MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 16TH DAY OF DECEMBER, 2008

On the 16th day of December, 2008, 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
Rose Faine Boyd	Mayor Pro Tem
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
Keith Wright	Assistant City Manager
Renee Thompson	City Secretary
Bob Flournoy	City Attorney
Larry Brazil	Police Chief
Scott Marcotte	Asst. Police Chief
Doug Wood	Finance Director
Chuck Walker	Public Utilities Director
Dorothy Wilson	Planning Director
Steve Floyd	Public Works Director
Jim Wehmeier	Economic Development Director
Gordon Henley	Ellen Trout Zoo Director
Charlotte Henley	Ellen Trout Zoo Education Director
Bill Cameron	City Webmaster

being present, when the following business was transacted:

1. The meeting was opened with prayer by Pastor Jaqueline Sharr, Kelty's United Methodist Church.

2. Mayor Jack Gorden welcomed visitors present. Mayor Gorden noted that Boy Scout Troop 140 was present in the audience. Mayor Gorden added that the Troop's Scout Master was Rory Hassell, who was an employee of the City of Lufkin. Mayor Gorden stated that also in the audience accompanying the troop was parent, Cary Kirby. Mr. Kirby explained that the Boy Scouts were working on their Citizenship in the Community Merit Badge and that attending a Council Meeting was one of the criteria for earning the badge.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting of December 2, 2008, were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Rose Faine Boyd. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY GRANTING A "SPECIAL USE PERMIT" FOR ALCOHOL SALES AND CONSUMPTION WITHIN A "COMMERCIAL" ZONING DISTRICT ON CERTAIN TRACTS OR PARCELS OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS DESCRIBED AS BUILDING 3, SUITE 103-A, BLOCK 1, LOT 3, OF THE GARDEN DISTRICT SHOPPING VILLAGE PHASE II

SUBDIVISION AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a "Special Use Permit" for alcohol sales and consumption within a "Commercial" Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas described as Building 3, Suite 103-A, Block 1, Lot 3, of the Garden District Shopping Village Phase II Subdivision and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that this was the Second Reading of the Ordinance and was a restaurant Sushi Bar near Home Depot area and would enable the private club to sell alcohol in the restaurant.

Mayor Gorden opened the Public Hearing at 5:09 p.m. and asked anyone who wished to speak on the item to please step forward. There appearing to be no one who wished to speak, Mayor Gorden closed the Public Hearing at 5:10 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Rose Faine Boyd moved to approve the Second Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a "Special Use Permit" for alcohol sales and consumption within a "Commercial" Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas described as Building 3, Suite 103-A, Block 1, Lot 3, of the Garden District Shopping Village Phase II Subdivision 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.

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 DESIGNATIONS ON LAND DESCRIBED AS BLOCK 1, LOTS 9 AND 10, OF THE SHEARER ADDITION LOCATED AT 207 NORTH CHESTNUT TO A "LOCAL BUSINESS" 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 designations on land described as Block 1, Lots 9 and 10, of the Shearer Addition located at 207 North Chestnut to a "Local Business" Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of "Commercial".

City Manager Paul Parker stated that the applicant wanted the City to allow the property to be used as a hair salon which required a zone change to "Local Business". City Manager Parker added that both the Planning and Zoning Commission and Staff recommended that Council approve the zone change.

Mayor Gorden opened the Public Hearing at 5:11 p.m. and asked anyone who wished to speak on the item to please step forward. There appearing to be no one who wished to speak, Mayor Gorden closed the Public Hearing at 5:12 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve the Second Reading of 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 designations on land described as Block 1, Lots 9 and 10, of the Shearer Addition located at 207 North Chestnut to a "Local Business" Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of "Commercial". Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

6. **SECOND READING OF AN ORDINANCE ESTABLISHING MAXIMUM SPEEDS OF MOTOR VEHICLES – APPROVED - IN CERTAIN AREAS ON WHITEHOUSE DRIVE AND LOTUS LANE, AS DESIGNATED**

Mayor Jack Gorden stated that the next item for consideration was the Second Reading of an Ordinance establishing maximum speeds of motor vehicles in certain areas on Whitehouse Drive and Lotus Lane, as designated.

