

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LUFKIN, TEXAS, HELD ON THE
4TH DAY OF FEBRUARY, 1997 AT 5:00 P. M.**

On the 4th day of February , 1997 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
Don Boyd	Mayor pro tem
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
Darryl Mayfield	Asst. City Manager/Finance
Stephen Abraham	City Planner
Bob Flournoy	City Attorney
Nellie Matthews	Administrative Secretary
Keith Wright	City Engineer
Kenneth R. Williams	Public Works Director

being present, and

Percy Simond	Councilmember, Ward No. 1
Atha Stokes	City Secretary

being absent when the following business was transacted.

1. Meeting was opened with prayer by Kevin Roy, Educational Minister, Denman Avenue Baptist Church.
2. Mayor Bronaugh welcomed visitors present.
3. **APPROVAL OF MINUTES**

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that the minutes of the Regular Meeting of January 21, 1997 be approved as presented. A unanimous affirmative vote was recorded.

4. **USED VEHICLE DONATION - APPROVED - LONE STAR BOOT CAMP - LISD**

Mayor Bronaugh stated that the next item for consideration was donating a used vehicle to the Lone Star Boot Camp.

City Manager Maclin stated that after discussion at a previous meeting, Council requested that the City Attorney determine the legality of the donation. City Manager Maclin stated that Mr. Flournoy is able to confirm that this donation is acceptable within regulations of governmental entities. City Manager Maclin stated that the City had previously arranged a cashless exchange of services with Angelina County where they would provide prisoners to work at the Recycling Center from the County jail, in return the City would pay approximately \$20,000 a year for a deputy to bring the prisoners, provide supervision, and then take the prisoners back in the evening. City Manager Maclin stated that a year and a half ago the City entered into an arrangement with the County whereby the Deputy Sheriff would bring prisoners to the Recycling Center and the City would provide an animal control officer who would make calls out in the County to pick up rabid animals, and meet animal control requests in the County. City Manager Maclin stated that since then the City has been operating under a cashless exchange of services whereby they provide a service we need and we provide a service that they

need and there are no dollars changing hands per se.

City Manager Maclin stated that the suggestion was made that there are arrangements that the City has with LISD in terms of services rendered and fees that are paid that perhaps the City could exchange a used vehicle for the Lone Star Boot Camp Program for some services that the City utilizes through LISD. City Manager Maclin stated that basically this request is being brought back to Council today to seek permission in this request, and if Council concurs, he will meet with Dr. Sharp and Mr. Giles tomorrow to discuss this matter.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Betty Jones that the City Manager be authorized to enter into a discussion with LISD for exchange of services in consideration of a used vehicle. A unanimous affirmative vote was recorded.

5. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - RESIDENTIAL LARGE SINGLE FAMILY TO LOCAL BUSINESS - 724 SOUTHWOOD DRIVE - JO ANN PETREE

Mayor Bronaugh stated that the next item for consideration was the request of Jo Ann Petree to change the zoning from "RL" Residential Large Single Family to "LB" Local Business on property located at 724 Southwood Drive.

City Manager Maclin stated that included in the Council packet is an explanation from the Planning Department regarding this request, the background information relating to zoning in this area, and a recommendation from the Planning & Zoning Commission by unanimous vote to deny the zone change request based on input they received at the Planning & Zoning Commission meeting and the Comprehensive Plan.

City Manager Maclin stated that in order to overturn the unanimous denial recommendation of P & Z, it would take six affirmative votes by the Council.

Jo Ann Petree stated that the residents have a good point in that it is their home area, but this is also her home area. Mrs. Petree stated that the home she bought in this area needed a lot of repair. Mrs. Petree stated that her property is adjacent to the Commercial area and although it is not zoned in a couple of places for Residential Large or Commercial, it is a Commercial area and will most likely not be a residential area in that one block. Mrs. Petree stated that if there wasn't already Commercial property established and she lived in this beautiful area, she would be against any zone change. Mrs. Petree stated that, however, it (the Commercial zoning) is there, and is going to be there, and she is there, and she would like for it to be as nice as possible. Mrs. Petree stated that the only way possible to encourage new growth and improvements on these properties is to change the zone. Mrs. Petree stated that the reason she is requesting a zone change is to allow her sign to remain and so that other people will be encouraged to improve the properties on both sides of her. Mrs. Petree stated that the Commercial properties adjoining her property and around her are very clean, and very neat. Mrs. Petree stated that the property next to hers is an old gray house in deplorable condition with rats and rodents in the overgrowth. Mrs. Petree stated that there are dogs and goats tied in the back yard of this house. Mrs. Petree stated that the property owners cannot afford to put any money into their property unless they can do something with it. Mrs. Petree stated that the area residents desperately need a zone change to keep this problem from encroaching further into the more expensive residential home areas. Mrs. Petree stated that "sticking our heads in the sands" and refusing to face the problem will only encourage the problem to grow. Mrs. Petree stated that she has lived in Lufkin for 14 years and had just bought the property she is seeking to be rezoned a year ago. Mrs. Petree stated that she had talked to the gentleman who owns the property where the old gray house is located and understands why he has not done anything. Mrs. Petree stated that because this area is zoned Commercial, no potential buyer is going to buy

