MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 3RD DAY OF AUGUST, 1993 AT 5:00 P.M.

On the 3rd day of August, 1993 the City Council of the City of Lufkin, Texas, convened in 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	Councilman, Ward No. 1
Larry Kegler	Councilman, Ward No. 3
Bob Bowman	Councilman, Ward No. 4
Jack Gorden, Jr.	Councilman, Ward No. 5
Tucker Weems	Councilman, Ward No. 6
C. G. Maclin	City Manager
Darryl Mayfield	Asst. City Manager/Finance
Ron Wesch	Asst. City Manager/Public Works
Tommy Deaton	Asst. City Attorney
Atha Stokes	City Secretary

being present when the following business was transacted.

1. Meeting was opened with prayer by Rev. Vincent Uher, Minister, St. Cyprian's Episcopal Church.

2. Mayor Bronaugh welcomed visitors present.

3. **APPROVAL OF MINUTES**

Minutes of the Called Meeting of July 1, 1993 and the Regular Meeting of July 20, 1993 were approved on a motion by Councilman Don Boyd and seconded by Councilman Tucker Weems. A unanimous affirmative vote was recorded.

4. **ORDINANCE - APPROVED - SECOND READING - STREET CLOSING - DAVIS STREET - WILLIAM GEORGE COMPANY, INC.**

Mayor Bronaugh stated that the first item for consideration was Second Reading of an Ordinance closing a portion of Davis Street as requested by the William George Company, Inc.

Motion was made by Councilman Tucker Weems and seconded by Councilman Larry Kegler that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

5. **SALE OF STREET - APPROVED - DAVIS STREET - WILLIAM GEORGE COMPANY, INC.**

Mayor Bronaugh stated that the next item for consideration was sale of a portion of Davis Street to William George Company, Inc.

City Manager Maclin stated that the fair market value of this property is $1,800, and that the City will retain an easement for water and sewer lines.

Motion was made by Councilman Don Boyd and seconded by Councilman Bob Bowman that sale of a portion of Davis Street to the William George Company, Inc. be approved as requested. A unanimous affirmative vote was recorded.

6. **DWI STEP GRANT - APPROVED - FISCAL YEAR 1994**

Mayor Bronaugh stated that the next item for consideration was the continuation of the DWI STEP Grant for fiscal year 1994.

Chief Collins stated that this will be the second year for the $10,000 DWI Step Grant, with the State providing $7,500 of the funds and the City providing the remaining $2,500. Chief Collins stated that there have been some good results from the Grant and he would recommendation continuation of the Program.

Mayor Bronaugh recognized Tina Walker, P.E., of the Texas Department of Transportation.

Motion was made by Councilman Tucker Weems and seconded by Councilman Bob Bowman that DWI STEP Grant be continued for fiscal year 1994. A unanimous affirmative vote was recorded.

7. **OCCUPANT PROTECTION STEP GRANT - APPROVED - FISCAL YEAR 1994**

Mayor Bronaugh stated that the next item for consideration was the continuation of the Occupant Protection STEP Grant for fiscal year 1994.

Chief Collins stated that this is the Seat Belt Enforcement Grant and he would like to recommend continuation of the program. Chief Collins stated that the amount of the Grant has been reduced since the compliance rate for seatbelt usage is approximately 70% and officers are not able to issue as many citations as they did during the first year of the grant.

In response to question by Councilman Simond, Chief Collins stated that there is a $45 fine for not wearing a seat belt. or the option of taking a two-hour course and paying $25. Chief Collins stated that the law allows a fine not to exceed $200, but the amount is set by the Judge.

Motion was made by Councilman Tucker Weems and seconded by Councilman Bob Bowman that Occupant Protection STEP Grant be approved for fiscal year 1994. A unanimous affirmative vote was recorded.

8. **STREET IMPROVEMENTS - APPROVED - SABINE INVESTMENT - CROWN COLONY**

Mayor Bronaugh stated that the next item for consideration was request of Sabine Investments for street improvements in Crown Colony.

