MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 16th DAY OF OCTOBER, 2007

On the 16th day of October, 2007, 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:

Jack Gorden, Jr.	Mayor
R. L. Kuykendall	Councilmember, Ward No. 1
Lynn Torres	Councilmember, Ward No. 3
Don Langston	Councilmember, Ward No. 4
Rufus Duncan	Councilmember, Ward No. 5
Phil Medford	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Bruce Green	Assistant City Attorney
Renee Thompson	City Secretary
Scott Marcotte	Assistant Police Chief
Steve Floyd	Solid Waste & Recycling Director
Lynn Winthrop	Recycling Coordinator
David Koonce	Human Resource Director
Don Hannabas	Parks & Leisure Services Director
Chuck Walker	City Engineer
Scott Rayburn	City Planner
Gorden Henley	Zoo Director
Keith Bickley	Police Department
Dick Long	Valley View Consulting
Tony Moline	Angelina Beautiful Clean

being present, and

Rose Faine Boyd	Mayor Pro-Tem

being absent, when the following business was transacted:

1. The meeting was opened with prayer by Pastor Thomas Windham, Fuller Springs Missionary Baptist Church.

2. Mayor Jack Gorden welcomed visitors present. Councilmember Lynn Torres recognized LHS students who were present satisfying their government class requirement as well as Leadership Lufkin participants in attendance.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting of October 2, 2007 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Rufus Duncan. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY CHANGING THE ZONING AND FUTURE LAND USE PLAN DESIGNATION ON LAND DESCRIBED AS BLOCK 11, LOTS 1, 2, 3, AND 4 OF THE WOODLAND HEIGHTS ADDITION TO A LOCAL BUSINESS ZONING DISTRICT AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN TO THE CLASSIFICATION OF RETAIL.

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of The City of Lufkin, Texas, by changing the Zoning and Future Land Use Plan designation on land described as Block 11, Lots 1, 2, 3, and 4 of the Woodland Heights Addition to a Local Business Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of Retail.

City Manager Paul Parker stated that this was the Second Reading of this item and was a request to combine four (4) lots with three (3) lots already zoned "Local Business" and that the applicant would request to vacate the alley separating the two (2) areas in the future. City Manager Parker also stated that the applicant wished to construct a Walgreens retail store on this land and that Planning Staff and the Planning & Zoning Commission both recommended approval.

Mayor Gorden then opened the Public Hearing at 5:12 p.m.

Mayor Gorden questioned whether a fence would be constructed on the Mantooth side of the project. City Planner Scott Rayburn replied no, a fence would only be required on the side of the property that adjoined a residential zoning area. City Manager Parker clarified that thewritten documentation had been received from the developer and stated that there would be no access onto Mantooth Street.

There being no one wishing to speak on the item, Mayor Gorden then closed the Public Hearing at 5:13 p.m. and entertained a motion from Council.

Councilmember Don Langston moved to approve the Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of The City of Lufkin, Texas, by changing the Zoning and Future Land Use Plan designation on land described as Block 11, Lots 1, 2, 3, and 4 of the Woodland Heights Addition to a Local Business Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of Retail with the caveat of landscaping and future discussion between the applicant and the Planning and Zoning Commission. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

5. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY CHANGING THE ZONING AND FUTURE LAND USE PLAN DESIGNATION ON LAND DESCRIBED AS TRACTS 74 AND 75 OF THE M. BOYCE SURVEY TO A COMMERCIAL ZONING DISTRICT AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN TO THE CLASSIFICATION OF COMMERCIAL.**

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of the City of Lufkin, Texas, by changing the Zoning and Future Land Use Plan designation on land described as Tracts 74 and 75 of the M. Boyce Survey to a Commercial Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of Commercial.

Mayor Gorden then opened the Public Hearing at 5:15 p.m.

City Manager Paul Parker stated that the applicant intended to use the property for office use and a self storage facility and that both Planning Staff and the Planning and Zoning Commission recommended approval.

There being no one wishing to speak on the item, Mayor Gorden then closed the Public Hearing at 5:16 p.m. and entertained a motion from Council.

