

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

On the 4th day of December 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 A. Bronaugh
Dennis Robertson
Lynn Torres
Bob Bowman
Jack Gorden, Jr.
C. G. Maclin
James Hager
Atha Stokes Martin
Bob Flournoy
Keith Wright
Kenneth Williams

Mayor
Mayor pro tem
Councilmember, Ward No. 3
Councilmember, Ward No. 4
Councilmember, Ward No. 5
City Manager
Asst. City Manager/Finance
City Secretary
City Attorney
City Engineer
Director of Public Works

Being present, and

R. L. Kuykendall
Don Boyd

Councilmember, Ward No. 1
Councilmember, Ward No. 2

Being absent when the following business was transacted.

1. Rev. Frank Starr, Pastor, First Lutheran Church, opened meeting with prayer.
2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Bob Bowman that the minutes of the Joint Meeting of the City Council and Lufkin Board of Development of November 8, 2001 and the Regular Meeting of November 20, 2001 be approved as presented. A unanimous affirmative vote was recorded.

4. PUBLIC HEARING – COMPREHENSIVE PLAN 2001

Mayor Bronaugh opened Public Hearing to accept public comments relating to the final draft of the City of Lufkin Comprehensive Plan 2001 and to consider the appropriate action regarding the adoption.

No one was present to speak for or against the adoption of the Comprehensive Plan 2001.

Mayor Bronaugh closed Public Hearing.

5. ORDINANCE – APPROVED – FIRST READING – COMPREHENSIVE PLAN ADOPTION

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance adopting the Comprehensive Plan.

City Manager Maclin stated that Dan Sefko, the Comprehensive Plan consultant, along with Wayne Stolz, engineer, was present at tonight's meeting. Mr. Maclin stated that Mr. Sefko brought the power point presentation that he presented to the City Council at the joint retreat meeting with the Planning & Zoning Commission and the Comprehensive Plan Update Steering Committee. Mr. Maclin stated that if there was anyone present who had not seen the power point presentation and wanted to, Mr. Sefko would present it; however, if no one requested it we would not show it a second time to the Council.

City Manager Maclin stated that this item comes to the City Council with a unanimous recommendation for approval from the Steering Committee and the Planning & Zoning Commission, who had a Public Hearing at their last meeting.

Motion was made by Councilmember Bob Bowman and seconded by Councilmember Jack Gorden, Jr. that First Reading of an Ordinance adopting the Comprehensive Plan be approved as presented. A unanimous affirmative vote was recorded.

6. ORDINANCE – APPROVED – FIRST READING - ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance adopting the International Residential Code.

City Manager Maclin stated that included in the Council packet is a memorandum explaining this item by the Director of Inspection Services, Beauford Chapman. Mr. Maclin stated also on the Council table is a memorandum that gives an overview of how staff has taken the presentation by Mr. Chapman to the Home Owners Association. Mr. Maclin stated that there are a few areas that differ but the most significant of which is that the Ordinance requires the placement of a smoke detector in each bedroom. Mr. Maclin stated that this is something that the State of Texas is trying to do to provide consistency and uniformity of Codes across the State.

In response to question by Councilmember Robertson, Mr. Maclin stated that there are some other minor details that the building community is aware of, but in terms of some additional burden, purchasing the smoke detectors for each bedroom would be the only thing that falls in a significant category.

In response to question by Councilmember Robertson, Mr. Chapman stated that there are a number of changes in the new Code, but some are minor and some are more significant and the smoke detectors is probably the most significant from the standpoint

of cost to the residential home. Mr. Chapman stated that this is taking three different Codes across the U. S. and combining them into one Code, so there will be some changes or differences between those three when they are combined into one because they had to mutually agree on some changes. Mr. Chapman stated that there are no structural changes. Mr. Chapman stated that the three Codes are based on engineering principles and other test data that comes from testing agencies.

In response to question by Mr. Robertson, Mr. Chapman stated that there were no changes to the Code in regard to foundations; they have left that to his discretion as a Building Official. Mr. Chapman stated that his intention is to continue with the Department's present foundation design requirements

In response to question by Councilmember Torres, Mr. Chapman stated that the new Code requires one smoke detector in each bedroom in addition to the smoke detector that is required in the hall as a life/safety issue. Mr. Chapman stated that the addition of each smoke detector would cost approximately \$75 each which would include the necessary wiring, etc. Mr. Chapman stated that this applies to new construction as well as remodeling.

Mr. Chapman stated that this is a requirement that was passed by Senate Bill 365 this last legislative session requiring all municipalities to adopt the International Residential Code, effective September 1, 2001, but must be implemented by January 1, 2002.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Dennis Robertson that Ordinance adopting the International Residential Code be approved on First Reading as presented. A unanimous affirmative vote was recorded.

