

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE
20th DAY OF NOVEMBER 2001 AT 5:00 P. M.

On the 20th day of November 2001 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:

R. L. Kuykendall	Councilmember, Ward No. 1
Don 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

Being present, and

Louis A. Bronaugh	Mayor
Dennis Robertson	Mayor pro tem

Being absent when the following business was transacted.

1. Rev. Abraham Riser, Associate Pastor, New Zion Baptist Church opened meeting with prayer.
2. Councilmember Jack Gorden, Jr. welcomed visitors present.

Main Street Director Diana Chatman presented an award to Councilmember Bob Bowman for his vision and dedication to the downtown mural project. Councilmember Bowman accepted the award on behalf of the Pineywoods Foundation. Ms. Chatman stated that the City was given this award during the Texas Downtown Association conference on November 9th where they were competing against the City of Houston and the City of Clifton.

3. APPROVAL OF MINUTES

Motion was made by Councilmember Don Boyd and seconded by Councilmember Lynn Torres that the minutes of the Regular Meeting of November 6, 2001 be approved as presented. A unanimous affirmative vote was recorded.

4. PUBLIC HEARING – ANNEXATION – US 59 AND DANIEL McCALL DRIVE

Councilmember Gorden opened Public Hearing to consider annexation of approximately 528.4 acres of land located south of the existing City limit and lying between U. S. 59 and Daniel McCall Drive and extending approximately 1,700 feet south of the intersection of Carriage Drive and U. S. 59 and land fronting the east right-of-way line of U. S. 59 and extending south of the existing City limit approximately 5,000 feet.

City Manager Maclin called on Stephen Abraham, the Director of Planning, to put the maps on the overhead projector in compliance with a request that was made at the last Public Hearing. Mr. Maclin stated that Mr. Abraham would show the original map that started the process and a revised recommendation from the Planning Department.

Mr. Abraham stated that the first map shows the original area that is shaded and those areas that are unshaded would remain outside the City limits. Mr. Abraham stated that the darker shaded areas are what is currently inside the City limits. Mr. Abraham stated that following the discussion at the first Public Hearing and the public input, he

went back, at the direction of Council, and prepared another map, which would be an option and is the option that the Planning Department is recommending. Mr. Abraham stated that basically the difference in the original zoning is that it removes property following an agreement that Mack Coward had made to replat his property to establish a new property line. Mr. Abraham stated that property across the highway with one home, the City's elevated storage tank and the Garden of Memories cemetery was pulled out of this option at the request of the owner. Mr. Abraham stated that this still leaves a straight line at the northern and southern end on a single side of the street.

Andrew Beasley came forward and stated that he had lived on his property for 40 years and has been in business all that time. Mr. Beasley stated that he did not see where the property owners needed to bail The Settlement out, and that is what he feels the City is trying to do to them. Mr. Beasley stated that they have their own sewer systems and some of them have their own wells. Mr. Beasley stated that there is no point in the property owners having to pay City taxes for something that they don't need. Mr. Beasley presented a petition containing 20 names of property owners who are protesting the annexation.

Nora Blaylock Smith stated that she lives next to the Angel of Joy Church and does not want to come into the City and pay City taxes, and does not want to adhere to rules and regulations set by the City.

Gregg Shirey, whose property is #72 on the plat, stated that he, too, opposed the annexation.

Councilmember Gorden stated that the City Council would vote on the annexation at the December 11th Called Council meeting.

Councilmember Gorden closed Public Hearing.

5. **PUBLIC HEARING – ANNEXATION – FM HIGHWAY 324 – SADDLE CREEK DRIVE**

Councilmember Gorden stated that the next item for consideration was a Public Hearing to consider annexation of approximately 147.3 acres of land located on the west side of FM Highway 324 and extending south along the highway right-of-way to the south right-of-way line of Saddle Creek Drive approximately 495 feet to a creek then north to the existing City limit line established by Ordinance No. 1793.

Leon Bullock came forward and stated that he owns properties 3, 5, 6, 4 and 7 and #7 is listed as belonging to another person. Mr. Bullock stated that 7 also should be 4. Mr. Bullock pointed out some changes that needed to be made on the map. Councilmember Gorden stated that at the last Public Hearing it was pointed out that these lines were taken from the Tax Appraisal District map.

