

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF LUFKIN, TEXAS, HELD ON THE  
15TH DAY OF APRIL, 1997 AT 5:00 P. M.**

On the 15th day of April, 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 A. Bronaugh	Mayor
Don Boyd	Mayor pro tem
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
Bob Flournoy	City Attorney
Atha Stokes	City Secretary
Keith Wright	City Engineer
Stephen Abraham	Director of Planning
Kenneth R. Williams	Public Works Director

being present, and

Percy Simond	Councilmember, Ward No. 1
Betty Jones	Councilmember, Ward No. 3

being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Bettye R. Kennedy, Pastor, Collins Chapel CME Church.

2. Mayor Bronaugh welcomed visitors present.

3. **APPROVAL OF MINUTES**

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Don Boyd that the minutes of the Regular Meeting of April 1, 1997 be approved as presented. A unanimous affirmative vote was recorded.

4. **PROCLAMATION - FAIR HOUSING MONTH**

Mayor Bronaugh stated that April is "Fair Housing Month".

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Don Boyd that April be proclaimed as "Fair Housing Month" in the City of Lufkin. A unanimous affirmative vote was recorded.

5. **PUBLIC HEARING - TAX ABATEMENT - CHROMIUM CORPORATION**

Mayor Bronaugh opened Public Hearing to consider a request of Chromium Corporation for a tax abatement for the expansion of the existing facility located at 2602 Spence Street.

City Manager Maclin stated that included in the Council packet is a memorandum from the Planning Department along with a letter of request from Chromium Corporation and a proposed Tax Abatement agreement with a map identifying the location of the property for abatement consideration. City Manager Maclin stated that also included is the application denoting all the answers to the questions relating to eligibility and criteria for triggering the Tax Abatement.

Raul Holguin, VP and General Manager of Chromium Corporation, was present to represent the request. Mr. Holguin stated that he wanted to thank the City Council for consideration of the Tax Abatement. Mr. Holguin stated that Chromium Corporation is growing considerably and is considering locating their expansion facility in Lufkin adjacent to their existing property at 2602 Spence. Mr. Holguin stated that this new business will more than double their capacity to produce EMI-RFI shielding products. Mr. Holguin stated that basically these products are to protect electronic enclosures against emissions. Mr. Holguin stated that some of Chromium's customers are Motorola, Nokia, Apple, and Compaq. Mr. Holguin stated that Chromium is expected to grow about 100% this year and thereon about 50%.

Mayor Bronaugh closed Public Hearing.

**6. ORDINANCE - TABLED - SECOND READING - ZONE CHANGE - APARTMENT TO MANUFACTURED DWELLING DISTRICT - LOTS 1 THRU 5 - LOTS 16 THRU 18 - LOTUS LANE VILLAGE ADDITION - LOTUS LANE - GERALDINE BRADFORD - FRED WALKER**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for a Zone Change from "A" Apartment to "MD" Manufactured Dwelling District on lots 1 through 5 and lots 16 through 18 of the Lotus Lane Village Addition generally located at 2902 through 2706 and 2402 through 2300 Lotus Lane as requested by Geraldine Bradford on behalf of Fred Walker.

City Manager Maclin stated that this request was approved by a 6-0 vote on First Reading by Council. City Manager Maclin stated that Council has on the table a letter faxed to the City from Goodwin-Lasiter representing this project, and they are requesting since there are fewer than six Councilmembers present today, that this request be tabled until the next Council meeting.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that zone change from "A" Apartment to "MD" Manufactured Dwelling District on lots 1 through 5 and lots 16 through 18 of the Lotus Lane Village Addition generally located at 2902 through 2706 and 2402 through 2300 Lotus Lane as requested by Geraldine Bradford on behalf of Fred Walker be tabled. A unanimous affirmative vote was recorded.