Councilmember Phil Medford moved to approve the Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of the City of Lufkin, Texas, by changing the Zoning and Future Land Use Plan designation on land described as Tracts 74 and 75 of the M. Boyce Survey to a Commercial Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of Commercial. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

6. **CONSIDER RENEWING AGREEMENT WITH VALLEY VIEW CONSULTING, L.L.C. – APPROVED – FOR PROFESSIONAL SERVICES.**

Mayor Jack Gorden stated that the next item on the agenda was to consider renewing an agreement with Valley View Consulting, L.L.C. for professional services.

City Manager Paul Parker stated that as Council was aware, the City had engaged Valley View Consulting and Dick Long for assistance with the City's finances and investments. City Manager Parker furthered that the proposed contract was at the same rate as last year and was estimated to be between thirty four thousand ($34,000) and thirty-six thousand dollars ($36,000). City Manager Parker stated that the Finance Committee had met previously and recommended approval of this contract with Valley View Consulting, L.L.C.

Mayor Gorden stated that the City had worked with Valley View Consulting, L.L.C. for a number of years and recognized Dick Long for his efforts.

Councilmember Don Langston moved to approve renewing an agreement with Valley View Consulting, L.L.C. for professional services. Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

7. **CONSIDER APPROVAL OF THE INVESTMENT POLICY FOR THE CITY OF LUFKIN - APPROVED**

Mayor Jack Gorden stated that the next item on the agenda was to consider approval of an Investment Policy for the City of Lufkin.

City Manager Paul Parker stated that this was an annual requirement of the City and that there were no changes in the Investment Policy from the previous year and that Staff and the Finance Committee both recommended approval.

Councilmember Rufus Duncan moved to approve the proposed Investment Policy for the City of Lufkin and the 4B / Economic Development Corporation. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

8. **CITY OF LUFKIN FINANCE COMMITTEE REPORT**

Mayor Jack Gorden stated that the next item on the agenda was the report from the City of Lufkin Finance Committee.

Mayor Gorden turned the meeting over to Mr. Dick Long, Valley View Consulting, L.L.C. to present the report.

Mr. Long stated that it was a pleasure to be with the Council and that a copy of the quarterly finance report had been provided to the Council and directed attention to the summary page of the report. Mr. Long stated that the most significant occurrence since the last report was the sub prime mortgage market had some problems which caused the Federal Open Market Committee to change the target from the Fed Funds Rate from 5 ¼% to 4 3/4%. Mr. Long stated that the City had a balanced portfolio that would not impact the interest income substantially. Mr. Long added that the City averaged well over five percent (+5%) interest income for the year which created approximately two million dollars ($2,000,000) in revenue. Mr. Long then explained the "Historical Yield Page". Mr. Long stated that the stock markets were very strong. Mr. Long added that the "Security Holdings" broke down the portfolio by individual security types. Mr. Long explained that the City was well diversified. Mr. Long stated that the City had a couple of investment pools as well as a dozen or so securities with different maturities and yields which made up a balanced portfolio. Mr. Long stated that the City's "Portfolio Composition Graph" showed that the City was not quite fifty-fifty. Mr. Long explained that the City was not quite fifty percent (50%) on the short term investments and a little over fifty percent (50%) on the securities. Mr. Long added that the Finance Committee had met that day and discussed the market and potential future markets and were concerned that the Feds might reduce rates a little more in the future. Mr. Long stated that the Committee discussed taking money from the Money Market Pool and scatter it out when yields were appropriate. Mr. Long added that the "Portfolio Composition Graph" might show even less in short term investments and more in securities. Mr. Long then went over the allocation of funds and their balances. Mr. Long stated that this concluded his report and that he appreciated the City Council for approving the agreement with Valley View Consulting, L.L.C. Mr. Long added that the City of Lufkin had a solid and conservative Investment Policy that had served the City well for the last decade. Mr. Long added that the City had a good balanced portfolio that earned the City a substantial amount of interest income and that the City was in great shape. Mr. Long stated that he would be happy to answer any questions that the Mayor and/or City Council had concerning the Finance Committee Report.

Councilmember Jack Gorden stated that that the Finance Committee had a good meeting and complimented Dick Long, along with the City of Lufkin Staff for doing a great job in managing the finances of the City.

