

**MINUTES OF TOWN HALL MEETING OF THE CITY COUNCIL OF
THE CITY OF LUFKIN, TEXAS, HELD ON THE
23RD DAY OF MARCH, 1995 AT 6:00 P. M.**

On the 23rd day of March, 1995 the City Council of the City of Lufkin, Texas, convened in a Town Hall meeting in the Council Chambers of City Hall with the following members thereof, to wit:

Louis A. Bronaugh	Mayor
Percy Simond, Jr.	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
Ron Wesch	Asst. City Manager/PW
Stephen Abraham	City Planner
Kenneth Vann	City Engineer
Atha Stokes	City Secretary

being present, and

Don Boyd

Mayor pro tem

being absent when the following business was transacted.

Mayor Bronaugh requested that those wishing to speak to keep their comments to three (3) minutes. Mayor Bronaugh stated that we are not here to place blame or bash anybody in particular, but are here to solve some problems within the City of Lufkin. Mayor Bronaugh stated that this meeting is being recorded and the minutes will be made available to engineers in the City, and any other engineers who desire to participate, and then we will solicit requests for proposals. Mayor Bronaugh stated that the Council will then see what can be done regarding these problems as they prepare for the 1995-96 budget year. Mayor Bronaugh stated that Council and staff have already begun implementing some programs related to the drainage problems. Recently the City has received a commitment from the prison system in Diboll that will make available from eight to twelve inmates who will be assigned to cleaning out drainage ditches. Mayor Bronaugh stated that the City will appreciate the help of residents in identifying the "hot spots", which is very important, and he urged the neighbors and neighborhoods to cooperate with the City and County to see that these problems are corrected. Mayor Bronaugh stated that any help given by the neighborhoods will be greatly appreciated.

Mayor Bronaugh stated that the remainder of the meeting would be devoted to hearing from area residents, and requested that each person who was to speak identify themselves and give their address for the record.

Jim Foreman, who lives at 1321 Sue Drive, stated that his wife had planned to make this presentation to Council but was unable to due to the death of her mother earlier in the day. Mr. Foreman stated that his property was located in the Dodson addition, where he has experience drainage problems and flooding for the past 38 years. Mr. Foreman stated that over the last 10 years he has had water in his home on four or five occasions. Mr. Foreman stated that Mr. Dodson installed the drainage system in the neighborhood in 1957, and City workers had crawled in the joints to cement them together (this was to stop the sink holes in the yards). Mr. Foreman stated that the drainage system runs past his home and two other houses and serves approximately 50 houses in the subdivision (Mr. Foreman provided Council pictures of the drainage problems that were taken by his wife.)

Mr. Foreman stated that Mrs. Foreman had written a letter to the Mayor and

Councilmembers concerning the drainage problems, and some of the things he would say would be repetitious. Mr. Foreman stated that some of the pictures include a portion of Hurricane Creek. Mr. Foreman stated that he does not have a solution to the problems, but have had City employees come out on several occasions over the last four or five years, and they have looked and talked about the situation, and have even made suggestions about deviating the water. Mr. Foreman stated that from his observation he could not see anything that the City has done to alleviate the problems. Mr. Foreman stated that the layout of the drainage pipes is the same as it was in the mid-'80s up to today.

Larry Norwood, a resident of the Englewood Addition, residing at 1011 Linkwood, stated that staff had received a letter earlier in the week from one of his neighbors who was complaining about the flooding conditions in the neighborhood. Mr. Norwood stated that he had just stopped by his attorneys office (Larry Byrd) and Mr. Maclin and the City Council will be receiving a letter from Mr. Byrd regarding flooding conditions in the neighborhood in detail. Mr. Norwood stated that a letter of demand had also been sent to Mr. Bryant, the builder of the Englewood III addition, which lies directly behind Linkwood.

