MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 6TH DAY OF AUGUST, 1991 AT 5:00 P.M.

On the 6th day of August, 1991, 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	Mayor
Don Boyd	Mayor pro tem
Danny Roper	Commissioner, Ward No. 3
Bob Bowman	Commissioner, Ward No. 4
Jack Gorden	Commissioner, Ward No. 5
Paul Mayberry	Commissioner, Ward No. 6
C. G. Maclin	City Manager
Darryl Mayfield	Asst. City Mgr./Finance
Ron Wesch	Asst. City Mgr./Public Works
Bob Flournoy	City Attorney
Atha Stokes	City Secretary

being present, and

Percy Simond	Commissioner, Ward No. 1

being absent when the following business was transacted.

1. Meeting was opened with prayer by Chaplain Billy Dunn, Lufkin State School.

2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of July 16, 1991, minutes of Special meeting of July 22nd, and minutes of Called Meeting of July 23, 1991 were approved on a motion by Commissioner Don Boyd and seconded by Commissioner Jack Gorden. A unanimous affirmative vote was recorded.

4. PUBLIC HEARING - ANNEXATION/PERMANENT ZONING - CROWN COLONY SECTION VII-B - SABINE INVESTMENT COMPANY

Mayor Bronaugh opened Public Hearing to consider request by Sabine Investment Company for annexation and permanent zoning of property located at Crown Colony Subdivision, Section VII-B (located at the termination point of Champions Drive at the southeast corner of the Crown Colony Subdivision.)

There was no opposition present.

Mayor Bronaugh closed Public Hearing.

5. ORDINANCE - APPROVED - SECOND READING - JOHN & RETHA MEANS - S. CHESTNUT STREET AND 718 CARD DRIVE - LOCAL BUSINESS, SPECIAL USE (OFFICE BUILDING) TO LOCAL BUSINESS, SPECIAL USE (OFFICE BUILDING AND BEAUTY SHOP)

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for Zone Change as requested by John and Retha Means covering property located at the southwest corner of S. Chestnut Street and 718 Card Drive from Local Business, Special Use (Office Building) to Local Business, Special Use (Office Building and Beauty Shop).

There was no opposition present.

Motion was made by Commissioner Jack Gorden 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 - ZONE CHANGE - SABINE INVESTMENT COMPANY - CROWN COLONY SUBDIVISION, SECTION VII-A, BLOCK 1, LOT 14 - APARTMENT, SPECIAL USE TO RESIDENTIAL MEDIUM

Mayor Bronaugh stated that the next item for consideration was Second Reading of an Ordinance for Zone Change as requested by Sabine Investment Company covering property located at Crown Colony Subdivision, Section VII-A, Block 1, Lot 14 from Apartment, Special Use to Residential Medium.

There was no opposition present.

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

7. EMS BILLINGS - PAST DUE - CREDIT BUREAU OF LUFKIN

Mayor Bronaugh stated that the first item for consideration was reporting past due EMS billings over 120 days to the Credit Bureau of Lufkin.

City Manager Maclin stated that the City has the option, either through staff or TRW, to have this information of failure to pay an ambulance service bill reported to the Credit Bureau. City Manager Maclin stated that if the City wants TRW to notify the Credit Bureau, this can be included as part of their procedures. City Manager Maclin stated that there will not be an additional fee for doing this. Commissioner Gorden stated that, in his opinion, this would be a prudent thing to do.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Paul Mayberry that past due EMS billings over 120 days be reported to the Credit Bureau of Lufkin. A unanimous affirmative vote was recorded.

8. ORDINANCE - APPROVED - FIRST READING - ANNEXATION/PERMANENT ZONING - CROWN COLONY SUBDIVISION - SECTION VII-B - SABINE INVESTMENT COMPANY

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance for annexation and permanent zoning as requested by Sabine Investment Company for Crown Colony Subdivision Section VII-B (located at the termination point of Champions Drive at the southeast corner of the Crown Colony Subdivision).

Elmo Taylor, Sabine Investment Company, was present to represent the request.

There was no opposition present.

