

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF  
THE CITY OF LUFKIN, TEXAS, HELD ON THE  
15TH DAY OF OCTOBER, 1996 AT 5:00 P. M.**

On the 15th day of October, 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 A. Bronaugh	Mayor
Don Boyd	Mayor pro tem
Percy Simond	Councilmember, Ward No. 1
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	Director of Planning
Bob Flournoy	City Attorney
Atha Stokes	City Secretary
Keith Wright	City Engineer

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Henry L. Mills, Pastor, First Church of the Nazarene.
2. Mayor Bronaugh welcomed visitors present and recognized Boy Scout Troop 136 Asst. Leaders Jeff Swearingen and Mark Spurgeon, and Scouts David Maceli, Jake Croker, Matthew Stevenson and Landon Spurgeon, who are working on their Communications Merit Badge. Mayor Bronaugh also recognized Junior Service League members Holly Barrett and Sally Naron.

Mayor Bronaugh stated that just prior to the opening of the Council meeting he received a letter faxed to him by Congressman Charlie Wilson which is the official statement by the United States Department of Commerce that the City's EDA grant of \$633,000 has been approved.

**3. APPROVAL OF MINUTES**

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Jack Gorden, Jr. that the minutes of the Regular Meeting of October 1, 1996 be approved as presented. A unanimous affirmative vote was recorded.

**4. VIDEO PRESENTATION - WATER LINE REHABILITATION PROJECT - RAINBOW ADDITION**

Mayor Bronaugh stated that the next item is a video presentation of the water line rehabilitation project in the Rainbow Addition.

City Manager Maclin stated that from time to time staff has used video presentations to update Council on various City projects. City Manager Maclin stated that one of the long range projects is the replacement of old water lines by subdivision throughout the City. City Manager Maclin requested that City Engineer Keith Wright come and make a report on the Rainbow Addition water line replacement.

Mr. Wright stated that a map of the Rainbow Addition had been placed on the 10/15/96

Council table and the dark lines represent the new lines that are being laid within the right-of-way of the existing streets. Mr. Wright stated that crews are replacing 6" cast iron pipe and 2" galvanized pipe and are accomplishing three things: (1) eliminating leaks (2) improving water quality by eliminating dead end lines (3) providing for additional fire protection in that area. Mr. Wright stated that this represents approximately 19,500 feet of 6" pipe with 23 fire hydrants installed.

Mr. Wright presented a video of the work in progress.

**5. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - RESIDENTIAL SMALL SINGLE FAMILY TO LOCAL BUSINESS - KURTH AVENUE - ANNIE JEWEL ROYLE**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to change the zoning from "RS" Residential Small Single Family to "LB" Local Business on approximately a 0.943 acre tract of land located at 307 Kurth Avenue as requested by Annie Jewel Royle.

There was no opposition present.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Tucker Weems that Ordinance to change the zoning from "RS" Residential Small Single Family to "LB" Local Business on approximately a 0.943 acre tract of land located at 307 Kurth Avenue as requested by Annie Jewel Royle be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**6. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - RESIDENTIAL LARGE SINGLE FAMILY TO NEIGHBORHOOD RETAIL - PERSHING AVENUE - ROBERT TAYLOR**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to change the zoning from "RL" Residential Large Single Family to "NR" Neighborhood Retail on approximately a 0.17 acre tract of land located at 1103 Pershing Avenue as requested by Robert Taylor.

There was no opposition present.

Motion was made by Councilmember Tucker Weems and seconded by Councilmember Don Boyd that the Ordinance to change the zoning from "RL" Residential Large Single Family to "NR" Neighborhood Retail on approximately a 0.17 acre tract of land located at 1103 Pershing Avenue as requested by Robert Taylor be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

**7. SKATEBOARD ORDINANCE - DISCUSSED**

Mayor Bronaugh stated that the next item was further consideration of the Skateboard Ordinance. Mayor Bronaugh stated that this item is being discussed at the request of Councilmember Bob Bowman.

City Manager Maclin stated that the Main Street Advisory Board has this item on their agenda for this coming Thursday. City Manager Maclin stated that he would suggest that Council give any input they would like today, or approve on First Reading today with a request for additional comments from the Main Street Committee since they have been working on this for several months now. City Manager Maclin stated that Council could provide any direction they wanted to and ask the Main Street Committee to come up with a final recommendation either way. City Manager Maclin stated that this has almost come full circle from agreeing that there is a need for an Ordinance of this nature.

Councilmember Bowman stated that he is not only the one who brought this request back to Council, but was also the one who made the motion to table it at an earlier meeting. Councilmember Bowman stated that he began to see the need a couple of weekends ago during the Main Street Gala downtown when there were a lot of people moving around on the sidewalks and in the midst of that crowd were a couple of skateboarders who almost hit an elderly couple. Councilmember Bowman stated that his concern is that someone is going to get hurt if we (the City) does not control the situation. Councilmember Bowman stated that it is not his intention to punish young people for the privilege they have, but he would like to see them have another place, and he is not sure that the downtown area is the proper place for skateboarding and skates.