Mr. Bullock stated that he understood that there was a gravity flow sewer line down Old Gobblers Knob Road and if he had of known he and his neighbors could have hooked on to this line. Mr. Bullock stated that he understood why the City was including this property in the annexation and that he and his brothers did not have an objection to the annexation. Mr. Bullock stated that he would like to see property designated as #10 on the map included in the annexation. In response to question by Mr. Bullock, City Manager Maclin stated that the church will not pay property taxes but would pay for water and sewer.

In response to question by Mr. Bullock, City Manager Maclin stated that the City of Lufkin's tax rate is 51 cents. Mr. Maclin stated that the property owners would not be liable for property taxes until the year 2003.

In response to question by a citizen in the audience, Mr. Maclin stated that the property owners will pay the normal tap fee that the City charges and the amount depends on the size of the line that is connecting. Mr. Maclin stated that the tap fee charge to make a connection on a 4" line is \$348.

Councilmember Gorden closed Public Hearing.

6. ANNUAL REPORT – ANGELINA COUNTY SMALL BUSINESS DEVELOPMENT CENTER – BRIAN McCLAIN

Councilmember Gorden stated that the next item for consideration was the annual report from Brian McClain with the Angelina County Small Business Development Center.

Mr. McClain stated that the report this year is in five sections. The first section is a summary page, the second section is the 2002 budget, the third section is the annual report, and the fourth section is their six success stories, and the fifth section is the University of Houston network survey results summary page.

Mr. McClain stated that last year the SBDC serviced 185 business clients, and currently has 68 clients active that they are servicing at this time. Mr. McClain stated that they spent 1510 hours servicing clients last year at an average of 8.2 hours per client. Mr. McClain stated that they raised \$5.2 million last year in capital for people to go into business or to expand their businesses. Mr. McClain stated that in the previous year they raised \$7.9 million.

Mr. McClain stated that one of their projects that was not completed last year was the drag race track in Diboll.

Mr. McClain stated that they created 81 jobs this year versus the 67 jobs of last year. Mr. McClain stated that they created 67 part time jobs in 2001.

Mr. McClain stated that they held 79 training classes for business people last year and had 701 business people attend their classes. Mr. McClain stated that their budget in 2001 was \$133,00 and their budget for 2002 is \$130,000.

Mr. McClain stated that of all the 13 SBDC sub-centers of the University of Houston, this is the second highest performing center.

Mr. McClain stated that the SBDC received a \$5,000 grant from NASA this year through Congressman Turner's office.

In response to question by Councilmember Bowman, Mr. McClain stated that besides Angelina County he also works in Tyler County, Nacogdoches, Polk and Crockett.

Councilmember Gorden thanked Mr. McClain for making his presentation.

7. CONTRACT – APPROVED – GRANT MANAGEMENT SERVICES – 2001 HOME PROGRAM GRANT – GARY R. TRAYLOR & ASSOCIATES, INC.

Councilmember Gorden stated that the next item for consideration was a contract with Gary R. Traylor and Associates, Inc. for grant management services for the City's 2001 HOME Program Grant.

City Manager Maclin stated that included in the Council packet is a proposed contract for management services from Gary Traylor & Associates. Mr. Maclin stated that the City's grant amount is \$500,000, and the staff recommendation is to approve this contract tonight in the amount of \$62,500.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that contract with Gary R. Traylor and Associates, Inc. for grant management services for the City's 2001 HOME Program Grant in the amount of \$62,500 be approved as presented. A unanimous affirmative vote was recorded.

8. CONTRACT – APPROVED – ANGELINA COUNTY-CITIES HEALTH DISTRICT COOPERATIVE AGREEMENT

Councilmember Gorden stated that the next item for consideration was approval of the Angelina County-Cities Health District Cooperative Agreement.

Sharon Shaw, Executive Director of the Angelina County-Cities Health District, stated that she tried to present to each of the City Councils and all of the entities that support the Health District each year, and give them an update as to how the ACCHD is doing.

Ms. Shaw stated that since the last time she visited with Council they have had a 57% increase in clients seen by their health care providers at the Health District. Ms. Shaw stated that there has been a 40% increase in County jail health services that they are providing. Ms. Shaw stated that they plan on providing health care services for the County jail when they move into their new facility.

