

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF LUFKIN, TEXAS HELD ON THE 6TH DAY OF DECEMBER, 2005**

On the 6th day of December, 2005, 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 Bronaugh	Mayor
Lynn Torres	Councilmember, Ward No. 3
Don Langston	Councilmember, Ward No. 4
Jack Gorden, Jr.	Councilmember, Ward No. 5
Dennis Robertson	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Renee Thompson	City Secretary
Robert Flournoy	City Attorney
Keith Wright	Asst. City Manager/Public Works
David Koonce	Human Resource Director
Doug Wood	Finance Director
Bill Cameron	City of Lufkin Webmaster
Beauford Chapman	Inspection Services Director
Pete Prewitt	Fire Chief
Larry Brazil	Police Chief
Scott Marcotte	Asst. Police Chief
Dorothy Wilson	Planning Director
Don Hannabas	Parks & Recreation Director
Jim Wehmeier	Economic Development Director
Judy Maddux	Lufkin Youth Baseball Association
Brian McClain	Angelina College SBDC
John Welsh	Cheddar's Restaurant
Charles Mercer	Johnny Carino's Italian Restaurant
Javier Hernandez	San Miguel Mexican Restaurant
Tommy Deaton	
Mrs. Paul McGilvra	
Vivian Bailey	
Elsie Maddux	
Johnny Thompson	
Ray McCollister	

being present, and

Rose Faine Boyd	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1

being absent, when the following business was transacted:

1. The meeting was opened with prayer by Pastor David Craig, First Nazarene Church.
2. Mayor Louis Bronaugh welcomed visitors present. Councilmember Lynn Torres recognized LHS students who were present, satisfying their government class requirement.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting on November 15, 2005 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Dennis Robertson. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS – APPROVED - AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY**

Mayor Louis Bronaugh stated that the next item for consideration was the Second Reading of an Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas and extending the boundaries of said City so as to include said hereinafter described property within the city limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the Acts and Ordinances of the said City. City Manager Paul Parker stated that since this was the Second Reading

Mayor Bronaugh then asked if there was anyone in the audience that wished to speak for or against this Ordinance. There was none.

Councilmember Don Langston moved to approve the Second Reading of an Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas and extending the boundaries of said City so as to include said hereinafter described property within the city limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the Acts and Ordinances of the said City. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

5. **ANNUAL REPORT OF THE ANGELINA COLLEGE SMALL BUSINESS DEVELOPMENT CENTER**

Mayor Louis Bronaugh stated that the next item for consideration was the Annual Report of the Angelina College Small Business Development Center by Brian McClain. City Manager Paul Parker stated

6. **PRESENTATION BY LUFKIN YOUTH BASEBALL ASSOCIATION - APPROVED**

Mayor Louis Bronaugh stated that the next item for consideration was a presentation by the Lufkin Youth Baseball Association. City Manager Paul Parker stated

Councilmember Jack Gorden moved to approve allowing the Lufkin Youth Baseball Association to use the property outlined in the original land use plan for Morris Frank Park, remove approved trees, and utilize funds from the sale of such trees. Councilmember Dennis Robertson seconded the motion. A unanimous affirmative vote was recorded.

7. **FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY CHANGING THE ZONING DESIGNATION OF A CERTAIN TRACT OR PARCEL OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS THE MADDUX SUBDIVISION, BLOCK 1, LOT 1 AND BEING APPROXIMATELY 7.03 ACRES OF LAND FROM A LARGE SINGLE-FAMILY DWELLING ZONING DISTRICT TO A COMMERCIAL ZONING DISTRICT AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP**

Mayor Louis Bronaugh stated that the next item for consideration was the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of a certain tract or parcel of land within the corporate limits of the City of Lufkin, Texas, described as the Maddux Subdivision, Block 1, Lot 1 and being approximately 7.03 acres of land from a Large Single-Family Dwelling Zoning District to a Commercial Zoning District and authorizing the City Planner to make such changes on the official map. City Manager Paul Parker stated

Mayor Bronaugh then asked if there was anyone in the audience that wished to speak for or against this Ordinance. Speaking on the Zoning Ordinance was:

Tommy Deaton
Mrs. Paul McGilvra
Vivian Bailey
Elsie Maddux
Johnny Maddux
Ray McCollister

There was discussion among the Mayor and City Council Members concerning the Zoning Ordinance.

