of the Ordinance authorizing the issuance of such Certificates of Obligation and all matters incident and related to the issuance and sale of \$8,200,000 "City of Lufkin, Texas, Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2004", dated November 15, 2004, including the receipt of bids therefore and the adoption of an Ordinance authorizing the issuance of such Certificates of Obligation. City Manager Paul Parker stated that bids had been opened on the first reading of the ordinance and that the bid of Legg Mason Wood Walker, Inc. at a rate of 4.104698 for the issuance of \$8,200,000 of bonds had been accepted.

Councilmember Jack Gorden moved to approve on the Second Reading the Ordinance authorizing the issuance of such Certificates of Obligation and all matters incident and related to the issuance and sale of \$8,200,000 "City of Lufkin, Texas, Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2004", dated November 15, 2004, including the receipt of bids therefore and the adoption of an Ordinance authorizing the issuance of such Certificates of Obligation. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

6. **ACCEPTANCE OF A MONETARY GIFT TO THE ELLEN TROUT ZOO**

Mayor Louis Bronaugh stated that the next item for consideration was the acceptance of a monetary gift to the Ellen Trout Zoo. City Manager Paul Parker asked Danny Roper, Trust Manager for Regions Bank in Lufkin to present the gift to the Mayor and Council. Danny Roper stated that on behalf of the Estate of Sarah Lane Holland he was fulfilling a bequest that she had made to the Ellen Trout Zoo. Mr. Roper explained that Ms. Holland was a resident of Lufkin since 1947 and she and her husband

had founded and operated Holland Sales until it closed. Since her husband and her only son had predeceased her, she decided she wanted to leave her estate to some projects and charitable entities that she felt could use the money and did a lot of good for the community. Mr. Roper added that Mrs. Holland was showing her support through leaving a monetary amount for these entities. Mr. Roper stated that he had a check on behalf of Mrs. Sarah Lane Holland to the City of Lufkin for use by the Ellen Trout Zoo in the amount of \$172,943.73. Mayor Bronaugh thanked Mr. Roper and asked Mr. Gordon Henley, Ellen Trout Zoo Director, to comment on Mr. Roper's involvement with the Zoo. Mr. Henley stated that Mr. Roper was currently the Treasurer of the Friends of Ellen Trout Zoo and oversees all of the funds they raise. Mr. Bronaugh added that Mr. Roper had also served on the City Council for about six years. Mr. Roper formally presented a check to Mayor Bronaugh and Gordon Henley. Mr. Henley thanked Mr. Roper and the Sarah Lane Holland Trust for making the presentation to the Zoo and assured him the money would go to good use. City Manager Paul Parker added that an equal amount had been bequeathed to the Kurth Library, and he acknowledged Mrs. Sarah Lane Holland's generosity to the City and expressed his deep appreciation on behalf of the City.

7. APPROVAL OF THE SALE OF THE HOMER GARRISON FEDERAL BUILDING - APPROVED

Mayor Louis Bronaugh stated that the next item for consideration was approval of the sale of the Homer Garrison Federal Building. City Manager Paul Parker stated that several representatives from the Lufkin/Angelina County Economic Development Partnership were in attendance and that they have a buyer for the property known as "The Federal Building". City Manager Parker added that the Warranty Deed stipulated that a sale of the building required concurrence by the City, County and the Chamber of Commerce and that the Partnership was coming before the City Council to get the City's approval of the sale. City Manager Parker acknowledged that Jay Shands, Bill Wellborn and others of the Partnership were in attendance if anyone wanted to address the Council. Mayor Bronaugh asked Mr. Jay Shands to give the Council a briefing on the particulars regarding the sale. Mr. Jay Shands gave a brief history of The Federal Building, stating that the Partnership had been given the building in 2002 by an anonymous donor with the stipulation that if the Partnership ever decided to sell the building the City, County and Chamber would have to be in agreement. Mr. Shands stated that with the sale of the building the Partnership will have over \$1,000,000 in cash as a result of this gift and that the money will be available for economic use in the county. Mr. Shands said he had spoken with the family who gifted the building to the Partnership and that they are in agreement on the sale of the building. Mayor Bronaugh asked if anyone had any questions regarding the sale of The Federal Building. Mayor Bronaugh also stated it was a good night to recognize those who give their time to the community, and he thanked Jay Shands for his efforts with the Partnership and as the Economic Development 4-B Chairman.

Councilmember Lynn Torres moved to approve the sale of the Homer Garrison Federal Building. Councilmember Jack Gorden seconded the motion. A unanimous affirmative vote was recorded.

