

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LUFKIN, TEXAS, HELD ON THE
5TH DAY OF DECEMBER, 1995 AT 5:00 P. M.**

On the 5th day of December, 1995 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, Jr.	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
C. G. Maclin	City Manager
Ron Wesch	Asst. City Manager/Public Works
Darryl Mayfield	Asst. City Manager/Finance
Stephen Abraham	City Planner
Bob Flournoy	City Attorney
Atha Stokes	City Secretary

1. Meeting was opened with prayer by City Manager C. G. Maclin.

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 November 21, 1995 be approved as presented. A unanimous affirmative vote was recorded.

4. **ORDINANCE - APPROVED - SECOND READING - SPECIAL USE PERMIT - ALCOHOLICS ANONYMOUS FACILITY - DIANA DRIVE - GIPSON FUNERAL HOME**

Mayor Bronaugh stated that the first item for consideration was Second Reading of an Ordinance for a Special Use Permit for a new Alcoholics Anonymous Facility on approximately .817 acres of land located on the north side of Diana Drive and immediately to the east of the existing Alcoholics Anonymous Facility located at 1508 Diana Drive as requested by Gipson Funeral Home.

In response to a question, Walter Borgfeld stated that the property was a charitable donation by the Gipson Funeral Home.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Betty Jones that Ordinance for a Special Use Permit for a new Alcoholics Anonymous Facility on approximately .817 acres of land located on the north side of Diana Drive and immediately to the east of the existing Alcoholics Anonymous Facility located at 1508 Diana Drive be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

5. **ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - APARTMENT TO COMMERCIAL - ALLEN PROCTOR SURVEY (ABSTRACT NO. 1877) - TULANE DRIVE - (FM ROAD 58) - RICHARD YOUNGBLOOD**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for a Zone Change from Apartment to Commercial on approximately 6.026 acres of land out of the Allen Proctor Survey (Abstract No. 510) and having frontage on the north side of Harmony Hill Drive (FM Road 58) and the west side of

Tulane Drive as requested by Richard Youngblood.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Tucker Weems that Ordinance for a Zone Change from Apartment to Commercial on approximately 6.026 acres of land out of the Allen Proctor Survey (Abstract No. 510) and having frontage on the north side of Harmony Hill Drive (FM Road 58) and the west side of Tulane Drive as requested by Richard Youngblood be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. CERTIFICATE OF APPLICABLE ELECTED REPRESENTATIVE - APPROVED - WAIVER OF OBLIGATIONS - LUFKIN HEALTH FACILITIES DEVELOPMENT CORPORATION HEALTH SYSTEM REVENUE BONDS (MEMORIAL HEALTH SYSTEM OF EAST TEXAS) SERIES 1995 - LUFKIN HEALTH FACILITIES DEVELOPMENT CORPORATION TAXABLE HEALTH SYSTEM REVENUE BONDS (MEMORIAL HEALTH SYSTEM OF EAST TEXAS) SERIES 1995 B

Mayor Bronaugh stated that the next item for consideration was a Certificate of Applicable Elected Representative and Waiver of Obligations in regard to the Lufkin Health Facilities Development Corporation Health System Revenue Bonds (Memorial Health System of East Texas), Series 1995 and Lufkin Health Facilities Development Corporation Taxable Health System Revenue Bonds (Memorial Health System of East Texas) Series 1995 B.

City Manager Maclin stated that included in the packet is a copy of the Certificate of Applicable Elected Representative, which basically delineates the fact that the City of Lufkin as the political subdivision has provided its assistance, but at the same time is specifying that there is no liability by the City of Lufkin or the City Council. Mr. Maclin stated that this is a standard document by the City making it very clear to the public that the City has not misrepresented any financial liability on the issuance of these bonds.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Tucker Weems that a Certificate of Applicable Elected Representative and Waiver of Obligations in regard to the Lufkin Health Facilities Development Corporation Health System Revenue Bonds (Memorial Health System of East Texas), Series 1995 and Lufkin Health Facilities Development Corporation Taxable Health System Revenue Bonds (Memorial Health System of East Texas, Series 1995 B be approved as presented.

