

MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE
4th DAY OF SEPTEMBER 2001 AT 5:00 P. M.

On the 4th day of September 2001 the City Council of the City of Lufkin, Texas, convened in a regular meeting in the Council Chambers of City Hall with the following members thereof, to wit:

Louis Bronaugh	Mayor
Dennis Robertson	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Don Boyd	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Bob Bowman	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
C. G. Maclin	City Manager
James Hager	Asst. City Manager/Finance
Atha Stokes Martin	City Secretary
Bob Flournoy	City Attorney
Keith Wright	City Engineer
Kenneth Williams	Director of Public Works

Being present when the following business was transacted.

1. Rev. Bettie Kennedy, Collins Chapel Church, opened meeting with prayer.
2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Motion was made by Councilmember Don Boyd and seconded by Councilmember Dennis Robertson that the minutes of the Regular Meeting of August 21, 2001 be approved as presented. A unanimous affirmative vote was recorded.

4. PUBLIC HEARING – U. S. DEPARTMENT OF JUSTICE LOCAL LAW ENFORCEMENT BLOCK GRANT – FISCAL YEAR 2001

Mayor Bronaugh opened Public hearing to consider a U. S. Department of Justice Local Law Enforcement Block Grant for fiscal year 2001.

There was no one present who came forward to speak for or against the Law Enforcement Block Grant.

Mayor Bronaugh closed Public Hearing.

5. TAX LEVYING ORDINANCE – APPROVED – SECOND AND FINAL READING

Mayor Bronaugh stated that the next item for consideration was Second Reading of the Tax Levying Ordinance.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Jack Gorden, Jr. that Tax Levying Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. APPROPRIATIONS ORDINANCE – APPROVED – SECOND AND FINAL READING

Mayor Bronaugh stated that the next item for consideration was Second Reading of the Appropriations Ordinance.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Dennis Robertson that the Appropriations Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE – APPROVED – SECOND READING – AMENDMENT TO SEWER RATES

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to amend the sewer rates.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Lynn Torres that Ordinance to amend the sewer rates be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

8. ORDINANCE – APPROVED – SECOND READING – ENFORCEMENT OF FINES – FOOD ESTABLISHMENTS

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance regulating food establishments by providing for enforcement by fines.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall that Ordinance regulating food establishments by providing for enforcement by fines be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

9. ANNEXATION OF A SECTION OF PROPERTY SOUTH OF THE CITY OF LUFKIN

Mayor Bronaugh stated that the next item for consideration was annexation of a section of property south of the City of Lufkin.

City Manager Maclin stated that included in the Council packet is a memorandum from Asst. City Manager Hager that met the request Council provided at the last meeting and that was to put together somewhat of a cost benefit analysis of the annexation and the areas under consideration. Mr. Maclin stated that the areas were divided into Areas A, B, and C and included ad valorem tax collections and operating expenses and revenues from water and sewer. Mr. Maclin stated that the reason there is a decrease in water revenues is because these folks are currently paying an out-of-City rate and with annexation they would be paying an in-City rate. Mr. Maclin stated that, looking at the map, red designates Area A, pink is Area C and blue is Area B. Mr. Maclin stated that the staff recommendation is to consider at this point Area A based on cost benefit analysis. Mr. Maclin stated that there was some question about residents that would be along the old Diboll Highway on the west side and whether or not they would want to be on City services. Mr. Maclin stated that staff's suggestion would be that the City allow those folks if they want to, to petition for annexation and under law the petition for annexation does not have to meet the 1,000 ft. minimum distance. Mr. Maclin stated that if there were those folks who wanted City services on the west side of the highway between the red area and the pink area, then that would be the way the City would address that, through petition for annexation. Mr. Maclin stated that a lot of the area in C is low and swampy and there are a lot of dirt roads that are not included in the cost estimates to raise them to a minimum trafficking level capable of servicing the City garbage trucks and emergency vehicles. Mr. Maclin stated that, in staff's opinion, area C is just not timing wise, cost benefit appropriate for the City to consider at this time. Mr. Maclin stated that those residents that front on the old Diboll Highway, if they wanted to petition for annexation, the City would have water and sewer lines in the vicinity and could provide those services at very little cost and give them those services if they desired. Mr. Maclin stated that, likewise, on area B once you get across the ridge looking at the values in that area, once again, it is the staff recommendation to hold off on area B until some point in the future for further consideration. Mr. Maclin stated that Area A, which includes the requested annexation area of The Settlement along with the frontage on the east side of U. S. 59, south of the Pentecostal Campground out to the cemetery would be the proposed area that staff would recommend consideration based on all the numbers.