Councilmember Dennis Robertson moved to table the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of a certain tract or parcel of land within the corporate limits of the City of Lufkin, Texas, described as the Maddux Subdivision, Block 1, Lot 1 and being approximately 7.03 acres of land from a Large Single-Family Dwelling Zoning District to a Commercial Zoning District and authorizing the City Planner to make such changes on the official map. The motion died for the lack of a second.

Councilmember Don Langston moved to approve the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of a certain tract or parcel of land within the corporate limits of the City of Lufkin, Texas, described as the Maddux Subdivision, Block 1, Lot 1 and being approximately 7.03 acres of land from a Large Single-Family Dwelling Zoning District to a Commercial Zoning District and authorizing the City Planner to make such changes on the official map subject to the covenants and restrictions presented to property owners and City Council be signed, executed and feasible to complete. Councilmember Jack Gorden seconded the motion. A unanimous affirmative vote was recorded.

8. **FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY GRANTING A SPECIAL USE PERMIT FOR A RESTAURANT WITH A PRIVATE CLUB WITHIN A LOCAL BUSINESS ZONING DISTRICT ON CERTAIN TRACTS OR PARCELS OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS THE GARDEN DISTRICT SHOPPING VILLAGE PHASE IV, LOT 1 AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP**

Mayor Louis Bronaugh stated that the next item for consideration was the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for a Restaurant with a Private Club within a Local Business Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas, described as the Garden District Shopping Village Phase IV, Lot 1 and authorizing the City Planner to make such changes on the official map. City Manager Paul Parker stated

Mayor Bronaugh then asked if there was anyone in the audience that wished to speak for or against this Ordinance. Speaking on the Zoning Ordinance was:

John Welsh, Cheddar's Restaurant

Councilmember Lynn Torres moved to approve the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for a Restaurant with a Private Club within a Local Business Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas, described as the Garden District Shopping Village Phase IV, Lot 1 and authorizing the City Planner to make such changes on the official map. Councilmember Dennis Robertson seconded the motion. A unanimous affirmative vote was recorded.

9. FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY GRANTING A SPECIAL USE PERMIT FOR A RESTAURANT WITH A PRIVATE CLUB WITHIN A LOCAL BUSINESS ZONING DISTRICT ON CERTAIN TRACTS OR PARCELS OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS THE GARDEN DISTRICT SHOPPING VILLAGE PHASE III-A, LOT 4 AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP

Mayor Louis Bronaugh stated that the next item for consideration was the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for a Restaurant with a Private Club within a Local Business Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas, described as the Garden District Shopping Village Phase III-A, Lot 4 and authorizing the City Planner to make such changes on the official map. City Manager Paul Parker stated

Mayor Bronaugh then asked if there was anyone in the audience that wished to speak for or against this Ordinance. Speaking on the Zoning Ordinance was:

Charles Mercer, Johnny Carino's Italian Restaurant

Councilmember Lynn Torres moved to approve the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for a Restaurant with a Private Club within a Local Business Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas, described as the Garden District Shopping Village Phase III-A, Lot 4 and authorizing the City Planner to make such changes on the official map. Councilmember Dennis Robertson seconded the motion. A unanimous affirmative vote was recorded.

10. FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY CHANGING THE ZONING DESIGNATION OF A CERTAIN TRACT OR PARCEL OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS THE CITY OF LUFKIN SURVEY, BLOCK 75, LOTS 5 AND 6 AND BEING APPROXIMATELY .62 ACRES OF LAND FROM A NEIGHBORHOOD RETAIL ZONING DISTRICT TO A LOCAL BUSINESS ZONING DISTRICT AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP

Mayor Louis Bronaugh stated that the next item for consideration was the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of a certain tract or parcel of land within the corporate limits of the City of Lufkin, Texas, described as the City of Lufkin Survey, Block 75, Lots 5 and 6 and being approximately .62 acres of land from a Neighborhood Retail Zoning District to a Local Business Zoning District and authorizing the City Planner to make such changes on the official map. City Manager Paul Parker stated

Mayor Bronaugh then asked if there was anyone in the audience that wished to speak for or against this Ordinance. Speaking on the Zoning Ordinance was:

Javier Hernandez, San Miguel Mexican Restaurant

Councilmember Lynn Torres moved to approve the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of a certain tract or parcel of land within the corporate limits of the City of Lufkin, Texas, described as the City of Lufkin Survey, Block 75, Lots 5 and 6 and being approximately .62 acres of land from a Neighborhood Retail Zoning District to a Local Business Zoning District and authorizing the City Planner to make such changes on the official map. Councilmember Jack Gorden seconded the motion. A unanimous affirmative vote was recorded.

11. FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY ESTABLISHING ZONING DESIGNATIONS FOR CERTAIN TRACTS OR PARCELS OF LAND ANNEXED BY THE CITY OF LUFKIN AND DESCRIBED AS TRACT 116.66 OF THE A.VARILLA SURVEY, ABSTRACT NO. 49 AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP

Mayor Louis Bronaugh stated that the next item for consideration was the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by establishing zoning designations for certain tracts or parcels of land annexed by the City of Lufkin and described as Tract 116.66 of the A.Varilla Survey, Abstract No. 49 and authorizing the City Planner to make such changes on the official map. City Manager Paul Parker stated

Councilmember Dennis Robertson moved to approve the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by establishing zoning designations for certain tracts or parcels of land annexed by the City of Lufkin and described as Tract 116.66 of the A.Varilla Survey, Abstract No. 49 and authorizing the City Planner to make such changes on the official map. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

12. FIRST READING OF AN ORDINANCE ADOPTING SPECIFICATIONS AND STANDARDS FOR ACCESS DRIVEWAYS TO PUBLIC STREETS - APPROVED - AND REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING AN EFFECTIVE DATE

Mayor Louis Bronaugh stated that the next item for consideration was the First Reading of an Ordinance adopting specifications and standards for access driveways to public streets and repealing all ordinances or portions of ordinances in conflict therewith, and providing an effective date. City Manager Paul Parker stated

Councilmember Don Langston moved to approve the First Reading of an Ordinance adopting specifications and standards for access driveways to public streets and repealing all ordinances or portions of ordinances in conflict therewith, and providing an effective date. Councilmember Jack Gorden seconded the motion. A unanimous affirmative vote was recorded.

13. ADOPTION OF A "TECHNICAL CONSTRUCTION STANDARDS & SPECIFICATIONS MANUAL (TCSS)" - APPROVED - FOR THE DESIGN OF ALL PUBLIC STREET ACCESS IN ACCORDANCE WITH GOOD ENGINEERING PRACTICE.

Mayor Louis Bronaugh stated that the next item for consideration was the adoption of a "Technical Construction Standards & Specifications Manual (TCSS)" for the design

of all public street access in accordance with good engineering practice. City Manager Paul Parker stated

Councilmember Don Langston moved to approve the adoption of a "Technical Construction Standards & Specifications Manual (TCSS)" for the design of all public street access in accordance with good engineering practice. Councilmember Dennis Robertson seconded the motion. A unanimous affirmative vote was recorded.

