

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF LUFKIN, TEXAS HELD ON THE 7TH DAY OF FEBRUARY, 2006**

On the 7th day of February, 2006, 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
Rose Faine Boyd
R. L. Kuykendall
Lynn Torres
Don Langston
Phil Medford
Paul L. Parker
Renee Thompson
Robert Flournoy
Keith Wright
Kenneth Williams
David Koonce
Larry Brazil
Pete Prewitt
Drew Squyres
Don Hannabas
Doug Wood
Beauford Chapman
Jack Reggie
Debra Cassidy
Billy Ratcliff
Steve Floyd
Ray Wells
Debbie Fitzgerald
Dwayne Thornhill
Sid Munlin
Dorothy Wilson
Barbara Thompson
Steve Poskey
J. B. Smith
Bill Cameron
Sybil Brent
Jane Ainsworth
Mark Dunn
Cindy Pierce
Darrell McDonald
Jody Anderson
Scott Cooper
Kay Alderman
Tommy Deaton
Larry Kroeker
Ryan Deaton
Mary Read
Gwen Cunningham
David Hicks
Sandra Knight

Mayor
Mayor pro tem
Councilmember, Ward No. 1
Councilmember, Ward No. 3
Councilmember, Ward No. 4
Councilmember, Ward No. 6
City Manager
City Secretary
City Attorney
Asst. City Manager/Public Works
Asst. City Manager/Administrative Services
Human Resource Director
Police Chief
Fire Chief
Utility Collection Director
Parks & Recreation Director
Finance Director
Inspection Services Director
Solid Waste and Recycling Director
Waste Water Treatment Director
Fleet Maintenance Superintendent
Superintendent of Sewer Collection
Superintendent of Water Distribution
Assistant. Public Works Director
Recycling Foreman
Information Technology Director
Planning Director
Main Street Director
Street Department, Superintendent
Lufkin Police Officer
City of Lufkin Webmaster
City Secretary Office Assistant

being present, and

Jack Gorden

Councilmember, Ward No. 5

being absent, when the following business was transacted:

1. The meeting was opened with prayer by Reverend Bettie Kennedy, Collins Chapel CME.
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 January 17, 2006 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Rose Faine Boyd. A unanimous affirmative vote was recorded.

4. **PRESENTATION BY REVEREND BETTIE KENNEDY**

Mayor Louis Bronaugh stated that the next item on the agenda was a presentation by Reverend Bettie Kennedy portraying Coretta Scott King. Reverend Kennedy shared a portion of the life of Coretta Scott King with the Mayor, Council and visitors present at the City Council Meeting. Reverend Kennedy gave many details of the life and service of Coretta Scott King as she honored the late Mrs. King.

OLD BUSINESS:

5. **SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE CITY OF LUFKIN, TEXAS - APPROVED - BY CHANGING THE ZONING DESIGNATION OF A CERTAIN TRACT OR PARCEL OF LAND WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS THE LIVE OAK PLACE SUBDIVISION, BLOCK 1, LOT 12 AND BEING APPROXIMATELY 1.42 ACRES OF LAND FROM A "SMALL SINGLE-FAMILY DWELLING" ZONING DISTRICT TO AN "APARTMENT" ZONING DISTRICT AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP AND AN ORDINANCE AMENDING THE CITY OF LUFKIN COMPREHENSIVE PLAN 2001**

Mayor Louis Bronaugh stated that the next item for consideration was the Second Reading of an Ordinance amending the Zoning Ordinance for the City of Lufkin, Texas by changing the Zoning designation of a certain tract or parcel of land within the Corporate City Limits of the City of Lufkin, Texas, described as the Live Oak Place Subdivision, Block 1, Lot 12 and being approximately 1.42 acres of land from a "Small Single-Family Dwelling" Zoning District to an "Apartment" Zoning District and authorizing the City Planner to make such changes on the Official Map and an Ordinance amending the City of Lufkin Comprehensive Plan 2001. City Manager Paul Parker had no comments but stated he would answer any questions the Council had.