8. ADOPTION OF A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2004/2005 OPERATING BUDGET (BUDGET AMENDMENT NO. 3), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL AND CIVIC CENTER FUNDS; AND PROVIDING AN EFFECTIVE DATE

Mayor Louis Bronaugh stated that the next item for consideration was the Resolution authorizing an amendment to the 2004/2005 Operating Budget (Budget Amendment No. 3), providing for the supplemental appropriation of funds in the General and Civic Center Funds; and providing an effective date. City Manager Paul Parker stated that \$3,000 to \$5,000 was originally set aside for the Civic Center but that had grown to around \$30,000. City Manager Parker added that the City had received a bid of around \$129,000 for work to be completed at the Civic Center but ended up funding a \$73,000 project, rough numbers. City Manager Parker stated that staff had hired Goodwin-Lasiter as project architects but that an account was never set up to pay architect fees so this \$10,640 Budget Amendment was for those fees on the whole project.

Councilmember R. L. Kuykendall moved to approve the Resolution authorizing an amendment to the 2004/2005 Operating Budget (Budget Amendment No. 3), providing for the supplemental

appropriation of funds in the General and Civic Center Funds; and providing an effective date. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

9. ADOPTION OF A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2004/2005 OPERATING BUDGET (BUDGET AMENDMENT NO. 4); - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE SOLID WASTE/RECYCLING FUND; AND PROVIDING AN EFFECTIVE DATE AND; AND AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH R. W. BECK CONSULTING FIRM TO CONDUCT AN ANALYSIS OF KEY OPERATION OF SOLID WASTE AND RECYCLING SERVICES

Mayor Louis Bronaugh stated that the next item for consideration was the adoption of a Resolution authorizing an amendment to the 2004/2005 Operating Budget (Budget Amendment No. 4), providing for the supplemental appropriation of funds in the Solid Waste/Recycling Fund; and providing an effective date and; and authorizing the City to enter into a contract with R. W. Beck Consulting Firm to conduct an analysis of key operations of Solid Waste and Recycling Services. City Manager Paul Parker stated that City staff had met with several providers to provide services to the City in the Solid Waste/Recycling area. City Manager Parker reminded the Council that early last year they had looked at several options for the Recycling Center and there was an option at one time for around \$1,200,000 for recycling equipment. City Manager Parker added that the Council had raised several questions on the use and activity of that and that the City was fortunate to get the prison labor back so the option was put on hold. City Manager Parker reported that staff has been reviewing the best use of the Recycling Center and it has been determined that assistance is needed from a professional firm that has a lot of background in this area to look at the equipment and procedures and to go beyond just the recycling and look at the Solid Waste Department and the way we handle our program and give us advice and information on how to improve our solid waste and recycling efforts. City Manager Parker stated that the City staff recommends that Council set aside money for the consultant fee and that Council approve the use of the firm of R. W. Beck to assist the City in studying the solid waste and recycling operation. City Manager Parker added that Mr. Scott Pasternak, a representative of R. W. Beck, was in attendance if the Council had any questions. Public Works Director Kenneth Williams concurred with City Manager Parker's statements regarding the history of and necessity for the study. Mr. Scott Pasternak highlighted the proposal of the R. W. Beck firm and answered Councilmembers' questions. City Manager Parker and Mr. Williams discussed several aspects of solid waste operations including composting, and City Engineer Keith Wright reported on sludge disposal matters.

Councilmember Jack Gorden moved to adopt a Resolution authorizing an amendment to the 2004/2005 Operating Budget (Budget Amendment No. 4), providing for the supplemental appropriation of funds in the Solid Waste/Recycling Fund; and providing an effective date and; and authorizing the City to enter into a contract with R. W. Beck Consulting Firm to conduct an analysis of key operations of Solid Waste and Recycling Services. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

10. ADOPTION OF A RESOLUTION - APPROVED - AUTHORIZING AN AMENDMENT TO THE 2004/2005 OPERATING BUDGET (BUDGET AMENDMENT NO. 5), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE

Mayor Louis Bronaugh stated that the next item for consideration was the adoption of a Resolution authorizing an amendment to the 2004/2005 Operating Budget (Budget Amendment No. 5), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. City Manager Paul Parker explained that the chiller in the Police Department, which is original equipment to the building, was broken and had been evaluated by an engineer and an air conditioning company and both recommended that it be replaced. City Manager Parker stated that staff also had the boiler inspected while the chiller was being evaluated and that the boiler was also problematic. City Manager Parker reported that it would be more efficient to replace both the chiller and the boiler at the same time and the total cost including engineering is anticipated to be \$71,035. City Manager Parker explained that the funds would have to be appropriated from the General Fund balance in order to

make the necessary repairs to the Police Department chiller and boiler system. City Engineer Keith Wright reported on the warranty that could be anticipated on the new equipment.