Asst. City Manager Ron Wesch stated that this is the same type of project that the City did in 1990 in a shared program with Sabine Investments. Mr. Wesch stated that this year Sabine Investments has agreed to pay for all labor and equipment for base failures on Augusta and Walden Streets in Crown Colony as stated in a letter from Jim Brasse, which was included in the Councilmember's packets. Mr. Wesch stated that the City will pay for all materials to be utilized on this project in the amount of $82, 351.75 ($53,194.50 for Augusta Drive and $29,157.25 for Walden Court). Mr. Wesch stated that Walden Court, a 600-700' cul-se-sac street, will be completely taken up and relaid from the subgrade to the top layer.

In response to question by Councilman Bowman, Mr. Wesch stated that this type of agreement is advantageous to the City in that the needed repairs are accomplished without the utilization of City forces.

In response to question by Councilman Boyd, Mr. Wesch stated that Sabine Investment has requested that they be allowed to utilize crushed limestone as the base material as opposed to hot sand. Mr. Wesch stated that the City is presently redoing the current Ordinance relating to streets, and serious consideration is being given to crushed limestone being used as a sub-base. Mr. Wesch stated that it was his recommendation that Sabine Investment be allowed to use the crushed limestone on Walden Court for "testing" purposes and in a year it will be checked for durability. Mr. Wesch stated that Walden Court was a result of a total base failure, which is something that could not be predicted.

Motion was made by Councilman Bob Bowman and seconded by Councilman Jack Gorden, Jr. that request for street improvements to Crown Colony as requested by Sabine Investments, and recommended by Asst. City Manager Ron Wesch, be approved as presented. A unanimous affirmative vote was recorded.

9. **AUTHORIZATION - APPROVED - PURCHASE OF REPLACEMENT VEHICLE - WATER UTILITIES DEPARTMENT**

Mayor Bronaugh stated that the next item for consideration was authorization to purchase replacement vehicle for the Water Utilities Department.

Asst. City Manager Wesch stated that this is a vehicle that was involved in a major accident at Davisville Road and Loop 287 in April. Mr. Wesch stated that this unit is a 1986 model and the repairs to the unit exceed the blue book value of the vehicle. Mr. Wesch stated that, in his opinion, it was in the City's best interest to pursue purchasing a new vehicle as opposed to repairing the old unit.

Councilman Simond stated that it appeared that there had been a rash of accidents involving City vehicles. Councilman Simond asked why the employee involved in the accident at Davisville and Loop 287 was allowed to operate a City vehicle while his Drivers License was suspended. Mr. Little stated that the employee's license expired after he was hired. Mr. Little stated that the employee had renewed his vehicle insurance and the license was reinstated. Mr. Wesch stated that this was an unusual situation in that the employee's license was suspended for a very short period of time. Mr. Little stated that since that time the City has instituted a policy of checking everyone's driving record on an annual basis rather than just at the time they are hired.

In response to statement by Mayor Bronaugh, Mr. Wesch stated that this employee was suspended for a three-day period.

City Manager Maclin stated that revisions to the current driving policy will be made when the Personnel Policy Handbook is revised next month.

Councilman Simond stated that he would be opposed to this request if it had not been submitted by Mr. Wesch. Mayor Bronaugh and Councilman Simond agreed that there is considerable difference between repairing the vehicle for $4,000 and buying a new one for $15,000.

Motion was made by Councilman Percy Simond and seconded by Councilman Jack Gorden, Jr. authorizing the Asst. City Manager/Public Works to purchase a replacement vehicle for the Water Utilities Department. A unanimous affirmative vote was recorded.

10a. **BID - APPROVED - AIR CONDITIONING SYSTEM - WATER POLLUTION CONTROL - PAX-SUN INCORPORATED**

Mayor Bronaugh stated that the next item for consideration was an air conditioning system for the Water Pollution Control Department.

City Manager Maclin stated that staff recommendation is to award the low bid of Pax-Sun, Incorporated in the amount of $2,295.12.

Councilman Simond asked why Mr. Patel was not on the vendors bid list. Mr. Cochran stated that he was under the impression that Mr. Patel only repaired air conditioning systems and did not sell them.

Motion was made by Councilman Jack Gorden, Jr. and seconded by Councilman Percy Simond that the low bid of Pax-Sun, Incorporated in the amount of $2,295.12 be approved as submitted. A unanimous affirmative vote was recorded.