Ms. Shaw stated that preventive health services such as TB, the restaurant inspections, and food handler's courses have all been maintained.

Ms. Shaw stated that they had received a \$185,000 grant from Abitibi to do on-sight wastewater assistance to lower income citizens.

Ms. Shaw stated that they are meeting the current public health needs through meningitis vaccines for college students, and have also been a part of the Anthrax task force that the community has formed.

Ms. Shaw stated that this year they started a diabetes education program for lower income citizens. Ms. Shaw stated that they are loaning blood sugar machines to people who cannot afford them. Ms. Shaw stated that they are updating their prenatal program next year and are offering a pilot program in mental health counseling to the lower income citizens.

Councilmember Bowman stated that Ms. Shaw was doing an excellent job at the health district.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres that the Angelina County-Cities Health District Cooperative Agreement be approved as presented. A unanimous affirmative vote was recorded.

9. BID – APPROVED – ENTRANCE AND PARKING LOT IMPROVEMENTS – ELLEN TROUT ZOO

Councilmember Gorden stated the next item for consideration was bids for entrance and parking lot improvements at the Ellen Trout Zoo.

City Manager Maclin stated that included in the Council packet is the bid tabulation and letter of recommendation from Pat Oates of Goodwin-Lasiter. Mr. Maclin stated that staff recommendation is the low bid of Allen Loggins & Sons for the base bid, plus the alternate bid in the amount of \$158,353. Mr. Maclin stated that this includes all of the preparation and base material, and the actual laying of the asphalt will be done by the City Street Department. Mr. Maclin stated that he estimates that to be about \$65,000 worth of asphalt. Mr. Maclin stated that the total estimate originally was \$354,000, so this is under budget.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall that bid of Allen Loggins in the amount of \$158,353 for entrance and parking lot improvements at the Ellen Trout Zoo be approved as submitted. A unanimous affirmative vote was recorded.

10. BID – APPROVED – ASBESTOS/CEMENT WATERLINE REPLACEMENT – PROJECT #10 – J & D CONSTRUCTION

Councilmember Gorden stated that the next item for consideration was bids for the asbestos/cement waterline replacement – project #10.

City Manager Maclin stated that as staff mentioned at the beginning of the year, it was the goal to initiate eight of the A/C pipeline replacement projects during the course of the fiscal year. Mr. Maclin stated that there are two such projects on the agenda tonight and the first one is known as Project #10. Mr. Maclin stated that included in the Council packet is a letter from the Project Engineer Lynn Brown from Bar-Win

Consultants. Mr. Maclin stated that staff is recommending the low bid of J & D Construction in the amount of \$788,148. Mr. Maclin stated that this is the line that is in the Mall area near Target and down the Loop underneath US 59 by the Roadrunner gas station past Office Max, and a portion on Harmony Hill.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember R. L. Kuykendall that bid of J & D Construction in the amount of \$788,148 for the asbestos/cement waterline replacement for Project #10 be approved as submitted. A unanimous affirmative vote was recorded.

In response to question by Councilmember Bowman, Mr. Maclin stated that this Project was over budget but the next one is under budget. Mr. Maclin stated that the reason this Project is a little over budget is because of the bores that are having to be made and the close proximity to businesses. Mr. Maclin stated that this Project was a couple hundred dollars over the original estimate, but the next Project in item 11 is close to \$300,000 under the original estimate, and one of the reasons for that is that pipe prices have gone down. Mr. Maclin stated that the net effect of the two Projects is that we will still be \$100,000 under estimate for the two Projects.

11. BID - APPROVED - ASBESTOS/CEMENT WATERLINE REPLACEMENT - PROJECT #11 - DUPLICHAIR CONTRACTORS, INC.

Councilmember Gorden stated that the next item for consideration was bids for the asbestos/cement waterline replacement - Project #11.

City Manager Maclin stated that this Project has more of a rural type approach, and is on FM 324 out near the college and the sewer plant and is also along the Loop going in the other direction towards Southwood and by the new Beall's Furniture Store. Mr. Maclin stated that the low bid for this Project is from Duplichain Contractors, Inc. in the amount of \$618,479.