In response to question by Councilmember Robertson, City Manager Maclin stated that there would not be a minimum number of people to petition for annexation. Mr. Maclin stated that if one person expressed an interest, staff would contact the contiguous property owners and ask them to do it all at once, just as a method of making it easier and less time consuming for the Planning Department, but it would not necessarily require more than one property owner by law.

Councilmember Robertson stated that County Road 273 goes out to the railroad tracks and that accesses some fairly nice property back in there. Councilmember Robertson asked if this property could also be a part of a petition for annexation. City Manager Maclin stated that as long as the property is contiguous or could be made contiguous to the existing City limits. Councilmember Robertson asked if this is the County Road that would have to be upgraded considerably if this area was annexed. City Manager Maclin said "yes". Keith Wright stated that on County Road 273 (Area C), if annexed, would require a new sewer line. In response to question by Councilmember Kuykendall, Mr. Maclin stated that there are not very many people living in Area C.

Councilmember Robertson stated that, if he remembered from a previous discussion, the City would have to cross Area C with the sewer line to The Settlement. Mr. Wright stated that the sewer line would go south of Country Road 273.

In response to question by Councilmember Gorden, Mr. Wright stated that most of the parcels of property in Area B do not have structures on them. Mr. Hager stated that looking at the memo, Area A had total tax revenue of \$54,000, Area B had \$18,000, and Area C only had \$13,000. Councilmember Gorden stated that the City does not use tax money to run sewer lines so what is the connection. Mr. Hager stated that it is the least populated area and the City would get about \$1,000 in sewer revenues based on some averages that staff used. Mr. Hager stated that in Area A staff looked at \$31,000 and in Area B they looked at \$5,700, and Area C, approximately \$1,000.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Don Boyd that Area A of the proposed annexation area be approved as presented. A unanimous affirmative vote was recorded.

10. ORDINANCE – APPROVED – FIRST READING – SPECIAL USE PERMIT – TELECOMMUNICATIONS TOWER – COLLEGE DRIVE (FM 819) – DANIEL McCALL DRIVE – AMERICAN TOWER CORPORATION – ANGELINA COLLEGE

Mayor Bronaugh stated that the next item for consideration was the request of American Tower Corporation on behalf of Angelina College for approval of a Special Use Permit of a 285 feet tall Telecommunications Tower on 0.2296 acres of land within Tract 142 of the J. A. Longoria Survey (Abstract No. 24) and being located on the east side of College Drive (FM 819) and approximately 700 feet north of Daniel McCall Drive.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation from the Planning Department and a map that shows that this is going to be located behind the left field fence of the Angelina Roadrunner baseball field. Mr. Maclin stated that this request comes to Council from the Planning & Zoning Commission by unanimous vote to recommend approval as submitted.

City Manager Maclin stated that as a point of note this would provide linkage between Angelina College and a statewide communication system being established for the community colleges.

Councilmember Robertson asked if this tower was similar to the towers that are around town for the telephone communications. Mr. Abraham stated that this is a self-supporting tower as shown on Attachment 4-A in the packet information and is similar to the towers the City has approved for U. S. Unwired at the Holiday Inn.

Mr. Abraham stated that the site plan indicates that the tower will be 285 feet tall, however the actual height may be less if required by the FAA. In response to question by Councilmember Robertson, Mr. Abraham stated that they would have the FAA beacon.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Jack Gorden, Jr. that Ordinance for a Special Use Permit for a 285 feet tall Telecommunications Tower on 0.2296 acres of land within Tract 142 of the J. A. Longoria Survey (Abstract No. 24) and being located on the east side of College Drive (FM 819) and approximately 700 feet north of Daniel McCall Drive as requested by American Tower Corporation on behalf of Angelina College be approved on First Reading as presented. A unanimous affirmative vote was recorded.

