

**MINUTES OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS, HELD ON THE
2nd OF JULY 2002**

On the 2nd day of July 2002 the City Council of the City of Lufkin, Texas, convened in a Regular Meeting in the Council Chambers of City Hall with the following members thereof, to wit:

Louis A. Bronaugh	Mayor
Lynn Torres	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Rose Faine Boyd	Councilmember, Ward No. 2
Bob Bowman	Councilmember, Ward No. 4
Dennis Robertson	Councilmember, Ward No. 6
C. G. Maclin	City Manager
James Hager	Asst. City Manager/Finance
Atha Stokes Martin	City Secretary
Bob Fournoy	City Attorney
Kenneth Williams	Director of Public Works
Stephen Abraham	Director of Planning

being present, and

Jack Gorden, Jr.	Councilmember, Ward 5
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Being absent when the following business was transacted.

1. Meeting was opened with prayer by Rev. Ray Guinn, Pastor, Glad Tiding Assembly of God Church.
2. Mayor Bronaugh welcomed visitors present and recognized Boy Scout Wilson Darby who is working on his Citizenship in the Community Badge.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting of June 18, 2002 were approved on a motion by Councilmember Dennis Robertson and seconded by Councilmember Lynn Torres. A unanimous affirmative vote was recorded.

4. TECHNOLOGY UPDATE

Mayor Bronaugh stated that the next item is an update from the Information Technology Department.

City Manager Maclin stated that staff wanted, as they have done periodically, to keep the Council updated on the activities of the City in terms of the various projects. Mr. Maclin stated that in this particular case staff wanted to give Council an update on the technology additions and improvements and enhancements to the City's operations. Mr. Maclin stated that there are so many technology improvements that staff is actually putting them into two sessions – this session today provided by Bill Cameron, and a month from today on August 6th, Lt. Nowak will be providing an update on the Police Departments CPDP and how the police cars are using technology in the Police Department to aid their activities.

Before starting his presentation Mr. Cameron introduced the employees of the Information Technology Department: Cindy Massey, Todd Alston, David Moore, and the new Director of IT, Sid Mundlin. Mr. Cameron introduced the corporate sponsors: Tammy City and George Duren of TXU; Ronnie Johnston, Russell Buras of Wireless Dynamics; Bruce Love and Lora Huerta of DP Solutions, and Allen Shubert and David Hurr from DataCentric Broadband.

Bill Cameron gave a presentation on City of Lufkin technology improvements which included the Wireless Wan, the telephony project, C2Gov, website upgrade and the NT network upgrade to W2K.

Mr. Cameron stated that the goal of the IT Department is to increase services for the citizens and employees and achieve efficiencies through technology.

Mr. Maclin stated that this puts the City on the cutting edge of technology in terms of that Lufkin is the only city that has IP telephony telephones.

Mr. Hager stated that Mr. Cameron had served as the IT Director for the past three years and nine or ten months ago he decided that he wanted to retire. Mr. Hager stated that he had talked Mr. Cameron into coming back as a consultant as the project manager of the Wireless WAN. Mr. Hager stated that he wanted to thank Mr. Cameron for all of his diligent work and to the corporate contractors and to the IT staff.

5. PUBLIC HEARING – GRANT APPLICATION – KIT McCONNICO PARK

Mayor Bronaugh opened Public Hearing to consider a grant application for Kit McConnico.

No one came forward to speak for or against the grant application for Kit McConnico Park.

Mayor Bronaugh closed Public Hearing.

Todd Hall, the landscape architect working with Don Hannabas on this project, stated that he had brought a copy of the master plan for everyone to look at. Mr. Hall stated that this is an application for a matching grant through the Texas Parks and Wildlife in the amount of \$500,000. Mr. Hall stated the City would be acquiring 17 acres located at the intersection of Loop 287 and Old Moffett Road. Mr. Hall stated that they were adding a few more amenities to get the grant application points raised and they included sand volleyball courts, washer pits, horseshoe pits, a wetlands area and a nature trail. Mr. Hall stated that the plan is also on the City's web site.

