

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF LUFKIN, TEXAS, HELD ON THE
18TH DAY OF JUNE, 1996 AT 5:00 P.M.**

On the 18th day of June, 1996 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
Don Boyd
Percy Simond
Betty Jones
Bob Bowman
Jack Gorden, Jr.
Tucker Weems
C. G. Maclin
Darryl Mayfield
Stephen Abraham
Bob Flournoy
Atha Stokes

Mayor
Mayor pro tem
Councilmember, Ward No. 1
Councilmember, Ward No. 3
Councilmember, Ward No. 4
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
Asst. City Manager/Finance
Director of Planning
City Attorney
City Secretary

being present, when the following business was transacted.

1. Meeting was opened with prayer by Rev. Charles Roberts, Minister, Denman Avenue Baptist Church.

2. Mayor Bronaugh welcomed visitors present.

3. **APPROVAL OF MINUTES**

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Bob Bowman that the minutes of the Called Meeting of May 24, 1996 and the Regular Meeting of June 4, 1996 be approved as presented. A unanimous affirmative vote was recorded.

4. **PUBLIC HEARING - COLUMBIA WOODLAND HEIGHTS MEDICAL CENTER -
DON H. McBRIDE - TAX ABATEMENT/REINVESTMENT ZONE - S. JOHN
REDDITT DRIVE - GASLIGHT BLVD.**

Mayor Bronaugh opened Public Hearing to consider request of Don H. McBride on behalf of Columbia Woodland Heights Medical Center to establish a Reinvestment Zone and grant a Tax Abatement on approximately 15.244 acres of land situated between South John Redditt Drive (Loop 287) and Gaslight Boulevard.

City Manager Maclin stated that included in the Council packet is a memorandum from the Director of Planning that gives an executive summary of the application which includes \$7.3 million in total taxable value, the creation of 44 new jobs, an increase in the annual payroll of \$1.5 million, and, an increase in City sales tax paid of \$13,800. City Manager Maclin stated that in review of the application it accumulates 5,282 points on the Qualification Threshold according to projections. City Manager Maclin stated that the application would qualify for a tax abatement on the highest level because it exceeds the 3,000 points eligible for abatement percentages. City Manager Maclin stated that included in the application is an explanation by Columbia Woodland Heights Medical Center of their expansion, an expansion overview, site plan, and an actual copy of the threshold point sheet and how the points were totalled predicated on the totals previously mentioned.

City Manager Maclin stated that representatives from Woodland Heights were present to answer questions.

Brenda Elliott, Chairman of the Board of the Chamber of Commerce, stated that the Chamber was highly involved in the development of the current Tax Abatement Ordinance, and have looked at the project and, in her opinion, this is the type project that warrants tax abatement incentive and will be used for continued growth and expansion of Lufkin's medical community. Ms. Elliott stated that the hospital has met all the criteria for accomplishing this and on behalf of the Chamber of Commerce, they wholeheartedly support this endeavor by the hospital. Ms. Elliott presented a letter from Jerry Huffman, Executive Director, in support of the application, and requested that the letter be placed in the hospital's file.

There was no opposition to the request.

Mayor Bronaugh closed Public Hearing.

5. ORDINANCE - APPROVED - FIRST READING - TAX ABATEMENT/REINVESTMENT ZONE - COLUMBIA WOODLAND HEIGHTS MEDICAL CENTER - DON H. McBRIDE - S. JOHN REDDITT DRIVE - GASLIGHT BLVD.

Mayor Bronaugh stated that the next item for consideration was request of Don H. McBride on behalf of Columbia Woodland Heights Medical Center to establish a Reinvestment Zone and grant a Tax Abatement on approximately 15.244 acres of land situated between South John Redditt Drive (Loop 287) and Gaslight Boulevard.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Bob Bowman that Ordinance for Reinvestment Zone and Tax Abatement for Columbia Woodland Heights Medical Center on approximately 15.244 acres of land situated between South John Redditt Drive (Loop 287) and Gaslight Boulevard be approved on First Reading as presented. A unanimous affirmative vote was recorded.

City Manager Maclin stated that this Ordinance will be heard again on Second Reading at the next Council meeting on July 2nd. City Manager Maclin stated that the Planning Department will forward copies of this Public Hearing to the other taxing entities and this Public Hearing will serve as one Public Hearing to meet the needs by law of the other taxing entities. City Manager Maclin stated that the hospital staff will need to make individual applications to the other taxing entities in order to trigger their consideration for tax abatement.

6. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - LCTX - JOHN BROWN - ANGELINA BETWEEN HOWE AND BREMOND STREETS

Mayor Bronaugh stated that the next item for consideration was request of John Brown on behalf of Lufkin Conroe Telephone Exchange to change the zoning from "D" Duplex to "C" Commercial on approximately a 0.24 acre tract of land located on the east side of Angelina Avenue between Howe and Bremond Streets.