11. ORDINANCE – APPROVED – FIRST READING – SPECIAL USE PERMIT – RESTAURANT WITH PRIVATE CLUB – COMMERCIAL ZONING DISTRICT – FINNEGAN ESTATES ADDITIONA – 1803 SOUTH FIRST STREET – WILLIAM E. BARRETT – FLOYD MADDUX

Mayor Bronaugh stated that the next item for consideration was the request of William E. Barrett, on behalf of Floyd Maddux, for approval of a Special Use Permit for a "Restaurant with Private Club" within a "Commercial" zoning district on an approximately 1.106 acre portion of Lot 1 of the Finnegan Estates Addition and more commonly known as 1803 South First Street.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation and on the table is a sketch showing the layout of the restaurant. Mr. Maclin stated that there are also some photographs of the locations and a map. Mr. Maclin stated that this was formerly Lucky's Drive In and comes to Council from the Planning & Zoning Commission by unanimous vote to approve the request with the following conditions: That this Special Use Permit shall be for the sale of alcoholic beverages only in conjunction with a full service restaurant facility and shall not be construed as allowing the premises to be used in a manner which constitutes a night club, tavern, lounge, dance hall or commercial amusement establishment. The premises shall be operated in compliance with the conditions established by the approved plans attached as Exhibit "A" of the Ordinance.

In response to question by Councilmember Bowman, Mr. Abraham stated that when he first received the request he did a background investigation to see if it were even possible for the restaurant to continue to be a drive-in and TABC will not allow a restaurant to deliver alcohol to a vehicle.

In response to question by Councilmember Bowman, Mr. Abraham stated that because this is a zoning matter, zoning applies to the land and not to individuals. Mr. Abraham stated that it would be possible, if for whatever reason this business did not succeed, to go through the Public Hearing process again if the City determined that conditions were such that a mistake had been made in the first place, and a Public Hearing could be held to change the zoning to remove the Special Use Permit.

Councilmember Bowman stated that he would like to see "or drive-in" included in the list of exclusions. Mr. Abraham stated that the site plan pretty much covers that. Councilmember Robertson stated that if they tried to operate as a drive-in it would be against the new law that just went into effect in terms of open containers in vehicles. Mr. Abraham stated that it was his understanding after speaking with Chief Marcotte, who contacted a gentleman with TABC, that they are not allowed to deliver the beverages to a vehicle.

In response to question by Mayor Bronaugh, Mr. Abraham stated that the legal description the City has does not take in all of Lot 1, but that is how it is tied to this site plan. Mr. Abraham stated that the City is saying that they cannot operate their restaurant outside the confines of what is being shown to us. Mr. Abraham stated that if they were to put up picnic tables beyond the boundaries that are shown on the approved site plan, he would consider that a violation of the Zoning Ordinance. Mr. Abraham stated that the site they presented to the City is 185' wide and 258' deep, which is just a portion of Lot 1 on which the restaurant is located.

In response to question by Councilmember Robertson, Mr. Abraham stated that the City used to have a food and beverage ratio but the State took a lot of the City's abilities to regulate that away, but under the Private Club classification they are reporting their

revenues to the State. Mr. Abraham stated that the State does not send the City a report to be sure that the restaurant is complying with the food/beverage ratio. Councilmember Bowman asked if the City could request a copy of the report. Mr. Abraham stated that all regulatory authority was taken away from cities and given to TABC about 12 years ago.

In response to question by Councilmember Bowman, Mr. Barrett stated that the menu would consist of hamburgers, sandwiches, salads and TexMex. Mr. Barrett stated that he would be open for lunch and dinner.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Jack Gorden, Jr. that Ordinance for approval of a Special Use Permit for a "Restaurant with Private Club" within a "Commercial" zoning district on an approximately 1.106 acre portion of Lot 1 of the Finnegan Estates Addition and more commonly known as 1803 South First Street as requested by William E. Barrett on behalf of Floyd Maddux be approved on First Reading with the following conditions: That this Special Use Permit shall be for the sale of alcoholic beverages only in conjunction with a full service restaurant facility; and shall not be construed as allowing the premises to be used in a manner which constitutes a night club, tavern, lounge, dance hall, commercial amusement establishment or a drive-in. The premises shall be operated in compliance with the conditions established by the approved plans attached as Exhibit "A" of this Ordinance."