Councilmember Don Langston moved to approve the Finance Committee Report. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

9. **<u>FIRST READING OF AN ORDINANCE AMENDING CHAPTER 50.25 OF THE CODE OF ORDINANCES OF THE CITY OF LUFKIN – APPROVED – MAKING A CHANGE IN GARBAGE SERVICE RATES AND PROVIDING AN EFFECTIVE DATE.</u>**

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance amending Chapter 50.25 of the Code of Ordinances of the City of Lufkin; making a change in garbage service rates and providing an effective date.

City Manager Paul Parker stated that the Council had a work session at the Council Retreat and a second work session at the last Council Meeting concerning the garbage service. City Manager Parker added that he would highlight the key points and would answer any questions that came from the cumulative proposal coming out of all of the input from the other meetings. City Manager Parker stated that the City of Lufkin was one of the few, if not the only city, that required commercial and industrial businesses to purchase dumpsters. City Manager Parker added that most cities had an initial fee for the dumpster and then a monthly rental fee. City Manager Parker stated that because many businesses own their dumpsters, many of the dumpsters are in total disrepair and are unsightly. City Manager Parker explained that this was because the owners did not have the ability to pick up the dumpster and take them to be repaired or refurbished. City Manager Parker stated that Staff and the City Council had worked on a program that would allow the City to purchase the dumpsters back from the businesses at fair market value and then repair all that could be salvaged. City Manager Parker added that approximately thirty percent (30%) of the dumpsters could not be salvaged and that new dumpsters would replace them. City Manager Parker stated that many of the other dumpsters could be salvaged and repaired. City Manager Parker stated that the end result would be that the City would pay the businesses the fair market value for their dumpsters and begin a monthly rental fee from that point on. City Manager Parker stated that Councilmember Rose Boyd had requested that the dumpsters include a locking device. City Manager Parker added that for one dollar ($1) more per month the customer could have a lock placed on the dumpster. City Manager Parker stated that Councilmember Rufus Duncan had requested that the dumpsters have "Not for Public Use" painted on them and that Staff would have this painted on each dumpster. City Manager Parker added that Staff had tried to address all concerns that the Council had concerning the program. City Manager Parker stated that Councilmember Don Langston was concerned about the four (4) year life expectancy of the dumpsters and that Staff had moved the date to six (6) years. City Manager Parker explained that the Staff had tried to address all of the concerns and have a system set up so that at the next Council meeting there could be an amendment to the budget to allow the purchase of the dumpsters. City Manager Parker stated that Staff would answer any other questions the Council had concerning the program.

Mayor Jack Gorden stated that his impression was that the cost to the businesses would actually be less with this program. City Manager Parker stated that Staff believed that to be true, because the City would purchase the dumpsters from the businesses for the remainder of their life expectancy and even though there would be a monthly rental charge, the businesses would no longer have to maintain or replace dumpsters that were in such disrepair that they couldn't be used. City Manager Parker explained that the City would have the responsibility to repair, paint, and return the dumpsters to the businesses in those cases. City Manager Parker also pointed out that businesses could change the size of the dumpsters as their businesses grow and have a need for a larger unit. City Manager Parker added that the aesthetics would improve as well as maintenance and litter control.

Mayor Gorden asked when the program would begin. City Manager Parker stated that Staff hoped to have the dumpsters purchased and begin the program by January 1, 2008. City Manager Parker added that if the Council approved the budget amendment for the purchasing of the dumpsters and the accompanying ordinance the Staff would immediately begin contacting the owners. City Manager Parker furthered that the dumpsters had been evaluated and the purchasing would be the next step and added that if there was a disagreement over the worth of the dumpster there would be an appeals mechanism set up to try to resolve any disputes.

Councilmember Lynn Torres moved to approve the First Reading of an Ordinance amending Chapter 50.25 of the Code of Ordinances of the City of Lufkin; making a change in garbage service rates and providing an effective date. Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

10. FIRST READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS PROHIBITING THE PROLIFERATION OF LITTER – APPROVED – DEFINED HEREIN AS ALL WASTE MATERIAL WHICH, IF THROWN OR DEPOSITED AS HEREIN PROHIBITED, TENDS TO CREATE A DANGE R TO PUBLIC HEALTH, SAFETY WELFARE, AND DECORUM; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Jack Gorden stated that the next item for consideration was the First Reading an Ordinance of the City of Lufkin, Texas prohibiting the proliferation of litter, defined herein as all waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety, welfare, and decorum; providing for a penalty; providing for severability; repealing all inconsistent Ordinances; and providing for an effective date.