property for a residence in this area or build a home in this area, unless they can also run a little business and have a sign advertising the business. Mrs. Petree stated that after this gentleman explained the problems he had with the property she now understands why he cannot improve the property. Mrs. Petree stated that, in her opinion, the smaller home owners would improve their properties if the zoning was changed, because at a later date they could get their money out of it. Mrs. Petree stated that she wished that those people who passed her property and looked out their windows and objected to this request would stop and take time to find out what is really going on.

Mayor Bronaugh stated that he agreed with Mrs. Petree that the old gray house is an embarrassment to the residents of the Southwood/Bynum area.

In response to a question by Councilmember Gorden, Mrs. Petree stated that the way she understands the zoning, the property on one side of her is all commercial and is owned by John Slaughter. Mrs. Petree stated that the property to the right of her is the gray two-story house, which has a great deal of property with the house. Mrs. Petree stated that the same person who owns the gray house also owns some rental property further up the street. Mrs. Petree stated that the Commercial property is in neat, clean condition in this area, it is the residential property that is rundown.

In response to a question by Mayor Bronaugh, Mrs. Petree stated that she had called the City and complained about some pigs behind the old gray house. Mrs. Petree stated that the pigs were removed but the dogs and goats were allowed to remain.

In response to a question by Mayor Bronaugh, Mr. Abraham stated he is not aware of any official complaints but has taken note that there are dogs and goats in the yard. Mr. Abraham stated that he would have someone check into this situation tomorrow morning.

In response to a question by Councilmember Gorden that the adjacent property is zoned "Apartments", Mr. Abraham stated that the property is zoned Residential, and apologized that the map was hard to read. Mr. Abraham stated that immediately north of Mrs. Petree's property the property is zoned "Neighborhood Retail", and north of that is "Central Business". Mr. Abraham stated that Mrs. Petree's property is zoned "Residential Large". Mr. Abraham stated that anytime you have Commercial zoning it will eventually be located next to another zone, which is the issue that was considered by the Planning & Zoning Commission. Mr. Abraham stated that area residents asked if the Commercial zone is extended further south, where will it stop.

City Manager Maclin stated that the Planning & Zoning Commission in the last four months requested that staff do a review of this entire area triggered by a request on Pershing Avenue just down from Slaughter & Sons. City Manager Maclin stated that as a result of the review there were some modifications made in the Comprehensive Plan that was forwarded to City Council on Pershing. City Manager Maclin stated that on page 3 and 4 of the minutes of the Planning & Zoning Commission are the comments from George Watts, Jule Fenley, Dr. Barnett, Carlotta Hunt and Charles Evans as residents in the area stating what their opposition is. City Manager Maclin stated that basically, the opposition is the fear of where does the encroachment stop into what they feel is a residential neighborhood and is zoned Residential, versus the intersection of Southwood and Pershing which basically has some commercial activity.

Councilmember Gorden stated that he sympathized with Mrs. Petree but did not feel that zoning the property Commercial would fix the problem. Councilmember Gorden stated that if there is something the City can do to address this problem, in his opinion, they should.

Mr. Abraham stated that staff will certainly look at this situation from a Code Enforcement standpoint and will address the problem with goats and pigs. Mr.

Abraham stated that it will not change the upkeep of the structure by changing the zoning.