**7. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - RESIDENTIAL LARGE SINGLE FAMILY & SPECIAL USE (PARKING LOT) TO COMMERCIAL - LOOP 287 BETWEEN PAUL AND LUFKIN AVENUE - TOM GANN - JACK HICKS**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for a zone change from "RL & SU" Residential Large Single Family & Special Use (Parking Lot) to "C" Commercial on property located on the west side of Loop 287 between Paul and Lufkin Avenues as requested by Tom Gann on behalf of Jack Hicks.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Don Boyd that Ordinance to change the zoning from "RL & SU" Residential Large Single Family & Special Use (Parking Lot) to "C" Commercial on property located on the west side of Loop 287 between Paul and Lufkin Avenues as requested by Tom Gann on behalf of Jack Hicks be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**8. ORDINANCE - APPROVED - SECOND READING - CANCELLATION OF CITY ELECTION**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance cancelling the Regular City Election of May 3, 1997.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Jack Gorden, Jr. that Ordinance cancelling the Regular City Election of May 3, 1997 be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**9. AMENDMENT - APPROVED - SECOND READING - DOWNTOWN PARKING ORDINANCE**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance amending the Downtown Parking Ordinance.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that the Amendment to the Downtown Parking Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**10. ORDINANCE - APPROVED - FIRST READING - TEXAS MUNICIPAL RETIREMENT SYSTEM - RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES**

Mayor Bronaugh stated that the next item for consideration was an Ordinance authorizing and allowing under the Act governing the Texas Municipal Retirement System restricted prior service credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service; and establishing an effective date for the Ordinance.

City Manager Maclin stated that this Ordinance was tabled at last meeting at the request of Council to allow for further review. City Manager Maclin stated that basically it provides an opportunity for employee who have worked in other governmental entities that are on the approved list (the State teachers retirement system, the State and County employees are other municipalities). City Manager Maclin stated that this is to allow the employee their time that they worked at the other entity towards the threshold towards retirement, in the case of the City it is 20 years. City Manager Maclin stated that this does not financially impact the City by increasing in any way the contribution for retirement, but allows the employee to take five years with another entity plus 15 years with the City to meet the 20 year threshold.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Jack Gorden, Jr. that Ordinance authorizing and allowing under the Act governing the Texas Municipal Retirement System restricted prior service credit to employees who are members of the system for service previously performed for various other public entities for which they have not received credited service be approved on First Reading as presented. A unanimous affirmative vote was recorded.

**11. ORDINANCE - DENIED - ZONE CHANGE - CENTRAL BUSINESS TO CENTRAL BUSINESS, SPECIAL USE (PRIVATE CLUB) - 109/111 E. SHEPHERD - DARRELL BARNHILL - SERVICE DATSUN, INC.**

Mayor Bronaugh stated that the next item for consideration was the request of Darrell Barnhill on behalf of Service Datsun, Inc. for a zone change from "CB" Central Business to "CB, SU" Central Business, Special Use (Private Club) on property at 109/111 E. Shepherd Street.

City Manager Maclin stated that included in the Council packet is the memorandum of explanation relating to this request. City Manager Maclin stated that this request comes to Council from the Planning and Zoning Commission on a 5-1 vote to recommend approval of the Special Use Permit with the following conditions: That the Special Use Permit is for the sale of alcoholic beverage only in conjunction with

a full service restaurant facility; and shall not be construed as allowing the structure to be used in a manner which constitutes a night club, tavern, lounge, dance hall or commercial amusement establishment.

Darrell Barnhill apologized for his absence at last meeting. Mr. Barnhill stated that what he is proposing to do at 109 E. Shepherd in the old Espresso Station building is to open a restaurant that will be called Doc's Downtown. Mr. Barnhill stated that he is proposing to serve drinks there because he has been in the restaurant business for the past 10 years and as time wears on it becomes harder and harder for a small man to go into the restaurant business and make it. Mr. Barnhill stated that a restaurant owner has to compete at every level, and he believes that it is imperative that he be able to serve drinks along with meals. Mr. Barnhill stated that he will have a full menu with over 20 items at this time, specializing in smoked meats (pork, beef, chicken, turkey), and will have an extensive line of salads for the downtown lunch crowd. Mr. Barnhill stated that the previous owners of the restaurant left behind a \$15,000 wood burning pizza oven which he will be utilizing and serving pizza.