City Manager Paul Parker stated that this Ordinance had also come from previous Council meetings concerning litter in the City of Lufkin. City Manager Parker explained that the Ordinance combined many existing Ordinances through the departments in the City and allows for more enforcement capabilities. City Manager Parker stated that the Council had a letter from Angelina/Beautiful/Clean. City Manager Parker added that the ABC Board met the previous week and endorsed the "Litter Ordinance" as they deal with litter in Lufkin and the surrounding communities. City Manager Parker stated that the only addition the ABC Board had was to make sure that the definition of litter included cigarette butts. City Manager Parker stated that ABC had a container to dispose of cigarette butts that fits neatly in a person's pocket. City Manager Parker stated that Staff would answer any questions from the Council and recommended that Council approve the Ordinance.

Councilmember Rufus Duncan asked if the Ordinance allowed the City to place a lien on the property which was not allowable under the old Ordinance. City Manager Parker explained that the old Ordinance allowed for liens to be placed on property that was not kept up, needed to be mowed, and had junk in the yard that became a nuisance to neighbors and that this Ordinance speeded up the process. City Manager Parker added that most of the time a lien was placed when there was considerable junk, garbage, abandoned furniture, weed lots, etc.

Mayor Gorden pointed out that Angelina Beautiful Clean Director Tony Moline was present at the Council Meeting and added that Mr. Moline works to help keep the community clean and well maintained.

Councilmember Don Langston stated that he wanted to make sure that leaves, grass clippings, and things of that nature was included in the definition of garbage. City Manager Parker pointed out that the only time those items were prohibited was when they were put in the drainage systems.

Councilmember R. L. Kuykendall suggested putting information concerning the "Litter Ordinance" in the newspaper to educate the citizens of Lufkin. City Manager Parker stated that Staff would ask the newspaper to print an article concerning litter if the Ordinance was approved on the Second Reading.

Councilmember R.L. Kuykendall moved to approve on First Reading an Ordinance of the City of Lufkin, Texas prohibiting the proliferation of litter, defined herein as all waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety, welfare, and decorum; providing for a penalty; providing for severability; repealing all inconsistent Ordinances; and providing for an effective date. Councilmember Phil Medford seconded the motion. A unanimous vote was recorded.

11. **DETCOG GRANT IN THE AMOUNT OF $25,000 TO BE USED FOR THE PURCHASE OF A DIGITAL RECORDING SYSTEM FOR THE POLICE DEPARTMENT AND APPROVAL OF AN AMENDMENT TO THE 2007/2008 OPERATING BUDGET (BUDGET AMENDMENT NO. 2) - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Jack Gorden stated that the next item for consideration was approval to accept a grant for $25,000 from Deep East Texas Council of Governments to the Police Department for the purchase of a digital recording system and a Resolution authorizing an amendment to the 2007/2008 operating budget (Budget Amendment No. 2), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date.

City Manager Parker stated that the City of Lufkin was the primary 9-1-1 server in Angelina County. City Manager Parker added that this entitled the City to funding from the State Commission on Emergency Communications through the Deep East Texas Council of Governments for purchases and annual maintenance of recording devices used for 9-1-1 purposes. City Manager Parker added that the City of Lufkin was allocated twenty-five thousand dollars ($25,000) for the purchase of equipment. City Manager Parker furthered that the Lufkin Police Department was requesting to purchase the "Higher Ground" recording system. City Manager Parker stated that the cost of the system was thirty-one thousand two hundred eighty dollars and ninety-four cents ($31,280.94). City Manager Parker explained that Police Chief Larry Brazil was proposing to use six thousand two hundred eighty dollars and ninety-four cents ($6,280.94) from the Forfeited Funds Budget, resulting in no cost to the City. City Manager Parker stated that those funds along with the twenty-five thousand dollars ($25,000) from DETCOG would be used to purchase the equipment. City Manager Parker stated that Staff recommended that Council accept the grant and authorize Chief Brazil to use Forfeiture Fund money to purchase the recording equipment.