Councilmember Don Langston moved to approve Second Reading of an Ordinance amending the Zoning Ordinance for the City of Lufkin, Texas by changing the Zoning designation of a certain tract or parcel of land within the Corporate City Limits of the City of Lufkin, Texas, described as the Live Oak Place Subdivision, Block 1, Lot 12 and being approximately 1.42 acres of land from a "Small Single-Family Dwelling" Zoning District to an "Apartment" Zoning District and authorizing the City Planner to make such changes on the Official Map and an Ordinance amending the City of Lufkin Comprehensive Plan 2001. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

6. **PRESENTATION BY JANE AINSWORTH CONCERNING THE DRAFT VISION 20-20 PLAN**

Mayor Louis Bronaugh stated that the next item for consideration was a presentation by Jane Ainsworth concerning the Draft Vision 20-20 Plan.

Jane Ainsworth then presented a PowerPoint presentation of the Vision 20-20 Plan. Ms. Ainsworth explained that Vision 20-20 is a community wide initiative that was undertaken to develop a shared vision for where the Lufkin community should be in fifteen (15) years. Ms. Ainsworth added that this "Vision" was not just to be developed but would also be implemented. Ms. Ainsworth explained that the "Vision" would focus on six (6) areas. Ms. Ainsworth stated that they were education, economic development, quality of life, government, infrastructure, and private sector leadership. Ms. Ainsworth further explained the process that "Vision 20-20" used to develop their plan.

Ms. Ainsworth stated that the group came up with four (4) cases for change. They were to achieve metropolitan statistical status, to achieve income growth, to achieve job growth, and to achieve a higher level of education.

Ms. Ainsworth then explained that Vision 20-20 was looking for input from the entire Lufkin community. Ms. Ainsworth asked that the City Council become a "Vision Partner".

Councilmember Don Langston commented that a lot of work had gone into developing Vision 20-20. City Manager Paul Parker added that the City Council had already sent back their statement to commit to become a "Vision 20-20 Partner".

7. ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS – DENIED - BY GRANTING A "SPECIAL USE PERMIT" FOR A BED AND BREAKFAST WITHIN A "SMALL SINGLE-FAMILY DWELLING ZONING DISTRICT" ON CERTAIN TRACTS OR PARCELS OF LAND WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF LUFKIN, TEXAS DESCRIBED AS BLOCK 4, LOT 1 OF THE W. H. JOHNSTON SUBDIVISION 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 Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas by granting a "Special Use Permit" for a Bed and Breakfast within a "Small Single-Family Dwelling Zoning District" on certain tracts or parcels of land within the corporate city limits of the City of Lufkin, Texas described as Block 4, Lot 1 of the W. H. Johnston Subdivision and authorizing the City Planner to make such changes on the official map. City Manager Paul Parker stated that the applicant was seeking a "Special Use Permit" in order that the residence at 911 South First Street could be used as a "Bed and Breakfast" facility. City Manager Parker added that the structure was built in 1913 and is listed in the Angelina County Historic Site Survey. City Manager Parker stated that the City of Lufkin ordinances governing a "Bed and Breakfast" are very general in nature. City Manager Parker explained that the definition in the zoning ordinance defines a "Bed and Breakfast" as "an owner occupied and managed building, other than a hotel; which provides temporary sleeping accommodations (generally for a period not exceeding seven (7) days); which provides meals only to registered guests of the establishment and at no additional cost; and which meets the criteria established for "Home Occupations", except for the prohibition on signage and limitation on maximum square footage devoted to that occupation." City Manager Parker added that the zoning ordinance further defined "Customary Home Occupations" as "a commercial activity that: (I) is conducted by a person on the same lot (in a residential district) where such person resides, and (II) is not so insubstantial or incidental or is not so commonly associated with the residential use as to be regarded as an accessory use, but that can be conducted without significantly adverse impact on the surrounding neighborhood."

City Manager Parker explained that those two items were all that the City of Lufkin currently had in the zoning ordinance that regulates "Bed and Breakfasts".

City Manager Parker stated that the general character of the area along South First is residential with high traffic present. City Manager Parker added that the property is currently zoned "Small Single-Family Residential". City Manager Parker explained that the area is a mix of "owner occupied" homes and rental property. City Manager Parker added that the area is in the process of revitalization with several homes within the two hundred (200) foot buffer area listed in the Angelina County Historic Site Survey (828, 902, 911, and 912 South First Street).

City Manager Parker stated that the Planning Department stated that the use of this property for a "Bed and Breakfast" was a positive addition into the surrounding neighborhood on the east side of South First Street. City Manager Parker added that the area has a large number of rental properties and this use may provide a stabilizing influence to this side of the street. City Manager Parker stated that the use is viewed as "low impact" due to the type of business and due to the restrictive nature of the limitations attached to a "Bed and Breakfast".