The following vote was recorded:

Aye: Councilmembers Torres, Gorden, Robertson, Boyd, Kuykendall and Mayor Bronaugh

Nay: Councilmember Bowman

Motion carried by a vote of 6 to 1.

12. RESOLUTION – APPROVED – REIMBURSEMENT OF THE CONSTRUCTION ON ANGELINA STREET

Mayor Bronaugh stated that the next item for consideration was a Resolution for reimbursement of the construction of Angelina Street.

City Manager Maclin stated that this is a routine Resolution that the City has used before when we have had bond issues to take place. Mr. Maclin stated that this gives the City the authority once we have issued our bonded indebtedness and received our bond proceeds to reimburse us from any General Fund utilization in advance of the issuance of the bonds. Mr. Maclin stated that in this case, we have some engineering costs that will be forthcoming on Angelina Street, which will be the first of the four bond election streets to be constructed. Mr. Maclin stated that staff is seeking passage of this Resolution at this time so that we will have the appropriate documentation necessary to reimburse the City's General Fund at such time that the bond proceeds are received.

In response to question by Mayor Bronaugh, Mr. Maclin stated that if Council does not pass this Resolution, and we spend money, then we would not be reimbursed.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Bob Bowman that Resolution for the reimbursement of the construction of Angelina Street be approved as presented. A unanimous affirmative vote was recorded.

13. CITY REPRESENTATIVE – APPROVED – ANGELINA COUNTY APPRAISAL DISTRICT BOARD – DON BOYD

Mayor Bronaugh stated that the next item for consideration was the appointment of the City's representative to the Angelina County Appraisal District Board.

City Manager Maclin stated that included in the Council packet is a letter from Keith Kraemer, Chief Appraiser for the Angelina County Appraisal District, recognizing that

now is the appropriate time for Council to make their nomination so that that person is ready to serve before November 1st. Mr. Maclin stated that Mr. Boyd is currently serving as the City's representative and has been for several years.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres that Councilmember Don Boyd be appointed to the Angelina County Appraisal District Board as the City of Lufkin's representative. A unanimous affirmative vote was recorded.

14. **LOCAL LAW ENFORCEMENT BLOCK GRANT – APPROVED – FISCAL YEAR 2001 – LUFKIN POLICE DEPARTMENT**

Mayor Bronaugh stated that the next item for consideration was a Local Law Enforcement Block Grant for fiscal year 2001 to the Lufkin Police Department.

City Manager Maclin stated that included in the Council packet is a memo of explanation from Sgt. Harold Cottle who is requesting funding in the amount of \$58,739, which requires a match of \$6,527. Mr. Maclin stated that in the grant expenditure list requested there is \$17,000 for community based policing, \$8,000 for less-than-lethal compliance equipment, \$32,266 for surveillance equipment, and \$8,000 for computer crimes investigation equipment, for a total of \$65,266. Mr. Maclin stated that this is an allocation that the City is eligible to apply for based on the Department of Criminal Justice allocation funding and our population.

Sgt. Cottle stated that this is an annual grant that the Police Department qualifies for from the Department of Justice. Sgt. Cottle stated that for the past two years the City has had to split the grant with the Angelina County Sheriff's Office, but this year they qualify for their own grant funds.

Motion was made by Councilmember Don Boyd and seconded by Councilmember R. L. Kuykendall that the Local Law Enforcement Block Grant application for fiscal year 2001 for the Lufkin Police Department be approved as presented. A unanimous affirmative vote was recorded.

15. **PROPOSALS – APPROVED – AUTOMATED CITATION MANAGEMENT SYSTEM – MUNICIPAL COURT – POLICE DEPARTMENT**

Mayor Bronaugh stated that the next item for consideration was proposals for an automated citation management system for Municipal Court and the Police Department.