6. REQUEST – APPROVED - FIRST READING – ZONE CHANGE – PLANNED UNIT DEVELOPMENT (NO. 3109) TO LOCAL BUSINESS – LAWRENCE A. CATES AND ASSOCIATES, INC. – TULANE DRIVE BETWEEN LOOP 287 AND HARMONY HILL DRIVE

Mayor Bronaugh stated that the next item for consideration was the request of Lawrence A. Cates and Associates, Inc. to change the zoning classification on approximately 28.75 acres of land located on the east side of Tulane Drive between Loop 287 and Harmony Hill Drive from "Planned Unit Development (No. 3109)" zoning district to a "Local Business" zoning district.

City Manager Maclin stated that this request has been on previous agendas and has been tabled. Mr. Maclin stated that this request comes to Council from the Planning & Zoning Commission with a recommendation of approval. Mr. Maclin stated that he wanted to point out that the original request of Lawrence Cates has been transferred to David Miles. Mr. Maclin stated that staff believes that this is a zone change that will help prepare this area for development in the future.

David Miles stated that he was present to request this zone change to Local Business to accommodate not only Home Depot, who they do have a contract with, but also other end users. Mr. Miles stated he has a contract with a 65,000 SF user and they have to have a Local Business zone change to accommodate their needs. Mr. Miles stated that they have taken into consideration landscape buffers.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Bob Bowman that request of Lawrence A. Cates and Associates, Inc. to change the zoning classification on approximately 28.75 acres of land located on the east side of Tulane Drive between Loop 287 and Harmony Hill Drive from "Planned Unit

Development (No. 3109)" zoning district to a "Local Business" zoning district be approved on First Reading as presented. A unanimous affirmative vote was recorded.

7. ORDINANCE – APPROVED – SECOND READING - ANNEXATION – FM HIGHWAY 58 – BARTMESS DRIVE

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance annexing approximately 69.64 acres of land located east of FM Highway 58 and south of Bartmess Drive.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Rose Faine Boyd that Ordinance annexing approximately 69.64 acres of land located east of FM Highway 58 and south of Bartmess Drive be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

8. ORDINANCE – APPROVED – SECOND READING – ZONING CLASSIFICATION – FM HIGHWAY 58 – BARTMESS DRIVE

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance the appropriate zoning classification for approximately 69.94 acres of land being considered for annexation and generally located east of FM Highway 58 and south of Bartmess Drive.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember R. L. Kuykendall that Ordinance with the appropriate zoning classification for approximately 69.94 acres of land being considered for annexation and generally located east of FM Highway 58 and south of Bartmess Drive be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

9. REQUEST – APPROVED – SECOND READING - ZONE CHANGE – RESIDENTIAL LARGE AND RESIDENTIAL MEDIUM TO RESTRICTIVE PROFESSIONAL OFFICE – FRANK AVENUE AND NORTH RAQUET STREET – GEORGE K. DUPUY

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance to change the zoning classification on property located at the northwest corner of Frank Avenue and North Raquet Street and being described as Lot 4, Block 5 of the E. J. Mantooh's Addition and also Lot 1, Block 8 of the Woodland Heights Addition from "Residential Large" and "Residential Medium" zoning districts to a "Restrictive Professional Office" zoning district as requested by George K. Dupuy.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember R. L. Kuykendall that Ordinance to change the zoning on property located at the northwest corner of Frank Avenue and North Raquet Street and being described as Lot 4, Block 5 of the E. J. Mantooh's Addition and also Lot 1, Block 8 of the Woodland Heights Addition from "Residential Large" and "Residential Medium" zoning districts to a "Restrictive Professional Office" zoning district be approved on Second and Final Reading as presented.

Councilmember Dennis Robertson recused himself from discussion and voting on this request.

Motion carried with five (5) affirmative votes.

10. REQUEST FOR STREET NAME CHANGE – APPROVED – HIGHLAND AVENUE TO DOLPHUS AVENUE

Mayor Bronaugh stated that the next item for consideration was a request by the North Lufkin Neighborhood Association to change the name of Highland Avenue to Dolphus Avenue.

City Manager Maclin stated that this item originally came to the City from the Pastor at the Greater Shiloh Missionary Baptist Church and staff recommended that they take this request to the Neighborhood Association in order to gain comments and consensus

of opinion from the neighborhood. Mr. Maclin stated that included in the Council packet is a letter from the President of the North Lufkin Neighborhood Association, Mrs. Lela Mae Simmons, saying that the Association also wants to ask the City Council to give consideration to changing this street name from Highland Avenue to Dolphus Avenue in memory of the late Rev. Hosea Dolphus, Sr.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember R. L. Kuykendall that Highland Avenue be changed to Dolphus Avenue as requested by the North Lufkin Neighborhood Association. A unanimous affirmative vote was recorded.