In response to question by Councilmember Gorden, Mr. Abraham stated that there are two issues to be considered: (1) in order to have a sign the property would have to be zoned to a non-residential zoning classification. Mr. Abraham stated that several years ago the Planning Department went through the process of amending the Customary Home Occupation to allow them in Residential Large zoning districts. Mr. Abraham stated that under the Customary Home Occupation designation, you cannot have a sign, and you cannot have outside employees. Mr. Abraham stated that the operation is limited to only those people who live in the house. Mr. Abraham stated that there is a list of six restrictions for a Customary Home Occupation. Mr. Abraham stated that Mrs. Petree would not be allowed to have a sign if she goes with the Customary Home Occupation designation and must adhere to the other five restrictions, which would be monitored. Mr. Abraham stated that this type of business is complaint-driven and if he receives a call that there are 50 cars in the driveway, that violates the Customary Home Occupation designation.

Mayor Bronaugh stated that several months ago a person was allowed to put in a beauty shop on Pershing, which is in the same general area. City Manager Maclin stated that in this particular case, the Planning & Zoning Commission recommended revision of the Comprehensive Plan, and in this case, they have not. Mayor Bronaugh stated that there are some apartments on Pershing, which were skipped over to allow for the beauty shop zoned as Local Business. Mayor Bronaugh stated that, in his opinion, it would be improving the area to rezone it Commercial rather than hurting it. Mr. Abraham stated that from the staff standpoint, staff originally recommended denial of the zone change because it was in conflict with the Comprehensive Plan. Mr. Abraham stated that an Apartment is a residential use, therefore, short of amending the area to reflect that the future use of this entire area should be Commercial, Planning Department recommended denial. Mr. Abraham stated that the Planning & Zoning Commission requested that staff look at amending the Comprehensive Plan. Mr. Abraham stated that after reviewing the Comprehensive Plan, the Planning Department gave the P&Z Commission three options and they chose one of those options. Mr. Abraham stated that because the Comprehensive Plan stated that this and all other properties in that area should receive a non-residential zoning classification, they then recommended that it be changed to Neighborhood Retail. Mr. Abraham stated that the discussion revolved around the fact that they would not be approving a beauty shop but all the uses that are allowed in a Neighborhood Retail zoning district. Mr. Abraham stated that it is quite ironic that just last week the person who was going to put in the beauty shop called and asked what else could go in, since they may not be putting in a beauty shop after all.

In response to a question by Mayor Bronaugh, Mr. Abraham stated that he had no knowledge as to whether the building on the south side of Mrs. Petree had ever been used as a multiple dwelling.

In response to a question by Councilmember Bowman, Mr. Abraham stated that all of the residents who protested this zone change request lived south of Camp Street. Mr. Abraham stated that the attorney who owns the property next to Mrs. Petree is one of the residents who is in favor of the zone change. Mr. Abraham stated that one of the options to be offered to the Planning & Zoning Commission could be to change the Comprehensive Plan on the property that is non-residential. Mr. Abraham stated that the Planning Department tries to find a legitimate breaking point such as a street. Mr. Abraham stated that of primary concern here is what leverage does this give the people across the street. In response to a question by Councilmember Jones as to where the next breaking point such as a street would be, Mr. Abraham stated that it could be Park Lane.

Mayor Bronaugh pointed out that there is a car wash next to Mrs. Petree's property

and a restaurant that has been vacant for some years is located across the street from her property. Mr. Abraham stated that a year ago the property across the street was rezoned for a dentist's office, which has never been built to level out the distance south of Pershing.

In response to a question by Mayor Bronaugh, Mr. Abraham stated that, in his opinion, it would be appropriate for Council to go ahead and vote on this issue and ask staff to take further consideration of the Comprehensive Plan. Mr. Abraham stated that this would not be considered "spot zoning".

In response to a question by Councilmember Gorden, Mr. Abraham stated that a zoning change will not change the appearance of property. Mr. Abraham stated that zoning is a very poor tool to upgrade the appearance of a property; appearance is a separate issue.

In response to a question by Mayor Bronaugh, Mr. Abraham stated that the request is for a wedding chapel which requires a Local Business zoning classification.

Mrs. Petree stated that she did not understand a lot of what was going on, but she did know that not allowing any type of zone change in the last 13 years has not improved the property.