Mayor Jack Gorden asked what the equipment would be used for. City Manager Parker requested that Communications Supervisor Keith Bickley to explain the uses of the recording system. Mr. Bickley stated that the equipment would be used to record the 9-1-1 calls coming in to the City. Mr. Bickley added that the system would record radio transmissions and other radios that the Police personnel monitor and transmit through in the dispatch center. Mr. Bickley stated that the system would also allow dispatchers to record the "Voice-Over IP Telephone System" used by the City. Mr. Bickley stated that the system was digital and stored on computers.

Councilmember Lynn Torres moved to approve the acceptance of a a grant for $25,000 from Deep East Texas Council of Governments to the Police Department for the purchase of a digital recording system and approve a Resolution authorizing an amendment to the 2007/2008 operating budget (Budget Amendment No. 2), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. Councilmember R.L. Kuykendall seconded the motion. A unanimous vote was recorded.

12. **DONATION OF LOCOMOTIVE #110, - TABLED - CURRENTLY DISPLAYED AT THE ELLEN TROUT ZOO, TO THE GALVESTON RAILROAD MUSEUM OR OTHER ENTITY.**

Mayor Jack Gorden stated that the next item for consideration was donating the Locomotive #110, currently displayed at the Ellen Trout Zoo, to the Galveston Railroad Museum or other entity.

Mayor Gorden stated that Mr. Dan Davidson was present at the meeting and had requested to speak to the Council concerning the locomotive.
Mr. Davidson then spoke concerning the locomotive, its history, and the history of the Kelty's area. Mr. Davidson requested the City Council to keep the locomotive in Lufkin so citizens and future visitors to Lufkin could enjoy it and its history.

Mayor Jack Gorden stated that the locomotive truly was a part of the history of Lufkin. Mayor Gorden added that action on the item had been delayed since the last Council Meeting and noted that City Manager Paul Parker, Assistant City Manager Keith Wright and other Staff had been working on a plan concerning the locomotive. Mayor Gorden then asked City Manager Parker to bring the Council up to date on the issue.

City Manager Parker stated that there had been considerable conversations concerning the train and the relocation. City Manager reiterated that the obvious reason for the train having to be moved was due to it being in the location where the new Administration and Education Building was being built for the Ellen Trout Zoo. City Manager Parker added that there would be considerable expense to relocate the train. City Manager Parker stated that one of the suggestions was that the Galveston Railroad Museum wanted to move it to their museum at no cost to the City. City Manager Parker added that there were also many people in the area that were concerned with the locomotive's heritage and the worth of the train Lufkin and Angelina County. City Manager Parker explained that the City's main concern was that the design for the Zoo's Administration and Education Building was approximately ninety-five percent (95%) complete and construction would begin within the next month on the property where the train was located. City Manager Parker added that once construction started the locomotive would be encapsulated in the design area of the structure. City Manager Parker stated that there had been a lot of conversations about methods of moving the locomotive. City Manager Parker explained that there was the potential of laying track and moving the train by that method. City Manager Parker explained that he had asked Zoo Director Gorden Henley to investigate what it would cost the City to move the train.

Ellen Trout Zoo Director Gorden Henley stated that in response to City Manager Parker's request he made measurements from the existing location of the locomotive directly to the street in two (2) different pathways. Mr. Henley added that one measurement was approximately one hundred seventy-five (175) feet and the other was one hundred seventeen (117) feet. Mr. Henley explained that the one hundred seventy-five (175) foot pathway took the locomotive perpendicular to the curb and Zoo Circle at the southwest corner. Mr. Henley stated that the one hundred seventeen (117) foot pathway was also perpendicular to the street in a straight southern direction and would go directly through the site of the new building. Mr. Henley stated that to move the train so that it would be parallel to the street would be in excess of two hundred fifty (250) feet because it need to be pulled in a curve in order to line the locomotive up with the street. Mr. Henley stated that it was difficult to visualize the angles and curves of the street. Mr. Henley added that if an attempt was made to move the train straight off of the current track it would require tearing down some of the animal pens, a building, and an exhibit. Mr. Henley stated that the phone system would also have to be re-routed and perimeter fence would have to be removed, along with approximately ten (10) trees. Mr. Henley stated that any of the options would require removal of some trees. Mr. Henley explained that even if the locomotive was lifted off of the site by a crane, there would still have to be trees cut for the construction of the facility. Mr. Henley stated that the perimeter fence that would have to be removed and the Zoo's phone cable running through the top rail of the fence. Mr. Henley furthered that the section of fence south of the locomotive was bypassed so that if it had to be removed, due the construction, would not cause disruption of phone service. Mr. Henley stated that he had no intention of taking away the heritage of Lufkin. Mr. Henley explained that he merely wanted to see the train relocated so the Zoo could expand and the train would be properly maintained, housed, and displayed.