11. TAX ABATEMENT AGREEMENT – APPROVED – AMERICAN COLOR GRAPHICS

Mayor Bronaugh stated that the next item for consideration was the request of American Color Graphics for approval of a Tax Abatement Agreement.

City Manager Maclin stated that included in the Council packet is a memorandum of explanation that provides the staff recommendation for approval of this Tax Abatement along with the actual application, the qualification threshold point sheet, description of the property, and a plat of the property. Mr. Maclin stated that present today to represent this request are Bill Wellborn, the President and Executive Director of the Angelina County Economic Development Partnership, and Tony Duprey with American Color Graphics.

Mr. Wellborn stated that this Company has demonstrated a track record of providing good jobs and new capital investment for Angelina County. Mr. Wellborn stated that this project when coupled with their last expansion will result in approximately \$15 million plus in new plant presses and pollution control equipment and create approximately 75 new jobs. Mr. Wellborn stated that the Economic Development Partnership has reviewed this project and assisted the company with their interim warehouse needs and have coordinated with folks in Austin toward the timely processing of the necessary air quality permits. Mr. Wellborn stated that the Partnership wholeheartedly endorses this project and believe it to be in the very best interest of Angelina County.

Mr. Wellborn stated that also present tonight from the Partnership were C. G. Maclin, David Perkins and Bob Brown.

Mr. Duprey stated that this is an exciting time for their facility, which is a heat-set, offset printer and work for a lot of the major retailers and a lot of the major newspapers to print and distribute products for them. Mr. Duprey stated that the growth that they are planning is a whole new growth for their facility. Mr. Duprey stated that it is getting into a market that they haven't been into before and this offers another whole new advantage to their facility and to Angelina County. Mr. Duprey stated that it gives them a rounding effect to service customers and a leveling effect of this new equipment so that they are much more stable and have less peaks and valleys in their industry. Mr. Duprey stated that they have a lot of national accounts and are big retailers and have always had a small portion of their business being regional business. Mr. Duprey stated that with the new equipment that is coming in they are growing that regional business in the Texas market place. Mr. Duprey stated that the facility has been in operation since 1953 and has seen a lot of change in printing processes and advanced through those processes, and this is another advancement for them. Mr. Duprey stated that this new expansion gets them very sound in the marketplace and very competitive in the market place. Mr. Duprey stated that their location is ideal from the standpoint of how they are located between Dallas and Houston, which are very big markets.

Councilmember Robertson questioned the difference of the number of jobs on the application and evaluation sheet. Mr. Abraham stated that the original letter they received from Mr. Duprey started with the number of employees they have to date, which are 120. Mr. Abraham stated that staff wanted to go back and consider this as one project so they moved it back to 110 which is how many current employees they had a year ago when they started this project. Mr. Abraham stated that it would not

make a difference in the points either way. Mr. Abraham stated that Mr. Duprey was out of town when this information was put together to present to the County so he just left the letter as it was and verified that the changes that he made were correct on the point sheet.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Bob Bowman that Tax Abatement Agreement as requested by American Color Graphics be approved as presented. A unanimous affirmative vote was recorded.

12. **FEASIBILITY STUDY – APPROVED – COMPOSTING BIO-SOLIDS AND OTHER ORGANIC WASTES**

Mayor Bronaugh stated that the next item for consideration was approval of a feasibility study of composting bio-solids and other organic wastes.

City Manager Maclin stated that included in the Council packet is a letter of explanation from the Director of Public Works, Kenneth Williams, and a letter addressed to Mr. Dobson, the Solid Waste Superintendent from Ms. Fisher the project manager with HDR, along with a copy of an agreement for professional services. Mr. Maclin stated that Mr. Williams has prepared a power point presentation to explain this request. Mr. Maclin stated that what staff is seeking from Council today is consideration to conduct a feasibility study to see whether or not a composting operation in a more complete sense than the City has done in the past makes sense for us and possibility could be a revenue generator for the City.

Mr. Williams introduced Corlis Dobson, the Superintendent of Solid Waste and Ms. Rita Fisher of HDR, who will be conducting the study for the City.

