

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 17TH DAY OF APRIL, 1990, AT 5:00 P.M.

On the 17th day of April, 1990, 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
Percy Simond, Jr.	Commissioner, Ward No. 1
Danny Roper	Commissioner, Ward No. 3
Bob Bowman	Commissioner, Ward No. 4
Jack Gorden	Commissioner, Ward No. 5
Paul Mayberry	Commissioner, Ward No. 6
Harvey Westerholm	City Manager
Robert Flournoy	City Attorney
Ron Wesch	Public Works Director
Atha Stokes	City Secretary

being present, and

Don Boyd	Commissioner, Ward No. 2
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being absent when the following business was transacted.

1. Meeting was opened with prayer by City Attorney Bob Flournoy.
2. Mayor Bronaugh welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of regular meeting of April 3, 1990 were approved on a motion by Commissioner Paul Mayberry and seconded by Commissioner Bob Bowman. A unanimous affirmative vote was recorded.

4. ORDINANCE - APPROVED - SECOND READING - ABANDONED AND JUNK VEHICLES - PUBLIC AND PRIVATE PROPERTY

Mayor Bronaugh stated that the first item for consideration was Second and Final Reading of Ordinance regulating abandoned and junked vehicles on public and private property.

City Attorney Flournoy stated that the Ordinances as presented at tonight's meeting reflect the changes and additions as requested by the Commission at last meeting.

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

5. ORDINANCE - APPROVED - SECOND READING - WATER AND SEWER LEAKS - PUBLIC AND PRIVATE PROPERTY

Mayor Bronaugh stated that the next item for consideration was Second and Final Reading of an Ordinance regulating water and sewer leaks on public and private property.

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

6. ORDINANCE - APPROVED - SECOND READING - DILAPIDATED FENCING - PRIVATE PROPERTY

Mayor Bronaugh stated that the next item for consideration was Second and Final Reading of an Ordinance regulating dilapidated fencing on private property.

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

7. ORDINANCE - APPROVED - SECOND READING - WEEDS - BRUSH - RUBBISH - GARBAGE - LITTER - JUNK - REFUSE - PUBLIC AND PRIVATE PROPERTY

Mayor Bronaugh stated that the next item for consideration was Second and Final Reading of an Ordinance regulating weeds, brush, rubbish, garbage, litter, junk, and refuse on public and private property.

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

8. ORDINANCE - APPROVED - SECOND AND FINAL READING - STANDARD UNSAFE BUILDING ABATEMENT CODE

Mayor Bronaugh stated that the next item for consideration was Second and Final Reading of an Ordinance for the adoption of the Standard Unsafe Building Abatement Code.

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

9. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - A. A. HALTMAR (OWNER)/J. DAVID BOYD (LESSOR) - 1401 EAST DENMAN - COMMERCIAL TO COMMERCIAL, SPECIAL USE (DAY CARE CENTER)

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance for Zone Change request by A. A. Haltmar (Owner) for J. David Boyd (Lessor) covering property located at 1401 East Denman from Commercial to Commercial, Special use (Day Care Center).

City Manager Westerholm stated that there had been some question concerning the safety of the children crossing the street to the playground; however, City Attorney Flournoy assured the Planning and Zoning Commission that the City would have no liability.

There was no opposition present.

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

10. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - A. A. HALTMAR (OWNER)/J. DAVID BOYD (LESSOR) - HOWARD STREET/DENMAN AVENUE - COMMERCIAL TO COMMERCIAL, SPECIAL USE (PLAYGROUND)

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance for Zone Change request by A. A. Haltmar (Owner) for J. David Boyd (Lessor) covering property located north of and adjacent to Howard Street and east of Denman Avenue from Commercial to Commercial, Special Use (Playground).

City Manager Westerholm stated that the Public Works Director has agreed to paint a crosswalk on the pavement, and that the playground area would be fenced.

In response to question by Commissioner Mayberry, Mr. Wesch stated that the crosswalk will be considered a pedestrian crossing and will be maintained by the City.

There was no opposition present.

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

11. ORDINANCE - APPROVED - FIRST READING - CLASSIFICATION PLAN - POLICE DEPARTMENT

Mayor Bronaugh stated that the next item for consideration was First Reading of an Ordinance adopting a Classification Plan for the Police Department.

Chief Collins stated that there have been several changes in the number of personnel since the last Classification Plan was approved. Chief Collins stated that part of the change was that some officers who were performing staff functions in the last budget year were put back on the street and civilian personnel were hired to perform these jobs (Data Processing, Special Services Manager, Property Room Clerk, Jailer and Fleet Manager). Chief Collins stated that the Police Department now has fifty-seven classified positions, three exempt positions and twenty-five civilian employees.

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

12. RESOLUTION - APPROVED - HOUSING FINANCE CORPORATIONS ACT - SINGLE FAMILY MORTGAGE PURCHASE PROGRAM

Mayor Bronaugh stated that the next item for consideration was a Resolution approving the application of the Housing Finance Corporations Act.