Mr. Norwood referred to a handout of a map of the Englewood Addition that he had passed out to Councilmembers. Mr. Norwood stated that the heavy black line starting at the top of the page and going all the way around the subdivision represents a small creek or drainage ditch that has been there for many years. Mr. Norwood stated that at the time of heavy rains it is always flooded in this area. Mr. Norwood stated that there are two pink shaded areas (one in the middle of the development and one along the left hand side of the page), which were flood pools anytime it rains in their neighborhood (before the neighborhood was developed). Mr. Norwood stated that any time there was a rain, these areas would act as a natural holding pond for flood waters and run off. Mr. Norwood stated that there has been a lot of development in Englewood III for the past two years, and the black squares indicate a lot of building in the middle of what used to be the major flood pond in the area. Mr. Norwood stated that to the left is Linkwood Drive and the five houses along that area represent the clients in their case. Mr. Norwood stated that directly behind this area is a pink line, and the heavy dark line is an earthen dike that has been there for more than 20 years. Between the heavy line and the houses, directly behind the dike was a concrete wall topped off by concrete cinder blocks, which helped retain the earthen dike as well as hold back the flood waters that used to collect in the pond behind. Mr. Norwood stated that the red square along the dike represents holes cut in the dike by the developer, where he went in with a backhoe and cut holes completely through the dike to allow drainage from his property back into their property on Linkwood. Mr. Norwood stated that he and the other four people represented in the case are asking the City to stop all development in that area until proper drainage can be made from the Englewood III addition into the drainage ditch that is shown at the bottom of the page.

In response to question by Councilman Bowman, Mr. Norwood stated that some 20 years ago there was a lake on the property known as the Cunningham Lake. Mayor Bronaugh stated that the dike used to be the dam on Cunningham Lake.

Mr. Norwood stated that at the top of Englewood Drive there is a natural slope down hill towards the heavy pink area in the middle shown on the map. Mr. Norwood stated that the area all around slopes towards the middle of the Englewood III development.

Mr. Norwood stated that there is only one drainage ditch to take the water that flows from either end of Linkwood down to the middle of the addition.

Kenneth Barnett, who resides at 2001 Hanks Street, stated that his house had been flooded three times in the 17 years he has lived there. Mr. Barnett stated that during the last rain his neighbors across the street got 1 - 2' of water in their houses. Mr. Barnett stated that the creek that runs between Hanks Street and Copeland has

tributaries coming in off the Loop and off of Allendale, which is behind his house. Mr. Barnett stated he knows that construction cannot be stopped, but when Woodland Heights Hospital, Blue Bonnet Savings and all the Doctors offices are built it will contribute to runoff by taking away the ground cover. Mr. Barnett stated that because of this his neighborhood is getting more and more water. Mr. Barnett stated that there is a consensus of opinion among the neighbors that when the water starts backing up on the bridge off of FM 1336 it has no place to go. Mr. Barnett stated that FM 1336 (Gobblers Knob Road) gets flooded out and acts as a levy, and until there is an addition of some culverts put underneath this road so that when the water does rise it will have some way it can cross the road besides going over it and acting as a levy. Mr. Barnett stated that there will be more run off from the Brookhollow Subdivision that is currently being developed, and eventually they will also be flooded out. Mr. Barnett stated that at this time there are trees stuck under the bridge on FM 1336, but cleaning out the trees will not solve the problem because there needs to be a way to get the water across the road.

Mr. Courtney, who lives at 1612 Lilac Street, stated that he moved from Temple to Lufkin eight years ago. Mr. Courtney stated that there is a ditch between himself and his neighbor at 1610 Lilac Street and when he first moved there the ditch would take care of the drainage problems on his property. Mr. Courtney stated that the past two years the drainage ditch has become second only to the Neches River, consequently his yard is washing away. Mr. Courtney stated that he had called the City and asked them to come out and make recommendations as to what will solve the problem. Mr. Courtney stated that the first City employee that came out told him that it was not the City's responsibility, that the ditch was located on private property. Mr. Courtney stated that he decided to solve the problem himself by damming up the ditch and turn the water off on to someone else. Mr. Courtney stated that the second City employee that came out said that the City has an easement there. Mr. Courtney stated that if this is so, he would like to know what the City's responsibility is to keep his property from washing away.

Mr. Courtney stated that he was requesting two things of the City: (1) a determination as to whether or not the ditch is on private property or if the City has an easement to the ditch, and, (2) if the City has no responsibility, he is requesting permission from the City to build a retainer wall, and he would appreciate having the authorization shortly so that his contractor can begin work.

Ron Mize, who lives at 1702 Hanks Street, between the Loop and where Mr. Barnett lives. Mr. Mize stated that he had brought some pictures of the recent flooding and would like to pass them out for Council to see. Mr. Mize stated that Hanks Street was Hanks Creek on the morning of March 7 around 6:00, 7:00 and 8:00 a.m. Mr. Mize stated that part of the problem has already been expressed by Mr. Barnett.

