

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS HELD ON THE 19TH DAY OF APRIL, 2005**

On the 19TH day of April 2005, 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
David Koonce	Director of Human Resources
Larry Brazil	Police Chief
Don Hannabas	Parks and Leisure Services Director
Beauford Chapman	Director of Inspection Services
Scott Marcotte	Asst. Police Chief
Doug Wood	Director of Accounting
Pete Prewitt	Fire Chief
Dorothy Wilson	Director of Planning
Rhonda McLendon	Court Supervisor, Municipal Court

being present, when the following business was transacted:

1. The meeting was opened with prayer by Trey Ainsworth, Minister of Youth and Education at Calvary Baptist Church.
2. Mayor Louis Bronaugh welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting on April 5, 2005 was approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember R. L. Kuykendall. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **SECOND READING OF AN ORDINANCE ESTABLISHING MAXIMUM SPEEDS OF
MOTOR VEHICLES - APPROVED - IN CERTAIN AREAS AS DESIGNATED ON FM
HIGHWAY 819**

Mayor Louis Bronaugh stated that the next item for consideration was the Second Reading of an Ordinance establishing maximum speeds of motor vehicles in certain areas, as designated on FM Highway 819. City Manager Paul Parker stated that this item had previously been reviewed by the

City Council, and the Ordinance was primarily to reduce the speed limit from fifty (50) miles per hour to forty-five (45) miles per hour around the Angelina College area, on FM 819.

Councilmember Rose Faine Boyd moved to approve on Second Reading the Ordinance establishing maximum speeds of motor vehicles in certain areas as designated on FM Highway 819. Councilmember Dennis Robertson seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

5. AUTHORIZATION OF THE GRANT APPLICATION FOR THE 2005 "CLICK-IT-OR-TICKET" PROGRAM - APPROVED - FROM THE TEXAS DEPARTMENT OF TRANSPORTATION

Mayor Louis Bronaugh stated that the next item was to consider authorization of the grant application for the 2005 "Click-it-or-Ticket" program from the Texas Department of Transportation. City Manager Paul Parker stated that the Texas Department of Transportation is offering to the City of Lufkin a grant of eight thousand dollars (\$8,000) with no match needed, for overtime paid to police officers, for enforcement of occupant restraint violations during the Memorial Day holiday period from May 23rd through June 5th.

Councilmember Dennis Robertson asked if this program was in addition to the other program that the City has for covering the holiday period. City Manager Parker stated that this is a continuation of the other programs of this type that the Police Department utilizes. Chief Larry Brazil explained that this is in addition to the other programs. Councilmember Lynn Torres commented that she thinks this is an excellent program and moved approval to authorize the grant application for the 2005 "Click-it-or-Ticket" program from the Texas Department of Transportation. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

6. BID FOR THE REPLACEMENT OF THE CITY HALL ROOF SYSTEM - APPROVED

Mayor Louis Bronaugh stated that the next item for consideration was a bid for the replacement of the City Hall roof system. City Manager Paul Parker stated that as Council was aware, they had recently appropriated \$92,400 for the replacement of the roof system at the Lufkin City Hall. City Manager Parker added that the bids were opened and the apparent low bidder was Carney Roofing Company in the amount of \$87,694. City Manager Parker explained that the City also received an alternate bid for 50 linear foot of reinforced walkway in the amount of \$787.50. City Manager Parker stated that this would bring the total bid to \$88,481.50.

Director of Inspection Services Beauford Chapman explained that there would be a fifteen (15) year warranty for labor and materials on the roof and a two (2) year warranty on workmanship. Mr. Chapman explained that the roof is a Carlisle SynTec roof.

Councilmember Dennis Robertson mentioned that he had noticed a leak in the atrium area over the doorway and wanted to know if this roof replacement would repair this leak. City Manager Parker explained that during the course of cleaning the skylight in the atrium area, the leak was discovered. Mr. Chapman clarified that the leak is at the parapet section where the fiberglass section of the roof connects to the sidewall of the City Hall roof. Mr. Chapman stated that the flashing that goes over the fiberglass is caulked and approximately three to four (3 to 4) feet are currently un-caulked and during a blowing rain the City gets a leak in the area. Mr. Chapman explained that this area, along with a few other suspicious areas, have been re-caulked and the City hopes this will solve the problem. Mr. Chapman also explained that the roof currently being bid has no bearing on the leak or the skylight area of the atrium.