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

9. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - ELVIN LOWERY/ELMER O. BRUMBLE III - TULANE DRIVE - RESIDENTIAL LARGE TO LOCAL BUSINESS, SPECIAL USE (HEALTH CLUB)

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance for Zone Change requested by Elvin Lowery, on behalf of Elmer O. Brumble III, from Residential Large to Local Business, Special Use (Health Club) on 4.625 acres fronting the west side of Tulane Drive and immediately north of the property occupied by the Lufkin Mall.

Mayor Bronaugh recognized Grady Lowery who was present to represent the request. Mr. Lowery stated that the health club had outgrown its facilities at the Lufkin Mall and that the proposed structure would contain approximately 20,000 square feet with outdoor tennis courts and pools. Mr. Lowery stated that his goal is to develop a "country club" look which should be aesthetically pleasing to the neighborhood. Mr. Lowery stated that he plans to preserve every tree possible; maintain a minimum 20' green belt around the club; develop a row of shrubbery along the perimeter of the parking area in order to soften the view of parked cars; and use azalea flower beds extensively for compatibility with the proposed Azalea Fitness Trail which will pass immediately behind the club.

Mr. Lowery stated that members will come and go spasmodically and should not create a traffic "log jam" on Tulane.

In response to question by Commissioner Gorden, City Planner Stephen Abraham stated that the Comprehensive Plan recommends the requested area remain as residential, however, the parcels immediately to the south and west are recommended for commercial. Mr. Abraham stated that Comprehensive Plans are broad-brushed guidelines by necessity and cannot substitute for the detailed analysis required in a zoning area.

Mr. Abraham stated that the Planning Department feels that the location of the Lufkin Mall immediately to the south of the requested area lessens the desirability of this site for residential use and the applicant has made every effort to design the development such that negative on-site factors are mitigated.

Mr. Lowery presented a scale model of the facility to the Commission.

In response to question by Commissioner Mayberry, Mr. Abraham stated that Mr. Lowery has been notified that if Tulane is widened the City will need additional right-of-way (approximately 6 1/2 feet off his property). Mr. Lowery stated that this will not be a problem.

Mayor Bronaugh stated that the P&Z Minutes reflect that Ab Roquemore, whose property is directly across the street from the proposed facility, made a positive statement at the P&Z Commission meeting regarding the facility.

There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Paul Mayberry that Ordinance be approved on First Reading as presented. A unanimous affirmative vote was recorded.

10. ORDINANCE - APPROVED - FIRST READING - STANDARD PLUMBING CODE

Mayor Bronaugh stated that the next item for consideration was First Reading of Ordinances adopting latest provisions of 1991 Southern Building Code and providing an effective date.

a.) Standard Plumbing Code
b.) Standard Gas Code
c.) Standard Building Code
d.) Standard Mechanical Code
e.) Standard Fire Prevention Code
f.) National Electric Code

City Manager Maclin stated that basically there are two provisions to be considered--to update the Code itself to conform to the 1991 Southern Building Code and then to update the fees to conform to the 1991 Southern Building Code fee schedule. City Manager Maclin stated that if the Commission were to approve this update and make it effective in October, staff would send out notices to licensed electricians, plumbers, and contractors making them aware of the fact that this would become the standard for building codes and the fee schedule would increase accordingly.

Asst. City Manager Mayfield stated that at last meeting staff provided information showing the current Southern Building Code fee for a building permit on a $50,000 home at $136.50, and the suggested increase to $260--an increase of 47.50% (an overall increase of 16.42%). Asst. City Manager Mayfield stated that all of the other fees would remain the same.

City Manager Maclin stated that the Commission had also discussed housemoving fees. City Manager Maclin stated that the present Code fee is $50, the new Code has raised the fee to $100, and Mr. Wesch has suggested $200, which is the average cost for a housemoving job in terms of City personnel and equipment. City Manager Maclin stated that the Commission could address this item separately if there is interest. In response to question by Commissioner Mayberry, Asst. City Manager Mayfield stated that the fees had not changed in the past 16 years.

In response to question by Commissioner Mayberry, Asst. City Manager Mayfield stated that staff is projecting that the increase of the building fee if the Department processes the same amount of permits as last year would bring in an additional $40,000 next year. Commissioner Mayberry stated that he would like to have an overview of the rates periodically.

In response to question by Commissioner Gorden, City Manager Maclin stated that the City of Nacogdoches had adopted the 1991 Southern Building Code but then repealed it to only include new construction, eliminating renovation.