Mr. Mize stated that Cedar Creek comes in under the Loop behind his neighborhood and shortly after it comes in about 100 yards off the Loop Cedar Creek is gradually eating its way to Hanks Street. Mr. Mize stated that with all the high water the other day all the water could not make the bend in the creek so it went over into Hanks Street and turned it into Hanks Creek. Mr. Mize stated that neighbors down the street were flooded up to knee deep. Mr. Mize stated that he was within 1 to 3" of flooding on his end of the street, and he did not even live in the flood plain. Mr. Mize stated that, in his opinion, the problem is that there is so much development going on that as you go across Hanks onto Woodland there are a lot of houses in the flood plain. Mr. Mize stated that he wondered why the developer who built these house did not have to have a 404 permit to build up their foundations to develop the property because it is classified as a wetlands. Mr. Mize stated that one developer has a "spec" house in this area that he probably will not be able to sell.

Mr. Mize stated that the more development that is allowed between his subdivision and the back side of Brookhollow (Gobblers Knob Road), there will be more run off to be taken care of below him before the water inside the Loop can get out. Mr.

Mize stated that the City needs to take a strong look at not letting more areas be developed until something is done about the water drainage situation. Mr. Mize stated that he agrees with Mr. Barnett that the bridge on Gobblers Knob Road is acting as a levy and the water is restricted where it goes out. Mr. Mize stated that the answer is not channelizing the creeks - this would be a bad thing to do environmentally, in his opinion, and he is a wildlife biologist professionally. Mr. Mize stated that it would be a good thing if the creeks were cleaned out.

Mr. Mize stated that the beavers have been girdling trees behind his property and they have been falling over on the power lines. Mr. Mize stated that he has called TU Electric several times in the past 12 or 15 months. Mr. Mize stated that TU Electric came out and cut the trees and put them over in the creek. Mr. Mize stated that these may be the same trees the City will have to clean out under the bridges on Hanks Street and at Gobblers Knob.

Mayor Bronaugh asked if anything was being done about the beaver. Mr. Mize stated that, to the best of his knowledge, nothing was being done, and when the water gets too low the beaver will dam up the creek to keep the water.

In response to question by Councilman Simond, Mr. Mize stated that there is a Federal Act and in order to build in a flood plain, a designated wetland according to the Wetland Delineation Handbook that the Corps of Engineers, the Fish and Wildlife Service and the EPA have, requires a 404 permit from the Corps of Engineers. Mr. Mize stated that anything that is classified as a designated wetland with hydroponic soils and plants is in a flood plain. Mr. Mize stated that the more pavement there is in the parking area - and the City just approved a dentists office at the corner of Hanks, and a Credit Union at the corner of Copeland - and the less natural cover and ground to soak up the moisture, the runoff there will be and it will compound the drainage problem.

Bill Royle, who lives at 1108 Live Oak, and was not flooded, but the creek by his house got very high and there was no way to get in and out of the subdivision. Mr. Royle stated that, in his opinion, with a little effort and some drainage on the east side of Live Oak Street, the water could be diverted from hitting the creek, therefore, keeping the creek from getting so high. Mr. Royle stated that he would be available to share his idea with City staff. Mr. Royle stated that it was important to keep the water down where emergency vehicles could get into the subdivision if there was a need.

Cy Stapleton, who lives at 1601 Hanks Street, stated that ever since 1980 when he moved to Lufkin he had come down to City Hall many times when people on both sides of the Loop predicted what would happen if the building continued. Mr. Stapleton stated that virtually everything that the residents in this area have said was going to happen, has happened. Mr. Stapleton stated that this last rain, because of the clear cutting of the land on the Loop where the new offices are being built caused the water to come up another several inches higher than it had in previous years. Mr. Stapleton stated that, in his opinion, the only thing that can be done about the flooding problem is to have a moratorium of any kind in that area until the City can determine what it will take to fix the problem - and fix the problem. Mr. Stapleton stated that he realized that as City Councilmen they have certain protection from legal recourse in the decisions that they make, but in a situation where the decisions they make appear to be intentionally to destroy the area residents property there should be some sort of liability there and the best solution to handling this problem is to stop any building in the area until such time as Council corrects the problem. Mr. Stapleton stated that the residents had not caused the problem but had tried to stop it years ago.

Murlene Davis, who lives at 1513 S. Broadmoor, stated that 24 homes were flooded in the Mantooth Addition on March 7. Mrs. Davis stated that Broadmoor is a circular street which can be reached from Lotus Lane, Grove, Mantooth and Perry Streets. Mrs. Davis stated that the water comes down the hill from Mantooth and

Grove Street, from a creek on Lotus Lane and all the excess water from Frank Street and finally the creek on Perry Street. Mrs. Davis stated that, in her opinion, if the two creeks were cleaned out the problem would be eliminated. Mrs. Davis stated that this is the first time this area has flooded since 1982 and gotten in the houses.