City Manager Paul Parker stated that City streets were automatically given a thirty (30) miles per hour speed limit, unless otherwise designated by the City Council. City Manager Parker added that Staff did a traffic study on both Whitehouse and Lotus Lane and they indicated that a minimum speed limit of forty-five (45) miles per hour would be a safe speed for the travel routes. City Manager Parker stated that Staff was recommending that Council establish the speed zone for Whitehouse and revamp the speed limit on Lotus Lane to forty-five (45) miles per hour.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Rufus Duncan moved to approve the Second Reading of the Ordinance establishing maximum speeds of motor vehicles in certain areas on Whitehouse Drive and Lotus Lane, as designated. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

7. **PUBLIC HEARING AND FIRST 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 DESIGNATIONS ON LAND DESCRIBED AS CROWN COLONY SECTION VIII-B-2 LOCATED NEAR CHAMPIONS DRIVE AND MISSION HILLS DRIVE IN THE CROWN COLONY SUBDIVISION, TO A "RESIDENTIAL LARGE SINGLE FAMILY DWELLING" ZONING DISTRICT AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN TO THE CLASSIFICATION OF "LOW DENSITY RESIDENTIAL"**

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and First 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 designations on land described as Crown Colony Section VIII-B-2 located near Champions Drive and Mission Hills Drive in the Crown Colony Subdivision, to a "Residential Large Single Family Dwelling" Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of "Low Density Residential".

City Manager Paul Parker stated that Mr. Kevin Gee, on behalf of TIN, Inc., owner, was requesting a zone change to allow for single family residents. City Manager Parker added that the Planning Staff and Planning and Zoning Commission both recommended that the request for the change from "Agricultural" to "Residential Large Single Family Dwelling" be approved and the Future Land Use Plan be changed from "Agricultural" to "Low Density Residential". City Manager Parker explained that the zone change was to allow the applicant to build single family homes on the property.

Mayor Gorden opened the Public Hearing at 5:14 p.m. and asked anyone who wished to speak on the item to please step forward. There appearing to be no one who wished to speak, Mayor Gorden closed the Public Hearing at 5:15 p.m.

Councilmember Phil Medford moved to approve the First Reading of 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 designations on land described as Crown Colony Section VIII-B-2 located near Champions Drive and Mission Hills Drive in the Crown Colony Subdivision, to a "Residential Large Single Family Dwelling" Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of "Low Density Residential". Councilmember Rufus Duncan seconded the motion. A unanimous affirmative vote was recorded.

8. **REPORT FROM CITY MANAGER CONCERNING THE CITY OF LUFKIN EMPLOYEE HEALTH INSURANCE PLAN AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 7), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL, HOTEL/MOTEL TAX, ECONOMIC DEVELOPMENT, WATER/WASTEWATER AND SOLID WASTE RECYCLING FUNDS AND PROVIDING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was a report from City Manager concerning the City of Lufkin Employee Health Insurance Plan and a Resolution authorizing an amendment to the 2008/2009 Operating Budget (Budget Amendment No. 7), providing for the supplemental appropriation of funds in the General, Hotel/Motel Tax, Economic Development, Water/Wastewater and Solid Waste Recycling Funds and providing an effective date.