Pastor Josephine Hughes of the Covenant of Love Outreach Ministry stated that she was present to protest alcohol near a church. Ms. Hughes stated that alcohol has been allowed over and over again. Ms. Hughes stated that she has gone without notice and has been declared to be a church even by the City Council, but yet is not respected as a church. Ms. Hughes stated that as citizens of the community and taxpayers, she believes that the church needs a little consideration. Ms. Hughes stated that, in her opinion, it is not right to continue to open establishments that serve alcohol near the church. Ms. Hughes stated that she did not care how many feet it involved, one such restaurant is across the street and now this restaurant that will serve alcohol is next to her building. Ms. Hughes stated that when Mr. Barnhill walks out his back door he will step on her property. Ms. Hughes stated that either way, she is enclosed. Ms. Hughes stated that what she wanted to say today is that this life will pass away and what we do for Christ will last. Ms. Hughes stated the Council can continue to do what they are doing, it did not matter to her, but she is taking her stand on the Lord's side. Ms. Hughes stated that as of today, she is letting Council know that their souls are more valuable than alcohol, it is more valuable to get souls saved than it is to take another drink. Ms. Hughes stated that Council did not allow alcohol at the church down the street (First Christian Church), but are now allowing it around her and in front of her and in every way that she can turn. Ms. Hughes stated that she was asking Council in the name of Jesus not to approve the Special Use Permit today, not to pass it because it is not right and it is not legal. Ms. Hughes stated that loop holes or no loop holes, Jesus also worked in loop holes.

Ms. Hughes requested the people who support her to stand. Eight people, including Ms. Hughes, stood.

Councilmember Boyd stated that according to the Texas Alcoholic Beverage Code, a business selling alcohol should be 300' feet from a church or school. Councilmember Boyd stated that this restaurant is 210' feet from the church. Councilmember Boyd stated that a variance could be granted, which the Council did for Roma's. Councilmember Boyd stated that the thing that disturbs him is when the request from Casa Tomas in the old Sambo's building wanted to sell alcohol it was denied and the building was well over 300' from the First Christian Church. Councilmember Boyd stated that people came to the meeting against the Special Use Permit and Council denied the permit. Councilmember Boyd asked if there are two sets of rules; the big churches get what they want and the little churches are overlooked. Councilmember Boyd stated that it looks as if Council is setting dual standards. Councilmember Gorden stated that he voted against the request on South First, but it is one of the votes that he has regretted the most since he has been on Council. Councilmember Gorden stated that he did not vote the way he did because of the church, but because of the neighborhood, and the people thought the Special Use Permit shouldn't be allowed. Councilmember Gorden stated that if he

had it to do over again he would vote differently.

Stephen Abraham stated that the TABC does allow a city to establish the 300' rule, but that same Code says that a variance can be granted if one of the six reasons are noted. Mr. Abraham stated that in the request for Roma's, and this request, it was asked that these six reasons be considered and see if one of them applies so Council is enabled to grant a variance to the 300' rule. City Manager Maclin stated that this information can be found on page 4A of the Planning & Zoning minutes that was included in the packet information.

In response to question by Councilmember Bowman, Mr. Abraham stated that this recommendation for a Special Use Permit has been sent to Council with approval with the condition, which was also put on Roma's, that if they stop serving as a restaurant they lose their ability to serve alcohol.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that Ordinance for a zone change from Central Business to Central Business, Special Use (Private Club) on property at 109/111 E. Shepherd Street as requested by Darrell Barnhill on behalf of Service Datsun, Inc. be approved on First Reading as presented.

The following vote was recorded:

Aye: Councilmembers Bowman, Gorden, and Mayor Bronaugh

Nay: Councilmembers Boyd and Weems

Mayor Bronaugh stated that motion failed for lack of four affirmative votes.

City Manager Maclin stated that Mr. Barnhill can reapply and the only way the outcome would be different is if there are four affirmative votes from Council.