Councilmember Rose Faine Boyd moved to adopt a Resolution authorizing an amendment to the 2004/2005 Operating Budget (Budget Amendment No. 5), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

11. ADOPTION OF A RESOLUTION – APPROVED - AUTHORIZING AN AMENDMENT TO THE 2004/2005 OPERATING BUDGET (BUDGET AMENDMENT NO. 6), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE

Mayor Louis Bronaugh stated that the next item for consideration was the adoption of a Resolution authorizing an amendment to the 2004/2005 Operating Budget (Budget Amendment No. 6), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. City Manager Paul Parker reminded Council that the Fire Department had been authorized to apply for a grant from the Texas Department of Health for a remount on one of the City's ambulances. City Manager Parker explained that a remount is the removal of a good ambulance box from an existing chassis and motor and mounting it on a new chassis and motor. City Manager Parker reported that the City had received confirmation of the award of the grant in the amount of \$25,000, which is to be matched with \$25,000 of City funds. City Manager Parker stated that these funds were not originally budgeted because staff did not know whether the City would be awarded the grant and that staff is seeking the budget amendment to allow the City to enter into a contract with the Texas Department of Health in order to receive the grant. City Manager Parker reminded Council that money has been budgeted for an aerial ladder truck if a grant for one is approved but that grant is still pending.

Councilmember Dennis Robertson moved to adopt the Resolution authorizing an amendment to the 2004/2005 Operating Budget (Budget Amendment No. 6), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

12. RESOLUTION AUTHORIZING THE NAMING OF SUNFLOWER LANE – APPROVED - IN THE BROOKHOLLOW SUBDIVISION

Mayor Louis Bronaugh stated that the next item for consideration was the Resolution authorizing the naming of Sunflower Lane in the Brookhollow Subdivision. City Manager Paul Parker reminded Council that this is the same street Council had previously discussed naming Sage before it was discovered that the City already had a street named Sage. City Manager Parker explained that this street had been built by the Street Department to give an additional entrance and exit to the Brookhollow Subdivision. City Manager Parker stated that staff recommended naming the street Sunflower Lane since other streets in the area are named for flowers and shrubbery.

Councilmember Dennis Robertson moved to adopt the Resolution authorizing the naming of Sunflower Lane in the Brookhollow Subdivision. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

13. BID FOR ELEVEN (11) 2005 CROWN VICTORIA POLICE PATROL VEHICLES – APPROVED - FOR THE LUFKIN POLICE DEPARTMENT

Mayor Louis Bronaugh stated that the next item for consideration was the bid for eleven (11) 2005 Crown Victoria police patrol vehicles for the Lufkin Police Department. City Manager Paul Parker stated that this is the annual bid to replace fleet under the policy of replacing one-third of the patrol cars annually. City Manager Parker reported that \$22,000 per unit had been budgeted and that a bid of \$19,911 per unit was received, which is a savings of about \$22,979 over what was budgeted. City Manager Parker explained that four bids were received for the patrol vehicles and that BuyBoard was the lowest bid at \$19,911 per unit. City Manager Parker stated that staff recommends the authorization of the lease/purchase of these eleven (11) vehicles for the amount of \$19,911 per vehicle.

Councilmember Lynn Torres moved to approve the bid for eleven (11) 2005 Crown Victoria Police patrol vehicles for the Lufkin Police Department. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

14. EXECUTIVE SESSION

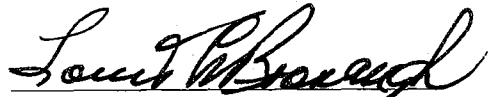
Mayor Louis Bronaugh recessed the Regular Session at 5:59 p.m. to enter into Executive Session.

In accordance with the Texas Government Code Section 551.071 (2), Consultation with City Attorney on any Regular Session item requiring confidential attorney/client privileges necessitated by the deliberation of discussion or said item (as needed); demolition of buildings may be discussed.

Mayor Louis Bronaugh reconvened the Regular Session at 6:10 p.m. City Attorney Bob Flournoy stated that during Executive Session Council discussed demolition of buildings located at 623 Cottonbelt, 910 Rowe Street, and 300 Hopkins and that staff requests authorization to demolish the buildings and file a lien against the property for the cost of the demolition. Councilmember Rose Faine Boyd moved to approve the demolition of the buildings. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

15. Calendar notations from Mayor, Council Members, and City Manager. City Manager Paul Parker highlighted calendar items including the Undoing Racism Task Force Committee meeting on Tuesday, December 14th at 6:30 p.m. at the Brazos Cattle Company and an invitation to the annual banquet of the Concerned Citizens of Lufkin on January 16, 2005 at 6 p.m. at the Hope Center, when several City of Lufkin police officers will be honored for their work in the community. City Manager Parker reminded Council and staff of an open house at his home on December 12th. City Manager Parker also updated the Council on interviews scheduled for the Economic Development Director on December 14th and 15th. Mayor Louis Bronaugh highlighted the City of Lufkin's annual Employee Awards Banquet to be held on December 13th at 6:30 p.m. at the Civic Center and the Parks and Recreation Department's Old Town Christmas event scheduled at the Ellen Trout Lake on December 19th from 2 p.m. to 6 p.m. with fireworks beginning at dusk.

16. There being no further business for consideration, the meeting adjourned at 6:17 p.m.


Louis A. Bronaugh – Mayor

ATTEST:


Renee Thompson – City Secretary