Melissa Chumley, who lives at 1705 Hanks Street, stated that she lives between Mr. Mize and Mr. Barnett, and they have covered everything she was going to say. Ms. Chumley stated that she had brought a video of the flooding and would like to show it to the Council. Ms. Chumley stated that she did not have any flooding in her home until a City vehicle came down the street at a high rate of speed washing the water into her garage. (Mayor Bronaugh stated that the video will be made available to those in the audience who were not able to see from where they were seated.) Mayor Bronaugh stated that March 7 was indeed unique for the City of Lufkin and all of East Texas, because of the rain four or five days and saturated the ground prior to March 7 when it rained 4 1/2 to 6" of rain within the City limits of Lufkin.

Marita Powers, who lives at 1105 Jones, stated that the corner of Jones, Hunters Creek and Harbuck, right by Hurricane Creek where the new bridge was built in 1986, the rails on the bridge were under water on March 7th. Ms. Powers stated that on March 14th the creek backed up and came across the street. Ms. Powers stated that Hunters Creek is the problem for her end of Englewood, because the water comes down the street rather than the creek. Ms. Powers stated that she has seen large logs float down the street. Ms. Powers stated that there are trees across the creek and some of the residents rather than bag their leaves and limbs dump them into the creek. Ms. Powers stated that Mr. Norwood's solution to help the upper end of Englewood would just throw more water on the residents in the lower end of the addition. Ms. Powers stated that she would appreciate the creeks being cleaned out because it is no fun to be flooded.

James Lawrence, who lives at 2101 S. Chestnut, stated that he would first like to request that the document he presented to Council on Tuesday night be included in this meeting. Mr. Lawrence stated that, in his opinion, the City has two problems - (1) the immediate action to clean out some of the creeks and (2) to do some long range planning. Mr. Lawrence stated that it might take more than the minimum standards that the Planning & Zoning Commission operate under now. Mr. Lawrence stated that the P & Z should be given more authority to make it harder to damage our neighbors with what we do. Mr. Lawrence stated that Lufkin is growing and if steps are not taken for the future, this flooding could be minor.

Tim Minahan, who lives at 110 Lost Pines Circle, stated that picture #1 is taken at 105 Englewood Street where there are three culverts under the street. One culvert is completely stopped up and one is half stopped up and the approach to it has about 15 to 20 yards of sediment. Mr. Minahan stated that pictures 2 and 3 are taken at 303 Englewood and there are three ditches and the culverts are stopped up. Mr. Minahan stated that the person living at 307 Englewood had all the pines removed from his property in February and the loggers took the logs and donated the limbs and leaves to the City in the ditch. Mr. Minahan stated that he called the logger to come out and see the problem and he (the logger) took his logs out and pulled them on to Lost Pine Circle in the mud because he did not want to tear up the yard at 307 Englewood. Mr. Minahan stated that a gentleman came out from the City and he went out with him and they had to get a front end loader to get the mud out of the 200 block of Lost Pines Circle. Mr. Minahan stated that the mud prevented the senior citizens in the neighborhood from walking. Mr. Minahan stated that no one took out the logs at 303 Englewood until the morning of the flood and then it was too late. Mr. Minahan stated that pictures 4, 5 and 6 are taken at the intersection of Englewood and Cunningham and this is where the problem starts. Mr. Minahan stated that the City decided to drain the 600, 700, and 800 block of Cunningham into the 700 block of Englewood. One side of the street is caving in on the underground. On the Englewood side of the street it is stopped up and there is a back up of dirt that will take two dump trucks to haul off in the ditch. Mr.

Minahan stated that starting there and going around behind the 700, 600 and 500 block of Englewood on the northeast side the drainage ditch is stopped up. Mr. Minahan stated that when you find 5" and 6" trees growing in a drainage ditch it seems that someone is a little lax. Mr. Minahan stated that because of the water being stopped up there is also a problem with mosquitos. Mr. Minahan stated that someone has stopped up a ditch by building a walkway across the ditch, therefore, all the water coming off of Cunningham is now going into the 700 block of Englewood and immediately going into the 200 block of Lost Pines Circle. Mr. Minahan stated that the water is coming from the break in the dike wall and is going down to the ditch between the 100 and 200 block of Lost Pines Circle. Mr. Minahan stated that the ditch that comes around through Englewood III is stopped up everywhere, and it is a deep ditch, 10 - 12' deep. Mr. Minahan stated that pictures 7, 8 and 9 are approximately 150-200' from the 200-100 curb of Lost Pines Circle where the other ditch joins this ditch going towards the 300 block of Englewood. Mr. Minahan stated that, in his opinion, this ditch can be cleaned out now, free of charge, with assistance from inmates. Mr. Minahan stated that the cost would be minimal and all that is needed is a truck, backhoe and some chain saws.