City Manager Paul Parker stated that the City of Lufkin Health Benefits Committee, which included Council Members Langston, Duncan, and Torres, recently met concerning the proposed plan revision. City Manager Parker explained that at the last Health Benefits Committee Meeting the committee specifically discussed that the City's Insurance Fund revenues and expenditures were basically even for the previous year. City Manager Parker added that the fiscal year began with approximately sixty-eight thousand dollars ($68,000) in the fund balance and ended the year with approximately eighty thousand dollars ($80,000). City Manager Parker stated that the Insurance Fund Underwriters projected a potential two hundred twenty-five thousand dollar ($225,000) shortfall for the coming year, primarily due to rising health costs. City Manager Parker stated that the Health Benefits Committee discussed potential changes in deductibles and co-pays that City Staff might have to pick up on health care. City Manager Parker explained that any plan changes for the current year had to be completed by December 1, 2008. City Manager Parker added that there had been some confusion between City Staff and Blue Cross Blue Shield when discussing the plan changes, related to deductibles and out-of-pocket expenses. City Manager Parker explained that Staff thought that deductibles and out-of-pocket expenses were considered two (2) different items and the Insurance Company looked at them as the same item and that both would be considered changes to the plan. City Manager Parker added that when the Insurance Company stated that plan changes had to be completed by December 1, 2008, they were including changes to deductibles. City Manager Parker explained that this meant that any changes the City made to deductibles would not go into effect until February 1, 2009, which would split a year and make it very difficult to administer. City Manager Parker stated that the Health Benefits Committee reviewed the matter and were recommending that the Council transfer two hundred twenty-five thousand dollars ($225,000) into the Health Fund from the fund balances in the different funds as a one (1) time infusion to assist the City in reaching the unfunded liability that the Underwriters predicted. City Manager Parker added that the Health Benefits Committee felt relatively confident that the funds might not be needed, due to the fact that the City made plan changes in the previous year that had not had time to demonstrate their full effect. City Manager Parker stated that one of the changes was that newly hired employees were not eligible for insurance coverage until after ninety (90) days. City Manager Parker explained that the effects of the change had not been identified because previously new employees or their family members would have major medical expenses shortly after being hired, leaving the City Staff to believe they were interested in being hired with the intention of utilizing the City's insurance. City Manager Parker stated that this revision had not had time to play out, as well as the recent changes in deductibles. City Manager Parker reiterated that the Health Benefits Committee recommended that the Council approve the transfer of two hundred twenty-five thousand dollars ($225,000) from the various fund balances to the Health Insurance Fund. City Manager Parker added that the Committee also stated that during the coming years future increases would have to be shared between the employees and the City for any additional revenue required. City Manager Parker explained that the City had basically experienced a bad two (2) year period and hopefully would turn that around in the coming year. City Manager Parker added that because the City was self insured, bad experiences were felt quite rapidly and hopefully the situation could be turned around in the coming year. City Manager Parker stated that out of the recent major cases, only one (1) employee was still on the health insurance. City Manager Parker added that some had moved and others were deceased that were on the plan. City Manager Parker stated that hopefully the City would have a better year as far as the health of the employees was concerned and would translate into a better year for the insurance plan. City Manager Parker stated that the recommendation was that the City Council approve Budget Amendment No. 7, providing a two hundred twenty-five thousand dollar ($225,000) supplement to the Health Insurance Fund.

Mayor Jack Gorden stated that the method of self insurance had served the City of Lufkin pretty well over the past few years, but was a sign of the times for every business and every individual as health insurance became more and more of a challenge. Mayor Gorden then thanked the committee members for spending the time researching and working on the issue. Mayor Gorden then asked the Health Benefits Committee for comments.

Councilmember Don Langston stated that health insurance was a continuing saga.

Councilmember Rose Faine Boyd asked if the Council would have to consider revisions to the policy earlier next year in order to have the changes ready by December 1. City Manager Parker stated that this was correct, and that one of the recommendations that the Committee had, after talking to the insurance carrier, was to possibly get the plan year and the City's fiscal year on the same date, which started October 1, each year. City Manager Parker explained that currently the fiscal year began October 1, and the plan year began January 1, each year. City Manager Parker furthered that when Staff began planning budgets around May, June and July, there was only about one half (½) of the year's history of usage to project the funds needed for the upcoming year. City Manager Parker added that the Committee decided to look into a nine (9) month plan that would bring the City to an October 1, starting date for the following year. City Manager Parker stated that the City was already in a contract until December 31, 2009, so it would be the next year before the City could try the nine (9) month plan to allow the change needed to go to the fiscal calendar year. City Manager Parker added that would give Staff time to go out for bids for the plan. City Manager Parker stated that he had been given notice that this would give time to get figures together for the "stop loss" and variables needed to figure the deductibles and maximum "out of pocket" that would have to be prorated for the nine (9) month plan. City Manager Parker added that this would help solve the current dilemma of projecting the funds needed for budgeting purposes using two (2) different calendars.