In response to question by Commissioner Roper, City Manager Maclin stated that factoring in the figures for the increased fees would help towards making the department self-supporting.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Paul Mayberry that First Reading of Ordinance adopting the 1991 Southern Building Code, and fee increases, with the exception of the section pertaining to housemoving be approved as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Bob Bowman that, upon the recommendation of the Public Works Director, the housemoving fee be set at $200. A unanimous affirmative vote was recorded.

11. ORDINANCE - APPROVED - FIRST READING - EXOTIC ANIMALS

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance regulating and controlling exotic animals within the City.

City Manager Maclin stated that it has been brought to the staffs attention that there have been some situations in the past about placement of exotic animals in public facilities and this needed to be addressed in a way that would provide protection for the general public as well as the City from a liability standpoint.

Asst. City Manager Ron Wesch stated that Animal Control Supervisor Cathy Clark and Zoo Director Gordon Henley were present to provide input in regard to this Ordinance. Mr. Wesch stated that Ms. Clark's letter outlines the need for the Ordinance, and item #2 in her letter is the reason that the Ordinance needs to be passed as soon as possible.

Mr. Wesch stated that Mr. Henley has an objection to Section III (c) (1) (A permit for the possession of a prohibited animal may be issued to a zoo open to the public.) Mr. Wesch stated that he would like for the City Attorney to reword this section to eliminate the Ellen Trout Zoo. Mr. Henley stated that there needs to be some regulation over the many exotic animals that enter the City. Mr. Henley stated that, in his opinion, since the City owns the Zoo, the City should not be permitting the City for operating the Zoo. Mr. Henley stated that in the case of traveling zoos the City should have the authority to go in and examine the facility, the animals in question, the expertise of the people who are working with those animals, to insure that animal welfare is being maintained and that public safety and security is being maintained. Mr. Henley stated that he does support wholeheartedly the passing of this Ordinance.

In response to question by Mayor Bronaugh, Ms. Clark stated that many other municipalities, regardless of the size, have already gone to permitting, regulating and enforcing exotic animals because exotics are getting to be a large part of the responsibility of animal control.

Ms. Clark stated that she is proposing that wolf hybrids (an animal that is 50% dog and 50% wolf) be added under Section II (3) Class Mammalla. Ms. Clark stated that she has had to deal with two wolf hybrids in the last two weeks and had to euthanize one that was nine months old and the other was reported lost.

Ms. Clark stated that USDA requires anyone who has an exotic animal to have certain permits that have different classifications.

In response to question by Commissioner Roper, Ms. Clark stated that ferrets are common animals but are not recommended as pets.

In response to question by Commissioner Roper, Ms. Clark stated that citizens who presently own animals considered as "exotics" do not need to have a permit because the animals are prohibited. In response to question by Commissioner Roper, Ms. Clark stated that the owners would have to get rid of the exotic animals. In response to question by Commissioner Bowman, Ms. Clark stated that some of the animals that are pets that would be prohibited are ferrets, monkeys, and jaguars.

In response to question by Commissioner Mayberry, Ms. Clark stated that she will not be out looking for people who own exotic animals, but she will respond to complaints. Commissioner Mayberry stated that the City needs to inform the public that there are certain classes of animals that are not acceptable.

In response to question by Mayor Bronaugh, City Attorney Flournoy stated that people who already have exotic animals could be exempted from this Ordinance and the owner could prove by affidavit that they had purchased the animal on a date prior to the passage of the Ordinance.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Don Boyd that Ordinance be approved on First Reading with changes to Section II (a) (3) Class Mammalla (add wolf hybrid) and Section III (c) (1) exempt Ellen Trout Zoo. A unanimous affirmative vote was recorded.

12. ORDINANCE - APPROVED - FIRST READING - HOTEL/MOTEL TAX - ETJ

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance for collection of Hotel/Motel Tax in the City's ETJ, and setting an effective date.