Bonnie Rayburn stated that she has owned commercial property at 802 S. Timberland Drive for 26 years and she has been flooded every year. Mrs. Rayburn stated that she has recently remodelled her building because of extensive structural damage to the inside of the walls that are flooded every year. Mrs. Rayburn stated that cleaning out the drains will not help because the drainage is not good there anyway. Mrs. Rayburn stated that there is one small drain that she knows of that is between her property and Timberland Pharmacy. Mrs. Rayburn stated that she has come to the City so many times requesting help but nothing is ever done. Mrs. Rayburn stated that what is needed is a drainage system to accommodate all the new parking lots and businesses.

Jetta Westerholm stated that she is present representing her daughter Jennifer Conway who lives at 1309 Wildbriar, and her mothers house on Turtle Creek that was flooded. Mrs. Westerholm stated that her grandson woke up with his bed floating and him on it. Mrs. Westerholm stated that there was 17" of water in the house and her daughter left the house out of a bedroom window in a trolling motor boat. Mrs. Westerholm stated that the water was going across Loop 287 at Wildbriar and Reen. Mrs. Westerholm stated that she brought pictures of the flooding and one picture of her daughter's house on the front page of the newspaper showing the water line on the bricks. Mrs. Westerholm stated that her daughter's minivan and her son-in-law's pickup truck had water all in them.

J. L. Scarborough, representing his sister Alice Jones who lives at 1005 Linkwood, stated that he had a couple of questions. Mr. Scarborough asked if the property where the levy is located belong to the City or does it belong to the property owners there? Mayor Bronaugh stated that he would rather answer this question after staff had time to research this. Mr. Scarborough asked if there was a permit issued to dig the ditches in the levy? Mr. Scarborough stated that he would also like to know officially who dug the ditches. Mr. Scarborough stated that this has caused the immediate problem because of the debris that came through the ditches dug in the levy.

Billy Kimble, who lives at 1515 S. Broadmoor, stated that most of the questions have been asked that he wanted to ask already. Mr. Kimble stated that he works for TU Electric and wanted to clarify that sometimes when TU Electric cuts the trees the City comes and cleans up the debris. Mr. Kimble stated that there are some trees that have been washed up in the creek that have been called in to the City but they haven't been taken care of.

Helen Whitley, who lives at 204 Cunningham, stated that she moved into this addition in 1982. Mrs. Whitley stated that in the 100 block of Englewood there is a large drainage ditch, it goes under Englewood and probably 150' into Hurricane Creek, but a former resident got a permit from the City to fill up the ditch, and he

also built a solid wooden fence down to the ground. Mrs. Whitley stated that because of the fence the water cannot follow the natural flow. Mrs. Whitley stated that the answer to this problem is not that "it rained all over town." Mrs. Whitley stated that her garage flooded twice after the City issued the permit for the drainage ditch to be filled in. Mrs. Whitley stated that during the big rain the water turned and came down Cunningham wanting to come into the natural ditch that was there but has been filled up. Mrs. Whitley stated that her husband had been informed by Ron Wesch that the ditch that had been filled up was on private property and the City could not do anything about it. Mrs. Whitley stated that the City does have control over the permits that allowed the ditch to be filled up. Mrs. Whitley stated that during the flooding she got 4" of water in her house and have spent \$4,000 for the water damage, and this does not include their vehicles. Mrs. Whitley stated that she was told by her homeowners insurance carrier that this area was not a flood plain zone. Mrs. Whitley stated that she wanted to know when this became a flood plain zone. Mrs. Whitley stated that there are eleven houses in that block of Englewood and nine of them were flooded. Mrs. Whitley stated that her husband has dug a small ditch in their yard and built up a hump in the driveway to try to keep the water draining off of their property. Mrs. Whitley stated that she was asking the City to open up the ditch that was closed.

Glenda Smiley, who lives at 409 Trailwood Circle, stated that Crooked Creek runs behind her house. Mrs. Smiley stated that she did not get water in her house but some of her neighbors did. Ms. Smiley suggested that the City organize some long range committees to deal with the drainage problems. Mrs. Smiley stated that she knew that this would be a monumental task and burden on the tax payers but it was worth the effort.

James Poskey, who lives at 113 Norris Street, spoke to Council about drainage problems on his property. Mr. Poskey did not speak from the podium and his comments were not recorded.