Councilmember Gorden stated that if the Council and downtown people want to move forward with this he would appreciate some consideration being given to pedestrian traffic rather than inline skates, but something along the line of preserving the sidewalks for pedestrian traffic which would cover some other things. Councilmember Gorden stated that he is not sure where the geographic area is. City Attorney Flournoy stated that the first Ordinance given to Council for consideration was to cover the Central Business District, but it turns out that there are some Central Business zones outside the downtown area, and that would not work. Mr. Flournoy stated that he has given Council an Amendment that is restricted to the Fire Zone, which is actually a smaller area. Mr. Flournoy stated that the City has a very defined Fire Zone and a map of the zone will be provided to Council.

City Manager Maclin asked Dawn Glover, Main Street Director, to give Council the perimeters of the Fire Zone downtown. Ms. Glover stated that the Fire Zone is downtown proper, the core downtown area. Ms. Glover stated that the approximate area is from Burke to Frank running north and south, and between Angelina and Third Street, maybe all the way to Fourth running east and west. Ms. Glover stated that the Main Street area extends beyond these perimeters and that the young people skating downtown are not hurting anything in this area because there is very little pedestrian traffic. Ms. Glover stated that safety seems to be the issue that has to take presentence.

In response to question by Councilmember Gorden, Ms. Glover stated that the Fire Zone will be the exact same area that is addressed in the maintenance ordinance.

Councilmember Bowman stated that there seems to be a lot of skateboarding activity around Lufkin Industries. Ms. Glover stated that the Fire Zone does not take in this area. Ms. Glover stated that in addition to the safety issue, sprinkler heads at a couple of the banks and the landscaping have encountered problems, which are purely accidental but still property owners complain about.

Mayor Bronaugh stated that he had some concern with an Ordinance specifically for roller blades or roller skates. Mayor Bronaugh stated that bicycles are not allowed on the sidewalks. Mayor Bronaugh stated that he had found in an Ordinance where persons propelling push carts on roadways and the use of coasters, roller skates and similar devices on any roadway except while crossing a street at a crosswalk are prohibited. Mayor Bronaugh stated that, in his opinion, some of these type things could be amended in the Ordinance to keep the City's walkways safe. Councilmember Gorden stated that this is what he had in mind. Mayor Bronaugh stated that he was also concerned if there are too many restrictions it will push the young people out into the streets and we already have a law protecting City streets.

City Manager Maclin started that any amendment to the Ordinance would have to be inclusive of wheelchairs for handicapped accessibility.

City Attorney Flournoy stated that this Ordinance covers other similar devices and probably will be broad enough to cover new inventions that propel people or where people propel down sidewalks would be broad enough as it is. Mr. Flournoy stated

that what the Ordinance addresses here is prohibiting on the sidewalks in the Fire Zone area something that is already prohibited on the streets all over. Mayor Bronaugh asked if signs would be posted advising the public that this activity is prohibited. Mr. Flournoy stated that that might not be a bad idea.

In response to question by Mayor Bronaugh, City Manager Maclin stated that he would suggest that the Main Street Committee address this issue Thursday at their Board meeting, and that the City Attorney address the comments that have been made today for more definitive pedestrian only traffic and bring the Ordinance back at the next Council meeting.

In response to question by Mayor Bronaugh as to how a young person would know where the Fire Zone is, City Manager Maclin stated that the City could provide maps and would solicit the help of the news media in getting the word out, and if need be the existing poles could be used for signage.

Councilmember Simond stated that, to him, this is ludicrous putting up all the different signs. Councilmember Bowman stated that it would probably be more ludicrous if somebody got hurt. Councilmember Simond stated that he sees young people skating on the sidewalk everyday when he takes the deposit to the banks after 5:00 p.m. and there are no pedestrians on the sidewalks. Councilmember Simond stated that the fallacy of this is the City does not provide anything else for these young people but we restrict them from the sidewalk. Councilmember Simond asked if it is against the law to walk in the streets. Councilmember Simond stated that it was kind of silly to him that a person could walk in the street but could not skate in the street. Councilmember Simond asked why the Council did not talk about building a place especially for young people to skate, since there is some land available around the City. Councilmember Simond stated that he is bitterly opposed to three or four businesses downtown dictating as to what happens downtown.

Mayor Bronaugh stated that he concurred with Councilmember Bowman in that he did not like the idea of a device such as this on a sidewalk designed for people to go from one place to another, but he also did not like the idea of passing Ordinance and posting signs.

Councilmember Bowman stated that Council should try and find a place these young people could use for skateboarding and that he was not against skateboarding at all.