**12. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - RESIDENTIAL MEDIUM SINGLE FAMILY TO APARTMENT - 1012 KURTH DRIVE - MALCOLM MCKINLEY**

Mayor Bronaugh stated that the next item for consideration was request of Malcolm McKinley on behalf of Virginia Lewis to change the zoning from "RM" Residential Medium Single Family to "A" Apartment on property located at 1012 Kurth Drive between Sayers and Lakeview Streets.

City Manager Maclin stated that this item was addressed by the Planning & Zoning Commission yesterday so, therefore, the recommendation is on the Council table before Councilmembers. City Manager Maclin stated that this is a unanimous recommendation of approval by P&Z as requested.

In response to question by Councilmember Boyd, Mr. McKinley stated that the property for the proposed zone change is right next door to Ministry in Action going towards Sayers Street. Mr. McKinley stated that at the present time there is a house on the property and Mrs. Lewis plans to have the house moved.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Bob Bowman that Ordinance for zone change from Residential Medium Single Family to Apartment on property located at 1012 Kurth Drive between Sayers and Lakeview Streets as requested by Malcolm McKinley on behalf of Virginia Lewis be approved on First Reading as presented. A unanimous vote was recorded.

**13. ORDINANCE - APPROVED - FIRST READING - TAX ABATEMENT - CHROMIUM CORPORATION - 2602 SPENCE STREET**

Mayor Bronaugh stated that the next item for consideration was request of

Chromium Corporation for tax abatement for the expansion of the existing facility located at 2602 Spence Street.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that Ordinance for Tax Abatement as requested by Chromium Corporation for the expansion of the existing facility located at 2602 Spence Street be approved on First Reading as presented. A unanimous affirmative vote was recorded.

**14. REQUEST - TABLED - INTERCONNECTION FOR EMERGENCY WATER USE - M & M WATER SUPPLY CORPORATION**

Mayor Bronaugh stated that the next item for consideration was a request of M & M Water Supply Corporation for interconnection with the City of Lufkin for emergency water use.

City Manager Maclin stated that included in the Council packet is a memorandum from the City Engineer giving an overview of this request. City Manager Maclin stated that along with the memorandum of explanation is the actual letter of request from M & M Water Supply Corporation. City Manager Maclin stated that this interconnect will be used for emergency purposes only. City Manager Maclin stated that the City has had a similar agreement with the Central Water Supply for several years and has never exercised the agreement. City Manager Maclin stated that this is an agreement that the water supply corporations utilize to help meet the regulatory requirements with Texas Natural Resource Conservation Commission.

In response to question by Mayor Bronaugh, City Manager Maclin stated that the City has an agreement to sell water to Huntington, but with Central the agreement is for an emergency interconnect.

In response to question by Councilmember Gorden, City Manager Maclin stated that someone from Central will have to make the request to the City, and the City would determine if it is indeed an emergency, and that typically it would be mechanical failure, pumps down, or something of this nature. Councilmember Gorden stated that if the City of Lufkin is having water problems of its own, then the City is under no obligation to supply water to a water supply corporation.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Bob Bowman that request of M & M Water Supply Corporation for interconnect with City of Lufkin for emergency water use be tabled and that a contract be written and brought back to Council for consideration. A unanimous affirmative vote was recorded.

**15. AUDIT REPORT - APPROVED - ALEXANDER, LANGFORD & HEIRS**

Mayor Bronaugh stated that the next item for consideration was the Audit Report for the City of Lufkin as prepared by Alexander, Langford & Heirs.

City Manager Maclin stated that Richard Rudel of Alexander, Langford & Heirs would give an overview of the audit and answer questions.

Mr. Rudel stated that members of his firm had gone over the audit report with the City staff and Councilmember Weems. Mr. Rudel stated that this is a good audit, and he would point out some comments that were made during the audit. Mr. Rudel stated that a comment from the management letter or a suggestion for improvement is in regards to centralizing grant accounting. Mr. Rudel stated that he is recommending to staff that they modify the grant accounting so that one person or one department is basically in charge of the accounting. Mr. Rudel stated that they would like to point out the suggestions they are making in regard to reportable conditions and they are to record amortization and accretion of premiums and discounts. Mr. Rudel stated that the discounts have not been

amortized. Mr. Rudel stated that they would also suggest ways to improve procedures for grant reporting. Mr. Rudel stated that he would suggest that the grant expenditures be separated to differentiate between grants and grant programs.