Mayor Gorden stated that the Council wanted to thank Council Members Torres, Langston and Duncan for the time that was spent working on a solution for the City employees' insurance plan. Mayor Gorden then asked for other comments or questions from the Council.

Councilmember Lynn Torres moved to approve the Resolution authorizing an amendment to the 2008/2009 Operating Budget (Budget Amendment No. 7), providing for the supplemental appropriation of funds in the General, Hotel/Motel Tax, Economic Development, Water/Wastewater and Solid Waste Recycling Funds and providing an effective date. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

9. **RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2008/2009 OPERATING BUDGET (BUDGET AMENDMENT NO. 8), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE SOLID WASTE AND RECYCLING FUND; AND PROVIDING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing an amendment to the 2008/2009 Operating Budget (Budget Amendment No. 8), providing for the supplemental appropriation of funds in the Solid Waste and Recycling Fund; and providing an effective date.

City Manager Paul Parker stated that the City received two (2) grants from DETCOG that required no match from the City. City Manager Parker added that one (1) of the grants was in the amount of thirty-five thousand dollars ($35,000) from the State Homeland Security Grant, and a second (2nd) grant in the amount of thirty-five thousand two hundred fifty dollars ($35,250) from the Law Enforcement Activity Program. City Manager Parker stated that the funds would be transferred into the City's Emergency Management account which was in the Solid Waste and Recycling Fund. City Manager Parker explained that it might seem strange for the funds to go into the Solid Waste and Recycling Fund, but that was where the Emergency Management funding was located. City Manager Parker stated that the money would allow the City to purchase twenty-five (25) portable radios for the Police Department, two (2) Panasonic Toughbook Laptops for the Police Department, forty (40) portable radios for the Fire Department and one (1) Auto Deploy Satellite Internet System for Emergency Management. City Manager Parker stated that the total cost for all of the equipment was seventy thousand two hundred fifty dollars ($70,250). City Manager Parker added that Staff recommended the Council accept the grants and approve Budget Amendment Number 8.

Mayor Gorden then asked for comments or questions from the Council.

Councilmember Rose Faine Boyd moved to approve the Resolution authorizing an amendment to the 2008/2009 Operating Budget (Budget Amendment No. 8), providing for the supplemental appropriation of funds in the Solid Waste and Recycling Fund; and providing an effective date. Councilmember Rufus Duncan seconded the motion. A unanimous affirmative vote was recorded.

10. DISCUSSION OF THE BUILDING USE POLICY FOR ELLEN TROUT ZOO ADMINISTRATION/EDUCATIONAL FACILITY

Mayor Jack Gorden stated that the next item for consideration was a discussion of the Building Use Policy for Ellen Trout Zoo Administration/Educational Facility. Mayor Gorden pointed out that the facility was nearing completion and was going to be a great addition to the City.

City Manager Paul Parker asked Zoo Director Gordon Henley to approach the podium, so that he could enter into the discussion. City Manager Parker stated that the Zoo Education/Administration Facility was complete and that Council would be getting the announcement that the Facility was having its "Grand Opening and Open House" on Monday, December 22, 2008, at 4:00 p.m. City Manager Parker added that all of the furnishings were not purchased, but City Staff wanted to give the Council and the public the opportunity to view the facility. City Manager Parker stated that this was an outstanding facility that the Council and public would be proud to be associated with, and that more importantly many young people would be trained and educated in the facility. City Manager Parker added that if anyone had seen the original educational facility, it was amazing how much the new facility had to offer in comparison. City Manager Parker stated that the old facility had been demolished, thanks to the City of Lufkin Street Department. City Manager Parker stated that one (1) side effects of having a facility such as this was the fact that there was three (3) classrooms,with one (1) of the classrooms being large enough to be used as an event room that could be utilized for other purposes than just education for the Zoo. City Manager Parker stated that the room would eventually have displays and would not constantly be available for other uses, but there would be times that the room could be open for public events. City Manager Parker added that it would obviously be available to the Zoo or benefactors of the Zoo, because there were many groups that spent a lot of time and effort at the Zoo. City Manager Parker explained that there would also be other times that the room could be available to the public, which led to the quandary of how the Council would like to see the room utilized and what policy the City would use to book the room. City Manager Parker added that once everyone saw the room they would obviously want to use it. City