Councilmember Boyd asked if anyone had given consideration to the fact that after 5:00 p.m. everything downtown is empty. Mayor Bronaugh stated that the Espresso Station is open after 5:00 p.m. and had customers on the sidewalk. Councilmember Bowman stated that as the City gets more restaurants downtown there will be more people on the sidewalks. Mayor Bronaugh stated that the Fire Zone will not go all the way down to NationsBank but will include Lufkin National, and they have had some problems with the young people using their drive-through and parking lot. Councilmember Boyd stated that there needs to be a skate park for these young people. Councilmember Bowman stated that he concurs with Councilmember Boyd and that would seem to be the answer to the problem.

City Manager Maclin stated that one of the beautiful aspects in using the area of the Fire District is it is a smaller area and is limited to the area where the density of the traffic is after 5:00 p.m. but it still allows for these activities close by. City Manager Maclin stated that predicated on his observation of the spot over at Lufkin Industries is it is far more popular than the sidewalk in front of Espresso Station because it has no challenge. City Manager Maclin stated that the slope at Lufkin Industries has challenge with hills, some bumps and rails and this would not be included in the Fire District. City Manager Maclin stated that the Fire Zone is the best of both worlds because it does not eliminate utilization of downtown, it just eliminates the area where the density of pedestrian traffic is.

Mayor Bronaugh stated that he was aware that the youngsters who were supposed to get together and come up with some ideas on their own have not done so.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Betty Jones that Ordinance be tabled until there is input from the skateboarders and the Main Street Committee, and that it be placed on the next agenda for further consideration. A unanimous affirmative vote was recorded.

**8. ORDINANCE - APPROVED - FIRST READING - COMMERCIAL SOLID WASTE SERVICES**

Mayor Bronaugh stated that the next item for consideration was First Reading of the Commercial Solid Waste Services Ordinance.

City Manager Maclin stated that included in the Council packet is a draft of a proposed Ordinance that staff basically utilized from an Ordinance from the City of Denton, which has been used successfully and withstood the legal test from the private solid waste industry. City Manager Maclin stated that the Ordinance provides that the City will be the exclusive provider for solid waste collection within the City and will require a permitting process for special waste haulers. City Manager Maclin stated that part of this is to keep in compliance with all changes from the Texas Natural Resources Conservation Commission, and part of it is to protect the basic customers inside the City limits. City Manager Maclin stated that the ability to be successful in maintaining an effective solid waste service at an affordable price has a lot to do with economies of scale. City Manager Maclin stated that he understands from a neighboring community that they may be seeking privatization of their garbage collection service in the near future, and once they do that, a company such as BFI or Laidlaw would have a presence in Angelina County much greater than they currently have. City Manager Maclin stated that this would lend an opportunity for them to take away some of the City's commercial customers, which would be detrimental to the City as a whole. City Manager Maclin stated that the reason this Ordinance has been deemed legal in a Court of Law in the State of Texas is that Texas does require incorporated cities like Lufkin to have a primary responsibility for garbage collection. City Manager Maclin stated that the State has said that the City has the authority and the right to enact Ordinances like this in order to protect the City's customer base and provide for orderly and professional collection of garbage and recycling within the City. City Manager Maclin stated that this Ordinance is coming from City staff as a pro-active measure to avoid a potential conflict in the future when there is a greater presence of private solid waste companies in Angelina County.

Councilmember Simond stated that he did not have a problem with passing this Ordinance but wanted to know if it is legal, and if Denton is the only town that has been tested in Court. City Manager Maclin stated that it was tested by Denton and a lot of cities followed suit. City Manager Maclin stated that Denton was the first City with an Ordinance that was challenged (by BFI) and the City of Denton did prevail. City Manager Maclin stated that the reason this Ordinance is not illegal in the case of the Court opinion is that since cities have this responsibility by law they should be able to regulate it within their own city limits. City Manager Maclin stated that this is the basis as to why it is not open to privatization because the private hauler does not have to haul in Lufkin if they don't want to, they can go where they can make the most money, but the City has the responsibility to the citizens to provide the service regardless.

Councilmember Bowman asked if the City of Lufkin could enter into a contract with a neighboring community to provide garbage service, and City Manager Maclin responded, "Yes, it has been done very widely in Arizona".

Mayor Bronaugh stated that he had been visiting with Vernon Cupit, City Manager of Diboll, and he stated that they were considering garbage collection by a private

firm.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that Ordinance for Commercial Solid Waste Services be approved on First Reading as presented. A unanimous affirmative vote was recorded.

**9. ORDINANCE - APPROVED - FIRST READING - PARADES AND MOTORCADES**

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance regulating and permitting parades and motorcades.

City Manager Maclin stated that an updated version of this proposed Ordinance has been placed on the Council table. City Attorney Flournoy stated that the State has just informed the City that they are going to begin to require a permit any time a street is closed, so if we (the City) were going to allow a parade the applicant would also have to obtain a permit from the State. Mr. Flournoy stated that the Amendment addresses this on page 4 - paragraph "g". Mr. Flournoy stated that we will also require that the applicant obtain the permit from the State and pay the fee if one is required. Mr. Flournoy stated that this Ordinance requires that an application be made to the Police Chief giving certain information (the size of the parade, time it will start, etc.). Mr. Flournoy stated that the Ordinance requires an application fee of \$25.