Motion was made by Councilmember Bob Bowman to table this request until the Comprehensive Plan could be reviewed further. City Manager Maclin stated that there has already been a review of the Comprehensive Plan in this area. Councilmember Gorden stated that he was inclined to agree with Mrs. Petree in that if changing the zoning would help the situation, it should be done. Mr. Abraham stated that, in his opinion, changing the zoning on Mrs. Petree's property would not require an amendment to the Comprehensive Plan at this time. Mr. Abraham stated that staff could send the Comprehensive Plan to the Planning & Zoning Commission to look at one more time to see if ultimately staff should extend the non-residential classification down to Camp Street, or how far south we want to extend it. Mr. Abraham stated that he would be hesitant to say that the zoning should be changed any further on Southwood without a change to the Comprehensive Plan because this is directly adjacent to a piece of property that the Comprehensive Plan says should go Commercial, therefore, there is a little latitude. Mr. Abraham stated that, in his opinion, this is as far south as we should go unless there is the will to change the Comprehensive Plan and apply it evenly to everybody. Mr. Abraham stated that it should be determined if Camp Street is a non-residential street, because when the property is changed to Commercial, everybody that owns property there can subdivide the property and start putting non-residential uses, and whether is Camp Street really a non-residential street must be considered.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Bob Bowman that the zone change as requested by Jo Ann Petree from "RL" Residential Large Single Family to "LB" Local Business on property located at 724 Southwood Drive be approved on First Reading as presented. A unanimous affirmative vote was recorded.

6. AMENDMENT - APPROVED - ZONING ORDINANCE - FIRST READING - 'PUD' PLANNED UNIT DEVELOPMENT DISTRICT

Mayor Bronaugh stated that the next item for consideration was an Amendment to the Zoning Ordinance (Ordinance 1146) as it relates to the "PUD" Planned Unit Development District.

City Manager Maclin stated that included in the packet is a memorandum from the Planning Department with an explanation and a unanimous recommendation from the Planning & Zoning Commission to amend the Planned Unit Development District. City Manager Maclin stated that basically the City Planning

Department has worked diligently to explore ways to improve our Planned Unit Development District so that it gives more flexibility to the Planning & Zoning Commission and the Planning Department staff as they work with developers so that they can hopefully produce win/win situations. City Manager Maclin stated that this will allow developers to do some things that they would like to do differently that can't be done without a Planned Unit Development, while at the same time providing some measures to satisfy adjacent residents. City Manager Maclin stated that you can put more restrictive items within a Planned Unit Development than you can in a blanket Commercial, Local Business or Neighborhood Retail. City Manager Maclin stated that staff believes that this will be a tool that the Planning Department, Planning & Zoning Commission, and City Council will find as being a very helpful tool in creating a way to produce win/win situations in neighborhoods across Lufkin. City Manager Maclin stated that this has been given to the development community and the engineering community prior to taking it to the Planning & Zoning Commission to seek their feedback and comments, and the feedback has been favorable.

In response to a question by Councilmember Weems, City Manager Maclin stated that in some cases this will minimize some problems such as was the case with Mrs. Petree tonight in that it gives the Planning Department staff the ability to work with the developer to create situations that are acceptable to neighboring residents through buffer zones and landscaping requirements, and other stipulations, while a developer still gets to utilize more definitive plans in terms of not having to use everything within a zoning district but actually pull out single items within a zoning district, which you cannot do without the PUD.

In response to a question by Councilmember Jones, Mr. Abraham presented a plat of Brookhollow as an example of a Planned Unit Development and gave a brief description of how the PUD would work.

In response to a question by Mayor Bronaugh, Mr. Abraham stated that there would not be a problem if the developers of Card Forest wanted to come back with some changes to their development as long as the Planning & Zoning Commission and City Council feels that the changes are appropriate.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that the Amendment to the Zoning Ordinance as it relates to the "PUD" Planned Unit Development District be approved on First Reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE - APPROVED - FIRST READING - CITY ELECTION - ESTABLISHING POLLING PLACES - SETTING ELECTION DATE

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance providing for the calling of a City election, establishing polling places and setting a date for the election. Mayor Bronaugh stated that positions for Councilmember of Ward 2, Councilmember of Ward 4 and the Mayor will be voted on.

City Manager Maclin stated that a copy of the municipal election calendar had been placed at each Councilmembers place at the Council table. City Manager Maclin stated that the calendar is mandated by the Secretary of State's Office and is within the guidelines as prescribed by the Secretary of State.

Mayor Bronaugh stated that he was informed at a meeting in Austin that this will probably be the last election in May.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Jack Gorden, Jr. that the Ordinance providing for the calling of a City election, establishing polling places and setting the date for the election as Saturday, May 3, 1997 be approved on First Reading as presented. A unanimous

affirmative vote was recorded.

8. ABANDONMENT OF UNDEVELOPED RIGHTS-OF-WAY - APPROVED - BURKE CENTER - GREGORY AND GARY STREETS - FOREST ACRES SUBDIVISION

Mayor Bronaugh stated that the next item for consideration was the request of Wayne Haglund, on behalf of Burke Center to abandon the undeveloped rights-of-way of Gregory and Gary Streets located off Freeman Street in the undeveloped Forest Acres Subdivision.