City Manager Maclin stated that the Planning & Zoning Commission unanimously approved recommendation of this request to the City Council.

There was no opposition to the request.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Tucker Weems that Ordinance for Lufkin Conroe Telephone Exchange to change the zoning from "D" Duplex to "C" Commercial on approximately a 0.24 acre tract of land located on the east side of Angelina Avenue between Howe and Bremond Streets be approved on First Reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE - TABLED - PROHIBITION OF SKATEBOARDING - CENTRAL BUSINESS DISTRICT

Mayor Bronaugh stated that the next item for consideration was an Ordinance prohibiting skateboards and similar devices on roadways and sidewalks within the Central Business District.

City Manager Maclin stated that included in the Council packet is a proposed Ordinance to prohibit skateboards and similar devices on the sidewalks in the Central Business District, which is limited to the downtown area. City Manager Maclin stated that this is a result of citizens request from downtown property owners.

Dawn Glover, Main Street Director, stated that over a six months period the Main Street Advisory Board received approximately a half dozen requests with regard to this matter. Ms. Glover stated that the skateboards and in-line skates go very fast, and the sidewalks are oriented to pedestrians. Ms. Glover stated that there have been some near misses, and some store owners, a lending institution, a restaurant and some retailers have requested that the City consider doing something that will provide for the safety of pedestrians. Ms. Glover stated that obviously there is a safety issue here. Ms. Glover stated that she requested the City Attorney to design an Ordinance to address this issue.

In response to question by Councilmember Gorden, Ms. Glover stated that she would have to check the minutes of the last Main Street Advisory Board meeting, but she believes that there was a motion made and passed to petition City Council to pass an Ordinance prohibiting skateboards in the Central Business District. Ms. Glover stated that she would fax a copy of the minutes to Councilmember Gorden tomorrow. In response to question by Councilmember Gorden, Ms. Glover stated that there was a business prospect for the downtown area who discussed the possibility of putting in an in-door facility for this type activity, but the financing did not go through, and a building large enough to house this type activity could not be found.

Councilmember Simond stated that he had several problems with this and one was that downtown is the only place where there are sidewalks, and then there is a \$200 fine. Councilmember Simond stated that, in his opinion, this is a little heavyhanded. Councilmember Simond stated that every year Council votes down sidewalks in the City. Councilmember Simond stated that he comes downtown everyday at 5:00 p.m. and he sees the kids skating when the businesses are closed. Mayor Bronaugh stated that, in his opinion, the sidewalks are not the place for skating. Mayor Bronaugh stated that he has seen skaters at City Hall, at NationsBank and at Lufkin Industries.

Councilmember Simond requested that the City Attorney change the amount of the fine. Councilmember Jones stated that the \$200 does not come into play until there are repeat offenses.

Will McCutcheon, who lives at 302 Carriage Drive, stated that he in-line skates and likes to skate downtown. Will stated that one time he and his friends were asked to leave the bank by a police officer when they were skating. Will stated that, in his opinion, it is not fair banning skaters from the only place where there are sidewalks. Will stated that other sports, such as baseball and basketball, have facilities provided for them to gather at. Will stated that he did not think that a skate park would be all that expensive, and that he knew people who would be happy to design and build a place to skate. Will stated that he would be glad to work with Mrs. Gorden in trying to design a skating area at the new proposed facilities at Kiwanis Park. Will stated that when Jr. High West is relocated the Ag Shop and the Shop Building would be a good place to put a skating area. Will stated that admission could be charged and would probably bring in a lot of money.

In response to question by Councilmember Bowman, Will stated that the size of the area needed would be dependent upon what you would want to include in the skate park. Will stated that the park could be an indoor park or an outdoor park, but would probably last longer if it were indoor.

In response to question by Mayor Bronaugh, City Manager Maclin stated that the Azalea Trail would lend itself to in-line skating. Mayor Bronaugh stated that the Azalea Trail would have hiking, biking, and could have in-line skating although it will not have the jump ramps. City Manager Maclin stated that the trail will be 1.9 miles in length and connects Kiwanis Park with Grace Dunn Richardson Park, a fairly lengthy trail.

Mayor Bronaugh stated that the Council is not trying to put the kids out into the street where they have to compete with cars, but that the main street area is pretty tight and it is a little difficult for kids to skate with pedestrians on the sidewalks.

In response to question by Councilmember Weems, Will stated that he did not know how he felt about the fine, but the police officer who asked them to leave NationsBank said that if they came back they would be going to jail.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Percy Simond that Ordinance prohibiting skateboards and similar devices on roadways and sidewalks within the Central Business District be tabled. A unanimous affirmative vote was recorded.