In response to question by Councilmember Boyd, Mr. Flournoy stated that if a parade crosses Frank Street a permit will be required because Frank is a State Highway. Mr. Flournoy stated that the State has said that if the City stops traffic on their street or highway, a permit must be obtained. Councilmember Boyd asked if it was necessary for the City to require a fee when the State is requiring a fee, thereby making the applicant pay twice. Mr. Flournoy stated that he had spoken with State officials today and it has not been decided whether they will require a fee. Councilmember Boyd stated that \$25 seems a bit excessive to him. City Manager Maclin stated that the City incurs additional expense for City manpower for parades. City Manager Maclin stated that the City is expending substantial tax dollars in terms of Police, Street Department, Fire Department employees and vehicles to have a parade. In response to question by Councilmember Boyd, City Manager Maclin stated that when there is a City-sponsored event we do not charge ourselves.

In response to question by Mayor Bronaugh, City Attorney Flournoy stated that the definition of a motorcade is where street lights are not required to be held up. Councilmember Boyd stated that the definition in the Ordinance says: "Motorcade means an organized procession containing twenty-five or more motor vehicles, except funeral processions, upon any public street, sidewalk or alley."

In response to question by Councilmember Gorden, City Manager Maclin stated that the process right now to have a parade is to contact the Police Chief. Councilmember Gorden stated that if we are going to charge to have a parade it would seem that we would charge a lot more than \$25 considering the work involved by the City.

In response to question by Councilmember Jones, Chief Collins stated that there are close to 20 parades a year that would meet the definition of this Ordinance. Chief Collins stated that there is hardly a weekend that goes by where there is some event that would fall under the guidelines of this Ordinance. Chief Collins stated that there are three large parades that affect downtown and they are the Christmas Parade, the Rodeo Parade and the Red Ribbon Parade.

In response to question by Councilmember Jones, Chief Collins stated that there would be some increase with the issuance of permits, but would not be burdensome. Chief Collins stated that when people come in now and want to have a parade he requests that they submit a proposed route and give some basic

information (which is contained in this Ordinance). Chief Collins stated that he then coordinates with the Street Department, and sometimes has to alter the route the person has submitted to provide for safety factors.

City Manager Maclin stated that the City has coordinated in the past with the State for events held at the Expo Center. Chief Collins stated that practically every parade the City has will involve a State street or highway.

Councilmember Simond stated that he would like for the City Attorney to get a ruling from the State if the City can impede traffic on First Street putting up Christmas lights.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that Ordinance regulating and permitting parades and motorcades be approved on First Reading with the deletion of Section G.

The following vote was recorded:

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

Nay: Councilmember Weems

Mayor Bronaugh stated that motion carried with six affirmative votes.

#### 10. REPORT ON HEALTH TRUST FUND FINANCIAL HISTORY 1993-1996

Mayor Bronaugh stated that the next item for consideration was a report on the City's Health Trust Fund financial history for 1993-1996.

City Manager Maclin stated that in 1992 the City changed its third party administrator to Texas Municipal League Risk Pool. City Manager Maclin stated that the City has been self-funded since the early '80's. City Manager Maclin stated that staff felt that it was appropriate that Council get an update on the status of the Health Trust Fund. City Manager Maclin stated that in 1991 the fund was \$300,000 in the red and since then it has been brought out of an arrears condition and is a healthy fund. City Manager Maclin stated that in the years the City has had good claims experience as a self-funded health trust program we have been able to retain excess funds and apply it back to health benefits and add additional benefits for City employees that has made the City's health insurance package a very positive one as an employee benefit. City Manager Maclin stated that he had asked Marilyn Patterson, the TML Claims Benefit representative for the City, to come tonight and briefly review the information in the booklets that had been passed out.

Ms. Patterson stated that the first Section talks about Managed Care, which is the direction health care is going in Lufkin. Ms. Patterson stated that the new program for the City is a PPO (Preferred Provider Organization), which exists of a group of doctors and hospitals that TML will give the employees an incentive to use through plan design. Ms. Patterson stated that the reason they give the employees an incentive to use these providers is because the providers have agreed to give employees a discount on the services they provide.

Ms. Patterson stated that the next section deals with coverage of benefits and gives an overview of the benefits that are provided through TML for the City employees. Ms. Patterson stated that employees have a death benefit of \$10,000, accidental death is \$20,000, and an accidental dismemberment policy of \$5,000.

Ms. Patterson stated that the next page is a schedule of benefits which briefly talks about how employees are reimbursed for their medical expenses. (Ms. Patterson stated that she had made two errors on this page - the deductible in regard to the wellness program should be \$200 instead of \$300, and the preventive care benefit should be \$300 not \$200). Ms. Patterson stated that employees who meet a wellness

criteria that the City has established by satisfying a requirement for weight and height, for blood sugar, for cholesterol, for blood pressure and non-use of tobacco products have a lower deductible. These employees have an incentive to maintain a healthy lifestyle. Ms. Patterson stated that in addition to that any preventive care that an employee or dependent receives up to \$300 a year is paid in full.