Mr. Rudel stated that their next comment is on fixed assets and recommends that all general fixed assets and enterprise fund property, plant and equipment additions be capitalized on the general ledger. Mr. Rudel stated that the next comment is on the bank reconciliation process, and he feels that this is an isolated occurrence, and they are recommending that reconciliation be prepared timely and any unlocated differences be resolved during the reconciliation process.

Mr. Rudel stated that they are recommending that the interfund accounts be balanced on a monthly basis and adjustments made for any differences.

Mr. Rudel stated that as normal in an audit report, there are the combined financial statements, the notes to the financial statements and in the middle of the report is the combining statements where the details are shown as far as combining the financial statements for the combined report. Mr. Rudel stated that there is also some additional information on the City's insurance, the water and sewer rates and system connections.

City Manager Maclin stated that City staff did provide a response to the discrepancies noted by the auditing firm as to how they will go about correcting them. City Manager Maclin stated that staff has also discussed the centralization of the grants administration and discussed the fact with Mr. Rudel and Mr. Weems last week that since December staff has been unable to secure someone to meet the qualifications of the Internal Auditor position. City Manager Maclin stated that staff is seeking to move forward today by transferring some of the funds from the Internal Auditor budget to create a grants administrator clerk's position in the Accounting Department to specifically address this need. City Manager Maclin stated that if there is no objection from Council staff will move forward in that area. City Manager Maclin stated that staff has advertised since December in the Houston Chronicle and the Dallas Morning News and have been unable to secure an applicant who meets the criteria of the job description. City Manager Maclin stated that, in his opinion, this would be a wise use of the funds that are already allocated to go ahead and hire a grants administration clerk.

Councilmember Weems stated that this is a very good audit, and that he had a very satisfactory meeting with Mr. Rudel who answered all of his questions.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Jack Gorden, Jr. that audit report by Alexander, Langford & Heirs be approved as presented. A unanimous affirmative vote was recorded.

**16. TEMPORARY WAIVER - APPROVED - PENAL ORDINANCE 110 - SALES ON PUBLIC SIDEWALKS - DOWNTOWN HOE DOWN - MAIN STREET**

Mayor Bronaugh stated that the next item for consideration was temporary waiver of Penal Ordinance 110 regarding sale of items on public sidewalks for Saturday, April 19th - Downtown Hoe Down sponsored by Main Street.

City Manager Maclin stated that included in the Council packet is a memo from the Main Street Department requesting this temporary waiver for Saturday, April 19th, with the waiver beginning Friday afternoon at 5:00 p.m. and ending at Saturday, at 6:00 p.m. City Manager Maclin stated that this will be applicable strictly for those vendors who are part of the Downtown Hoe Down event.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that temporary waiver of Penal Ordinance 110 regarding sale of items on public sidewalks for Saturday, April 19th - Downtown Hoe Down sponsored by Main Street be approved as presented. A unanimous



affirmative vote was recorded.

**17. AUTHORIZATION - APPROVED - APPROPRIATION OF FUNDS -  
INSURANCE LOSS FUND - ASPHALT PATCHING MACHINE**

Mayor Bronaugh stated that the next item for consideration was authorization to appropriate funds from the Insurance Loss Fund to replace asphalt patching machine.

City Manager Maclin stated that included in the Council packet is a memorandum from the Director of Public Works regarding this item. City Manager Maclin stated that a few months back there was a fire at the City garage that destroyed this AMZ asphalt patching machine. City Manager Maclin stated that the machine had some liquid asphaltting petroleum material in it and a repair was attempted to be completed with a welding machine and a spark from the welding machine caught the patching machine on fire and injured one of the shop maintenance personnel and destroyed the machine. City Manager Maclin stated that the Street Department is having a difficult time keeping up with all the patching since the rain and bad weather, and staff is seeking Council's permission to replace the machine. City Manager Maclin stated that in order to do that staff will need approximately \$50,000 from the Insurance Loss Fund to accomplish this. In response to question by Mayor Bronaugh, City Manager Maclin stated that the machine is four years old.