City Manager Maclin stated that this is an item that Council has discussed at previous meetings in an effort to make the City more efficient and more cost effective. Mr. Maclin stated that this equipment would be purchased out of the Municipal Court Technology Fund. Mr. Maclin stated that staff is recommending approval of the bid of Enforcement Technology, Inc. in the amount of \$33,200. Mr. Maclin stated that basically these are handheld computers that allow officers to input the data at the time of the ticket issuance and then download the information to the computer when they come into the station and expedite the process.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Don Boyd that the proposal of Enforcement Technology, Inc. in the amount of \$33,200 for an automated citation management system for Municipal Court and the Police Department be approved as submitted. A unanimous affirmative vote was recorded.

16. **AUTHORIZATION - APPROVED – COMPUTER HARDWARE – MOBILE DATA PROJECT – POLICE DEPARTMENT – HGAC**

Mayor Bronaugh stated that the next item for consideration was authorization to purchase computer hardware for the mobile data project for the Police Department through the Houston-Galveston Area Council Purchasing Cooperative Program.

City Manager Maclin stated that this is also a project that staff has been working on for quite some time and this involves some updated equipment as well as very specific

hardware needed for this particular project. Mr. Maclin stated that staff is requesting authorization to purchase this equipment through the Houston-Galveston Area Council Cooperative Purchasing Program for the hardware in the amount of \$318,808.50. Mr. Maclin stated that this funding comes through the Capital Improvements Program.

In response to question by Councilmember Boyd, Mr. Maclin stated that there is one other item related in Item #17. Mr. Maclin stated that between Item #17 and the HTE software that was approved at the last meeting, we pretty much have all the equipment now.

Motion was made by Councilmember Don Boyd and seconded by Councilmember Lynn Torres to approve authorization for the purchase of computer hardware for the mobile data project for the Police Department through the Houston-Galveston Area Council Cooperative Purchasing Program in the amount of \$318,808.50. A unanimous affirmative vote was recorded.

17. AUTHORIZATION – APPROVED – COMPUTER HARDWARE – MOBILE DATA PROJECT – POLICE DEPARTMENT – DP SOLUTIONS

Mayor Bronaugh stated that the next item for consideration was authorization to purchase computer hardware for the mobile data project for the Police Department through DP Solutions.

City Manager Maclin stated that this was an item that was actually part of an approval of an item in a meeting last August but we have also obtained a less expensive pricing for the message switch and field-reporting server from DP Solutions and staff is recommending the bid from DP Solutions in the amount of \$13,592.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember R. L. Kuykendall to approve authorization for the purchase of computer hardware for the mobile data project for the Police Department through DP Solutions in the amount of \$13,592. A unanimous affirmative vote was recorded.

Councilmember Bowman asked if after all this equipment is purchased and installed Council could have a demonstration. City Manager Maclin stated that that could be arranged.

18. VEHICLE PURCHASE – APPROVED – CODE ENFORCEMENT DEPARTMENT – LAWRENCE MARSHALL CHEVROLET

Mayor Bronaugh stated that the next item for consideration was authorization to purchase a vehicle for the Code Enforcement Department.

City Manager Maclin stated that this was another item that Council had discussed at a previous meeting where we were utilizing unexpended funds from the Inspection Services Department. Mr. Maclin stated that staff recommendation is the low bid of Lawrence Marshall Chevrolet in the amount of \$14,787.

Motion was made by Councilmember Don Boyd and seconded by Councilmember R. L. Kuykendall that the bid of Lawrence Marshall Chevrolet in the amount of \$14,787 for the purchase of a 2001 model compact car for the Code Enforcement Department be approved as submitted. A unanimous affirmative vote was recorded.

19. BID – APPROVED – WIRELESS WIDE AREA NETWORK – DATA CENTRIC BROADBAND

Mayor Bronaugh stated that the next item for consideration was award of bid for Wireless Wide Area Network.

City Manager Maclin stated that this is another item that has been discussed with Council as being a part of the Capital Improvements Program. Mr. Maclin stated that staff had talked about the potential of cost savings to the City by the reduction of some of the telephone line costs and particularly the T-1 costs to connect our outlying departments to the network.

Bill Cameron stated that there are three major reasons for the wireless WAN and they are (1) the long term savings based on ownership of the system and lack of monthly reoccurring WAN cost, (2) the increased capability due to the significant increase in bandwidth, and (3) the long term savings due to ownership of the Ethernet phone system and reduction of monthly reoccurring phone service cost. Mr. Cameron stated that the City will still have to pay trunking costs between our internal system and the carrier but will no longer have to pay for telephones or line cost for the internal system.