City Manager Maclin stated that during the spring session of the legislature in Austin House Bill 651 was approved which allows municipalities the opportunity to collect the local portion of the Hotel/Motel Tax within its extraterritorial jurisdiction. City Manager Maclin stated that this Bill was discussed and its potential for the City of Lufkin by the Board of Development, and minutes from their meeting where they unanimously recommend to the City Commission to consider implementing House Bill 651 in the City of Lufkin have been included in the packet. City Manager Maclin stated that the only motel that would fall in this category is Terral's Motel on Highway 59 North. City Manager Maclin stated that he had visited with the Motels owners regarding the legislation and provided them with a copy of same. City Manager Maclin stated that it is anticipated that revenues derived from the motel could be approximately $8,000 a year. City Manager Maclin stated that this would be adding the 7% local option tax to the existing 6% State tax that is already in effect.

Mayor Bronaugh recognized Joann Jenkins, owner of Terral's Motel, who stated that she does not receive any services from the City of Lufkin. Ms. Jenkins stated that the majority of her regular customers are from the highway, travelers who purposely stay away from downtown to avoid higher taxes, drugs, theft and prostitution. Ms. Jenkins stated that her customers do not benefit from the entities that Lufkin has to offer because they cater to overnight travelers and truckers as well as companies whose workers stay by the week or month.

Mrs. Jenkins stated that these people have to go home on the weekend to cash their checks and spend their money at home rather than in Lufkin because no one in Lufkin will cash their company checks. Mrs. Jenkins stated that the majority of the time the motel is filled before Lufkin functions begin. Mrs. Jenkins stated she does not take reservations. Mrs. Jenkins stated that occasionally she does get customers from the Expo Center but the majority of people prefer to stay in the larger motels that have swimming pools, clubs and dining facilities.

Mrs. Jenkins stated that she had traveled to the valley on a sales promotion trip but she did so at her own expense.

Mrs. Jenkins stated that most of her business comes from Nacogdoches referrals for people on their way south.

Mrs. Jenkins stated that she does not feel that her customers should have to pay this tax because they do not use any of Lufkin's services.

Mayor Bronaugh stated that the motels in the City of Lufkin pay for their water, sewer, garbage separately and apart from this 7% tax; they don't get their services free.

City Manager Maclin stated that under Section 156.101 of House Bill 651, a person who stays 30 consecutive days in a motel is exempt from paying State or local tax.

In response to question by Mrs. Jenkins, City Manager Maclin stated that the anticipated revenue of $8,000 is estimated based on the number of rooms at the motel. Mrs. Jenkins stated that eight of the buildings are efficiency apartments.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Danny Roper that Ordinance be approved on First Reading as presented.

The following vote was recorded:

Aye: Commissioners Boyd, Roper, Gorden, Mayor Bronaugh

Nay: Commissioners Bowman and Mayberry

Motion carried by a vote of 4 to 2.

Commissioner Bowman stated he would have been more comfortable about voting for the Ordinance if there had been several other motels in the City's ETJ.

13. RESOLUTION - APPROVED - PEBSCO - DEFERRED COMPENSATION PROGRAM

Mayor Bronaugh stated that the next item for consideration was a Resolution from PEBSCO for employee option to participate in a deferred compensation program.

City Manager Maclin stated that the City has one other deferred compensation program and this Resolution provides an additional option for City employees to choose from.

Asst. City Manager Mayfield presented a comparison of the programs differences and similarities.

City Manager Maclin stated that the program is optional, and only at the employees expense.

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

14. RESOLUTION - APPROVED - STEP GRANT - SEATBELT ENFORCEMENT - FISCAL YEAR 1991-92

Mayor Bronaugh stated that the next item for consideration was a Resolution authorizing STEP grant for seatbelt enforcement for fiscal year 1991-92.

City Manager Maclin stated that a memo from Chief Sherman Collins had been included in the packet stating that the State Department of Highways and Public Transportation is offering a continuation of the seat belt grant. City Manager Maclin stated that the grant in the amount of $25,000 is for fiscal year 1992.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Paul Mayberry that Resolution accepting grant offer from the State of Texas through the State Department of Highways and Public Transportation for a selective traffic enforcement project during fiscal year 1992 be approved as presented.

The following vote was recorded:

Aye: Commissioners Boyd, Gorden, Bowman, Mayberry, Mayor Bronaugh
Nay: Commissioner Roper

Motion carried by a vote of 5 to 1.