City Manager Parker stated that the Planning and Zoning Commission, by a four to one vote, recommended approval of the "Special Use Permit" for a "Bed and Breakfast".

There was questions and discussion among the City Council Members concerning the Zone Change.

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:

Gwen Cunningham
Larry Kroeker
Darrell McDonald
David Hicks
Sandra Knight
Mary Read

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

Councilmember Phil Medford moved to deny the First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas by granting a "Special Use Permit" for a Bed and Breakfast within a "Small Single-Family Dwelling Zoning District" on certain tracts or parcels of land within the corporate city limits of the City of Lufkin, Texas described as Block 4, Lot 1 of the W. H. Johnston Subdivision and authorizing the City Planner to make such changes on the official map. Councilmember Medford further instructed the City Planner to develop a "Bed and Breakfast Ordinance". Councilmember Rose Faine Boyd seconded the motion. The following vote was recorded:

Aye: Council Members Medford, Boyd, Langston, Kuykendall and Mayor Bronaugh

Nay: Councilmember Torres

The motion carried with five affirmative votes.

8. **ORDINANCE PROVIDING FOR THE CALLING AND ORDERING OF A GENERAL ELECTION FOR THE CITY OF LUFKIN, TEXAS – APPROVED - TO BE HELD AT SIX POLLING PLACES IN LUFKIN, TEXAS ON MAY 13, 2006 BETWEEN THE HOURS OF 7:00 A. M. AND 7:00 P. M. FOR THE PURPOSE OF ELECTING A MAYOR, A COUNCILMEMBER FOR WARD 2, AND A COUNCILMEMBER FOR WARD 4, FOR THREE YEAR TERMS, A COUNCILMEMBER FOR WARD 5 (UNEXPIRED TERM), AND A COUNCILMEMBER FOR WARD 6 (UNEXPIRED TERM), FOR TWO YEAR TERMS, TO SERVE THE CITY OF LUFKIN, TEXAS,; AND PROVIDING FOR THE NECESSARY NOTICES AND FIXING THE DATE**

Mayor Louis Bronaugh stated that the next item for consideration was an Ordinance providing for the Calling and Ordering of a General Election for the City of Lufkin, Texas to be held at six polling places in Lufkin, Texas on May 13, 2006 between the hours of 7:00 a. m. and 7:00 p. m. for the purpose of electing a Mayor, a Councilmember for Ward 2, and a Councilmember for Ward 4, for three year terms, a Councilmember for Ward 5 (unexpired term), and a Councilmember for Ward 6 (unexpired term), for two year terms, to serve the City of Lufkin, Texas; and providing for the necessary notices and fixing the date. City Manager Paul Parker stated that this year may be a historical election in the City of Lufkin because there are five (5) positions up for election. City Manager Parker added that the City Charter and State Law requires that the Mayor and City Council must call the election, set a date, and designate polling places in each of the six districts. City Manager Parker explained that the date is now set by the Secretary of State and would be May 13, 2006. City Manager Parker stated that there are three (3) positions up for election whose terms would be for three (3) years. City Manager Parker explained that these positions were for Mayor, Councilmember Ward 2, and Councilmember Ward 4. City Manager Parker added that there were also two (2) positions that would be for unexpired terms of two (2) years. City Manager Parker stated that these positions were for Councilmember Ward 5 and Councilmember Ward 6.

City Manager Parker stated that the Ordinance also listed the polling places for each Ward. City Manager Parker explained that the polling places shall be:

Polling Place for Ward No. 1 – Museum of East Texas,
Polling Place for Ward No. 2 – Dunbar School,
Polling Place for Ward No. 3 – Herty School,
Polling Place for Ward No. 4 – Slack School,
Polling Place for Ward No. 5 – Trout School, and
Polling Place for Ward No. 6 – Abeltd's Teacher's Corner.

City Manager Parker stated that Staff recommends that Council approve the Ordinance providing for the Calling and Ordering of a General Election for the City of Lufkin to be held at the six (6) polling places in Lufkin, Texas on May 13, 2006.