Mayor Jack Gorden commented that the construction that was to take place that was ultimately causing the dilemma with the locomotive was going to be a wonderful addition to the Ellen Trout Zoo and the City of Lufkin.

Councilmember Don Langston stated that there was an obvious need to move the locomotive and also a desire of many parties to keep it in Lufkin. Councilmember Langston added that in order to expedite the construction of the building, he wanted to propose that Council authorize moving of the locomotive and exploring other opportunities of keeping it in the City, rather than donating it to the Galveston Train Museum. Councilmember Langston explained that the City was short on time to get the train moved so that construction of the Zoo facility could begin.

Mayor Gorden added that perhaps the train could be moved out of the way of the construction until a permanent site could be established. Councilmember Langston stated that he calculated the cost involved for moving the locomotive would be approximately seventeen thousand dollars ($17,000) on the high side. Councilmember Langston added that he thought it was worth the effort to continue to try to find a local home for the locomotive but that he also understood the need to make a decision to allow it to be moved. Councilmember Rufus Duncan concurred with Councilmember Langston.

Councilmember Lynn Torres stated that she would like to have some idea of where the locomotive would be moved; for fear that it would have to be moved again. Councilmember Torres explained that if the permanent home would be at the Ellen Trout Zoo then the train would have to be maintained and refurbished, and the City would have to bear the expenses involved in both. Councilmember Torres added that there would also be a need for a structure to house the locomotive. Councilmember Torres stated that there was a lot more involved in the matter than just moving it.

Councilmember Langston agreed with Councilmember Torres and stated that there were offers from various parts of the community that could make it happen.

Mayor Gorden stated that there were several locations in the community that would be a good area for the locomotive. Mayor Gorden asked what the cost would be to move the train over enough for the building. Councilmember Langston stated that the worst case would cost approximately seventeen thousand dollars ($17,000). Mayor Gorden stated that he had also spent some time on the issue and felt that the City could move the train for less than that but if the Council could agree that the estimate was an okay number to get it out of the way for the time being, then it should be done. Mayor Gorden added that he personally believed that the train could be moved for approximately five thousand dollars ($5,000) and would enable construction to begin.

Councilmember Rufus Duncan stated that he understood that the Galveston Train Museum estimated the cost for moving the train to Galveston to be approximately twenty thousand dollars ($20,000). City Manager Parker stated that the Museum had not given the City specific numbers but indicated it would cost between twenty thousand and twenty-five thousand dollars ($20,000 - $25,000). City Manager Parker added that the majority of the cost was in the pick up and set down fee. City Manager Parker stated that the distance of the move was not the major expense.

Mayor Gorden stated that he talked to an entity in Philadelphia and that their charge was one hundred eighty-five dollars ($185) per hour. Mayor Gorden added that they estimated that it would take approximately three (3) days to move the locomotive. Mayor Gorden explained that if those figures were correct then moving it would cost approximately four thousand dollars ($4,000). City Manager Parker asked if the estimates included the track needed for the move. City Manager Parker added that the recent estimates included both labor and track. Mayor Gorden stated that if the locomotive could be kept in the community the track would be needed anyway.

Councilmember R. L. Kuykendall inquired if there had been any other offers to purchase the locomotive. Mayor Gorden replied that he understood that there was an entity in Dallas that was interested in acquiring the train. Mayor Gorden added that TxDOT had a strong interest in placing the locomotive at the newest rest stop that they were building on US 59 South near Livingston on the north bound side with a reference to visit Lufkin.

Councilmember Langston stated that he had an anonymous offer to bear part of the expense to relocate the locomotive. Councilmember Langston added that the offer showed him that there was an interest in the community to keep the train in Lufkin. Mayor Gorden stated that one of the local foundations was interested in building a tourist office on the south end of Lufkin and one possibility would be to move the train to that location.