15. LUFKIN BOARD OF DEVELOPMENT - PROPOSED BUDGET - APPROVED

Mayor Bronaugh stated that the next item for consideration was the proposed budget of the Lufkin Board of Development. Mayor Bronaugh stated that although the members of this Board were not present he would like to recognize them for their hard work on this budget:

Jim Haley, Chairman
Cathy Crain
Ted Lankford
Trey Henderson
Stanley New
Jay Pandya
Tom Brewer

City Manager Maclin stated that included in the Commissioner's packet was a recommendation from the Board of Development for approval of this proposed budget for 1991-92. City Manager Maclin stated that these revenues include the Hotel/Motel occupancy tax as well as the Civic Center rental fees and other miscellaneous fees related to the Civic Center for a total of $357,100 with a beginning balance of $100,000. City Manager Maclin stated that total expenses were projected at $410,787.

City Manager Maclin stated that in the past this fund has been more or less inclusive in that all the expenditures came out of the Civic Center budget for the Museum, the Exposition Center, and the Tourism and Convention Bureau. City Manager Maclin stated that this year there are four different budgets under Fund 06 -- Dept. 01 - Civic Center; Dept. 02 - Museum of East Texas; Dept. 03 - Tourism and Convention Bureau; Dept. 04 - Exposition Center. City Manager Maclin stated that the Exposition monies are based on 1/7th of the 7% tax the Commission agreed to on an annual basis several years ago, and is estimated at approximately $36,000.

City Manager Maclin stated that two things he would like to point out is (1) the Hotel/Motel occupancy tax does include the anticipated revenues from Terral's Motel that the Commission approved on First Reading earlier, and (2) the Civic Center fees are also included with projected increase that is the next item on the agenda.

City Manager Maclin stated that the Board of Development worked very hard on this budget and were perhaps unaware of some circumstances in regard to previous balances which were clarified this year. City Manager Maclin stated that obviously they have a greater need for more revenues than we have anticipated expenses. City Manager Maclin stated that for the first time there is some allocation in the General Fund for expenditure on capital repair and improvements at the Civic Center, whereas in the past all the expenditures for the Civic Center have come from this budget.

In response to question by Commissioner Danny Roper, City Manager Maclin stated that the Hotel/Motel tax is already at the State maximum of 7% and cannot be adjusted.

In response to question by Commissioner Roper, City Manager Maclin stated that the Board had used Contingency Funds in the past depending on the needs requested for that year versus revenues. City Manager Maclin stated that there has been some carry-over revenues from the Hotel/Motel tax collections in years past, and that is where the fund balance came from. City Manager Maclin stated that there are two ways to keep from using funds in the Contingency Fund and that is to cut spending or to use more General Fund revenues for capital repairs as things depreciate at the Civic Center. City Manager Maclin stated that the Board of Development worked hard and struggled with this while working on the budget. City Manager Maclin stated that the consensus of opinion of the Board was that now that the facility has reached the age that it has, and there is some depreciation, it will be necessary to look to the General Fund budget for some of these repairs and replacements. City Manager Maclin stated that the understanding he got from the Commission during the budget workshops was that the City does have a responsibility to maintain the Civic Center.

City Manager Maclin stated that the original budget requests totaled $600,000, and there were some cuts in most all of the presentations that were made with the exception of the Expo Center which is a 1/7th of the Hotel/Motel tax.

In response to question by Mayor Bronaugh, City Manager Maclin stated that there were some funds allocated in this fiscal year for the billboard signs. City Manager Maclin stated that $2,951 has been budgeted for next fiscal year to complete the project and to add some lighting.

Mayor Bronaugh recognized Jerry Huffman, President of the Chamber of Commerce and Dawn Bruce of the Tourism and Convention Bureau.

In response to question by Mayor Bronaugh, Mr. Huffman stated that the signs will be located on Highway 59 South and Highway 69 North.

Mr. Huffman complimented Mrs. Brandenburg for the excellent job she is doing as Director of the Civic Center.

Motion was made by Commissioner Bob Bowman and seconded by Commissioner Don Boyd that proposed budget of the Lufkin Board of Development be approved as presented. A unanimous affirmative vote was recorded.

16. CIVIC CENTER FEES - APPROVED - PROPOSED RATE CHANGE

Mayor Bronaugh stated that the next item for consideration was proposed rate change for Civic Center fees as recommended by the Lufkin Board of Development, and setting an effective date.