7. JANUARY CITY COUNCIL MEETING – REVISION OF DATE

Mayor Bronaugh stated that the next item for consideration was revision of the date for the first Council meeting in January.

Mayor Bronaugh stated that in 2002 there are five Tuesdays in January, and the first one is on January 1st, New Year's Day, a City holiday. Mayor Bronaugh suggested that Council could have just one meeting in January on the 15th, and if it is necessary to meet again Council could meet on the 22nd or the 29th.

Motion was made by Councilmember Jack Gorden, Jr. and seconded by Councilmember Bob Bowman that the first meeting in January be cancelled, and then based on need staff could make a recommendation for scheduling a second meeting on the 22nd or the 29th as needed. A unanimous affirmative vote was recorded.

8. BID – APPROVED – CONCRETE WORK – GIRLS' SOFTBALL FIELD – COX CONTRACTORS

Mayor Bronaugh stated that the next item for consideration was bids for concrete work at the Girls' Softball Field.

City Manager Maclin stated that staff is recommending the low bid of Cox Contractors in the amount of \$17,400. Mr. Maclin stated that this was funded in the Capital Improvements Program from two years ago and is an allocation for some restrooms and parking.

Motion was made by Councilmember Lynn Torres and seconded by Councilmember Bob Bowman that the bid of Cox Contractors in the amount of \$17,400 be approved as submitted. A unanimous affirmative vote was recorded.

9. AMENDMENT – APPROVED – ZOO BUDGET – FULL TIME EMPLOYEE – HIPPO EXHIBIT

Mayor Bronaugh stated that the next item for consideration was an Amendment to the Zoo budget for a full time employee for the Hippo Exhibit.

City Manager Maclin stated that included in the Council packet is a memorandum of request from the Director of the Zoo, Gordon Henley. Mr. Maclin stated that the memo provides some background and information and tells that the cost for an additional zookeeper totaled from January 1 to the end of the fiscal year (September 30) is \$22,687.93. Mr. Maclin stated that the breakout on that is \$16,555.14 for the salary and \$6,132.79 for benefits. Mr. Maclin stated that this is an item that was considered in the budget process but fell four or five slots below the cut, and now that the facility is open and the two hippos have been delivered, it requires additional maintenance and care.

Motion was made by Councilmember Dennis Robertson and seconded by Councilmember Lynn Torres that Amendment to the Zoo Budget for a full time employee for the Hippo Exhibit at a salary of \$22,687.93 be approved as presented. A unanimous affirmative vote was recorded.

Mr. Maclin stated that the Assistant City Manager would bring a budget amendment for approval at a later date.

PROCLAMATION FOR NATIONAL DAY OF RECONCILIATION

City Manager Maclin stated that on November 13th the United States Senate Congressional Record and the House had a concurrent joint resolution to establish December 4, 2001 as a National Day of Reconciliation. Mr. Maclin stated that Congress was authorized to gather together with the chaplain from both the Senate and the House along with members from the House of Representatives and the United States Senate in the rotunda of the Capitol to have a time of reconciliation, for love and charity and several other items for the benefit of our nation. Mr. Maclin stated that it is his opinion that this is reflective as a result of the September 11th events. Mr. Maclin stated that at noon today the Mayor read the Proclamation to a group of ministers who gathered at City Hall.

Mayor Bronaugh read the Proclamation.

10. **EXECUTIVE SESSION**

Mayor Bronaugh recessed Executive Session at 5:24 p.m. to enter into Executive Session. Regular Session reconvened at 5:45 p. m. and Mayor Bronaugh stated that personnel, attorney/client matters and real estate items were discussed.

11. **CALENDAR NOTATIONS FROM MAYOR, COUNCILMEMBER, AND CITY MANAGER**

City Manager Maclin stated that this Friday at 10:00 a.m. there is a groundbreaking for the new Angelina County Law Enforcement Center on Lufkin Avenue. City Manager Maclin stated that at noon on Friday is the First Friday luncheon where Carl Wright, the General Manager of Abitibi, will be the speaker.

City Manager Maclin stated that on Monday, December 10th at 11:30 a.m. would be the Chamber of Commerce Retreat at Piney Point.

City Manager Maclin stated that there would be a Called City Council meeting on December 11th at noon and lunch will be served at 11:30 a.m. to address the annexation requests.

City Manager Maclin stated that also on Tuesday, December 11th, is a Leaders Reception at the Red Barn from 5:00 to 7:00 p.m.

City Manager Maclin stated that on Friday, December 14th is the DETDA bi-monthly meeting with the emphasis this month on air transportation. The speaker will be Dave Fulton, head of the Aeronautical Division of TxDOT.

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


Louis Bronaugh
Mayor

ATTEST:


Atha Stokes Martin - City Secretary