City Manager Maclin stated that included in the Council packet is an explanation of this request and a recommendation by unanimous vote of the Planning & Zoning Commission that both rights-of-way be abandoned, maps of the property, and minutes of the Planning & Zoning Commission meeting.

Motion was made by Councilmember Betty Jones and seconded by Councilmember Tucker Weems that the request of Wayne Haglund on behalf of Burke Center to abandon the undeveloped rights-of-way of Gregory and Gary Streets located off Freeman Street in the undeveloped Forest Acres Subdivision be approved on First Reading as presented. A unanimous affirmative vote was recorded.

9. RELOCATION OF UTILITIES - APPROVED - US 69 N AT LOOP 287

Mayor Bronaugh stated that the next item for consideration was the relocation of utilities on US 69 N at Loop 287.

City Manager Maclin stated that included in the Council packet is a letter from the City Engineer with a recommendation regarding this particular item for funding, a letter from Neal Clifton, the right-of-way agent for TxDOT stating the time and urgency of need for the relocation of the sewer line, and a cost estimate from Wayne Stolz of EGA, with a budget necessary for the relocation in the amount of \$220,440.

City Manager Maclin stated that this has been an interesting development in that the City has tried for many months and even held up a contractor from relocating the water lines waiting on the State to finish the right-of-way acquisition. City Manager Maclin stated that the water line has been completed and the State has given the City a very short time frame for the relocation of the sewer line. City Manager Maclin stated that the City does not have the \$220,440 budgeted in this year's budget to take care of this. City Manager Maclin stated that staff did budget for the issuance of revenue bonds to do three things: (1) installation of clarifiers for expansion of the Wastewater Treatment Plant (2) drilling a new well to increase our water capacity, and (3) building an additional ground storage tank to improve the City's water capacity and water quality to provide additional retention time to help aerate the hydrogen sulfide. City Manager Maclin stated that the City Engineer's recommendation letter suggests to Council that this \$220,440 be added to the revenue bond issue later on this summer. City Manager Maclin stated that by documenting this in the Council minutes of this meeting, if we have any expense prior to the issuance of the bonds, we can take the Utility Fund Contingency and pay those expenses then reimburse ourselves upon delivery of the bond proceeds, which we have done on previous occasions. City Manager Maclin stated that since TxDOT has given such short notice, staff did not have the luxury of putting this expense in the budget.

In response to question by Councilmember Bowman, City Manager Maclin stated that none of this expense is refundable to the City by TxDOT. City Manager Maclin stated that TxDOT will pay 90% of the right-of-way acquisition costs.

Councilmember Gorden asked how the city paid for the relocation of the water line associated with this project. City Manager Maclin stated that the city had advance warning and budgeted for that expense. City Engineer Wright stated it was part of

the original water bond project.

Councilmember Gorden asked about the total cost of the upcoming bond issuance. Darryl Mayfield explained that a round figure is \$3.025 million. Councilmember Gorden asked if there were any other funding sources. Mr. Maclin stated there were no other sources he would be willing to recommend at this time.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Jack Gorden, Jr. that funding for the relocation be approved and that it come out of this year's water utility revenue fund and then it will be reimbursed upon sale of the bonds. A unanimous affirmative vote was recorded.

10a. **BID - APPROVED - HEADER PIPE - WATER UTILITIES - EAST TEXAS UTILITY SUPPLY**

Mayor Bronaugh stated that the next item for consideration was bids for header pipe for the Water Utilities Department.

City Manager Maclin stated that the staff recommendation is the low bid of East Texas Utility Supply in the amount of \$67,774.40.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Tucker Weems that the bid of East Texas Utility Supply in the amount of \$67,774.40 be approved as submitted. A unanimous affirmative vote was recorded.

10b. - **BID - APPROVED - UTILITY CART - AZALEA TRAIL - PROFESSIONAL TURF PRODUCTS**

Mayor Bronaugh stated that the next item for consideration was bids for a utility cart to be used on the Azalea Trail.