In response to question by Councilmember Bowman, City Manager Maclin stated that the City has liability insurance, not a comprehensive-type insurance. City Manager Maclin stated that the City is basically self-insured on most of the equipment, which is a lot cheaper in the long run.

Photographs of the damaged asphalt machine were passed around to Councilmembers.

In response to question by City Manager Maclin, Mr. Mayfield stated that the current balance in the Insurance Loss Fund is \$284,395.57.

Councilmember Gorden stated that he thought that this request should be approved, but that he would like to get a plug in for the Fund. City Manager Maclin stated that when the Insurance Loss Fund was created, it was created from what was called a windfall of tax because the sales tax base was expanded by the State Legislature, and Council took advantage of that and earmarked several hundred thousand dollars of those funds to be used for the Insurance Loss Fund. City Manager Maclin stated that there is legislation currently being considered by the State Legislature which would expand the sales tax, and if that sales tax is expanded the City will have the option and/or the public of Lufkin will have the option to give input into how that "windfall" increased sales tax should and could be spent.

City Manager Maclin stated that he understands Council's concern about the shrinkage of the Insurance Loss Fund from its original start up in 1988, and he likewise thinks that other ways should be found to keep the Fund "healthy" so that we have the opportunity for situations like this to have a Fund to draw upon.

In response to question by Councilmember Gorden, City Manager Maclin stated that the Insurance Loss Fund has not received additional funds, but there have been a number of times that it has been considered in a Decision Package, none of which has scored high enough.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Don Boyd that authorization to appropriate funds from the Insurance Loss Fund in the amount of \$50,000 to replace the asphalt patching machine be approved as presented. A unanimous affirmative vote was recorded.



**18. AUTHORIZATION - APPROVED - CONTRACT RENEWAL - GOODWILL INDUSTRIES - PARK CLEANING & LITTER REMOVAL**

Mayor Bronaugh stated that the next item for consideration was authorization to renew the contract with Goodwill Industries for cleaning and removing litter from City parks.

City Manager Maclin stated that included in the Council packet is a memo from the Assistant City Manager requesting Council's authorization to renew the contract with Goodwill Industries. City Manager Maclin stated that the City is given authorization to utilize this program under the Human Resources Code Chapter 122: Committee on Purchases of Products and Services of Blind and Severely Disabled Persons. City Manager Maclin stated that staff recommendation is to approve the contract with Goodwill Industries in the amount of \$12,129.60 for litter and cleaning in Lufkin City Parks. City Manager Maclin stated that this is a decrease from last year because a small portion of the area has been removed and is park of the Kiwanis Park/Grace Dunn Richardson Park/Azalea Trail area that will be done by part time help and seasonal help during the summer.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Bob Bowman that the contract with Goodwill Industries for cleaning and removing litter from City parks in the amount of \$12,129.60 be renewed. A unanimous affirmative vote was recorded.

**19a. BID - APPROVED - ONE TON TRUCKS W/UTILITY BODIES - WATER UTILITY DEPARTMENT - BARRETT BROS. MOTORS**

Mayor Bronaugh stated that the next item for consideration was bids for three (3) one ton trucks with utility bodies for the Water Utility Department.

City Manager Maclin stated that this is a budgeted item for the current fiscal year and the staff recommendation is to award the low bid of Barrett Brothers Motors in the amount of \$20,134.74 per unit. City Manager Maclin stated that \$23,000 was allocated in the Depreciation Fund for these trucks.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that bid of Barrett Brothers Motors in the amount of \$20,134.74 each be approved as submitted. A unanimous affirmative vote was recorded.

**19b. BID - APPROVED - SECURITY SYSTEM - POLICE DEPARTMENT - CITY HALL - B & D SECURITY SERVICES**

Mayor Bronaugh stated that the next item for consideration was bids for a security system for the Police Department and City Hall.