Dan Jones, who lives at 1009 Jones Street, stated that he had lived in the Englewood Subdivision for 25 years. Mr. Jones stated that he was one of the lucky ones because he did not get any water in his house. Mr. Jones stated that the City issues permits when houses are built and also when renovation is done. Mr. Jones presented some pictures of the a house that was being renovated and how the materials floated away during the rain. Mr. Jones suggested that the City, at the time they issue a building permit, make some requirement of the builder to secure the building materials at the site.

C. L. Matthews stated that he was representing M & M Properties who own a house at 509 White Oak. Mr. Matthews stated that when all the water that comes down from Sunset, and off of Feagin, and the creek from the park meet the water is up to his billfold. Mr. Matthews stated that this past rain was the worst flooding on his property. Mr. Matthews stated that he visited the site where the new culverts and bridge was being installed on Tom Temple and he told the men who were working that they were "creating a monster", and the water would flood his house, and at 6:00 a.m. the next morning the house was flooded. Mr. Matthews stated that the men had actually built a dam, but the water blew it out when the rains came. Mr. Matthews stated that the new bridge will create a major problem for his property.

Preston Westbrook, who lives at 2305 Hanks Street, stated that the Hanks problem had been discussed on the other end of the street. Mr. Westbrook stated that he lives at the second house on Hanks where Woodland Street deadends. Mr. Westbrook stated that there are a couple of drain systems on either side of the road but they are not big enough to take care of the water. Mr. Westbrook stated that everytime it comes a heavy rain the water comes up to his driveway. This time it jumped the curb and he had 6" in the garage and 2" in the house. The corner house had 10-12" of water. Mr. Westbrook stated that a couple of years ago, the man who lived in the corner house had the City to come in and dig a ditch at the end of the street where Woodland deadends across the woods to the creek, which

relieved a lot of the problem. Mr. Westbrook stated that the ditch is either stopped up now, or they did not get it wide enough to start with, because it is backing up in front of his house. Mr. Westbrook stated that when the water backs up an emergency vehicle would not be able to get in.

Jim Gangsted, who lives at 103 Norris, stated that his house never flooded until the Lufkin Mall was built. Mr. Gangsted stated that it has gotten progressively worse since PineCrest and Target were built. Mr. Gangsted stated that with the widening of Feagin it will add more water. Mr. Gangsted stated that there is a dam down by Fire Station No. 4. Mr. Gangsted stated that he had brought a video of the water flooding the Loop in front of Fire Station No. 4 at Hurricane Creek. Mr. Gangsted pointed out the difference in elevation as shown on the video.

Gene Tate, who lives at 1305 Reen, stated that his house was the fourth house from the Loop. Mr. Tate stated that the Mayor had requested that no one place blame but he was going to lay blame right on the City Council. Mr. Tate stated that going back as far as 1981 when the City Council was presented a letter by Sam Griffin who at that time was the Chairman of the Planning & Zoning Commission. An excerpt from the letter says: "Great concern has been expressed by both the residents and Planning & Zoning Commission members regarding flooding experienced in the area of Cedar Creek. It is recommended that a complete basin study of Cedar Creek be made by a qualified engineering firm to provide the Planning & Zoning Commission with knowledge to make further recommendations throughout the basin which will also effect the southwest Loop. The Commission will make those recommendations on the basis of the knowledge of the flooding potential."

Mr. Tate stated that he had appeared before the City Council on numerous occasions complaining about the flooding. Mr. Tate stated that on November 15, 1988 with the roll back tax election coming up the City Council delayed the study until January, but January of what year? Mr. Tate stated that that was in 1988 and here it is 1995 and the study has not been considered. Mr. Tate stated that since that time, in January, 1990, through meetings of the City Council, Harvey Westerholm and the Highway Department, the problem was studied and the Highway Department has put additional drainage under the Loop during that time. Mr. Tate stated that at the time that the Highway Department let the City know what they were going to do, they made the statement that they knew that the City did not have any plans to do a study of the northern section of the Cedar Creek basin. Mr. Tate stated that it was the Highway Department's recommendation that the City not consider any further development in that area until a drainage study was made. Mr. Tate stated that this last experience was a terrible experience, with 10" of water in his house. Mr. Tate stated that he had 1200 SF of carpet sitting on the curb waiting to be picked up. Mr. Tate stated that there is another problem in his area and it was drainage from the St. Cyprian's School. This was addressed at the time the Highway Department was making their study on the drainage under the Loop. Mr. Tate stated that the water comes fast enough from St. Cyprian's to his property fast enough that it actually cuts a channel through the water and brings it down his drive. Mr. Tate stated a building made out of heavy timber, approximately 10-12' long, weighing 300 or 400 pounds was carried by flood waters across the street, upstream and deposited it in a flower bed in his yard 150' upstream from where it came out. Mr. Tate stated that at the time the Highway Department's drainage system was developed, the City said they were going to talk to St. Cyprian's and get them to redirect the water where it would not come down between the houses and come into his driveway. Mr. Tate stated that he was aware that this is private property, but this is the statement that was made to him by the City.