In response to question by Councilmember Gorden, Mr. Wright stated that there are 15 total projects and this will put four under construction and there are four under design. Councilmember Gorden asked that staff prepare a map of all the asbestos/cement waterline replacement projects for Council.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that bid of Duplichain Contractors, Inc. in the amount of \$618,479 for the asbestos/cement waterline replacement - Project #11 be approved as submitted. A unanimous affirmative vote was recorded.

12. BID - APPROVED - REPAIRS TO WATER WELL #12 - LAYNE CHRISTENSEN COMPANY

Councilmember Gorden stated that the next item for consideration was the award of a bid for repairs to Water Well #12.

City Manager Maclin stated that this water well is located in the Redland area. Mr. Maclin stated that included in the Council packet is a memorandum of explanation and recommendation from the City Engineer, along with the bid quotations. Mr. Maclin stated that staff recommendation is the bid of Layne Christensen Company in the amount of \$21,900.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember R. L. Kuykendall that the bid of Layne Christensen Company in the amount of \$21,900 for repairs to Water Well #12 be approved as submitted. A unanimous affirmative vote was recorded.

13. BID - APPROVED - POLICE VEHICLES - TIPTON FORD - PHILPOTT FORD - FORD MOTOR FINANCING

Councilmember Gorden stated that the next item for consideration was the bid for purchase of Police vehicles.

City Manager Maclin stated that since 1992-'93 the City has done a rotation of Police vehicles where we would lease purchase new vehicles for about one third of the fleet and use them on the front line for the first year and then in Administration CID for the second and third years, and then rotate them out of the fleet. Mr. Maclin stated that staff cut back last year to keep costs down and help balance the budget and only purchased four cars. Mr. Maclin stated that this year staff is asking for a total of 12 vehicles – 11 of them to be the regular Police patrol cars, in this case the Crown Victoria Police package. Mr. Maclin stated that staff is recommending the low bid of Tipton Ford in the amount of \$19,828 each, for a total bid of \$218,108. Mr. Maclin stated that for the lease purchase financing staff is recommending the Ford Motor Credit Company for an interest rate of 4.25%.

City Manager Maclin stated that staff is also recommending the low bid for one SUV (Ford Expedition) to Philpott Ford in the amount of \$23,574 with the same Ford Motor Credit Company interest financing at a rate of 4.25%.

In response to question by Councilmember Bowman, Mr. Maclin stated that local companies were given the opportunity to bid on these items. Mr. Maclin stated that the HGAC bids were higher than the bids from Tipton Ford and Philpott Ford.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Lynn Torres that the bid of Tipton Ford in the amount of \$19,828 per unit, or a total of \$218,108, for eleven Police vehicles, and the bid of Philpott Ford in the amount of \$23,574 for one Ford Expedition (SUV) with financing from Ford Motor Credit at the interest rate of 4.25% be approved as submitted. A unanimous affirmative vote was recorded.

14. BID – APPROVED – UTILITY TRUCK – SEWER REHAB DEPARTMENT – VILLAGE AUTO GROUP

Councilmember Gorden stated that the next item for consideration was bids for a utility truck to be used in the Sewer Rehab Department.

City Manager Maclin stated that included in the Council packet is the bid tabulation for this item and it is staff's recommendation to award the low bid of Village Auto Group in the amount of \$28,000.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember R. L. Kuykendall that the bid of Village Auto Group in the amount of \$28,000 be approved as submitted. A unanimous affirmative vote was recorded.

15. CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBER, AND CITY MANAGER

City Manager Maclin stated that this Thursday is the Thanksgiving holiday for City employees. Mr. Maclin stated that Thursday's recycling route will be picked up on Wednesday and Friday's recycling route will be its normal schedule.

City Manager Maclin stated that on Monday at 11:30 a.m. Councilmembers are being asked to meet for a non-action called Council meeting to have a tour of the new Hippoquarium at the Zoo.

City Manager Maclin stated that the Texas Municipal League annual conference would be in Houston November 28th thru December 1st.

City Manager Maclin stated that there would be a Called Meeting on Tuesday, December 11 in accordance with the annexation calendar.

City Manager Maclin stated that staff would place an agenda item on the December 4th agenda regarding the first meeting of the New Year, which falls on January 1st.

16. There being no further business for consideration, meeting adjourned at 5:55 p.m.


Louis Bronaugh
Mayor

ATTEST:


Atha Stokes Martin - City Secretary