

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION
OF THE CITY OF LUFKIN, TEXAS, HELD ON THE
21ST DAY OF APRIL, 1992 AT 5:00 P.M.

On the 21st day of April, 1992 the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Chambers of City Hall with the following members thereof, to wit:

Louis A. Bronaugh
Percy Simond, Jr.
Don Boyd
Danny Roper
Bob Bowman
Jack Gorden
Paul Mayberry

Mayor
Commissioner, Ward No. 1
Commissioner, Ward No. 2
Commissioner, Ward No. 3
Commissioner, Ward No. 4
Commissioner, Ward No. 5
Commissioner, Ward No. 6

being present when the following business was transacted.

1. Meeting was opened with prayer by Reverend Frank Starr, Minister, First Lutheran Church.

2. Mayor Bronaugh welcomed visitors present and recognized Larry Kegler and Lester Adkison, who are seeking the position of Commissioner of Ward 3.

3. **CERTIFICATE OF APPRECIATION - COMMISSIONER DANNY ROPER**

Mayor Bronaugh presented a Certificate of Appreciation to Commissioner Danny Roper in recognition of his excellent contribuion and dedicated service to the citizens of Lufkin and the City Commission from 1986 to 1992.

4. **APPROVAL OF MINUTES**

Minutes of Regular Meeting of April 7, 1992 were approved on a motion by Commissioner Paul Mayberry and seconded by Commissioner Jack Gorden. A unanimous affirmative vote was recorded.

5. **ORDINANCE - APPROVED - SECOND READING - REINVESTMENT ZONE/TAX ABATEMENT - PATE BUILDING - FIRST STREET & LUFKIN AVENUE - D. DAVID HEARNE/GREGORY LONGINO**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for designation of "Reinvestment Zone" for the Tax Abatement Program as requested by David Hearne for renovation of the Pate Building located at the southeast corner of First Street and Lufkin Avenue.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman that Ordinance be approved on Second and Final Reading as presented. A unanimous affirmative vote was recorded.

6. **ORDINANCE - APPROVED - SECOND READING - AMENDMENT TO ORDINANCE NO. 223 - TEMPORARY MOBILE HOMES/TRAVEL TRAILERS OUTSIDE LICENSED TRAILER PARKS**

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance amending Ordinance No. 223 regulating Temporary Mobile Homes and Travel Trailers outside licensed trailer parks.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Danny Roper that Ordinance be approved on Second Reading as presented. A unanimous affirmative vote was recorded.

7. MASTERCARD APPLICATION - APPROVED - FIRST BANK & TRUST-LUFKIN

Mayor Bronaugh stated that the next item for consideration was an application for a MasterCard with First Bank & Trust-Lufkin.

City Manager Maclin introduced David Moss, student intern from SFA majoring in Business Administration, who stated that the letter from Mr. Mayfield, which had been included in the Commissioner's packets, had requested approval of four MasterCards. Mr. Moss stated that staff was actually requesting five MasterCards and the fifth card would be for Assistant City Manager of Public Works, Ron Wesch. Mr. Moss stated that the credit limit for these five cards with First Bank and Trust -Lufkin would total \$10,000.

Mr. Moss stated that the City currently has their MasterCard credit card with the Bank of New York in Delaware issued through First City Bank, Lufkin, when they were the City's depository in 1991. Mr. Moss stated that the reasons for requesting this change were that the Bank of New York charged the City a \$25 service charge, and working with a local bank would make transactions for the City much easier.

Mr. Mayfield stated that he would also like to emphasize that while the City has had MasterCard credit cards in the past, they have never been for personal use. Mr. Mayfield stated that a Purchase Order is issued each time the credit card is used. Mr. Mayfield stated that having the credit card makes it easier for staff to guarantee hotel/motel reservations.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Bob Bowman that staff be authorized to submit application for MasterCard with First Bank & Trust-Lufkin.

Commissioner Gorden recused himself from voting.

Motion carried with six affirmative votes.

8. RIGHT-OF-WAY PURCHASE - APPROVED - CHESTNUT STREET BETWEEN LUFKIN AVENUE AND THIRD STREET

Mayor Bronaugh stated that the next item for consideration was approval of right-of-way purchase on Chestnut Street between Lufkin Avenue and Third Street.

City Manager Maclin stated that a letter from Assistant City Manager of Public Works Ron Wesch, and a list of the 53 parcels of property that will need to be acquired in order to reconstruct and widen Chestnut Street between Lufkin Avenue and Third Street, had been included in the Commissioner's packets. The Manager stated that the list also includes the appraised values of the property as established by an independent certified appraisal that meets the State Department of Transportation's standards.