Mr. Williams stated that the purpose of the study would be to thoroughly examine current or proposed City of Lufkin resources to determine the feasibility of developing and maintaining a Class A composting program. Mr. Williams stated that the goal and objective of the study would be to get the maximum use of the recycling program, cost effectiveness (now and then), to identify resources, to determine feasibility, and to find the best practice of wastewater sludge disposal. Mr. Williams stated that the current operations include chipping and grinding, and that the chips are sold as fuel to a Louisiana operation at \$3.25 per ton. There are two employees who man this operation using the 14' and 12' tub grinders, a rubber tire loader, a track loader and a compost turner and screener. Mr. Williams stated that the recycling department takes the wood waste that they receive from contractors and citizens from curbside pickup and chip it. Mr. Williams stated that the City has the ability to make Class A sludge at the recycling facility heating it to a greater temperature.

Mr. Williams stated that the price of plastics, glass and metals is down and the price of paper products will go down as early as this month. Mr. Williams stated that the options available to the City are to collect adequate tipping fees on wood waste and increase revenues. The increase income from current wood chips at \$3.25 per ton could possibly go as high as \$25.00 per cubic yard. Mr. Williams stated that the market for sludge would include nurseries, developers and citizens. Mr. Williams stated that he and other staff members had met with TxDOT to discuss seeking Class A compost for their Erosion Control Program.

Mr. Williams stated that HDR is recommending Task One as a feedstock assessment for the City and private sources at a cost of \$6,500, and Task Two which is a product market assessment identifying potential markets at a cost of \$4,500. Mr. Williams stated that based upon the positive findings of these two recommendations, the City could then proceed with the study. Mr. Williams stated that the processing assessment for the composting concept would cost \$13,500, the facility siting would cost \$8,000 and the feasibility analysis to include budgets, staffing, operations, etc. would cost \$16,500.

Mr. Williams stated that at this time the solid waste fund is stable. It is recommended that the City pay for Task One and Two in fiscal year 2001-2002 at a cost of \$11,000. If the findings for these two tasks were favorable, then we would pay for Task Three thru Five in fiscal year 2002-2003 at a cost of \$38,000. The maximum contract price would not exceed \$49,000.

Mr. Williams showed slides of the City of Denton composting facility.

Councilmember Robertson stated that he was concerned about the type of chemicals or odor that would emulate from this type of operation. Mr. Williams stated that there is odor associated with the composting process. Mr. Williams stated that the feasibility study would tell us the best location, which would help us solve some of those concerns.

Councilmember Robertson asked if there was a chemical analysis that comes out before the compost is marketable to determine whether or not there are chemicals that we shouldn't be putting into a landscaping area where there will be children. Mr. Williams stated that if it is a Class A compost you could put it anywhere. Mr. Wright stated that the City is required to test our sludges every year and submit a sludge report. Mr. Wright stated that in order to be able to land apply the sludge, which is what we are doing now, we have to meet certain criteria. Mr. Wright stated that once you go to a Class A, which reduces the vectors that you are concerned about for odors and cola form of bacteria, all of that is stabilized at that point.

In response to question by Mayor Bronaugh, Mr. Williams stated that the City only charges a nominal fee if somebody brings something to the recycling center. Mr. Maclin stated that the City has not taken brush to the landfill since 1990.

Mr. Wright stated that the sludge application sites that the City is doing now, TNRCC is becoming more and more restrictive on those sites and we have been reduced in area. Mr. Wright stated that the actual sites that we have, the owners might not allow the City to continue and if we lose those sludge application sites and we have to go to the landfill our costs would probably quadruple once that application is prevented. Mr. Wright stated that composting might be the only viable alternative for the City to reduce its cost.

Councilmember Robertson asked if this was a business that could be turned over to a private business later on. Ms. Fisher stated that if you look around you would find composting operations all over the country ranging the whole gamut of extremely unprofitable to extremely profitable. Ms. Fisher stated that it depends on the waste stream that you have, and it depends on the market both for disposal on the front end and for revenues on the back end. Ms. Fisher stated that City staff recognized early on that Lufkin might be in a unique position to have some great feedstocks that certainly look favorable and that we already have some good equipment, which HDR will be evaluating. Ms. Fisher stated that the reason they will be doing the feasibility study and doing it in an incremental manner is to make sure that it will make sense in the City's market because every market is different.