Councilmember R. L. Kuykendall asked how much time the City had before the locomotive would have to be moved so construction could begin. City Manager Parker stated that the project was within approximately four (4) to six (6) weeks of breaking ground. City Manager Parker added that there was the need to have some leeway to enable the City to get someone to Lufkin to load and move the train. City Manager Parker stated that if was the desire of the Council for Staff to work with local entities that might be interested in assisting in keeping the locomotive in Lufkin then Staff could begin work toward that goal. City Manager Parker stated that Staff could bring a suggested location, how the locomotive would be covered, maintained and renovated and the funding that would be needed. City Manager Parker added that there was obviously an interest in keeping the heritage in Lufkin. City Manager Parker stated that if the Council desired to keep the train in Lufkin then Staff would need to let the Galveston Train Museum know that the Council desired to leave it in Lufkin. The City Council concurred.

Councilmember Phil Medford stated that it was prudent to table the issue but the Staff should probably contact David Perkins about laying the track to move the train out of the way of the construction. Mayor Gorden asked if there was used track for sale. City Manager Parker said that there was no used track but that Mr. Perkins stated that he would buy back any unused portions of track.

City Manager Parker suggested that Council table the item and that Staff would begin to work on the premise of keeping the locomotive in Lufkin and would start to research the locations and cost involved in refurbishing and keeping the train maintained. City Manager Parker stated that any ideas of where to place the locomotive would be encouraged. Council then discussed several possible locations for the locomotive.

Councilmember R.L. Kuykendall moved to table the donation of Locomotive #110, currently displayed at the Ellen Trout Zoo, to the Galveston Railroad Museum or other entity. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded. Mayor Gorden requested that City Manager Parker place the item on the next Council Meeting agenda.

13. **<u>BID FOR THE PURCHASE OF AN AMBULANCE / MEDICAL UNIT – APPROVED – THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, OR HGAC FOR THE FIRE DEPARTMENT.</u>**

Mayor Jack Gorden stated that the next item for consideration was the bid for the purchase of an Ambulance / Medical Unit through the Texas Local Government Purchasing Cooperative, or HGAC for the Fire Department.

City Manager Paul Parker stated that this was replacement of one of the City's Ambulance / Med Unit that was included on the fiscal year 2007/2008 Amortization schedule and that the cost of this unit totaled one hundred three thousand and fifty dollars ($103,050.00). City Manager Parker furthered that Staff recommended approval of purchase of this unit.

Councilmember Don Langston moved to approve the bid for the purchase of an Ambulance / Medical Unit through the Texas Local Government Purchasing Cooperative, or HGAC for the Fire Department. Councilmember Lynn Torres seconded the motion. A unanimous vote was recorded.

14. **<u>DISCUSSION OF PROPOSED LANDSCAPING FOR MARTIN LUTHER KING AND KURTH DRIVE.</u>**

Mayor Jack Gorden stated that the next item on the agenda was the discussion of the proposed landscaping for Martin Luther King and Kurth Drive.

City Manager Paul Parker stated that Staff had been working with the committee created to oversee the beautification of the Martin Luther King and Kurth Drive area and that a rendering of proposed landscaping provided by a local landscaper and designer was included in the packet. City Manager Parker reminded Council that fifty thousand dollars ($50,000) had been allocated in the current fiscal year budget for improvements in this area and that the landscaping proposal for consideration was approximately twenty-eight thousand dollars ($28,000), but due to the amount being in excess of twenty-five thousand dollars ($25,000), this item would have to be bid. City Manager Parker furthered that the committee had worked with Don Hannabas, Parks & Leisure Services Director, Rachel Emrick, City Arborist and the Parks Department and that Mr. Hannabas recommended the proposal, noting that the plant material was both durable and low maintenance. City Manager Parker stated that Ms. Louise Lavane, committee member, was present and that Ms. Lavane had worked diligently on this project. City Manager Parker then directed attention to the design drawing and stated that one area included a marker, and that the design and inscription on the marker would have to be brought back for Council approval once the marker design was completed. City Manager Parker stated that committee representatives including Ms. Lavane and Mr. Victor Travis were both in attendance. Mayor Jack Gorden asked Ms. Lavane to speak on the issue. Ms. Lavane introduced herself and others present with her. Ms. Lavane stated that the committee had worked on this project with the City and looked forward to seeing this project completed. Ms. Lavane also stated that the TOP Ladies of Distinction and TOP Teens of America were committed to maintaining this area by completing the annual plantings of material. Council members Lynn Torres and Don Langston questioned whether this landscape design would be affected by the installation of sidewalks if the City was awarded the grant for the sidewalk project. City Manager Parker answered that the sidewalks should not affect the project. Council member Torres also questioned whether the moving of the entrance to Garrett Elementary would affect the project. Ms. Lavane answered that due to an existing sidewalk already being in place, the project should not interfere with the moving of the entrance to Garrett Elementary.