Councilmember Rose Faine Boyd moved to approve First Reading of an Ordinance providing for the Calling and Ordering of a General Election for the City of Lufkin, Texas to be held at six polling places in Lufkin, Texas on May 13, 2006 between the hours of 7:00 a. m. and 7:00 p. m. for the purpose of electing a Mayor, a Councilmember for Ward 2, and a Councilmember for Ward 4, for three year terms, a Councilmember for Ward 5 (unexpired term), and a Councilmember for Ward 6 (unexpired term), for two year terms, to serve the City of Lufkin, Texas; and providing for the necessary notices and fixing the date. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

City Manager Parker added that the first day to file for a position on the ballot would be Saturday, February 11, 2006, and added that City Hall would be closed that day. City Manager Parker stated that the first general day to file would be Monday, February 13, 2006 and the final day to file for a position on the ballot would be Monday, March 13, 2006.

9. RESOLUTION AUTHORIZING THE USE OF AT LEAST ONE ACCESSIBLE VOTING SYSTEM IN EACH POLLING PLACE USED IN THE GENERAL ELECTION FOR THE CITY OF LUFKIN, TEXAS - APPROVED - TO BE HELD IN SIX POLLING PLACES IN LUFKIN, TEXAS ON MAY 13, 2006 AND FOR EARLY VOTING BY PERSONAL APPEARANCE TO BE HELD IN THE CITY HALL ATRIUM MAY 1 THROUGH MAY 9, 2006

Mayor Louis Bronaugh stated that the next item for consideration was a Resolution authorizing the use of at least one accessible voting system in each polling place used in the General Election for the City of Lufkin, Texas to be held in six polling places in Lufkin, Texas on May 13, 2006, and for Early Voting by personal appearance to be held in the City Hall Atrium May 1 through May 9, 2006. City Manager Paul Parker

stated that the City of Lufkin had to spell out the dates for early voting. City Manager Parker added that two of those dates had to have voting available from 7:00 a.m. through 7:00 p.m. City Manager Parker stated that the City of Lufkin is also required to have at least one accessible voting system in each polling place. City Manager Parker added that the City anticipated leasing the Electronic System and Services Ivotronic Touchscreen DREs from Angelina County.

Councilmember R. L. Kuykendall moved to approve the Resolution authorizing the use of at least one accessible voting system in each polling place used in the General Election for the City of Lufkin, Texas to be held in six polling places in Lufkin, Texas on May 13, 2006 and for Early Voting by personal appearance to be held in the City Hall Atrium May 1 through May 9, 2006. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

10. PUBLIC HEARING AND CONSIDER A RESOLUTION AUTHORIZING A TAXICAB LICENSE FOR LANE DAY - APPROVED - TO OPERATE THE DAY OR NIGHT TAXI COMPANY

Mayor Louis Bronaugh stated that the next item for consideration was a public hearing and a Resolution authorizing a Taxicab License for Lane Day to operate the Day or Night Taxi Company. City Manager Paul Parker stated that the Taxicab Committee previously met to review Mr. Day's application. City Manager Parker added that the Taxicab Committee stated that Mr. Day had met all requirements provided in Ordinance 318 of the City of Lufkin which governs taxicab operations and recommended that the City Council approve the application.

Mayor Bronaugh then opened the Public Hearing at 6:00 p.m. concerning the Resolution authorizing a Taxicab License for Lane Day to operate the Day or Night Taxi Company. Mayor Bronaugh then asked the audience for comments or anyone wishing to speak concerning the Resolution authorizing a Taxicab License for Lane Day to operate the Day or Night Taxi Company. Mayor Bronaugh again asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Resolution authorizing a Taxicab License for Lane Day to operate the Day or Night Taxi Company. Mayor Bronaugh then closed the Public Hearing at 6:01 p.m.

Mr. Lane Day stated that Day or Night Taxi Company planned to operate two taxicabs in Lufkin.

Councilmember Lynn Torres moved to approve the Resolution authorizing a Taxicab License for Lane Day to operate the Day or Night Taxi Company. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

11. HARDSHIP WAIVER ON PROPERTY LOCATED AT 122 AND 124 LUFKIN AVENUE - APPROVED - TO MEET THE REQUIREMENTS OF SECTION 1.11 OF THE CITY OF LUFKIN SUBDIVISION ORDINANCE (NO. 3693)

Mayor Louis Bronaugh stated that the next item for consideration was a Hardship Waiver on property located at 122 and 124 Lufkin Avenue to meet the requirements of Section 1.11 of the City of Lufkin Subdivision Ordinance (No. 3693). City Manager Paul Parker stated that Judge Barry Bryan owns the property commonly referred to as 122 and 124 Lufkin Avenue. City Manager Parker added that it was basically a structure with a common wall with two independent businesses on each side. City Manager Parker stated that over the years some of the rear of the property was sold off by metes and bounds description and at some point the lot line was dropped from the records. City Manager Parker stated that to formally be able to utilize the property for sale or transfer, the property must be platted within the City. City Manager Parker explained that the current configuration does not meet the City's requirements because the lot is smaller than the existing standard. City Manager Parker added that this is why the Hardship Waiver is recommended for approval by Council.

