

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF LUFKIN, TEXAS, HELD ON THE
2ND DAY OF AUGUST, 1994 AT 5:00 P. M.**

On the 2nd day of August, 1994 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
Percy Simond
Don Boyd
Larry Kegler
Bob Bowman
Jack Gorden, Jr.
Tucker Weems
C. G. Maclin
Ron Wesch
Darryl Mayfield
Bob Flournoy
Atha Stokes

Mayor
Councilman, Ward No. 1
Mayor pro tem
Councilman, Ward No. 3
Councilman, Ward No. 4
Councilman, Ward No. 5
Councilman, Ward No. 6
City Manager
Asst. City Manager/Public Works
Asst. City Manager/Finance
City Attorney
City Secretary

being present when the following business was transacted.

1. Meeting was opened with prayer by Janet Peterson, Asst. Chaplain, Lufkin State School.
2. Mayor Bronaugh welcomed visitors present including Lufkin Service League provisionals Helene Smith and Lourdes Gregory.

3. **APPROVAL OF MINUTES**

Motion was made by Councilman Don Boyd and seconded by Councilman Larry Kegler that minutes of regular meeting of July 19, 1994 be approved as presented. A unanimous affirmative vote was recorded.

4. **ORDINANCE - APPROVED - SECOND READING - SPECIAL USE PERMIT - PRIVATE CLUB - 1901 SOUTH FIRST STREET - COMMERCIAL ZONING DISTRICT - TEXAS SMOKEHOUSE, INC.**

Mayor Bronaugh stated that the first item for consideration was Second Reading of an Ordinance for a Special Use Permit for a private club at 1901 South First Street within a Commercial Zoning District, as requested by Texas Smokehouse, Inc.

There was no opposition to this request.

Motion was made by Councilman Don Boyd and seconded by Councilman Larry Kegler that Ordinance be approved on Second and Final Reading. A unanimous affirmative vote was recorded.

5. **RESOLUTION - APPROVED - SEWER LINE EASEMENT ACQUISITION - FM RD 58 - WHEELER ROAD**

Mayor Bronaugh stated that the next item for consideration was a Resolution for acquisition of sewer line easements in the area of FM Rd. 58 and Wheeler Road.

City Attorney Flournoy stated that at last Council meeting it was the consensus of opinion that this item be tabled to give an opportunity for some negotiations to be worked out with the Council and Mr. Renfro. Mr. Flournoy stated that the negotiations had not been fruitful, and he was recommending that Council go forward with the Resolution.

In response to question by Councilman Boyd, City Manager Maclin stated that the City was not able to acquire enough property to grade the hill down (where the line would have to be laid at 30'). City Manager Maclin stated that the next alternative would be to install a lift station at a cost of \$144,000, and \$51,990 for operating costs over the next 20 years.

Motion was made by Councilman Tucker Weems and seconded by Councilman Jack Gorden, Jr. that Resolution be approved as presented with the stipulation that negotiations continue between Mr. Renfro and the City of Lufkin. A unanimous affirmative vote was recorded.

**6. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE -
TIMBERLAND MANUFACTURED HOUSING, INC. - 1301 N. MEDFORD - SHADY
PINE STREET - RESIDENTIAL LARGE TO COMMERCIAL ZONING DISTRICT**

Mayor Bronaugh stated that the next item for consideration is First Reading of an Ordinance to change the zoning on approximately .417 acres of land located between R & H Mobile Housing (1301 N. Medford) and Shady Pine Street from Residential Large to a Commercial Zoning District, as requested by Timberland Manufactured Housing, Inc..

City Manager Maclin stated that included in the packet is a memorandum from the City Planner giving an explanation of the request. City Manager Maclin stated that the Planning & Zoning Commission, by unanimous vote, recommends approval of the zone change with a Special Use Permit requiring a ten foot wide natural buffer.

Mr. Jody Anderson was present in representation of the request.

Motion was made by Councilman Don Boyd and seconded by Councilman Bob Bowman that the Ordinance be approved on Second Reading as presented. A unanimous affirmative vote was recorded.

**7. RESOLUTION - APPROVED - GRANT APPLICATION SUBMISSION - 1994
TEXAS COMMUNITY DEVELOPMENT PROGRAM**

Mayor Bronaugh stated that the next item for consideration was a Resolution authorizing submission of a 1994 Texas Community Development Program grant application.

Raymond Vann, Grant Consultant for this application, stated that this is actually a resubmission of an application the City submitted last year for sewer system improvements in the amount of \$206,630 with the City's match being \$42,530 (20% as required under the program). Mr. Vann stated that this is for the replacement of a major sewer line on MLK, Jr. Drive that affects a large number of people who live in the area, of which 288 are low to moderate income. Mr. Vann stated that this application will cover two years which will increase the chances of its being funded.