Ms. Fisher stated that in answer to the question if this could be turned over to the private section, she would say absolutely. Ms. Fisher stated that the last task in their scope of work is to look at the feasibility where they would really look at the numbers a little harder and what the labor requirements would be, and which additional pieces of equipment the City might need, revenues based on the market analysis, and put a fairly sharp pencil to that. Ms. Fisher stated that there is also the operational side to look at and it may very well be that it is an economical undertaking and it may also be that it is more of a headache than the City wants to handle. Ms. Fisher stated that if that is what it looks like, then privatizing it is certainly an opportunity and an option.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember R. L. Kuykendall that feasibility study of composting bio-solids and other organic wastes be approved as presented with an evaluation after Phase II for the continuation of the study. A unanimous affirmative vote was recorded.

13. RESOLUTION – APPROVED – GRANT APPLICATION – KIT McCONNICO PARK

Mayor Bronaugh stated that the next item for consideration was a Resolution for a grant application for Kit McConnico Park.

City Manager Maclin stated that this is the City's second time to make this application to Texas Parks and Wildlife for these improvements. Mr. Maclin stated that this is for the Capital Improvements that Council approved for Kit McConnico to include new soccer fields and new softball fields. Mr. Maclin stated that included in the Council packet is a Resolution, which is a requirement of the application process.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Lynn Torres that Resolution for a grant application for Kit McConnico Park be approved as presented. A unanimous affirmative vote was recorded.

14a. BID – APPROVED – DUMP TRUCK – SEWER REHAB – HOUSTON FREIGHTLINER

Mayor Bronaugh stated that the next item for consideration was bids for a dump truck to be used in the Sewer Rehab Department.

City Manager Maclin stated that included in the Council packet is a bid tabulation and staff is recommending the low bid of Houston Freightliner in the amount of \$43,376.

Motion was made by Councilmember Rose Faine Boyd and seconded by Councilmember R. L. Kuykendall that the bid of Houston Freightliner in the amount of \$43,376 be approved as submitted for a dump truck to be used in the Sewer Rehab Department. A unanimous affirmative vote was recorded.

14b. BID – APPROVED – BACKHOE – SEWER REHAB – TEXAS TIMBER JACK

Mayor Bronaugh stated that the next item for consideration was bids for a backhoe to be used in the Sewer Rehab Department.

City Manager Maclin stated that staff is recommending the low bid of Texas Timber jack in the amount of \$52,795. Three bids were received on this project.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Dennis Robertson that the bid of Texas Timber Jack in the amount of \$52,795 be approved as submitted. A unanimous affirmative vote was recorded.

15. BID – APPROVED – SHADYBROOK DRIVE DRAINAGE – ANGELINA EXCAVATING

Mayor Bronaugh stated that the next item for consideration was bids for the Shadybrook Drive drainage.

City Manager Maclin stated that staff is recommending the low bid of Angelina Excavating in the amount of \$42,664.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember R. L. Kuykendall that bid of Angelina Excavating in the amount of \$42,664 be approved as submitted for the Shadybrook Drive drainage. A unanimous affirmative vote was recorded.

16. EXECUTIVE SESSION

Mayor Bronaugh recessed Regular Session at 6:37 p. m. and Councilmembers entered into Executive Session. Regular Session reconvened at 6:48 p.m. and Mayor Bronaugh stated that the Council had discussed attorney/client matters, demolition of dilapidated houses, appointments to Boards and Commissions, and real estate matters.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Bob Bowman that dilapidated houses located at 1003 Weaver and 1711 Keltys be approved for demolition. A unanimous affirmative vote was recorded.

17. APPOINTMENT – APPROVED – PARKS ADVISORY BOARD – RICHARD JOSEPH

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Bob Bowman that Richard Joseph be appointed to the Parks Advisory Board. A unanimous affirmative vote was recorded.

18. CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBERS, AND CITY MANAGER

City Manager Maclin stated that Lawrence Olson of the Texas Good Roads would be speaking at the First Friday luncheon, which will be held on July 12th.

City Manager Maclin reminded Councilmembers of the budget workshop meeting on July 16th beginning with breakfast at 7:30 a.m. with the meeting at 8:00 a.m.

City Manager Maclin stated that the Finance Committee would meet on the 16th at 3:00 p.m.

19. There being no further business for consideration, meeting adjourned at 6:52 p. m.


Louis A. Bronaugh – Mayor

ATTEST:


Atha Martin - City Secretary