Councilmember Don Langston asked if the bid included parapet flashing. Mr. Chapman explained that the bid did include the flashing and that the new roof would be a white, energy efficient, fiberglass reinforced, 60 mil TPO Membrane roof.

Councilmember Don Langston moved to approve the bid for the replacement of the City Hall roof system. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

7. AUTHORIZATION OF MUNICIPAL COURT TO ENTER INTO A "COLLECTIONS CONTRACT" - APPROVED - WITH AMERICAN MUNICIPAL SERVICES CORPORATION

Mayor Louis Bronaugh stated that the next item for consideration was authorizing Municipal Court to enter into a "collections contract" with American Municipal Services Corporation. City Manager Paul Parker stated that the City of Lufkin Municipal Courts has not utilized during the past several years a collection agency to assist with the collection of unpaid fines, fees, court costs, forfeited bonds, and restitution ordered paid and failure to appear cases. City Manager Parker added that staff had looked at the situation and at firms that handle this type of work, and were recommending the City enters into a contract with American Municipal Services Corporation. City Manager Parker explained that the City anticipates turning over the collection to the service after a ninety (90) day period. City Manager Parker added that the City of Lufkin currently has approximately \$2,000,000 of unpaid fines on the books and the City anticipates a substantial collection rate using this agency and will lose no funding for using this agency. City Manager Parker stated that Staff recommends the City Council to authorize the City Manager to enter into a contract with American Municipal Services Corporation for the collection of municipal court fines, fees, court costs, and other fees.

Councilmember R. L. Kuykendall asked how long the City would be in contract with American Municipal Services Corporation. Court Supervisor Rhonda McLendon explained that once the City enters into contract with American Municipal Services Corporation the City of Lufkin can cancel the contract with a thirty (30) day written notice.

Councilmember Don Langston asked about the checks and balance process that the City of Lufkin would be using while under contract with this company. Court Supervisor Rhonda McLendon explained that the company would try to collect the full payment upfront, but if it cannot be collected upfront then the company will continue to work on collection of the fees. Ms. McLendon explained that the City would only pay a fee to American Municipal Services Corporation when they have collected funds for the City. Councilmember Langston asked if the City waits a certain amount of time before turning over the collection to American Municipal Services Corporation. Ms. McLendon explained that the City plans to turn the collection over to the American Municipal Services if the fees have not been collected in ninety (90) days.

Councilmember Rose Faine Boyd asked how far back the City is going on collecting the fines. Ms. McLendon stated that some cases go back as far as 1995, but explained that there are only a few cases that date back that far. Ms. McLendon added that most of the cases are from 1999 forward.

Councilmember Dennis Robertson asked if this firm had the capability of finding those people who owe the City of Lufkin from years past. Ms. McLendon stated that the firm uses "skip tracing" and utilizes websites that help locate the people.

Councilmember Jack Gorden asked if several years ago the City had added a collection system. City Manager Parker stated that the City uses the Omni-System. Ms. McLendon added that the City of Lufkin went live with the Omni-System in May 2004 and the City is currently utilizing this system. Ms. McLendon explained that the Department of Public Safety uses this vendor whenever they have cases in warrant status. Ms. McLendon stated that the City of Lufkin pays a fee of \$30 and if the fine

is not paid in court, the person's driver's license cannot be renewed. Councilmember Gorden also asked if the City had recently added a person to the staff for this purpose. Ms. McLendon explained that the City of Lufkin had hired a Warrant Officer that works part time in that capacity and part time as bailiff. Ms. McLendon added that this employee works at getting people in to pay their fines but many of the people move frequently and the employee finds the address and telephone number are no longer good and the person's license has already been denied for renewal. Ms. McLendon stated that this employee is hired to assist with collection. Councilmember Gorden also asked if there are any other types of State license that can be denied as a result of the fines being delinquent. City Manager Parker stated that at this time the driver's license is the only license the State of Texas will not renew if the person is delinquent or has a warrant out for their arrest. Ms. McLendon added that the person would also be denied when trying to register their vehicles but added that this was harder to enforce.