14. FIRST READING OF AN ORDINANCE TEMPORARILY AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - (ORDINANCE NO. 3368), BY PROVIDING FOR THE TEMPORARY PLACEMENT OF TRAVEL TRAILERS IN MOBILE HOME PARKS AND RESIDENTIAL ZONED LOCATIONS AND PROVIDING AN EFFECTIVE DATE

Mayor Louis Bronaugh stated that the next item for consideration was the First Reading of an Ordinance temporarily amending the Zoning Ordinance of the City of Lufkin, Texas, (Ordinance No. 3368), by providing for the temporary placement of travel trailers in mobile home parks and residential zoned locations and providing an effective date. City Manager Paul Parker stated

Councilmember Dennis Robertson moved to approve the First Reading of an Ordinance temporarily amending the Zoning Ordinance of the City of Lufkin, Texas, (Ordinance No. 3368), by providing for the temporary placement of travel trailers in mobile home parks and residential zoned locations and providing an effective date. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

15. GRANT APPLICATION FOR THE 2006 S.T.E.P. PROGRAM - APPROVED - FROM THE TEXAS DEPARTMENT OF TRANSPORTATION

Mayor Louis Bronaugh stated that the next item for consideration was the Grant Application for the 2006 S.T.E.P. program from the Texas Department of Transportation. City Manager Paul Parker stated

Councilmember Dennis Robertson moved to approve the Resolution and Grant Application for the 2006 S.T.E.P. program from the Texas Department of Transportation. Councilmember Jack Gorden seconded the motion. A unanimous affirmative vote was recorded.

16. GRANT FROM THE PINEYWOODS FOUNDATION -APPROVED - FOR MATCHING FUNDS TO FUND A COVER TO THE SPRAY PLAY PAD AT CHAMBERS PARK

Mayor Louis Bronaugh stated that the next item for consideration was the Grant from the Pineywoods Foundation for matching funds to fund a cover to the Spray Play Pad at Chambers Park. City Manager Paul Parker stated

Councilmember Lynn Torres moved to approve the Grant from the Pineywoods Foundation for matching funds to fund a cover to the Spray Play Pad at Chambers Park. Councilmember Dennis Robertson seconded the motion. A unanimous affirmative vote was recorded.

17. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2005/2006 OPERATING BUDGET (BUDGET AMENDMENT NO. 3), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE WATER/WASTEWATER FUND; AND PROVIDING AN EFFECTIVE DATE

Mayor Louis Bronaugh stated that the next item for consideration was the Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 3), providing for the supplemental appropriation of funds in the

Water/Wastewater Fund; and providing an effective date. City Manager Paul Parker stated

Councilmember Dennis Robertson moved to approve the Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 3), providing for the supplemental appropriation of funds in the Water/Wastewater Fund; and providing an effective date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

18. Mayor Louis Bronaugh recessed the Regular Session at 6:47 p.m. to enter into Executive Session.

EXECUTIVE SESSION: In accordance with the Texas Government Code Section 551.071 (2) Consultation with City Attorney on any Regular Session Agenda item requiring confidential, attorney/client advices necessitated by the deliberation or discussion of said items (as needed), and real estate, appointment to boards and personnel may be discussed.

Mayor Louis Bronaugh reconvened the Regular Session at 7:51 p.m.

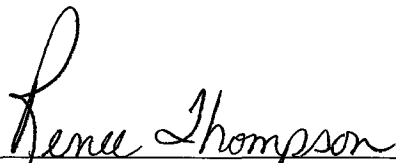
19. **DEMOLITION OF BUILDINGS – APPROVED**

Mayor Louis Bronaugh stated that the next item for consideration was the demolition of buildings. City Manager Paul Parker stated


Councilmember Lynn Torres moved to approve to enforce that Health Nuisance be abated at 821 North Raguet, and demolition of 408 Lee Land and 103 South Warren. Councilmember Dennis Robertson seconded the motion. A unanimous affirmative vote was recorded.

20. City Manager Paul Parker noted that Council had their Calendar of Events and

21. There being no further business for consideration, the meeting adjourned at 7:55 p.m.



Renee Thompson - City Secretary



Louis A. Bronaugh – Mayor