Ms. Patterson stated that the following page refers to the employee's out-of-pocket expense. Ms. Patterson stated that this is a "safety net" that is built into the plan to protect an employee from catastrophic financial loss due to a large illness. Ms. Patterson stated that once an employee has \$1,000 in out-of-pocket costs TML begins to pay 100% of that employees expenses.

Ms. Patterson stated that the last page in this section gives life time maximums that are contained within the plan. Ms. Patterson stated that there is a \$1 million life time benefit on all expenses, there are some lower benefits depending on the type of care and diagnosis for mental and nervous, physical therapy, chiropractic, etc.

Ms. Patterson stated that the following section talks about claims experience. Ms. Patterson stated that the first two boxes break down the cost by employee and dependent, and the bottom box shows the totals. Ms. Patterson stated that during 1993 the employees incurred most of the claims, during the second two years, which were extremely high claim years in the City, it was an even split between employees and dependents. Ms. Patterson stated that one large claim can really skew the numbers. Ms. Patterson stated that the reference to PCS is the prescription card. Ms. Patterson stated that TML utilizes a mail order prescription program through Walgreens in Phoenix, Arizona. Ms. Patterson stated that it is expensive to administer a drug card.

Ms. Patterson stated that the next three pages each designate one of the plan years, giving an overview of hospital utilization. Ms. Patterson stated that in the future she would prepare this report in descending dollar order, which might be easier to digest. Ms. Patterson stated that in the future the report will reflect discounts as a result of using the PPO's.

Ms. Patterson stated that the final section speaks to the self-funding arrangement or the excess insurance. Ms. Patterson stated that the City has a self-funded plan and when TML pays claims they are using the City's money. Ms. Patterson stated that there are some protections built into the plan and the first one is "Specific Stop Loss", which refers to protection on an individual claim. Ms. Patterson stated that if an individual claim exceeds \$40,000, TML is no longer using Lufkin's money for that claim, but they are using the re-insurer's money. Ms. Patterson stated that the aggregate protection protects the City from large claims overall, not necessarily specific claims. Ms. Patterson stated that the City has not ever had an aggregate violation, which means that they are doing a good job in predicting what the City's claims will be. Ms. Patterson stated that should total claims for the City exceed \$1.2 that is the point where re-insurance would pick up.

Ms. Patterson stated that the final page goes into the details about the re-insurance. Ms. Patterson stated that since 1993 the City has paid approximately a half million dollars in specific stop loss premium protection, and during this time the City has had approximately \$1.2 million in reimbursement. Ms. Patterson stated that the large claims are listed on this page by diagnosis and by the amount they exceeded \$40,000.

Ms. Patterson stated that every year TML prepares a report with graphs and pie charts which shows how the TML Risk Pool is doing, including approximately 20,000 Texas cities for a comparison to see how the City of Lufkin is doing compared to these other cities.

Darryl Mayfield, Assistant City Manager/Finance, passed out a financial history sheet to Councilmembers. Mr. Mayfield stated that in attempting to look at the

history of the plan since October, 1992 through September, 1994, is to take information on active, COBRA and retired and dependent claims and restructure them so that Council will be able to take a look at the premium paid by the City, the premium paid by the employee, and the administrative costs. Mr. Mayfield stated that each year begins with a beginning balance and after that the totals are shown as to the amount of revenue contributed by the employees, and a total of City premium paid, and underneath would be the total revenue for the year which would combine employee revenue paid and City premium paid. Mr. Mayfield stated that the number of employees can vary each month depending upon them leaving City employment or if they decide to change their dependent coverage. Mr. Mayfield stated that the City's premium would then change depending upon the number of employees that happen to be employed.

Mr. Mayfield stated that farther over are the numbers for the employee active claims, COBRA employee claims, employee retirees claims, these will be basically the same numbers that Ms. Patterson presented. Mr. Mayfield stated that what he has attempted to do finally at the bottom of the report is a grand total of revenue that City employees had paid through the plan. Mr. Mayfield stated that through September, 1994 some of the City's premiums had not been completed at the time this report was done. Mr. Mayfield stated that the grand total from 1992 through 1994 of employees premiums were \$1.1 million, with the City's premium at \$3.3 million, and administrative costs were \$752,000.

In response to question by Councilmember Gorden, Mr. Little stated that the City pays \$238 for employee only, for employee and spouse it is \$154 in addition to that amount, for employee and child it is \$184, and employee and family is \$195.

Mr. Little stated that the City will be having their first annual health benefits fair at the Civic Center today and tomorrow. Mr. Little stated that participating in the health benefits fair were Ms. Patterson representing TML, a representative from TMRS to talk about retirement, a representative from ProDent to talk about the new dental plan, a representative from SAM's, a representative from the Worker's Comp carrier, a representative from PEBSCO for a tax annuity program, the Municipal Employees Credit Union, vision checks, audiology checks, and Woodland Heights Hospital is doing the health screen again this year. Mr. Mayfield stated that a representative from the Accounting Department was available to talk to employees about direct deposit of their paychecks.