Mr. Tate stated that his son is in the carpet cleaning business in Austin, specializing in flood and water damage. Mr. Tate stated that his son got to his house at 3:30 in the afternoon from Austin and worked with them for three days and when it was complete he told him that if they had flood insurance he would estimate their claim in the neighborhood of \$30,000. Mr. Tate stated that that is getting everything in the house put back to where it should be, water marks off the baseboard, the

replacement of drywall, reworking the furniture by professionals. Mr. Tate stated that unless the City stops further development clear up into the northern section of Cedar Creek, they will continue to have flooding in that area. Mr. Tate stated that flood insurance is prohibitive in cost. Mr. Tate stated that he estimates that if he had been able to get insurance in 1985, when he was flooded the first time, he would have spent well over \$5,000 just for the insurance. Mr. Tate stated that on top of your insurance premiums you have a deductible of around \$1,500.

Mr. Tate stated that there was one thing the City was going to consider when they postponed the drainage study. Everett Griffith & Associates had submitted a bid at \$9,400 for the drainage study. There was \$167,000 in a fund that could have been used. The top bid for the study was \$63,000. Mr. Tate stated that EGA could have done the study very quickly because they had the biggest percentage necessary to conduct the study already in their computers and all they needed to do was to develop it a little further. Mr. Tate stated that the City had wasted an excellent opportunity to have a study done and to do something about the drainage problem. Plus the fact that when the Highway Department asked the City to do a development study and not do any further development until it is done, and the Planning & Zoning Commission, anytime a commercial development comes along they are "gung-ho" for it.

Mr. Tate stated that there needs to be a moratorium on building until something is done about the drainage problems.

L. C. Sanches, who lives at 910 Chestnut, stated that he wanted to know who is responsible for building Chestnut Street at this present time. (The answer was, the State.) Mr. Sanches asked who was responsible for the water. Mayor Bronaugh stated that these questions would be answered at a later time.

Mr. Sanches stated that he gets flooded every time it rains, even before the last rain. Mr. Sanches stated that he had spoken to Mr. Wesch and looked at the plans when they put in the drainage system. Mr. Sanches stated that they had put in six drops on a 28" line off the street. Mr. Sanches stated that anyone should know that you cannot put that much water in one little pipe.

Mr. Sanches stated that he had visited with State officials four times and nothing has been done. Mr. Sanches stated that when he visited with Ms. Flood of the Highway Department she did not know where the water was coming from. Mr. Sanches stated that it is coming from Amy Street from the City Garage under the railroad tracks. Mr. Sanches stated that some of the water is coming from behind Dixon Furniture Company and the trailer park. Mr. Sanches stated that the City installed a 6" line in from Groesbeck all the way up to the alley on Angelina Street and right down by the side of his house. Mr. Sanches stated that he told them it wouldn't work, but they said it would. Mr. Sanches stated that he has been flooded ever since, and is still being flooded. Mr. Sanches asked what he should do? Mayor Bronaugh stated that this is not the time for questions to be answered. Mayor Bronaugh stated that at the beginning of the meeting it was announced that these comments and questions would be presented to the engineers - and the City will answer some of the questions, and the State and engineers will answer some of the questions in an attempt to come up with a solution. Mr. Sanches stated that Chestnut is now a "nice" street. Mr. Sanches stated that he offered to give Mr. Wesch a 3 1/2 foot easement if he would get the water off his property, and Mr. Wesch stated that he would guarantee that the water would be taken care of. Mr. Sanches asked that Mr. Wesch put this in writing, but he said he couldn't do that.

Mr. Sanches stated that he went to see Ms. Flood three times and she was not in, and she did not return his telephone calls.

Maggie Hazelwood, who lives at 320 Hunters Creek, stated that this is a deadend street with an open pasture to the side of her house. Mrs. Hazelwood stated that the pasture tends to drop water down on the kitchen side of her house. Mrs.