Mr. Cameron stated that for FY2000 the monthly reoccurring cost for the WAN and Internet connection is \$7,749.88. Mr. Cameron stated that once staff gets the price negotiated on this we will come back at the next meeting and tell Council how much this will be and give some good hard data on the return investment.

Mr. Cameron stated that at the present time the City has two T-1's that are used for the wide area network for the 17 nodes that we have. The three buckets on the right show the configuration that staff has selected and will give us three times 45 mega bites.

Mr. Cameron stated that the system will give the City better software performance for HTE applications connecting to the AS400 on the WAN, better software performance for the Fire Department applications such as SweetSoft and FireHouse, and increased Internet and Intranet connection speeds for the WAN connections. Mr. Cameron stated that it would also provide increased Internet access for the public via the Kurth Memorial Library, reduce access points requiring firewalls and improve security, will provide Ethernet phone capability, which will integrate with our messaging system and will provide for HTML based applications via the Intranet. Mr. Cameron stated that it would also allow video conferencing and training, enhance the EOC communications and will better support our upgrade to Active Directory (Windows 2000).

Mr. Cameron stated that staff requested a proposal and asked the vendors to propose a system. Mr. Cameron stated that staff had asked for a wholly owned Wireless WAN, an option for IP/Ethernet phones, an updated network routing, a new modern firewall, an improved VPN (Virtual Private Network) and increased Internet connection bandwidth. Mr. Cameron stated that the vendor he is looking at now has offered 3 -6 megs for less money than the City is paying for the T-1 now.

Mr. Cameron stated that the evaluation criteria that staff used for the proposals was 60% for technical feasibility, 20% for price and 20% for past performance. Mr. Cameron stated that it is not a good deal if it doesn't work. Mr. Cameron stated that seven proposals were received and three of them were from local vendors. Four of the proposals did not meet the requirements of the RPF. One was a fiber optic proposal, one had a two base station system and one had a three base station system. Mr. Cameron stated that his recommendation is for the three base station proposal from DataCentric Broadband. Mr. Cameron stated that the equipment that DataCentric is using is Cisco Clarity and Cisco Ethernet phones.

Mr. Cameron stated they are going to use the existing water towers as the towers to support their antenna system. Mr. Cameron stated that there will be some small self-supporting towers at the node ends but the primary towers that will be in three places throughout the City will come off the water towers. Mr. Cameron stated that they will connect at 45 Megs each back to City Hall and will use, to the extent possible, the existing tower on the Police Department to hang this equipment. Mr. Cameron stated that they would come in by cable into the IT Department where they will be broken out into the servers. Mr. Cameron stated that one of the nice things about this system is that if one of the towers goes down you can re-program and re-hone the nodes off one of the other two existing water towers.

Mr. Cameron stated that the reason the City wants three base stations is to ensure network reliability by reducing distance between base stations and nodes, it provides for redundancy (nodes can be re-honed), and it positions the City to support mobile users with high speed connections.

Mr. Cameron stated that the reason for DataCentric Broadband is that they are an experienced Wireless provider, they have qualified personnel, they have Cisco

certifications and because of their local presence (providing wireless access to the Civic Center now).

Mr. Cameron stated that the reason for Cisco is that they are the leading manufacturer of Internet routing equipment, their engineers are involved in this project and have provided technical consultation from the beginning, their clarity system best suits the needs of the City for capability and reliability and the Cisco Ethernet phones will provide an "end to end" solution.

Mr. Cameron stated that staff recommendation is to award the wireless WAN contract to DataCentric Broadband. Mr. Cameron stated that he also recommends that the IT Department begin price negotiations for the WAN portion of the contract now and present the results of the negotiation to Council at the next meeting. Mr. Cameron stated that Cisco is telling him that they are going to be able to give the City some discounts because they want to use Lufkin as a premier example of how this system works. Mr. Cameron stated that this is the way to go and it is incumbent upon the IT Department personnel to get the cost down.

City Manager Maclin stated that staff is seeking authorization from Council to negotiate with DataCentric Broadband and then come back to Council on September 18th with a negotiated final price.