Mr. Little stated that as part of the health screen a prostate exam is done through blood samples and anyone who is over 40 is eligible.

City Manager Maclin stated that as a self-funded City, the benefit is that when you have good claims experience year those dollars carry over into the health trust fund and that is what allows the City to offer additional benefits to employees. City Manager Maclin stated that when a City can reach the economies of scale they can get good bids on the re-insurance, and self-funding is advantageous.

Councilmember Gorden asked if it were better to offer more services than to look at reducing costs for the employee. City Manager Maclin stated that in some cases the increased costs reflect trends in the health industry as opposed to increased benefits. City Manager Maclin stated that when the City has excess funds predicated on good claims experience the City tries to reward the employee because their healthy lifestyle is what helps create the excess. In response to question by Councilmember Gorden, City Manager Maclin stated that the City employee does not pay their own premium, the City does, and the part they do pay has been the same for five consecutive years. City Manager Maclin stated that there is no other entity in Angelina County that can make that claim.

Mr. Little stated that the City is offering free flu shots for employees, also memberships in health clubs, free mammogram for women employees and free prostate exam for men employees as part of the preventive health care program.

**11. REQUEST - APPROVED - BRANDON PARK COMMUNITY CENTER - LINDA PENDLAND - CONCERNED CITIZENS OF LUFKIN, INC.**

Mayor Bronaugh stated that the next item for consideration was request of Linda Pendland and the Concerned Citizens of Lufkin, Inc. for use of the Brandon Park Community Center.

City Manager Maclin stated that included in the Council packet is a copy of the proposal submitted by the Concerned Citizens of Lufkin, Inc. City Manager Maclin stated that a few weeks back he and Ms. Pendland were visiting about the utilization of City park facilities, specifically the Brandon Community Center and after further discussion she stated that she would like to present a proposal to Council for revitalization of the Park and the Community Center itself.

Ms. Pendland stated that she is the president of the Concerned Citizens of North Lufkin and also a resident of the North Lufkin community. Ms. Pendland stated that the proposal is submitted for the reconstruction and revitalization of Brandon Community Center. Ms. Pendland stated that the purpose of the proposal is to upgrade Brandon Park Community Center and to promote utilization of the center for the people of the North Lufkin community to stifle negative forces and activities in the community. Ms. Pendland stated that historically there have been a lot of problems in the North Lufkin community. Ms. Pendland stated that the Community Center is located at Keltys and Highland Street and just north of the Community Center is an area called "The Front" where there is a lot of crime and drug activities, and on the lower end is "The Congo Club", where there have also been problems. Ms. Pendland stated that it is the opinion of the Concerned Citizens that if they can improve this Community Center they can also improve the quality of life in the North Lufkin Community.

Ms. Pendland stated that to promote utilization of the Center they are proposing to designate a liaison person to coordinate the Center's use with City officials, to establish guidelines, set up a fee structure and an activities calendar. Ms. Pendland stated that they plan to have wholesome activities and programs, with educational programs (Tutorial Program (TAAS/TASP), they will do referrals to GED and basic education providers, job preparation and training, coordinate with other social service providers, and parent education and training. Ms. Pendland stated that they will have community outreach and recruitment and will educate the community on the use of the facilities, and will charge fees for weddings, family reunions, class/school reunions, church revivals, birthday parties school functions and others.

Ms. Pendland stated that basically they wanted to promote youth leadership and development through role models, guest speakers, mentoring programs, values and self-worth and to coordinate with other programs such as Boy Scouts, Girl Scouts, 4-H Club (Texas A & M Extension Service), Boys & Girls Club, JTPA, STAR and CHOICES. Ms. Pendland stated that they wanted to promote cultural awareness through Black History and art and music appreciation. They propose coordination with community groups/organizations such as Delta Sigma Theta Sorority, Top Ladies of Distinction, Concerned Black Men, the Citizens Chamber and others.

Ms. Pendland stated that their basic objective is to stifle negative forces in the community and to improve coordination with law enforcement by establishing neighborhood watch groups and the Police Buddy System. Ms. Pendland stated that she would especially like to have the Police Buddy System for the youth so that they could retrain their mind that the police are not their enemy but rather friends and are our protection. Ms. Pendland stated that they would offer the use of the building for support groups such as AA, NA, DARE, CHOICES, STAR, etc. They would establish activities for senior citizens in coordination with DETCOG's AAA/RSVP/JTPA/HOUSING Programs. Also, Ministries in Action and the Chestnut Senior Housing Complex in Lufkin.

Ms. Pendland stated that the time frame for this proposal is to submit grant proposals in January of 1997 and by September 1997 they plan to fully implement this program. Ms. Pendland stated that she has talked with Walter Diggles, Executive Director of DETCOG, about securing funding for this program through a TCBG grant and to Buddy Zeagler with the TLL Temple Foundation. Ms. Pendland stated that she is of the opinion that this plan will work and will be very beneficial to Lufkin as a whole.