City Manager Maclin stated that the total for the appraisals is \$89,637.50. The Manager stated some of the acquisitions are in negotiation for purchase, and the City may or may not end up paying the exact figure that is listed. The Manager stated that he wanted to present this list to the Commission in its entirety for a blanket approval of understanding that this is what the City needs to do in order to meet State Transportation's statutes and requirements. The Manager stated that there is \$70,000 in the Street Department budget for the right-of-way, but staff does not anticipate exceeding this amount in this budget year. The Manager stated that if it becomes apparent that the acquisitions will exceed the \$70,000 prior to September 30, he would come back to the Commission with a request for consideration of an amendment.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Paul Mayberry that purchase of right-of-way on Chestnut Street between Lufkin Avenue and Third Street be approved as presented. A unanimous affirmative vote was recorded.

9. INVOICE - APPROVED - SEWER REPAIR - HURRICANE CREEK REALIGNMENT - CRAWFORD CONSTRUCTION COMPANY

Mayor Bronaugh stated that the next item for consideration was approval of payment to Crawford Construction Company for repair of 42" sewer line and realignment of Hurricane Creek.

City Manager Maclin stated that a few weeks ago it was discovered that a 42" interceptor sewer line had been broken prior to its entry into the Sewage Treatment Plant on Southwood Drive. The Manager stated that this is a portion of the line that passes under Hurricane Creek, and with all the rain and flooding in January and February, the flow had washed away what cover had previously been on top of the line. The Manager stated that a lot of debris and logs floating down the creek at high rates of speed apparently collided with the 42" line and made an opening, which then allowed the creek water to flow directly into the sanitary sewer line. The Manager stated that once this was discovered, Mr. Wesch called him in Washington, D. C. and indicated the urgency of the situation. The Manager stated that staff felt like this was something that needed to be repaired immediately because of potential health liability, and that it was causing an overload at the Sewage Treatment Plant. The Manager stated that Crawford Construction Company, the contractor for renovation at the Sewage Treatment Plant, was available and had the manpower and equipment necessary to make these repairs. The Manager stated that they actually had to reroute the creek in order to provide a dry enough circumstance to where the 42" line could be repaired. The Manager stated that the line is now working properly, and is recognizable in terms of the change by virtue of the flow readings at the treatment plant.

Mayor Bronaugh stated that handouts of the Wastewater Treatment Plant Discharge graph provided to the Commissioners show that on March 8 through the 15th there was a drop of three million gallons daily. Commissioner Mayberry stated that on the 14th it dropped down to less than 4 1/2 million gallons. Mr. Wesch stated that the average for the balance of the month would be from 6 to 6 1/2 mgd. Mr. Wesch stated that the month of April will look even better.

Commissioner Mayberry requested that Mr. Wesch's statement be attached to the Accounting Department's payment voucher for this emergency expenditure for future reference.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman to approve payment to Crawford Construction Company for invoices in the amount of \$10,500 for emergency repair of 42" sewer line and realignment of Hurricane Creek. A unanimous affirmative vote was recorded.

10. RECYCLING BUDGET AMENDMENT - APPROVED - CONTRACTURAL SERVICES - UPGRADE OF EMPLOYEE POSITION

Mayor Bronaugh stated that the next item for consideration was approval to amend the Recycling Budget for contractual services and upgrade of an employee position.

City Manager stated that included in the Commissioner's packets is a letter from Recycling Superintendent Dennis Webster explaining the changes in the City's recycling program and the need for these recommended changes, and a letter from Mr. Wesch, Assistant City Manager of Public Works.

City Manager Maclin stated that since the implementation of some of the new recycling programs made possible through the TLL Temple Foundation Grants and the

purchase of equipment, staff is beginning to see additional volumes of materials being collected. This increase has created a need for a driver for a new frontend loader garbage truck that will pick up recycling materials (commercial recycling, in addition to apartment complex multi-family dwelling, and in the future the curb side recycling program). The Manager stated that in the past the Recycling Department has been utilizing a garbage truck off the regular commercial route after it finished its work in the afternoon. The Manager stated that this has caused some problems in that some days they did not finish until late and therefore, recycling collections were not made on as timely a basis as staff would like.

City Manager Maclin stated that staff is requesting an upgrade of a labor position within the Department currently from a laborer to a driver position in order to drive this piece of equipment for the Recycling Department.

City Manager Maclin stated that the Assistant City Manager of Public Works has visited with Angelina County Sheriff Mike Lawrence about the use of prisoner labor force to assist Mr. Webster in the manual portion of recycling (hand separation and packaging of materials for shipping). The Manager stated that the Sheriff has indicated that he would be willing to work with the City if we could provide the salary for a jailer. The Sheriff's Department would be responsible for the delivery, supervision and transportation of prisoners from the jail to the Recycling Center. The Manager stated that they would bring the number of prisoners needed for the day to meet the needs of the volumes of materials for that particular day's work. The Manager stated that this would give the City the ability to have some very inexpensive labor just primarily for the price the City would pay for the jailer. The Manager stated that the jailer's salary and benefits would be approximately \$20,000 per year. The Manager stated that as of next week there would only be five months remaining in this fiscal year, and he is estimating that it would cost less than \$10,000 for the jailer's salary, and approximately \$2,268.36 for the upgrade from the laborer position to a driver. The Manager stated that he is requesting the Commissioner's consideration of an amendment of \$12,268.36 to the Recycling Department Budget from the Contingency Fund. The Manager stated that the Contingency Reserve Fund for Solid Waste was \$63,920 at the beginning of the year and this amount is still in place.