City Manager Maclin stated that included in the Council packet is a memo and recommendation on this particular item, which was a budgeted item that came through the Police Department to replace their outdated and antiquated closed circuit television system for security coverage. City Manager Maclin stated that last summer it was agreed that while this system was being purchased for the Police Department now would be the appropriate time to expand the coverage of the closed circuit television system to include the first floor of City Hall for protection of the valuable art collection, as well as provide some additional security for the Utility Collection's office window.

City Manager Maclin stated that the staff recommendation is to award the low bid of B & D Security Services in the amount of \$17,211.

David Cochran, Director of Purchasing, stated that the difference in the bids is the warranty; one bid includes two years labor. Chief Collins stated that he is pleased

with the new system.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Don Boyd that bid of B & D Security Services in the amount of \$17,211 be approved as submitted. A unanimous affirmative vote was recorded.

**20. BID - APPROVED - WATER WELL #13 - LAYNE TEXAS**

Mayor Bronaugh stated that the next item for consideration was the award of bids for new water well #13.

City Manager Maclin stated that staff received two bids on March 27th. City Manager Maclin stated that this well is part of the capital improvements program for the summer to expand the capacity of the ground water system. City Manager Maclin stated that the staff recommendation is to award the low bid of Layne Texas in the amount of \$415,000.

In response to question by Councilmember Bowman, Mr. Wright stated that this well is located one mile of north of the existing well #12, which is on FM 843, behind the Allentown Church.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that bid of Layne Texas in the amount of \$415,000 be approved as submitted. A unanimous affirmative vote was recorded.

**21. EXECUTIVE SESSION**

Mayor Bronaugh recessed Regular Session at 6:05 p.m. to enter into Executive Session. Mayor Bronaugh reconvened the meeting at 6:30 p.m. and stated that Council had discussed attorney/client and real estate matters. No decisions were made.

**22. SALE OF PROPERTY - APPROVED - WHITE HOUSE DRIVE**

Mayor Bronaugh stated that the next item for consideration was selling a portion of property on White House Drive.

City Manager Maclin stated that this is a 1.8 acre parcel portion of an eight acre tract owned by the City on White House Drive adjacent to the elevated water storage tank which was built three years ago. City Manager Maclin stated that this piece of property will be isolated or cut off from the remainder of the property by a subdivision that is going in. City Manager Maclin stated that it is staff's opinion that it is in the City's best interest to go ahead and sell this parcel of land; by selling it now it will be eligible to be included in a Planned Unit Development for the whole subdivision. City Manager Maclin stated that staff recommendation is to sell this land at the appraised value of \$18,100 and also included in that are some extra previously agreed upon requirements for the street, as agreed upon by the developer and the City Engineer.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that a portion of property on White House Drive be sold for the appraised value of \$18,100, and some additional street width and material selection as previously agreed upon by the City Engineer and the developer. A unanimous affirmative vote was recorded.

**23. COMMENTS**

City Manager Maclin stated that the City's annual Employee's Awards Banquet will be held on Thursday night at 6:30 p.m. at the Civic Center.

City Manager Maclin stated that the TML Region 16 quarterly meeting will be held

in Nacogdoches at the Fredonia Inn on Tuesday, April 29 at 6:30 p.m.

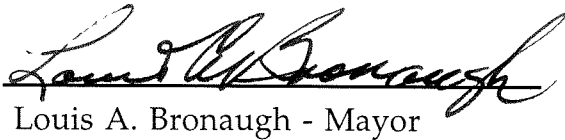
Mayor Bronaugh reminded Councilmembers of the Downtown Hoe Down on Saturday, April 19, and that Sunday is Earth Day at the Zoo.

24. There being no further business for consideration, meeting adjourned at 6:35 p.m.

ATTEST:

A handwritten signature in cursive script, reading "Atha Stokes", written over a horizontal line.

Atha Stokes - City Secretary

A handwritten signature in cursive script, reading "Louis A. Bronaugh", written over a horizontal line.

Louis A. Bronaugh - Mayor