8. RESOLUTION - APPROVED - ACQUISITION OF PROPERTY - TEXAS COMMUNITY DEVELOPMENT PROGRAM

Mayor Bronaugh stated that the next item for consideration was a Resolution establishing the necessity for acquisition of property in connection with the Texas Community Development Program.

City Manager Maclin stated that included in the Council packet is a Resolution that delineates the procedure relating to acquisition of property in relationship to the Texas Capital Fund Grant Program for improvements to the Webber Street area. City Manager Maclin stated that this project will enhance business opportunities in this area, specifically to assist the expansion of Pilgrim's Pride that is currently underway.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Tucker Weems that Resolution establishing the necessity for acquisition of property in connection with the Texas Community Development Program be approved as presented. A unanimous affirmative vote was recorded.

9. PLAYGROUND FACILITY PROPOSAL - APPROVED - KIWANIS PARK - MARY JO GORDEN

Mayor Bronaugh stated that the next item for consideration was a playground facility proposal from Mary Jo Gorden.

City Manager Maclin stated that he wanted to call attention to a memo included in the Council packet by the Director of Parks and Leisure Services Don Hannabas, that gives an executive summary of this project.

Mary Jo Gorden stated that she became interested in this project when she visited with her brother and his children in Corpus Christi. Mrs. Gorden stated that her nephews took her to a playground that had recently been built in Corpus. Mrs. Gorden stated that she was taken on a tour of the playground and was very impressed. Mrs. Gorden stated that she noticed that there were people from all over South Texas who had come to the playground in Corpus Christi to spend the day there. Mrs. Gorden stated that after she talked to some of these people she

decided that this would be a good idea for Lufkin. Mrs. Gorden stated that when she got home she got in touch with Mr. Hannabas and as a result they have had numerous conversations, and have finally put together committees to look at the possibilities of what could be done for Lufkin. Mrs. Gorden stated that in their research they found that most of these playgrounds have wooden construction and some of the cities have had problems with maintenance. Mrs. Gorden stated that Mr. Hannabas and Mr. Maclin both have had a lot of experience and background in working with playgrounds, and recommended that another type of construction be considered. Mrs. Gorden stated that it has taken nearly a year in looking at equipment from different companies and different construction. Mrs. Gorden stated that she would like to have a very colorful playground which will set it apart from the other playgrounds she has seen. Mrs. Gorden stated that another thing that they would like to have is a place for families.

Mrs. Gorden stated that the committees have looked at numerous sites in Lufkin and have decided that Kiwanis Park would be the best place. Mrs. Gorden stated that the Ellen Trout Zoo Park was considered but the master plan did not allow room for a playground of this size. Mrs. Gorden stated that Kiwanis Park is a central location for the citizens of Lufkin and a location that will bring out-of-town visitors into the middle of Lufkin.

Mrs. Gorden stated that there is a Planning Committee and a Finance Committee working on this project. Mrs. Gorden stated that there were a number of people present at tonight's meeting in support of the playground, which included members of the Kiwanis Club and representatives of the Junior League.

Peggylu Watkins, Chairman of the Park Committee for the Junior League, stated that Junior League is focusing on education and the young child and they were very excited when they heard about the park. Mrs. Watkins stated that the Junior League looked at the overall project, and with their focus on education, they are keying in on the amphitheater part, and are researching the possibility of their organization taking that part of the project. Mrs. Watkins stated that the Junior League has taken a survey of the people who will use the amphitheater in the community and have received fantastic results. Mrs. Watkins stated that she had received a four page report on ideas for the park.

Mrs. Gorden stated that Kristin Skebo was also present representing the Tourist and Convention Bureau. Mrs. Gorden stated that Angelina Beautiful/Clean is also interested in becoming involved in the development of the park. Mrs. Gorden stated that numerous groups have expressed an interest in the park and the first question they ask is, "What is the City going to do?" Mrs. Gorden stated that, in her opinion, plans for the park cannot go forward without being able to tell these groups that the City supports, and is committed to, the development of the park. Mrs. Gorden stated that she was asking Council for support of the project and for \$100,000 seed money to get the project started this year. Mrs. Gorden stated that information provided in the packet shows that the project has been broken down into three phases, and she would like to see Council consideration of \$100,000 for the next three years. Mrs. Gorden stated that the committees will still have a lot of money to raise to make the park become a reality.

Mr. Hannabas stated that Mrs. Gorden has been an exciting person to work with. Mr. Hannabas stated that taking the three pages of notes and ideas and condensing it into a one page plan was a monumental task. Mr. Hannabas stated that he would like to thank Mike Sandlin, who was present, for working with the Engineering Department to produce the one page plan.