Motion was made by Councilman Don Boyd and seconded by Councilman Bob Bowman that the Resolution be approved as presented. A unanimous affirmative vote was recorded.

**8. RESOLUTION - APPROVED - GRANT APPLICATION SUBMISSION -
TRANSPORTATION ENHANCEMENT PROGRAM - AZALEA TRAIL**

Mayor Bronaugh stated that the next item for consideration was a Resolution authorizing the submission of a Transportation Enhancement Program Application to the Texas Department of Transportation for the Azalea Trail.

City Manager Maclin stated that there was discussion in a Budget Workshop several weeks ago about the need for additional funding for the Azalea Trail due to the fact that there were some funds that were going to be match funds for contributions of

property and those contributions didn't take place. City Manager Maclin stated that that caused the City to have to purchase the property, which doubled the budget for the Azalea Fitness Trail. City Manager Maclin stated that staff had investigated the applicability of being able to apply for funds through the ISTEIA enhancement program. City Manager Maclin stated that Don Hannabas has visited with the Texas Parks & Wildlife officials and the Texas Department of Transportation officials and they have determined that the City would be an eligible applicant. City Manager Maclin stated that all the match from a local standpoint will come from existing grant funds either from Parks & Wildlife or the TLL Temple Foundation that we have already received; there will be no requirement of additional new cash on the part of the City.

Motion was made by Councilman Bob Bowman and seconded by Councilman Don Boyd that Resolution be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded

9. POLICY - APPROVED - TEMPORARY LOCATION ASSISTANCE TO HOMEOWNERS - HOME PROGRAM

Mayor Bronaugh stated that the next item for consideration was adoption of a policy for provision of temporary relocation assistance to homeowners being assisted under the City's HOME Program.

City Manager Maclin stated that included in the packet is a letter from Kenneth Williams, who is the Home Program coordinator, and a letter from Vicki Ellison of Gary Traylor & Associates. City Manager Maclin stated that the Resolution is needed in order to exercise the City's rights to use the Federal funds for this purpose. City Manager Maclin stated that this request is necessary because some of the people that were helped through the rehabilitation of their homes would be hard pressed to come up with the funds to find another location and pay rent on it. City Manager Maclin stated that this would allow the City to use the grant funds to assist them with the actual rental expenses while their home is being rehabilitated in a fairly major manner. City Manager Maclin stated that some of the homes included in this program have fairly extensive renovations which would require the applicant or homeowner to relocate for a temporary period of time. City Manager Maclin stated that staff is recommending that this Resolution be approved so that the grant funds can be used in this way.

Councilman Simond stated that he would like to have the assurance that the people who are having the homes rehabilitated actually live in the homes. Mr. Mayfield stated that every person who has an application approved goes through a rigorous background investigation to see if they are eligible. Mr. Mayfield stated that in the past two years of home rehabilitation, it has been required that the applicant bring in proof of home ownership and that they are residing in the home. Councilman Simond stated that ownership is not the problem, but that the person may not actually be occupying the house. City Manager Maclin requested that Councilman Simond inform staff of any situations of this nature that he becomes aware of.

Motion was made by Councilman Don Boyd and seconded by Councilman Bob Bowman that Policy for provision of temporary relocation assistance to homeowners under the City's HOME Program be approved as presented. A unanimous affirmative vote was recorded.

10. ANNUAL REPORT PRESENTED - SMALL BUSINESS DEVELOPMENT CENTER - ANGELINA COLLEGE

Mayor Bronaugh stated that the next item for consideration was an annual report presented by Chuck Stemple from the Small Business Development Center at Angelina College.

Mr. Stemple handed out materials to each Councilmember.

Mr. Stemple stated that 29 new businesses had been established this year, 24 of which were in the City of Lufkin, and 92 jobs created.

Mr. Stemple stated that the City contributes \$7,500 to the SBDC budget.

There was discussion regarding the feasibility of business incubators in Lufkin.

Mayor Bronaugh thanked Mr. Stemple for his presentation.

11. EMS DELINQUENT ACCOUNT WRITE-OFFS - APPROVED - FIRST/SECOND QUARTERS OF 1994

Mayor Bronaugh stated that the next item for consideration was the EMS delinquent accounts for the first and second quarters of 1994.

City Manager Maclin stated that included in the packet is a list of accounts that will be turned over to a collection agency.