City Manager Maclin stated that the staff recommendation is the low bid of Professional Turf Products in the amount of \$14,257.99 which includes a vehicle, a generator and power take-off. It will be used for maintenance and security patrols. Mr. Maclin stated that this was a decision package that did not make the cut, however, staff asks that it be reconsidered because it appears to be essential to keep the trail in good condition.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that the bid of Professional Turf Products in the amount of \$14,257.99 be approved as submitted. The following vote was recorded:

Aye: Councilmembers Boyd, Gorden, Jones, and Mayor Bronaugh

Nay: Councilmembers Weems and Bowman

Mayor Bronaugh stated that the motion carried with a 4 to 2 vote.

11. **UPGRADING OF ELECTRICAL SYSTEMS - APPROVED - MORRIS FRANK PARK - LUFKIN YOUTH BASEBALL ASSN.**

Mayor Bronaugh stated that the next item for consideration was the request of Steve Day, Lufkin Youth Baseball Assn., for upgrading of the electrical system at the major league field at Morris Frank Park.

City Manager Maclin stated that in the packet is a letter of request from Steve Day requesting funding to improve the electrical service for Garrison Field at Morris Frank Park. Mr. Maclin ask Don Hannabas, Director of Parks & Leisure Services, to give an update on this matter.

Mr. Hannabas stated that we have overloaded the circuit to the high school baseball

field and are now trying to eliminate the problem and to keep our cost of electricity at the current rate. He stated that TU Electric has agreed that these improvements will be considered a "grandfathered service" with the only cost to the city being to hook up the new transformer to the existing facilities at approximately \$11,000. Mr. Hannabas stated that in essence, the agreement represents a cost savings of about \$26,000.

Councilmember Betty Jones asked if this request fits in with the master plan for the park. Mr. Hannabas replied that we have had discussions with baseball, softball and soccer and even though this is not the first priority, it is one of the projects they needed.

Councilmember Tucker Weems asked if the City pays for the electricity to field 8 and if they (high school baseball) participates in the cost. Mr. Hannabas stated that the City pays the electricity but (they) have been responsible for most of the capital improvements to the field. In response to another question, Mr. Hannabas stated that the field is used for baseball by more than just the high school team.

Councilmember Betty Jones asked about Lufkin High School's plans to build another field.

Mr. Steve Day, Lufkin Youth Baseball Assn., came forward and stated that a practice field will be built and perhaps at some point in the future that might be expanded to be an actual high school field. Mr. Day stated that he would not recommend that because Garrison Field is one of the finest high school fields in the state if not the nation.

Mr. Day stated that the electrical service needs to be upgraded because the overall complex needs have grown over the past twenty years. He stated that when everything is up and running, the demand for electricity exceeds what can be supplied now. This throws breakers and causes lights to go out. Mr. Day stated that he considers this to be unsafe for those on the field and is afraid someone will be injured. He stated that it is an inconvenience and an embarrassment when hosting out of town teams. It takes anywhere from 30 minutes to an hour for the lights to come back on.

Mr. Day stated that TUElectric has stated that there is a window of opportunity that won't last long which allows this reduced cost. The City will be paying for the modification to the wiring of the field and to move the existing breaker panel and transformer inside the dressing room. Leaving them outside is very dangerous.

Mr. Hannabas stated that the overhead line that comes across Windsor Drive may be a problem with the Parks and Wildlife Department since the park was developed with their grant money. Mr. Hannabas stated that he will try to get approval from Parks and Wildlife to keep the line overhead.

Mr. Maclin stated that in his experience, they have approved overhead lines on existing street right-of-way before.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Betty Jones to approve the request in an amount not to exceed \$11,000 which will come from contingency funds. A unanimous affirmative vote was recorded.

12. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 6:40 p.m. to enter into Executive Session. Mayor Bronaugh reconvened the meeting at 6:56 p.m. and stated that Council had discussed possible legal matters and personnel matters. No decisions were made.

13. COMMENTS

Councilmember Don Boyd asked if the City has looked any further into building a skateboard park. Mr. Maclin responded that until the State Legislature determines skateboarding to be a hazardous sport, liability insurance is not available. Until legislation is passed, a public facility is too risky.

Councilmember Jack Gorden, Jr. stated that he would not mind repealing the Skateboard Ordinance.

Mr. Maclin stated that this Friday the Mayor and County Judge will be speaking at the First Friday Luncheon.

Councilmember Bob Bowman stated that the annual DETDA Banquet will be on February 13th at 6:30 p.m. at Crown Colony. The Speakers will be Representatives Jim McReynolds and Wayne Christian.

There being no further business for consideration, meeting adjourned at 7:03 p.m.



Louis A. Bronaugh - Mayor

ATTEST:



Atha Stokes - City Secretary