Councilmember Bowman recused himself from voting. Motion passed with six affirmative votes.

7. RESOLUTION - APPROVED - CITY OF LUFKIN/ANGELINA COUNTY - EMERGENCY MANAGEMENT PLANNING AND OPERATIONS

Mayor Bronaugh stated that the next item for consideration was a Resolution between the City of Lufkin and Angelina County for Emergency Management Planning and Operations.

City Manager Maclin stated that included in the packet is a copy of a letter from the Asst. City Manager of Public Works as well as a copy of a Joint Resolution between the City of Lufkin and Angelina County.

Asst. City Manager Wesch stated that at the current time the City of Lufkin is the only entity within Angelina County that has a fully developed emergency management plan. Mr. Wesch stated that Judge Berry, Chief Prewitt, and a representative from DPS and the Police Department have been discussing the combined efforts of Angelina County, the City of Lufkin and the other cities within the County to formulate a single plan that would be representative of the entire County. Mr. Wesch stated that this Resolution will join the City of Lufkin,

Angelina County and the five incorporated areas of Angelina County into one joint plan which can be used in the event of a disaster within the confines of Angelina County.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Betty Jones that Resolution between the City of Lufkin and Angelina County for Emergency Management Planning and Operations be approved as presented. A unanimous affirmative vote was recorded.

8. EMERGENCY MANAGEMENT MUTUAL AID AGREEMENT - APPROVED - CITY OF LUFKIN - ANGELINA COUNTY - CITY OF HUDSON - CITY OF DIBOLL - CITY OF HUNTINGTON - CITY OF ZAVALLA

Mayor Bronaugh stated that the next item for consideration was an Emergency Management Mutual Aid Agreement between the City of Lufkin, Angelina County, the City of Hudson, the City of Diboll, the City of Huntington, and the City of Zavalla.

City Manager Maclin stated that included in the packet is a cover letter from the Asst. City Manager of Public Works and an actual copy of a Mutual Aid Agreement stating the purpose, responsibilities, liability, supplementary agreements, compensation, finance, severability and applicability of the Mutual Aid Agreement between the City of Lufkin and the other cities, as well as the County.

Mr. Wesch stated that this is simply an agreement and is very similar to the type of agreement the Fire Department has with the volunteer fire departments within the County. Mr. Wesch stated that this document states that if in the event of a disaster or some type of major emergency within one of these areas, that all of the other entities signing the agreement would be available to respond and assist that entity or Angelina County with personnel, resources and equipment regardless of how long it may take. Mr. Wesch stated that there has never been an agreement such as this between the City and County or any of the other cities.

Mayor Bronaugh stated that the City of Lufkin's program has been recognized across the State as a leader in this area.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that the Emergency Management Mutual Aid Agreement between the City of Lufkin, Angelina County, the City of Hudson, the City of Diboll, the City of Huntington, and the City of Zavalla be approved as presented. A unanimous affirmative vote was recorded.

9. JONES LAKE DAM IMPROVEMENTS - APPROVED

Mayor Bronaugh stated that the next item for consideration was improvements to the Jones Lake Dam and spillway rehabilitation.

Mayor Bronaugh stated that several years ago the City went in and began cleaning up the area around the dam at Jones Lake for safety purposes as well as security around the school and surrounding neighborhood.

City Manager Maclin stated that included in the packet is a cover letter from the Director of Parks and Leisure Services as well as a letter from Goodwin-Lasiter, the engineer retained to provide the topographic and hydrologic study for design of the dam and spillway modifications in order to meet the TNRCC capacity requirements. City Manager Maclin stated that the age of the dam has actually reached that point where State Agency TNRCC says they wanted to look at it and review it for safety and holding capacity ability. City Manager Maclin stated that TNRCC came to the conclusion that the City needed to do a study and make some modifications, and Goodwin-Lasiter was retained to make that study, and money was allocated in this year's budget for the study. City Manager Maclin stated that now that the study has

been completed there is a need for some concrete spillway improvements and stormdrains to handle the flow of water through the spillway should there be a high rain during the year.