Mayor Gorden expressed his appreciation for the work of both Staff and the committee and entertained a motion on the item.

Councilmember R.L. Kuykendall moved to approve moving forward with the proposed landscaping at Martin Luther King and Kurth Drive. Councilmember Don Langston seconded the motion. A unanimous vote was recorded.

15. <u>PROPOSALS FOR ENGINEERING AND GRANT CONSULTANT SERVICES – APPROVED – FOR THE 2008 TEXAS COMMUNITY DEVELOPMENT PROGRAM GRANT.</u>

Mayor Jack Gorden stated that the next item for consideration was the approval of proposals for engineering and grant consultant services for the 2008 Texas Community Development Program Grant.

City Manager Paul Parker stated that the City had received a Texas Community Development Grant to be used to fund improvements for the sewer system in the Martin Luther King and Raguet Street area and that the first portion of the grant that needed to be completed was for the City to enter into a contract for engineering services. City Manager Parker stated that the grant also required the City to engage grant consultant services for the management of the grant. City Manager Parker furthered that approximately twenty-eight thousand dollars ($28,000) had been estimated for expenses in relation to grant consultation and forty-five thousand dollars ($45,000) for engineering expenses, but since both of these were professional services, they would both have to be negotiated. City Manager Parker continued that one (1) proposal had been received for grant consulting services from Raymond K. Vann and Associates, and one (1) proposal for engineering services had been received from Goodwin-Lasiter, Inc. City Manager Parker stated that other firms had sent letters of interest, but did not submit proposals for either engineering or grant management. City Manager Parker stated that Staff recommended that the City enter into contract with Raymond K. Vann & Associates for grant management services and with Goodwin-Lasiter, Inc. for engineering services in regard to the 2008 Texas Community Development Program grant.

Mayor Gorden expressed his appreciation to City Staff for their work in applying for and receiving the grant.

Councilmember Don Langston moved to approve the proposal for engineering services from Goodwin Lasiter, Inc. and approve the proposal for grant consultant services to Raymond K. Vann & Associates for the 2008 Texas Community Development Program. Council member Rufus Duncan seconded the motion. A unanimous vote was recorded.

16. <u>CALENDAR NOTATIONS FROM MAYOR, COUNCIL MEMBERS, AND CITY MANAGER</u>

City Manager Paul Parker stated that Mayor Gorden was on the TML Executive Board and Councilmember Rose Faine Boyd was on one of the TML Committees and were required to be at the upcoming TML Conference on Tuesday, November 6, 2007. City Manager Parker explained that this would conflict with the next Council Meeting and Mayor Gorden and Councilmember Boyd requested that the Council Meeting be moved to Monday, November 5, 2007. The City Council concurred. City Manager Parker reminded the Council about the Heritage Festival that would be at the Lufkin Pitser Garrison Civic Center on Saturday, October 20, 2007 and encouraged everyone to attend. City Manager Parker added that there would also be a Construction Board Meeting on Monday, October 29, 2007. Mayor Gorden added that there would be a DETCOG Board Meeting on Thursday, October 18, 2007 in Newton, that the Lufkin Landscape Task Force would dedicate Chambers Park on Tuesday, October 30, 2007, and that there would be a 4-B Economic Development Meeting on Monday, November 5, 2007 at 11:30 a.m.

17. There being no further business for consideration, the meeting adjourned at 6:20 p.m.

Jack Gorden

Jack Gorden, Mayor

Renee Thompson

Renee Thompson – City Secretary