Councilmember Jack Gorden moved to approve authorizing Municipal Court to enter into a "collections contract" with American Municipal Services Corporation. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

8. REPORTS FROM PAUL PARKER, CITY MANAGER

Mayor Louis Bronaugh stated that the next item for consideration was a report from Paul Parker, City Manager.

- A. Financial Status Report: City Manager Paul Parker stated that he would highlight a few areas and then try to answer any questions that the Council might have. City Manager Parker then explained that the General Fund Revenues are coming in very well. City Manager Parker added that as the report shows, in the five (5) month Sales Tax Revenues, the City has received almost 47% of the anticipated revenue. City Manager Parker added that in the last four (4) months, the Sales Tax has been up eight (8), eight (8), sixteen (16), and eight percent (8%). City Manager Parker stated that the City had budgeted for two percent (2%), which leaves the City in a good position concerning that revenue. City Manager Parker pointed out that the Municipal Court revenue is not however, meeting the anticipated budgeted amount. City Manager Parker explained that this was due to a variety of reasons and part of this revenue will be addressed through the contract that Council had just passed with American Municipal Services Corporation for the collection of fees. City Manager Parker added that most of the other areas in the City of Lufkin are on target for this budget year. City Manager Parker stated that the expenditures are in good shape. City Manager Parker explained that the Water Fund is at approximately forty percent (40%), which is a little below projections because the first six (6) months are usually a little slow due to it being the winter months. City Manager Parker stated that expenditures are in line, and debt service is a little out of line due to the bond payments which is just a timing issue. City Manager Parker explained that the Solid Waste Fund is right on target with their budget. City Manager Parker added that as Council already knows, the one fund that is red-flagged is the Civic Center Fund and that Council knows the concerns in that fund. City Manager Parker stated that the Recreation Fund has basically just begun as the summer is the busier time for this fund and added that the Zoo Fund is doing quite well as the revenues from the admission fees was at forty-eight percent (48%) and will pick up even more during the summer. City Manager Parker stated that the overall picture of the revenue for the City of Lufkin is above the projected amounts at this time.
- B. Projects Status Report: City Manager Parker stated that the written report is an informational report and that he would answer any questions that Council may have concerning that report. There were none.
- C. National Day of Prayer: City Manager Parker stated that May 5, 2005, will be the annual "National Day of Prayer" observation on the steps of City Hall and moved indoors if the weather is bad. City Manager Parker added that City Council is encouraged to attend this event.

9. Mayor Louis Bronaugh recessed the Regular Session at 5:28 p.m. to enter into Executive Session.

EXECUTIVE SESSION: In accordance with the Texas Government Code Section 551.071 (2) Consultation with City Attorney on any Regular Session Agenda item requiring confidential, attorney/client advices necessitated by the deliberation or discussion of said items (as needed), and real estate, appointment to boards and personnel may be discussed.

Mayor Louis Bronaugh reconvened the Regular Session at 6:13 p.m.

10. APPOINTMENT TO LIBRARY BOARD

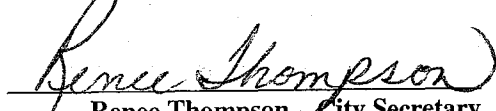
Mayor Louis Bronaugh stated that the next item for consideration was to appoint representatives to the Library Board. Councilmember Lynn Torres moved to appoint Sally Alvis, Jim Haley, and Linda Poland to serve on the Library Board. Councilmember Dennis Robertson seconded the motion. A unanimous affirmative vote was recorded.

11. Mayor Louis Bronaugh pointed out the invitation from the Mayor of Kilgore to the Regional TML Meeting in Kilgore. Mayor Louis Bronaugh also pointed out the Ribbon Cutting at First Bank and Trust, on Brentwood Drive, that would be held on Thursday, April 21, 2005 at 10:00 a.m.

12. There being no further business for consideration, the meeting adjourned at 6:14 p.m.


Louis A. Bronaugh – Mayor

ATTEST:


Renee Thompson – City Secretary