In response to question by Councilmember Bowman, Ms. Pendland stated that they are asking the Council to lease the building to them at a minimal fee, preferably \$1 per year, with yearly renewals. Ms. Pendland stated that she is not asking the City for any funding for this program.

Councilmember Boyd stated that the TCBG grant is normally funded for structural items and there is no guarantee that they will fund this proposal. Mayor Bronaugh stated that items such as parks are normally graded down and sewer and water line projects are given higher priority. Councilmember Boyd suggested that Ms. Pendland be in touch with the Pineywoods Foundation for possible funding.

In response to question by Councilmember Weems, Ms. Pendland stated that the Concerned Citizens are an approved 501-C organization and have been for the past three years. Ms. Pendland stated that their 501-C is a general purpose classification.

Councilmember Simond stated that Ms. Pendland should get the churches involved in this program.

In response to question by Mayor Bronaugh, Don Hannabas, Director of Parks and Leisure Services, stated that a City employee is assigned to work at the Brandon Park Community Center four days a week, 10 hours a day. Mr. Hannabas stated he allows a flexible schedule with this employee and he rotates the days the center is open. Mr. Hannabas stated that this employee is available to open and lock the building for special functions. In response to question by Mayor Bronaugh, Mr. Hannabas stated that he was not clear on what would happen to this employee if the Center is used for the Concerned Citizens organization but thought he could be relocated to another position in the City. Councilmember Simond stated that he would think that this City employee would be allowed to stay on in his present position to look after the City's interest in the building. Councilmember Simond stated that he had received calls from people who said that when there are no activities inside the building the employee locks the building and no one can go in for a drink of water or to use the restroom facilities. Councilmember Simond stated that if Ms. Pendland's group wants this employee to stay on, he should be allowed to stay. Councilmember Weems stated that since they already have a problem in this area it might be better if this employee stays on.

Benny Moye, a resident of North Lufkin, spoke in support of the Concerned Citizen's proposal.

Mayor Bronaugh stated that the consensus of the opinion of the Council is that this is a good idea and encouraged the Concerned Citizen's group to continue working on it. Councilmember Bowman stated that it would be appropriate for Ms. Pendland to get the financing of this program lined up and then come back to Council. Mayor Bronaugh stated that Ms. Pendland had come before the Council many times before with requests and always had good ideas and had been successful in other areas.

## **12. BIDS - APPROVED - 1993 HOME PROGRAM REHABILITATION**

Mayor Bronaugh stated that the next item for consideration was bids for the 1993 HOME Program rehabilitation.

City Manager Maclin stated that included in the Council packet is a cover letter from Kenneth Williams, Code Enforcement/Housing Development Department, with a recommendation from City staff and the Neighborhood Improvement Committee for approval of the bids for the 1993 HOME Rehabilitation Program. City Manager Maclin stated that the amounts of the bids are on the back of the cover letter. City Manager Maclin stated that one unit exceeds the \$15,000 maximum.

Mr. Williams, Director of Code Enforcement, stated that approximately a month ago Council voted to change some guidelines of the 1993 HOME Program, and one of them was to lower the maximum amount from \$25,000 to \$15,000 per applicant. Mr. Williams stated that during the bid process there was one home that was over the \$15,000 amount and only the City Council can approve amounts over the maximum.

Councilmember Boyd stated that several of the bids came in under the \$15,000 maximum so there should be sufficient funds to cover the one bid that came in over the maximum amount.

Mr. Williams stated that the budget included in the packet information reflects that there will be enough excess money to possibly bid out a number of additional homes. Mr. Williams stated that the target number was 14 homes.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Percy Simond to approve bids as presented including the bid which exceeded the \$15,000 limit. A unanimous affirmative vote was recorded.

13. **AUTHORIZATION - APPROVED - RADIOS - POLICE DEPARTMENT - HGAC**

Mayor Bronaugh stated that the next item for consideration was authorization to purchase radios for the Police Department through HGAC.

City Manager Maclin stated that this is the Decision Package approved by Council in the 1996-1997 budget to allow for handheld radios to be purchased for all 69 Police Officers. City Manager Maclin stated that staff recommendation is to purchase the radios through the Houston-Galveston Area Council purchasing program with a total price of \$63,121.85, which was predicated on a three year lease purchase in the budget. City Manager Maclin stated that the best interest rate received was from Government Capital Corporation at 5.795%.

In response to question by Councilmember Boyd, Chief Collins stated that the radios were made by Motorola. In response to question by Councilmember Simond, Mr. Cochran stated that the price per radio is \$662.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that staff be authorized to purchase radios for the Police Department through HGAC in the amount of \$63,121.85, and that financing through Government Capital Corporation with an interest rate of 5.795% be approved as submitted. A unanimous affirmative vote was recorded.