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

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

Kay Alderman

Councilmember Don Langston moved to approve a Hardship Waiver on property located at 122 and 124 Lufkin Avenue to meet the requirements of Section 1.11 of the City of Lufkin Subdivision Ordinance (No. 3693). Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

12. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2005/2006 OPERATING BUDGET (BUDGET AMENDMENT NO. 8) – APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE SOLID WASTE/RECYCLING FUND; AND PROVIDING AN EFFECTIVE DATE AND THE BID FOR THE PURCHASE OF A MOTOR TRUCK SCALE FOR THE RECYCLING DEPARTMENT

Mayor Louis Bronaugh stated that the next item for consideration was a Resolution authorizing an amendment to the 2005/2006 Operating Budget (Budget Amendment No. 8) providing for the supplemental appropriation of funds in the Solid Waste/Recycling Fund; and providing an effective date and the bid for the purchase of a Motor Truck Scale for the Recycling Department. City Manager Paul Parker stated that a recommendation from the R W Beck Study was the City of Lufkin use a scale to weigh loads of refuse. City Manager Parker stated that the City appropriated \$60,000 in the 2005/2006 annual budget. City Manager Parker added that the bids came in with alternates for safety equipment such as a catwalk, and automated stop/go traffic system due to safety issues of driver and operator injury. City Manager Parker explained that the recommended purchase price was \$87,782 which would require a budget amendment of \$27,782. City Manager Parker stated that there were sufficient funds available in the Solid Waste Fund to be transferred for the purchase. City Manager Parker added that Staff recommended that Council approve the purchase of a Motor Truck Scales and authorize the Amendment to the Operating Budget providing additional funding.

There was discussion among the City Council Members concerning the need to attract more bidders on purchases.

Councilmember Rose Faine Boyd moved to approve the Resolution authorizing an amendment to the 2005/2006 Operating Budget (Budget Amendment No. 8) providing for the supplemental appropriation of funds in the Solid Waste/Recycling Fund; and providing an effective date and the bid for the purchase of a Motor Truck Scale for the Recycling Department. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

13. PROPOSED GRANT FROM THE TEXAS DEPARTMENT OF HEALTH – APPROVED - TOWARD THE PURCHASE OF A NEW AMBULANCE FOR THE FIRE DEPARTMENT

Mayor Louis Bronaugh stated that the next item for consideration was to accept a proposed grant from the Texas Department of Health toward the purchase of a new ambulance for the Fire Department. City Manager Paul Parker stated that in the 2005/2006 Operating Budget the City Council authorized \$90,000 for the purchase of a new ambulance for the Fire Department. City Manager Parker added that the Fire Department applied for a grant from the Texas Department of Health (TDH) in the amount of \$35,000 to assist in the purchase of the new ambulance. City Manager Parker stated that Staff recommended that the Council accept the grant from the Texas Department of Health in the amount of \$35,000 for the purchase of a new ambulance.

Councilmember Lynn Torres moved to approve accepting a proposed grant from the Texas Department of Health toward the purchase of a new ambulance for the Fire

Department. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

14. PROPOSED AGREEMENT WITH UNION PACIFIC RAILROAD - APPROVED - TO PURCHASE PROPERTY FOR THE PROPOSED SERVICE CENTER

Mayor Louis Bronaugh stated that the next item for consideration was to accept a proposed agreement with Union Pacific Railroad to purchase property for the proposed Service Center. City Manager Paul Parker stated that approximately one year ago the Council authorized Staff to negotiate with the Union Pacific Railroad for the purchase of property for the proposed Service Center. City Manager Parker added that the Railroad was agreeable at that time to sell the property for approximately \$15,000 per acre. City Manager Parker added that Debbie Fitzgerald, Engineering Department, had been working for approximately one (1) year with Union Pacific Railroad for the purchase of 2.839 acres of land adjacent to the Service Center. City Manager Parker explained that the Union Pacific Railroad had agreed to sell the property for a cost of \$15,000 per acre or a total of \$42,585. City Manager Parker explained that a map was provided showing the property as it relates to the existing facility and that it would take in excess of one (1) year to design and build the facility. City Manager Parker stated that Staff recommended that City Council authorize the purchase of 2.839 acres of land from Union Pacific Railroad for \$42,585.