10b. **BID - APPROVED - WASTE WATER SAMPLING UNIT - WATER POLLUTION CONTROL DEPARTMENT - WINGO EQUIPMENT COMPANY**

Mayor Bronaugh stated that the next item for consideration was a wastewater sampling unit for the Water Pollution Control Department.

City Manager Maclin stated that it was staffs recommendation to award the low bid of Wingo Equipment Company in the amount of $2,717.00.

Motion was made by Councilman Bob Bowman and seconded by Councilman Jack Gorden, Jr. that bid of Wingo Equipment Company in the amount of $2,717.00 be approved as submitted. A unanimous affirmative vote was recorded.

11. **BUDGET PRESENTATION - KURTH MEMORIAL LIBRARY**

Mayor Bronaugh stated that the next item for consideration was an Amendment to the Agenda, and was a request by Kurth Memorial Library for budget considerations in the 1993-94 fiscal year budget.

Mayor Bronaugh recognized Librarian Helen Mills and Bob Quillen, who is the current president of the Kurth Memorial Library Board.

Mr. Quillen stated that the Library's total budget for fiscal year 1993-94 is $317,466, and the amount they are requesting from the City is $161,908. (Copies of the Library's budget were distributed to members of the Council.)

Mr. Quillen stated that the biggest increase in the budget was for insurance. Mr. Quillen stated that the Library follows the City's guidelines in regard to cost-of-living increases.

In response to question by Mayor Bronaugh, Mr. Quillen stated that approximately 8,000 people visit the Library each month.

Mr. Quillen stated that the Library is asking for an increase of $14,608 over last year's budget.

In response to question by City Manager Maclin, Ms. Mills stated that the Library had not made their request to the County for a $40,000 contribution.

City Manager Maclin stated that when the Library representatives come before the Council with their budget requests it is an opportunity for the City Council to talk directly with Library officials and maintain communication with the City of Lufkin and Kurth Memorial Library since the City provides 51% of their budget.

12. **COMMENTS**

Councilman Weems passed out an article on recycling to the Mayor, Councilmembers, and City Manager.

Councilman Kegler stated that he and Councilmen Simond discussed the Charter Review with some other City officials at Plano and were told that they used independent people along with assistance by the Assistant City Manager, and incurred no problems in rewriting their Charter. Councilman Kegler stated that the Council might want to consider this. City Manager Maclin stated that the Charter Review will be discussed after the Budget is finalized.

City Manager Maclin stated that a copy of the budget draft had been placed at each Councilmember's place for review and consideration. A budget workshop will be held on Thursday at 5:30 p.m. to consider any changes, additions or deletions to the budget.

City Manager Maclin stated that this was not an agenda item, but under "Comments" he would like to seek a consensus of opinion of direction from Council to pursue or not pursue another item. City Manger Maclin stated that the legal work on this item will have to be prepared and brought to the Council at the next Council meeting. City Manager Maclin stated that a piece of property at the end of White Avenue owned by Edna Peacock Gilbert adjoins property owned by the City where a lift station is located. City Manager Maclin stated that the creek in this area is eroding and eventually will cause the City to loose the lift station. City Manager Maclin stated that the City needs to move the lift station to the northeast direction. Ms. Gilbert has agreed to sell the 4/10's of an acre plus the 9/100th's of an acre for $2,500. The property appraises for a little higher, but it does not take into account the flood plain aspects of being that close to the creek. City Manager Maclin stated that $2,500 would be a fair and reasonable price for the City to consider paying for this property. City Manager Maclin that if the City owned this property there would be room to relocate the lift station in the future. City Manager Maclin stated that he is requesting that unless there is any objections, the Council allow him to work with the City Attorney in preparing the paperwork and bring it back for consideration on August 17th. (There were no objections.)

Asst. City Manager Wesch stated that for Council information he will be closing Abney Street just west of Keltys on Tuesday the 10th at 8:15 a.m. to allow A&NR Railway to do repair work on the railroad tracks before the City does some overlay work on the street.

13. There being no further business for consideration, meeting adjourned at 5:55 p.m.

Louis A. Bronaugh
Louis A. Bronaugh - Mayor

ATTEST:
Atha Stokes
Atha Stokes - City Secretary