Mike Walker stated that G-L did a study of the spillway section and originally anticipated doing some earth work modifications, widening the spillway itself, and lowering the spillway, however, the channel has cut a significant erosion due to high water velocities under flowing conditions. Mr. Walker stated that he is recommending that the spillway be concrete lined through the dam and the normal flow through the spillway be captured and carried in storm sewer to the proposed culvert location at Martin Luther King Drive. Mr. Walker stated that this will eliminate the erosion problems downstream, and only a severe storm event will be allowed to overflow, in which case, a good grass cover will be established below the dam in order to contain the erosion. Mr. Walker stated that the storm sewer has been sized at 36" to handle a two year storm flow through the spillway.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Tucker Weems that improvements to the Jones Lake Dam and spillway rehabilitation be approved with the allocation of \$16,000 for material costs from the General Fund Contingency Fund. A unanimous affirmative vote was recorded.

10. BID - APPROVED - MOWING & MAINTENANCE - GASLIGHT BOULEVARD - LUFKIN STATE SCHOOL

Mayor Bronaugh stated that the next item for consideration was bids for the mowing and maintenance of Gaslight Boulevard.

City Manager Maclin stated that the City was approached by some businesses along Gaslight Boulevard for the maintenance of the street. City Manager Maclin recognized Mary King of Woodland Heights Hospital who headed up the organization of businesses along Gaslight Boulevard for the maintenance. City Manager Maclin stated that the City was approached because the businesses desired a higher degree of maintenance in the area. City Manager Maclin stated that staff had received an excellent bid to recommend which was received from Lufkin State School in the amount of \$2,090 for the year. City Manager Maclin stated that the City will be awarding the Contract but the funding is coming from the Gaslight Boulevard Business Association.

Mary King stated that this project had been under consideration for a year and will be passed through Angelina Beautiful/Clean.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that the bid of Lufkin State School in the amount of \$2,090 be approved as submitted.

Mayor Bronaugh recused himself from voting. Motion passed with six affirmative votes.

11. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session of the Council to enter into an Executive Session at 5:33 p.m. Regular Session reconvened at 6:02 p.m. and Mayor Bronaugh announced that Attorney/Client matters and personnel matters (the City Manager's performance evaluation) were discussed.

12. COMMENTS

In response to question by Councilmember Simond as to why there were no Christmas lights on Kurth Drive, City Manager Maclin stated that the Lufkin Lights Program, which is being sponsored and funded through the Angelina Chamber of

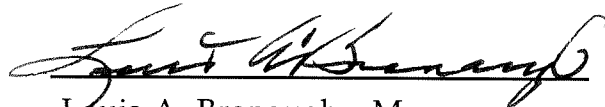
Commerce, are currently involved in a fundraiser to pay for the \$100,000 worth of lights they have already purchased.

Mr. Wesch stated that the selection of the location of the lights was done by the Lufkin Lights Committee, and they wished to emphasis U. S. 59, and First Street going into Downtown, as a beginning because this is where the bulk of the traffic coming into town travels through. Mr. Wesch stated that this is the first year the City has purchased Christmas lights in over 25 years. Mr. Wesch stated that there will be some expansion of the project, but it will be slow because of the cost of the lights. Mr. Wesch stated that the Christmas lights that were bought in 1971 were put up on Kurth Drive and all the major highways. Mr. Wesch stated that for about the last seven years the City has put up fewer lights because of their deteriorated condition. Mayor Bronaugh stated that the lights that were purchased this year were not purchased with City money.

Stephen Abraham, Director of Planning, introduced the new City Planner Michael Bieniek.

There will be an autograph party at the Crown Colony Country Club on Wednesday where Councilmember Bob Bowman will be autographing his new book.

13. There being no further business for consideration, meeting adjourned at 6:10 p.m.


Louis A. Bronaugh - Mayor

ATTEST

Atha Stokes - City Secretary