14. **AUTHORIZATION - APPROVED - VIDEO CAMERAS - POLICE DEPARTMENT - GSA**

Mayor Bronaugh stated that the next item for consideration was authorization to purchase video cameras for the Police Department through the State contract.

City Manager Maclin stated that included in the Council packet is a memo describing the three (3) mobile video systems through Kustom Signals Incorporated. City Manager Maclin stated that Kustom Signals Corporation is under State contract with the General Service Commission Cooperative Purchasing Program and will extend the contract price through November 15, 1996. City Manager Maclin stated that staff recommendation is to purchase the video cameras at a cost of \$3,730 each

for a total of \$11,190.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that staff be authorized to purchase three video cameras for a total of \$11,190 for the Police Department through the State Contract. A unanimous affirmative vote was recorded.

**15. AUTHORIZATION - APPROVED - AS400 COMPUTERS - DP SOLUTIONS**

Mayor Bronaugh stated that the next item for consideration was authorization to purchase two (2) AS400 computers.

City Manager Maclin stated that this item was discussed briefly in September when staff asked Council to approve a designated fund balance of funds in last years budget that were set aside for the purchase of computer systems for both the Utility Billing Department and the Police Department. City Manager Maclin stated that included in the Council packet is the total recommendation from the Accord Group, and the City's consultant Chip Collins. City Manager Maclin stated that there has been some difficulty in getting adequate bids on some of the individual hardware items, trying to make sure the product the City buys will have the durability and meet the needs of these two departments. City Manager Maclin stated that there are other needs in Municipal Court and Utility Billing where these departments have run out of computer space. City Manager Maclin stated that the IBM System 36 computers these departments are now using were purchased back in the early '80's. City Manager Maclin stated that these departments have reached a somewhat critical point where they are having to purge files regularly in order to have room to store data.

City Manager Maclin stated that staff will be coming back to Council next month to finish the rest of the recommendations. City Manager Maclin stated that staff is recommending the purchase of two (2) AS400 computers from DP Solutions in the amount of \$287,286 with funding appropriated in last year's budget in designated fund balance in the amount of \$241,739, and the difference of \$45,547 will be taken out of the current budget from the Police Department's budget that was budgeted for a five year lease purchase program.

City Manager Maclin stated that the Mayor received a call from County Judge Joe Berry this afternoon saying that he had noticed that the City was considering the purchase of an AS400. City Manager Maclin stated that the County will be having an excess AS400 in the future. City Manager Maclin stated that Mr. Cochran, and Mr. Johnson and he investigated the computer this afternoon and found that this was a six year old model (1990 AS400 model) and has already been upgraded once. City Manager Maclin stated that to upgrade this computer to be the equivalent piece of equipment to the AS400 from DP Solutions would be \$60,000. City Manager Maclin stated that even if the County gave the computer to the City, in his opinion, it still would not be cost effective. City Manager Maclin stated that Mr. Johnson had talked with the County Data Processing Manager today and they would not be able to release this computer for at least six months.

Motion was made by Councilmember Percy Simond and seconded by Councilmember Don Boyd that staff be authorized to purchase two (2) AS400 Computers from DP Solutions in the amount of \$287,286 as submitted. A unanimous affirmative vote was recorded.

**16. APPOINTMENT - APPROVED - PLANNING & ZONING COMMISSION - RODNEY PETERS**

City Manager Maclin stated that Planning & Zoning Commission member Robert McGee's term had expired this month and Mr. McGee has stated that he did not wish to be reappointed. City Manager Maclin informed Council that two other Planning & Zoning Commissioner's terms will be expiring in December and they

are Ronnie Robinson, who does wish to be reappointed, and Paul McCurry, who does not wish to be reappointed.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Percy Simond that Rodney Peters be appointed to the Planning & Zoning Commission. A unanimous affirmative vote was recorded.

18. COMMENTS

Mayor Bronaugh stated that the newly organized Parks Advisory Committee will be meeting this Friday at 11:30 a.m. in City Hall.

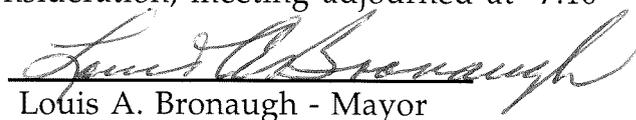
Mayor Bronaugh reminded Councilmembers of the Museum of East Texas Membership Gala this Saturday.

Mayor Bronaugh stated that the Orchestra in the Pines will be performing in the High School Auditorium Sunday afternoon.

Mayor Bronaugh stated that Leadership Lufkin will be meeting in City Hall on Thursday, and that the Red Ribbon Parade will be held next week.

City Manager Maclin stated that the Investment Committee had met at 3:00 p.m. today and a copy of their report had been placed on the Council table for each Councilmember.

19. There being no further business for consideration, meeting adjourned at 7:10 p.m.

  
Louis A. Bronaugh - Mayor

ATTEST:  
  
Atha Stokes - City Secretary