There was discussion among the City Council Members concerning the environmental issues on the property and the tenacity of the City Staff on the deliberation of the purchase.

Councilmember R. L. Kuykendall moved to approve the proposed agreement with Union Pacific Railroad to purchase property for the proposed Service Center. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

15. PRESENTATION OF A PROPOSED SIGN ORDINANCE

Mayor Louis Bronaugh stated that the next item for consideration was the presentation of a proposed Sign Ordinance. City Manager Paul Parker stated that the City recently received a request through the Main Street Department and also from Tommy Deaton concerning billboards in the Downtown area. City Manager Parker added that the City Planning Department along with the Planning and Zoning Commission had a proposed ordinance that addressed the downtown billboards along with several other items of concern that had been brought before the Planning and Zoning Commission in the last year and a half. City Manager Parker stated that the Planning and Zoning Commission recommended to approve the revised and shortened Ordinance by a five to two vote at the Planning and Zoning Meeting that was held on January 17, 2006. City Manager Parker added that there were several concerns at that Planning and Zoning Commission Meeting concerning alternate methods of billboard removal and the possibility of swapping one eyesore of the community to another area of the community. City Manager added that the Planning and Zoning Commission did recommend by a five to two vote to approve the revised Ordinance. City Manager Parker added that several City Council Members had questions concerning the Ordinance and therefore it was on the agenda to get direction from the Council on how to proceed with the upcoming Ordinance.

City Planner Dorothy Wilson explained that there were only seven billboards in the downtown area that would fall into this ordinance for potential removal.

There was discussion among the Mayor and City Council concerning billboards on Loop 287 and also billboards in the Downtown area.

Mayor Bronaugh then asked if there was anyone in the audience that wished to speak for or against this proposed sign ordinance.

There was further discussion among the City Council Members concerning the sign ordinance.

Also speaking on the proposed sign ordinance was:

Tommy Deaton
Ryan Deaton
Mark Hicks

There was further discussion among the City Council Members concerning the sign ordinance.

City Manager Paul Parker stated that as this sign ordinance was recommended by the Planning and Zoning Commission. City Manager Parker added that the ordinance would be on the next agenda for the City Council's consideration. City Manager Parker stated that Staff had received some direction from the Council on the item and that Staff would give some options to address the concerns of the Council.

16. PRESENTATION OF A PROPOSED CITY AMORTIZATION POLICY

Mayor Louis Bronaugh stated that the next item for consideration was the presentation of a proposed City Amortization Policy. City Manager Paul Parker stated that he would highlight information as he went through the policy. City Manager Parker then asked J. B. Smith to come to the podium to assist with the information in the policy.

City Manager Parker stated that the development of the policy began several months earlier and Staff quickly learned that the only policy of this nature had been with the Police Department patrol units. City Manager Parker added that due to funding issues, even that policy wasn't always adhered to and replacements were not always bought.

City Manager Parker stated that the other City departments were competing with each other for funding for replacement vehicles. City Manager Parker explained that departments such as Solid Waste and Water and Sewer, who had their own funding mechanism, were actually receiving better equipment. City Manager Parker added that departments in the General Fund were competing for the limited general tax dollars along with the Police Department.

City Manager Parker stated that as research took place on the fleet inventory, Staff discovered that there were many vehicles that were being handed down from one department to another. City Manager Parker added that as Staff became concerned they would not have enough vehicles or receive additional funding, they stockpiled vehicles for their department. City Manager Parker stated that during this study Staff actually identified fifty-four (54) units that could be eliminated from the fleet.

City Manager Parker stated that Staff also looked at how to set up the Amortization Policy and Program if there was funding. City Manager Parker added that Staff solicited the support of J. B. Smith from the Police Department due to his organizational skills and vehicle expertise and commended Mr. Smith for his dedication, hard work and role in orchestrating the policy. City Manager Parker explained that everyone had worked many hours on the policy but everyone realized there were still areas that may need minor changes.