In response to question by Councilmember Robertson, City Manager Maclin explained the Ethernet phone system.

In response to question by Councilmember Gorden, Mr. Cameron stated that he is aiming at providing Kenneth Williams with solid EOC communications where he could actually move the EOC if he had to and IT could re-hone him. Mr. Cameron stated that this system is as stable and robust as he knows how to design a system.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Don Boyd authorizing staff to enter into negotiations with Data Centric Broadband and bring back a final contract at the next Council meeting. A unanimous affirmative vote was recorded.

20. BID – APPROVED – DETENTION POND – ENGLEWOOD – LOGGINS & SON

Mayor Bronaugh stated that the next item for consideration was bids for the detention pond in Englewood.

City Manager Maclin stated that included in the Council packet is the bid tabulations and staff recommendation is the low bid of Loggins & Son.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Bob Bowman that bid of Loggins & Sons in the amount of \$610,000 for the construction of the detention pond in Englewood be approved as submitted. A unanimous affirmative vote was recorded.

21. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 6:15 p. m. to enter into Executive Session. Regular Session reconvened at 7:03 p. m. and Mayor Bronaugh stated that Council had discussed attorney/client matters, real estate, and appointments to Boards.

21. APPOINTMENTS – APPROVED – KURTH MEMORIAL LIBRARY

City Manager Maclin stated that included in the Council packet is a letter of request from Walter Borgfeld the incoming President of the Kurth Memorial Library Board. Mr. Maclin stated that under the agreement between the City and the Library the Council either approves or denies the recommendations from the Library Board and they have some reappointments to continue to serve, a couple of replacements and the request to add two more positions to the Board. Mr. Maclin stated that after visiting with the current President, Mr. Holubec, they would also like to ask the City Council if they would consider appointing someone to attend the Library Board meetings as a liaison

between the City and Library Board much the same as Mr. Weems did when he served on the Library Board.

Mr. Maclin stated that the names that are being nominated by the Board are Carlotta Hunt and Barbara Thompson for re-election, James Haley as an appointment to a vacant slot, and then to increase the numbers from 9 to 11 with those two additions being Linda Poland and Sally Alvis to begin serving in January 2002.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres to accept the recommendations from the Library Board that Carlotta Hunt and Barbara Thompson be re-elected, James Haley be appointed to the Board to fill a vacancy, and that Linda Poland and Sally Alvis be appointed to the Board. A unanimous affirmative vote was recorded.

Councilmember Gorden stated that he hoped that the invitation would be open ended to the Council and that each member could serve in this capacity at some time.

Mayor Bronaugh volunteered to be the City's liaison to the Library Board.

In response to question by Councilmember Bowman, Mr. Maclin stated that the Board is meeting the fourth Tuesday each month at noon. Mayor Bronaugh stated that he would call another member of the Council if he were going to be out of town.

22. APPOINTMENT – APPROVED – PARKS ADVISORY BOARD – PEGGYLU WATKINS

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember R. L. Kuykendall that Peggylu Watkins be reappointed to the Parks Advisory Board and reappointment to replace Hector Rojas would be considered at the meeting on September 18th. A unanimous affirmative vote was recorded.

23. APPOINTMENT – APPROVED – ZONING BOARD OF ADJUSTMENT & APPEALS – LT. GEN. OREN WHIDDON

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall that Lt. Gen. Oren Whiddon be reappointed to the Zoning Board of Adjustment & Appeals. A unanimous affirmative vote was recorded.

24. CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBER, AND CITY MANAGER

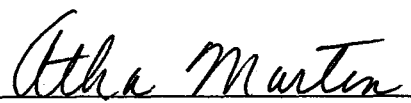
City Manager Maclin stated that the speaker for the First Friday luncheon on September 7th would be John Outlaw, Lufkin High School Coach.

City Manager Maclin stated that there would be a called meeting of the City Council and the Economic Development Partnership on Monday, September 10th at 11:00 a.m. at the Chamber of Commerce building

25. There being no further business for consideration, meeting adjourned at 7:15 p.m.


Louis Bronaugh
Mayor

ATTEST:


Atha Stokes Martin - City Secretary