City Manager Maclin stated that minutes from the Board of Development meeting where the rate changes for the Civic Center are discussed has been included in the Commissioner's packets along with a listing of the current rates, proposed rates, and some additional staff proposals for rate changes. City Manager Maclin stated that all of these changes were unanimously recommended by the Board of Development to the City Commission. City Manager Maclin stated that the emphasis has been placed on trying to minimize the impact on the non-profit entities and also to reward through a lower rate those entities that would have daytime rental when staff would normally be there Monday through Friday, and already have the fixed cost of heating and cooling, etc.

City Manager Maclin stated that Mrs. Brandenburg was present to answer any questions.

City Manager Maclin stated that 80/85% of the Civic Center business is the non-profit, local rentals, with 15/20% being commercial. City Manager Maclin stated that a surcharge for electricity has been proposed because of some situations where there were a lot of additional electrical consumption that took place for a particular type of show or concerts where the basic daily average consumption was exceeded.

In response to question by Commissioner Gorden, Mrs. Brandenburg stated that there are two demand meters at the Civic Center. Mrs. Brandenburg stated that the average daily utility fee for the Civic Center runs $12.71 per hour. City Manager Maclin stated that the Civic Center's electric bill averages out at approximately $3,300 per month.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that the rate change for Civic Center fees as recommended by the Lufkin Board of Development be approved as presented. A unanimous affirmative vote was recorded.

17. ADMISSION FEES - APPROVED - ELLEN TROUT ZOO

Mayor Bronaugh stated that the next item for consideration was establishment of admission fees at the Ellen Trout Zoo.

City Manager Maclin stated at the last meeting the Commission had directed staff to include in the budget the funds necessary for the installation of a new entrance into the Zoo that would include the ability to collect admission fees and have restroom facilities with concession/souvenir stand potential, which was estimated at approximately $50,000. City Manager Maclin stated that staff was also directed to include funds in the proposed budget for salaries for clerks at the Zoo to collect the fee.

City Manager Maclin stated that at previous meetings the consensus was leaning towards $2.00 for adults and $1.00 for children under 12. City Manager Maclin stated that it was discussed at last meeting that fees much lower than that would not be cost effective from a standpoint of the overhead that would have to be put in. City Manager Maclin stated that the obvious intent is to create a fund that will generate dollars for the repair, maintenance and replacement of depreciated facilities at the Zoo. City Manager Maclin stated that the Zoo is similar to the Civic Center in that it has reached an age now where it is starting to experience some depreciation. City Manager Maclin stated that unless a way can be found for funding the Zoo, it will continue to depreciate to an intent that portions of it will have to be closed. City Manager Maclin stated that staff has talked with other Zoo's to find out how they cope with these problems and one of the ways other facilities cope is through admission fees. City Manager Maclin stated that as indicated before, the Lufkin Zoo is the only zoo in Texas that does not charge a fee. City Manager Maclin stated that he wanted to be quick to point out that a fee is not being proposed just because Lufkin was the only zoo that didn't have a fee. City Manager Maclin stated that a fee is being proposed so that there is an alternative to the continued decline of the quality of facilities at the Zoo so that the City will have a stable revenue stream to set aside to take care of renovations as they are needed.

Commissioner Roper stated that as a member of the "Friends of the Zoo" he would like to express the consensus of that Board that that they would prefer a lower rate than the rate the City is looking at - $2.00 for adults and $1.00 for children. Commissioner Roper stated that he disagreed with the rest of the Board on that particular point, and he does support the rate the City has proposed.

In response to question by Commissioner Roper, Mr. Henley stated that he feels that provision needs to be made for those people who cannot afford to pay the fee to get in and that consideration needs to be given to a free time for these people. Mr. Henley stated that it has been recommended to him by other zoos that do have free time that it should be in a fashion similar to what Commissioner Roper suggested - the first hour of the day and Monday through Friday. Mr. Henley stated that other Zoo directors have indicated that if you have an entire free day where people can come in throughout the day, the incidents of vandalism is concentrated and is expressed on the free day. Mr. Henley stated that Lufkin's Zoo doesn't have a great amount of vandalism, and the vandalism that does occur is mostly people pulling up plants and throwing them in the exhibits. Mr. Henley stated that the Zoo opens at 9:00 a.m. so the free time would be from 9:00 to 10:00 a.m.