City Manager Parker stated that Staff had set up excellent guidelines for direction and had even identified vehicles that were no longer in the fleet but were still in records. City Manager Parker added that Mr. Smith had been asked to physically put his hands on every piece of equipment on the list. City Manager Parker explained that he had asked Mr. Smith to do this to establish that the City had the equipment, where the equipment is currently located, and the condition of the equipment.

City Manager Parker stated that the entire premise of the policy would be for each year a department would pay rent back to the amortization fund to replace that piece

of equipment in the future, provided the Council approves the seed funding and schedule of replacement. City Manager Parker then explained how the schedule of replacement and the amortization policy was developed and would function.

City Manager Parker stated the Mr. Smith worked with each department head, the amortization committee and the City Manager to produce an effective amortization based on each vehicle, its use, and the useful life of that vehicle. J. B. Smith explained how the projected useful life was determined for each vehicle.

City Manager Parker then explained the color coding on the amortization schedule and the way the policy was structured. City Manager Parker explained that there were some pieces of equipment so large that they were not put into the amortization fund and would be placed into bonds, grants, or some other means of funding.

Mayor Bronaugh asked about vehicles that were a result of seizures. Mayor Bronaugh asked how the value of those vehicles was figured into the Amortization Policy. City Manager Parker explained that those vehicles would continued to be used but added that once they had no life, they would be salvaged and not replaced. J. B. Smith added that any seized vehicles that were replaced would only be replaced with other narcotic seizures as they are used by narcotic officers for undercover vehicles and would be used until they were replaced by another seizure. Mayor Bronaugh inquired if these vehicles were listed on the City of Lufkin inventory. City Manager Parker stated that they were on the City's inventory and were insured by the City. City Manager Parker added that due to the nature of the undercover work the vehicles were used for a shorter span than most other vehicles. City Manager Parker added that once the vehicles met their usual life the funds from their sale would go back into that department and not into the amortization fund. City Manager Parker stated that other department's sales of vehicles would go back into the Amortization Fund.

City Manager Parker stated that this was a summarization of the City of Lufkin Amortization Policy and Vehicle Replacement Schedule. City Manager Parker added that the policy was set up to amortize equipment each year and would therefore be an ongoing cost to the City. City Manager Parker explained how the program would be funded by the City. City Manager Parker stated that the Amortization Policy would need \$422,544 upfront funding from the General Fund to begin the program. City Manager Parker added that an additional \$125,000 would be required for an additional sweeper for the City of Lufkin. City Manager Parker stated that Staff was also looking for additional funding as the Amortization Program was launched. City Manager Parker added that any additional manpower would be considered in the 2006/2007 Budget Year. City Manager Parker stated that the Water and Sewer Fund would require \$387,791 for initial setup and would be a transfer of their Depreciation Fund over to the Amortization Fund. City Manager Parker added that initial setup for the Solid Waste Fund would require \$686,909 and these funds were already set up in a depreciation account and could be transferred to the Amortization Fund.

City Manager Parker stated that setting up the Amortization Fund would also require an amendment to the City of Lufkin Investment Policy. City Manager Parker added that the General Fund currently had an excess of three million dollars (\$3,000,000) over the twenty-five percent (25%) limit that was set aside in the General Fund to protect the City from natural disasters.

City Manager Parker also stated that Staff had identified three (3) additional pieces of equipment that were special needs for the 2006/2007 budget and not to be amortized. City Manager Parker added that the City had a mechanization that would allow purchasing these pieces of equipment along with the new fire station. City Manager Parker stated that the City of Lufkin has a fund balance of approximately \$1,800,000 to \$2,000,000 set aside that must be utilized. City Manager Parker added that the City of Lufkin could issue "Tax Notes" to be paid from those proceeds and do away with that fund balance. City Manager Parker stated that Staff is looking to possibly fund the new fire station through this process and wouldn't affect the taxpayers or burden the General Fund of the City. City Manager Parker added that Staff would more than likely recommend purchasing the mini-pumper, excavator, and the grade-

all at that time. City Manager Parker explained that these pieces of equipment would not go into the Amortization Fund but that he wanted to lay out the entire funding mechanism planned for the City of Lufkin.