Mayor Bronaugh stated that the purpose of the Single Family Mortgage Purchase Program is to provide money to commercial lending institutions to finance qualifying residences for eligible low and moderate income families.

Charlie Ross, representing Commodore Financial Services (a division of Bluebonnet Savings Bank), stated that this is a program that was brought in to allow first time home buyers, or someone who has not owned a home for the past three years, to borrow money at an 8.375 annual rate. Mr. Ross stated that they are standard FHA loans, which means that the mortgage amount can be up to \$68,400. Mr. Ross stated that this program will bring approximately \$6,000,000 into the City of Lufkin at a low interest rate.

Mr. Ross stated there is no financial obligation on the part of the City. This is part of a \$24,000,000 tax free bond issue.

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

13a. BID - APPROVED - WATER LINE AND FIRE HYDRANT IMPROVEMENT - BIG STATE UTILITIES

Mayor Bronaugh stated that the next item for consideration was a bid for water line and fire hydrant improvements for the Bonton Subdivision.

City Manager Westerholm stated that \$80,000 had been put in the budget to make water line and fire hydrant improvements in the Bonton Subdivision. The low bid from Bowles and Eden came in at \$53,857.08, and City Manager Westerholm stated the Public Works Director would like to use the balance of funds to expand the project to cover the entire area of the Bonton Subdivision.

Commissioner Simond stated that a local bidder had bid \$205.38 over the low bid of Bowles and Eden of Tyler, and he would prefer that this amount of money be spent locally rather than out-of-town.

Mr. Wesch stated that the \$80,000 would fund approximately 90% of repairs for the subdivision.

Commissioner Mayberry stated that the City staff should come up with some guidelines for not accepting the low bid, and that an attempt should be made to be consistent.

Mayor Bronaugh requested that the staff bring back a recommendation for consideration at next meeting.

Motion was made by Commissioner Percy Simond and seconded by Commissioner Paul Mayberry to accept the bid of Big State Utilities in the amount of \$54,062.46. A unanimous affirmative vote was recorded.

13b. BID - APPROVED - WATER METERS - WATER DISTRIBUTION - BADGER METER COMPANY

Mayor Bronaugh stated that the next item for consideration was water meters for the Water Distribution Department.

City Manager Westerholm stated that bids had been requested for 200 water meters of various sizes, and Badger Meter Company had submitted the low bid in the amount of \$25.92 per meter.

In response to question, Mr. Wesch stated that the meters are bronze meters with magnetic drive.

Mr. Wesch stated that the annual budget figure for meters is \$25,000, and this is just a portion and not an annual supply.

Motion was made by commissioner Paul Mayberry and seconded by Commissioner Bob Bowman that the bid of Badger Meter company be accepted as the low bid. A unanimous affirmative vote was recorded.

13c. BID - APPROVED - PAINTING AND SANDBLASTING - GROUND STORAGE TANK - WILLIAMS PAINTING AND SANDBLASTING

Mayor Bronaugh stated that the next item for consideration was bids for the painting and sandblasting of a ground storage tank.

City Manager Westerholm stated that at a previous City Commission meeting when bids were opened for cleaning and sandblasting of the ground storage tanks, the staff found that some additional work was needed and that portion of the bid was taken out for a cost of approximately \$10,000 and the painting and sandblasting was rebid.

City Manager Westerholm stated that the low bid had been received from Williams Painting and Sandblasting in the amount of \$29,345. The budget amount was \$90,000, for a balance of \$41,643.

Motion was made by Commissioner Paul Mayberry and seconded by Commissioner Percy Simond that the bid of Williams Painting and Sandblasting in the amount of \$29,345, which includes the alternate, be accepted as presented. A unanimous affirmative vote was recorded.

14. COMMENTS

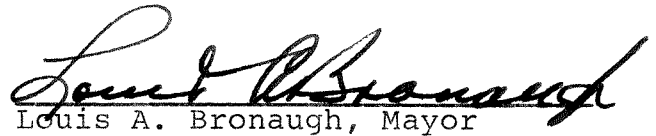
Commissioner Simond asked if the City has an Ordinance that regulates hauling and has a penalty for objects falling off the truck. City Attorney Flournoy stated part of this problem had been addressed in one of the Ordinances passed earlier in the meeting. Mayor Bronaugh stated that it could be suggested to

citizens who have a complaint about falling debris that they could get the offender's license number and file a complaint against him.

Chief Collins stated that there is a State law that already encompasses anything that is blowing or spilling from a moving vehicle. Chief Collins stated that this individual could be guilty of littering and the law is adequate to cover this situation, but the problem is a matter of enforcement.

Commissioner Simond questioned why a City street would have water lines too small to accommodate a fire hydrant. Commissioner Simond stated that he would like for the minute record to reflect that he is unalterably opposed to increasing sewer rates to residents.

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

  
Louis A. Bronaugh, Mayor

ATTEST:

  
Atha Stokes, City Secretary