Mayor Bronaugh stated that since 9-1/2 months of the year are taken up with school, he would suggest having one hour on Saturday morning for children to come with their families. Mr. Henley stated that he would like to do a little more research with other zoos and find out what their experience is and then put together a proposal for the development of free time and present it to the Commission for consideration.

Mr. Henley stated that in response to Commissioner Roper's second question, the practice of reciprocal visits by members of the Friends of the Zoo is basically a standard operating procedure. Mr. Henley stated he would recommend the reciprocal agreement.

Mr. Henley stated that he was hoping that with the adoption of the fee tonight that the Commission would discuss a fee structure proposal. City Manager Maclin stated that an admission fee survey was included in the packets which reflects that zoos in Waco, Victoria and Alexandria, Louisiana did not have a free time. City Manager Maclin stated that Victoria has a group rate policy where 20 or more pay half price, both for children and adults. Mr. Henley stated that one thing discussed in the group rate structure was that in order to be eligible to have the group rate fee there needs to be an adult for every eight students in order to have control.

In response to question by Commissioner Bowman, Mr. Henley stated that in his research he found that volunteer workers are completely unreliable.

In response to question, Mr. Henley stated that Friends of the Zoo membership rates are: Individuals $15, Family $25, Patron $50, Benefactor $100 and $1,000 for a lifetime membership. Commissioner Roper stated that monies received for membership in the Friends of the Zoo is used for projects at the Zoo.

In response to question by Commissioner Gorden, Mr. Henley stated that he is reluctant to project a proposed revenue from the admission fee because people who come through the turn stile are often counted more than one time. Mr. Henley stated that hypothetically if 80,000 people came through the turn stile in one year with the ratio of 1 to 1, it would raise $120,000 in one year. Mr. Henley stated that the Alexandria Zoo raises approximately $120/130,000 per year from admission fees. Mr. Henley stated that he has considered stamping peoples hands so that if they leave the Zoo to ride the train they can get back in the Zoo without having to pay another admission fee. Mr. Henley stated that this will also help in determining how many people have paid to get in, and then how many times they are counted the second time, to see where the attendance figures really lie.

Mr. Henley stated that research has shown that when an admission fee is first charged there is vocal opposition to the fee, there may be some decline in attendance, but when people realize that the quality of the Zoo has improved as a result of the admission fee, attendance actually increases. Mr. Henley stated that the ultimate idea is to raise the funds that are necessary to do major improvements in a relatively short period of time. Mr. Henley stated that if the fees were lower than the fees that are being proposed, we would have to bank that money for a much longer period until there was enough to make the substantial repairs that are needed.

Mr. Henley stated that he had written a letter to the newspaper which appeared in todays edition where he explained that it was not the City's intent to finally catch up with everyone else and charge an admission fee, and it is not the intention of the City to deny admission of anybody to the Zoo whatsoever and that every effort will be made to allow the citizens to visit the Zoo.

Commissioner Bowman stated he would like to see a half price group rate set.

In response to question, Mr. Henley stated that proposed rates are:

Ages between	0 - 3	free
	4 - 12	$1.00
	13 & up	$2.00

City Manager Maclin stated that it would be spring before the entrance can be changed to accommodate charging a fee.

City Manager Maclin stated that Mr. Henley can put together a recommendation for a group rate and free time and bring it back to the City Commission in the next 30 days.

Motion was made by Commissioner Danny Roper and seconded by Commissioner Bob Bowman to establish an admission fee at the Ellen

Trout Zoo, and to adopt the fee of $2.00 for adults and $1.00 for children. A unanimous affirmative vote was recorded.

18. EXECUTIVE SESSION

Mayor Bronaugh recessed regular session to enter into Executive Session at 7:23 p. m. Regular session reconvened at 8:25 p.m. and Mayor Bronaugh stated that personnel and legal matters had been discussed and that no decisions were made in Executive Session.

19. COMMENTS

City Manager Maclin reminded the Commission that a Budget Workshop meeting has been scheduled for Tuesday, August 13th, at 5:00 p.m.

20. There being no further business for consideration, meeting ad journed at 8:30 p. m.

Louis A. Bronaugh

Louis A. Bronaugh, Mayor

ATTEST:

Atha Stokes

Atha Stokes, City Secretary