Mr. Hannabas stated that it became apparant very quickly that at \$756,000 this was a huge project and that it needed to be completed in three years. Mr. Hannabas stated that this was a recommendation from the Finance Committee. Mr. Hannabas stated that a "Tot Lot" for preschool children, and an area for elementary school children would be developed first. Mr. Hannabas stated that the plan was to tie in

all the different areas of Angelina County, the water, the trees (treehouses), a sand pit that is multi-story, a tricycle highway which will be 8' wide with different types of surface for the tricycle to experience different sounds and different textures. Mr. Hannabas stated that posters had been displayed for Council to see some of the proposed ideas using primary colors to give Council an idea of what might be in the park.

Mrs. Gorden stated that one of the ways being considered for financing this project is to have storefronts on the tricycle highway, which will be duplicates of businesses in Lufkin with their logo on the storefront. Mrs. Gorden stated that any business in Lufkin can sponsor a storefront, and it was the committee's intention to get a lot of people involved in the project, and they could receive recognition by having their name visible. Mrs. Gorden stated that a suggested idea was to have children sign their name in the concrete sidewalks, or to sell pickets on a picket fence with children's names on each picket. Benches and picnic tables could also be donated by a group or organization and have their names on a plaque. Mrs. Gorden stated that she would like to get as many people in Lufkin involved as possible. Mrs. Gorden stated that the committees are also pursuing some foundations for funding.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Percy Simond that proposal for a playground facility at Kiwanis Park by Mary Jo Gorden to be supported as presented, and that funds for this project be considered in the budget workshop meetings. A unanimous affirmative vote was recorded.

10. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 5:45 p.m. to enter into Executive Session. Regular Session was reconvened at 6:55 p.m. and Mayor Bronaugh stated that attorney/clients matters, personnel matters, and appointments to Boards and Commissions had been discussed.

11. DRAINAGE ADVISORY COMMITTEE - DISCUSSED

Mayor Bronaugh stated that additional appointments to the Drainage Advisory Committee had been discussed and it was the consensus of opinion of the Council that no additional members be added to the Committee at this time.

12. PLANNING AND ZONING COMMISSION - DISCUSSED

Mayor Bronaugh stated that appointments to the Planning and Zoning Commission are being considered and will be back on the agenda for next Council meeting for further discussion and consideration.

13. APPOINTMENTS - APPROVED - ZONING BOARD OF ADJUSTMENT & APPEALS - LUTHER DEBERRY - ROTLEY TANKERSLEY

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Betty Jones that Luther DeBerry be reappointed as a member of the Zoning Board of Adjustment & Appeals and Rotley Tankersley be reappointed as an alternate member of the Board. A unanimous affirmative vote was recorded.

14. APPOINTMENT - APPROVED - LUFKIN BOARD OF DEVELOPMENT - PATTY BYRD - HOTEL/MOTEL ASSOCIATION

Motion was made by Councilmember Don Boyd and seconded by Councilmember Percy Simond that Patty Byrd be appointed to the Lufkin Board of Development as a representative for the Hotel/Motel Association. A unanimous affirmative vote was recorded.

15. REORGANIZATION PLAN - DISCUSSED - PUBLIC WORKS DIVISION

Mayor Bronaugh stated that the reorganization plan for the Public Works Division had been discussed and will be back on the agenda at a future meeting for further discussion and consideration.

16. COMMENTS

City Manager Maclin stated that a proposed budget workshop schedule had been placed at the Councilmembers places for consideration. The dates for the workshops have been tentatively set for Tuesday, July 9 and Wednesday, July 10.

Councilmember Weems requested that Departmental numbers and Department Head names be added to the schedule.

In response to a question by Councilmember Gorden requesting a report on the water situation, City Manager Maclin stated that at this time all wells are pumping and there are no problems with the pressure. City Manager Maclin stated that almost all of the problems with odor and clarity have been corrected, and the only ones that hung on were the ones at dead end lines and these have just about all been resolved. City Manager Maclin stated that the Friday after Memorial Day 110 complaints were received in one day about odor and clarity, and now we are receiving about 5 per week. City Manager Maclin stated that staff met last Friday with Goodwin-Lasiter and Champion to finalize the plans and specifications for the emergency water line to tie onto Well No. 14 at Champion to be used as a backup. City Manager Maclin stated that hopefully at the July 2nd meeting staff will be bringing a contract bid to award for Council consideration. City Manager Maclin stated that it is a credit to Goodwin-Lasiter that they have turned out the plans and specifications as quickly as they have, and the quick response of the TxDOT in the right-of-way acquisition.

17. There being no further business for consideration, meeting adjourned at 7:05 p.m.


Louis Bronaugh - Mayor

ATTEST:


Atha Stokes - City Secretary