In response to question by Commissioner Mayberry, the Manager stated that the income and expenses in the Solid Waste Budget for the first six months in approximately one-half a percentage point off in revenues.

In response to question by Commissioner Simond, the City Manager stated that the Police Department vehicles are currently being washed at Village Car Wash in a contractual agreement at approximately one-half the regular price. Mr. Wesch stated that he would be in contact with the Sheriff's Department in regard to having the City vehicles washed by prisoners.

In response to question by Commissioner Gorden, Mr. Wesch stated that all liability for the prisoner labor would be the responsibility of the Sheriff's Department.

Commissioner Mayberry stated that he would like to see a Memorandum of Agreement between the City and the Sheriff's Department written by the City Attorney. The Manager stated that a Memorandum of Understanding could be drawn up for the remaining five months of this fiscal year, and if it is successful the City Attorney and the County Attorney could draw up an Agreement satisfactory to both parties.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Jack Gorden that the Amendment to the Recycling Department budget for an upgraded personnel position within the Department, and the salary for a jailer from the Sheriff's Department in the amount of \$12,268.36 be approved as presented. A unanimous affirmative vote was recorded.

11. QUARTERLY DELINQUENT WRITE-OFFS - APPROVED - AMBULANCE DEPARTMENT

Mayor Bronaugh stated that the next item for consideration was quarterly delinquent write-offs of the Ambulance Department.

City Manager Maclin that a letter from the Fire Chief noting the volume, the number of accounts, and the amount of dollars to be approved for write-off had been included in the Commissioner's packets.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that quarterly delinquent write-offs for the Ambulance Department in the amount of \$50,538.73 be approved as requested. A unanimous affirmative vote was recorded.

12. CANVASS OF ELECTION - DATE SET - MAY 5, 1992

Mayor Bronaugh stated that the next item for consideration was setting the date for canvass of the May 2, 1992 election.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Don Boyd that canvass of the election be held at the regularly scheduled City Commission meeting on Tuesday, May 5, 1992. A unanimous affirmative vote was recorded.

13. BID - APPROVED - MONITORS - FIRE DEPARTMENT - BIONIC SYSTEMS

Mayor Bronaugh stated that the next item for consideration was bids for monitors for the Fire Department.

City Manager Maclin stated that staff recommendation is to accept the low bid of Bionic Systems for three vital sign monitors in the amount of \$13,016.

Chief Snyder stated that \$17,180 had been budgeted for this item, and he would like to be able to apply the remaining funds towards the purchase of a new rescue truck in the event he is over bid on that item.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Bob Bowman to accept the low bid of Bionic Systems in the amount of \$13,016 as submitted. A unanimous affirmative vote was recorded.

14. EXECUTIVE SESSION

Mayor Bronaugh recessed regular session at 5:38 p.m. to enter into Executive Session. Regular session was reconvened at 5:56 p.m. and Mayor Bronaugh stated that real estate matters and appointments to various City boards had been discussed.

Mayor Bronaugh recognized Larry Kegler and Lester Adkison, who are seeking the position of Commissioner of Ward 3.

15. REAPPOINTMENT - APPROVED - CIVIL SERVICE COMMISSION - ROYCE GARRETT

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Don Boyd that Royce Garrett be reappointed to the Civil Service Commission for a three-year term. A unanimous affirmative vote was recorded.

16. COMMENTS

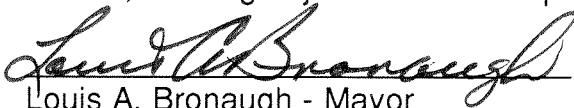
Mayor Bronaugh reminded Commission members of the TML Region 16 meeting to be held at Crown Colony Country Club on Thursday, April 30.

City Manager Maclin reminded Commission members of the Employees Awards Banquet at the Civic Center on Monday, April 27.

City Manager Maclin stated that the monthly meeting of DETCOG is Thursday, April 23 in Shelby County.

Mayor Bronaugh and members of the Commission recognized Commissioner Danny Roper as a leader in the community, and expressed their sentiments in serving with him on the City Commission for the past six years. Commissioner Roper stated that he would like to express his appreciation to members of the Commission, City staff, and City employees.

17. There being no further business for consideration, meeting adjourned at 6:05 p.m.


Louis A. Bronaugh - Mayor

ATTEST:


Atha Stokes - City Secretary