City Manager Parker stated that this was basically the entire funding scheme for equipment for the City of Lufkin. City Manager Parker added that if the City Council was interested in beginning the Amortization Policy and Replacement Schedule it would require \$1,622,244 in funds to set up the fund. City Manager Parker stated that on October 1, 2006 the monthly lease rates would be added to the annual budget.

J. B. Smith added that the policy spells out all of the procedures. Mr. Smith added that Staff had tried to cover all possibilities for all additions, replacement, or upgrades of City vehicles and equipment. Mr. Smith stated that the policy also sets up for the Fleet Services Director to sit down with each department head to assess their vehicle and equipment needs for each budget cycle and make recommendations to Council for approval. City Manager Parker added that part of the proposal was to also fund the Fleet Services Director for the remainder of this budget year. City Manager Parker stated that if City Council approved the Amortization Policy and Fleet Replacement Schedule, a recommendation for salary and benefits would be provided.

J. B. Smith reiterated the benefits of the Amortization Program and how it would save the City of Lufkin money. Assistant City Manager/Public Works/City Engineer Keith Wright addressed the concept of a "vehicle pool" that could be used during mechanical failures, when vehicles are being serviced, and educational and travel needs of City employees. City Manager Parker added that this policy would not allow the City fleet to grow unless Council purposely allows the fleet to grow. Mr. Smith stated that the policy also addressed the real needs of a department versus the perceived needs.

Councilmember Don Langston asked if the City would have "standardized specifications" for vehicles and equipment from this program. Mr. Smith stated that the City would have standardized specifications that would both meet the needs of the departments and would streamline the maintenance process of the fleet.

City Manager Parker stated that the City of Lufkin Fleet Services was also using three (3) wreckers along with a commercial service for the police units. City Manager Parker added that Staff recognized that it would be wise for the City of Lufkin to get out of the wrecker business but would retain one wrecker for off-road service. City Manager Parker explained that Staff looked at all fleet programs to ascertain how things could be done wiser and more efficiently.

City Manager Parker stated that this was an overview of the City of Lufkin Amortization Policy and Fleet Replacement Schedule. City Manager Parker added that Staff was looking for direction from the City Council. City Manager Parker explained that Staff was recommending that Council authorize the program, a budget amendment, allow the fund to be set up, and set up the Fleet Service Director position. City Manager Parker added that Staff would be willing to meet individually with council members and wanted to give the council time to feel comfortable with the entire program.

Councilmember Lynn Torres stated that Staff did an amazing amount of work and a great job putting the program together.

Councilmember Don Langston stated that he was excited to see the program finally initiated after asking for it for three (3) consecutive years. Councilmember Langston added that Staff had done an excellent job and exceeded his expectations for thoroughness. Councilmember Langston stated that the work was appreciated.

Councilmember Rose Faine Boyd reiterated that Mr. Smith had done a great job on developing the program.

City Manager Parker added that all City Staff did a good job on developing the policy.

City Manager Parker asked Mr. Wright to introduce the City of Lufkin's newest employee. Mr. Wright introduced Steve Floyd and explained that he took Bobby Napier's place and was over the Water Distribution Department.

17. Mayor Louis Bronaugh recessed the Regular Session at 7:33 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.

18. **COUNCIL APPOINTMENT – APPROVED - TO DETCOG BOARD**

Mayor Louis Bronaugh stated that the next item for consideration was the appointment to the DETCOG Board.

Councilmember Lynn Torres moved to approve the appointment of Councilmember Rose Faine Boyd to the DETCOG Board. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

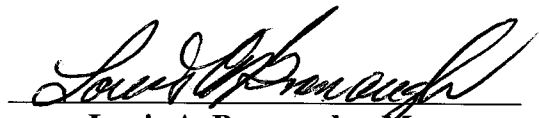
19. **COUNCIL APPOINTMENT – APPROVED - TO TREE BOARD**

Mayor Louis Bronaugh stated that the next item for consideration was the appointment to the Tree Board.

Councilmember Don Langston moved to approve the appointment of Councilmember Phil Medford to the Tree Board and reminded Mr. Medford that the Arbor Day Celebration would be on Friday, February 10, 2006 at Brandon Elementary. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

20. City Manager Paul Parker noted that Council had their Calendar of Events and reminded the Council of the Lufkin Nacogdoches Day Event in Austin on February 8, 2006.

21. There being no further business for consideration, the meeting adjourned at 7:54 p.m.


Louis A. Bronaugh – Mayor


Renee Thompson – City Secretary