Hazelwood stated that they had installed a flashing on the kitchen side of their house to keep the water from a casual rain from coming in the weep holes and coming in their house. Mrs. Hazelwood stated that the flashing has saved them from having to replace their floors. Mrs. Hazelwood stated that in the seven years they have resided at this location they have had flooding three times and City sewer in their house two times. Mrs. Hazelwood stated that at the last flooding the creek beside them was full and going over the bridge and the water was rushing through with such speed and force that it washed out under the street on their side of the bridge and the street has caved in with a hole big enough that her daughter's car would have fallen in if she had attempted to go across it. Mrs. Hazelwood stated that they were not able to park in their driveway because they were afraid to cross the bridge. Mrs. Hazelwood stated that on March 7 they had water come in over the flashing on the side of their house (there are leaves collected in the flashing), she vacuumed up approximately 85 gallons of water out of their kitchen floor and the rest of the water went all over the downstairs. Mrs. Hazelwood stated that she woke up early enough to check on their poodles and their pillows were floating at the back door. Mrs. Hazelwood stated that over all with the times they have been flooded and the sewer has backed up it has cost them close to \$20,000 in the 6 or 7 years they have lived there. Mrs. Hazelwood stated that at this time they do not have flood insurance, and may not be able to afford it.

Mrs. Hazelwood stated that they have looked at building retainer walls and as far as where the water is coming from - it is coming from every direction. Mrs. Hazelwood stated that the railroad ties they had were washed away; her garbage cans furnished by the City were found down at her neighbors home but were able to retrieve them. Mrs. Hazelwood stated that someone from the City had come out and made the statement that the ditches need to be made 5 to 6 feet deeper. Mrs. Hazelwood stated that all three of their vehicles had water in them and they were having to rip up everything in the house and replace it. Mrs. Hazelwood stated that she would like to see someone come out and talk about rerouting the water. The water that comes off of the property next to her house comes up at least well over a foot on the side of their house.

Mayor Bronaugh stated that this has been a time to hear the concerns and/or complaints and from that the City staff will gather as much information as possible and will meet with local engineers. Mayor Bronaugh stated that the City has some Ordinances in place now that concern construction that effect drainage, some of them take into consideration the heights of slabs and retaining ponds, etc. Mayor Bronaugh stated that after these are things that after the City staff talks to the Engineers there should be a meeting to explain to those who have problems with high water or flooding can understand what the City is doing and why they do it the way they do it.

Councilman Bowman stated that there seems to be a common theme running through the meeting about having the ditches cleaned out. Councilman Bowman stated that he does not know if this is the City's responsibility, but if it is it should be given priority. Councilman Bowman stated that he did not know if the City has an ordinance that requires developers to clean ditches out, and if not, we should try to develop something along that line and put more responsibility on the developer.

Councilman Bowman stated that he would like to see the City identify those areas where commercial development has created a problem. Councilman Bowman stated that he would like to see some solution to the problem with the levy in the Englewood Addition; someone needs to be held accountable for that.

Councilman Simond stated that he had been with Mr. Wesch for the last two days visiting with people who were flooded, and he has been sympathetic and very responsive to their problems.

Councilman Simond stated that the people who were heard tonight are tax payers and need to be helped. Councilman Simond stated that, in his opinion, this needs

to be the first item for discussion at the budget workshop.

Councilman Weems stated that he would like to see Council meet with the engineers prior to the budget workshop.

Mayor Bronaugh stated that he felt there was some misunderstanding from the community in what the role of the City is in some of the Planning & Zoning efforts - certain things that Council is required to do that are mandated, etc. Mayor Bronaugh stated that the Neighborhood Associations should be working together to identify these problems.

Harold Byrd, who lives at 302 Bending Oak, asked what help could the City get in solving these problems? Mr. Byrd stated that the government gives out grants and would the City be eligible. Mr. Byrd stated that the problem appears to start at the Neches River and backs up. Mr. Byrd stated that the drainage needs to be opened up and if all the creeks would be opened from the bottom up, then the water could get out. Mr. Byrd stated that the City cannot afford to wait ten years for help, they need to start now.

City Manager Maclin stated that having been a former employee of the Corps of Engineers early in his career, and trying to keep abreast of the grants the City would be available for, he did not think the Corps of Engineers is a legitimate source of any kind of funding or technical assistance. City Manager Maclin stated that he has done some research recently and found that they have been some drainage master plan study funds in the past provided by the Texas Water Development Board on a matching basis, and the City staff will certainly explore that potential.

Councilman Gorden stated that he certainly sympathizes with those people who have had water problems.

Mayor Bronaugh adjourned meeting at 8:20 p.m.



Louis A. Bronaugh - Mayor

ATTEST:



Atha Stokes - City Secretary