Councilman Simond stated that he would like to see a copy of the letter that is being sent to the people who are delinquent. City Manager Maclin stated that he will provide Councilman Simond with a copy of the CRW letter.

Motion was made by Councilman Don Boyd and seconded by Councilman Larry Kegler that EMS delinquent account write-offs in the amount of \$147,660.25 be approved as presented.

A unanimous affirmative vote was recorded.

12. LEASE AGREEMENT - APPROVED - SOLID WASTE DEPARTMENT

Mayor Bronaugh stated that the next item for consideration was a lease agreement for a facility to house the Solid Waste Department operations.

City Manager Maclin stated that included in the Councilmembers packets is a cover letter from Asst. City Manager of Public Works Ron Wesch regarding this item. City Manager Maclin stated that the City Attorney has reviewed the contract along with the exhibits. City Manager Maclin stated that this item was ranked high on the priority ranking sheets and will be included in the 1994-'95 fiscal budget. City Manager Maclin stated that he is requesting permission from Council for approval of this request so that the contract would become effective September 1st.

Councilman Gorden stated that he would like to see a buy-out clause in the lease contract in the event the Public Works Master Plan does not go into effect by the time the lease has expired on this building.

In response to question by Mayor Bronaugh, Kenneth Williams stated that the Herder Farms Building is still in poor condition and that Tim Hale was handling the case. Mr. Williams stated that it was his understanding that Louisiana Pacific is negotiating with Herder Farms on the purchase of this property.

Motion was made by Councilman Jack Gorden, Jr. and seconded by Councilman Tucker Weems that lease agreement for a facility to house the Solid Waste Department operations be approved as presented. A unanimous affirmative vote was recorded.

13. ANGELINA COUNTY & CITIES HEALTH DISTRICT - 1994-95 COOPERATIVE AGREEMENT

Mayor Bronaugh stated that the next item for consideration was the 1994-95 Cooperative Agreement for the Angelina County & Cities Health District.

John Bautch, Administrator for the Angelina County & Cities Health District, was present. Mr. Bautch stated that basically this is a housekeeping item.

Motion was made by Councilman Don Boyd and seconded by Councilman Jack Gorden, Jr. that the 1994-95 Angelina County & Cities Health District Cooperative Agreement be approved as presented. A unanimous affirmative vote was recorded.

14. CARPET REPLACEMENT - APPROVED - CITY HALL - SECOND FLOOR

Mayor Bronaugh stated that the next item for consideration was replacement of carpet on the second floor of City Hall.

City Manager Maclin stated that included in the packet is a memorandum from Asst. City Manager of Finance Darryl Mayfield describing the cost estimates. City Manager Maclin stated that this item was discussed at the budget workshop and it was suggested that this amount be taken from the contingency fund. The approximate cost of the carpet is \$12,500.

Motion was made by Councilman Bob Bowman and seconded by Councilman Jack Gorden, Jr. that staff be authorized to seek bids for carpet for the second floor of City Hall. A unanimous affirmative vote was recorded.

15. BID - APPROVED - FOOD SUBSTANCE (RODENTS) - ZOO - HARLAN SPRAGUE DAWLEY

Mayor Bronaugh stated that the next item for consideration was bids for food substance (rodents) at the Zoo.

City Manager Maclin stated that one bid had been received and it was from Harlan Sprague Dawley in the amount of \$18,436.50.

Motion was made by Councilman Larry Kegler and seconded by Councilman Bob Bowman that bid of Harlan Sprague in the amount of \$18,436.50 be approved as submitted. A unanimous affirmative vote was recorded.

16. EXECUTIVE SESSION

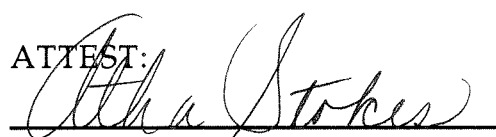
Mayor Bronaugh recessed Regular Session at 6:27 p. m. to enter into Executive Session. Regular Session reconvened at 7:08 p. m. and Mayor Bronaugh announced that Council had discussed two attorney-client matters and that no decisions had been made.

17. COMMENTS

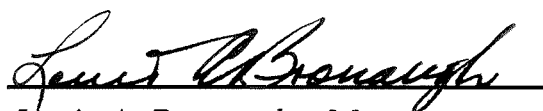
A budget workshop was set for August 16 at 4:00 p.m. prior to the City Council meeting, and the Public Hearing and First Reading of the budget Ordinances was set for noon on Friday, August 19.

18. There being no further business for consideration, meeting adjourned at 7:13 p.m.

ATTEST:



Atha Stokes - City Secretary


Louis A. Bronaugh - Mayor