Manager Parker stated that once the exhibit outside the window was completed, the room would be even more attractive and would become a popular place for events. City Manager Parker explained that the dilemma was that there was no staff available for set ups, break downs, and to clean up, such as the Civic Center had. City Manager Parker added that currently there wasn't even a janitorial service for the new building. City Manager Parker stated that the old office didn't have any extra room and now the new facility had plenty of room and new needs. City Manager Parker added that because the new facility was spacious and attractive there had already been inquiries into the future usage, and there were people and organizations wanting to use the classroom at the Zoo. City Manager Parker explained that Staff wanted to bring a policy back to the Council concerning the usage of the facility, but wanted to get direction before bringing a formal policy back to the Council for approval. City Manager Parker stated that Staff needed ideas from the Council on how they saw the building should be used and could make the policy fit the Council's desires. City Manager Parker added that before the City opened the facility for booking there would have to be a set fee schedule and staff available to supervise its use. City Manager Parker stated that the City also didn't want the facility to be in competition with the Civic Center, yet at the same time there might be special needs or groups such as the Texas Municipal League Region that might want to host a meeting at the location. City Manager Parker explained that before Staff came up with a recommendation they wanted to ask the Council for suggestions to help develop the policy. City Manager Parker then asked Zoo Director Gordon Henley for his input.

Ellen Trout Zoo Director Gordon Henley stated that as Staff began the early design and development of the facility they had education, conservation and science programs in mind and had several groups such as the "Black Bear Task Force" and the "Louisiana Pine Snake Breeding Program" that the Zoo was involved with that also involved multi agencies. Mr. Henley added that the "Louisiana Pine Snake Breeding Program" was a U. S. Fish and Wildlife Service, and also involved the U. S. Forest Service, Texas Parks and Wildlife, Louisiana Wildlife and Fisheries, Department of Defense, and was large endeavor that met in Texas one (1) year and Louisiana another year. Mr. Henley stated that now the Zoo would have a great area to host the event, right where pine snakes existed. Mr. Henley stated that Lufkin had the only black bear in East Texas, and now there was a place for people trying to study black bears to meet. Mr. Henley stated that the goal was to have the Zoo be more of a force in conservation in the area. Mr. Henley stated that the Zoo wanted additional educational programming and was now able to double the Zoo Safari Program and Staff wanted to now begin looking at other programs and events that could be initiated. Mr. Henley explained that the Zoo now had a facility that had not been previously available and there would be ideas and suggestions for new program. Mr. Henley added that Staff wanted to make a proposal to the Council to let the Zoo Staff determine their needs, based on the community's response, because the original intent for the building was for education, conservation and science programs. Mr. Henley stated that this was the premise for raising the funds needed to build the facility. Mr. Henley stated that there had already been inquiries into the intended use for the building, and the Zoo had not even moved into the facility. Mr. Henley explained that they were in the process of moving into the facility and had the IT Department setting up audio/visual equipment to be used in the multi-purpose room. Mr. Henley added that Staff was not even familiar with the way the air conditioning system worked, as there were six (6) thermostats in the building with each of them controlling a different area. Mr. Henley requested that Council allow Zoo Staff to become acclimated before setting the new policy, so they would know how to respond to requests. Mr. Henley explained that the Staff always wanted to respond to the needs of the public, as this was one of the things that had helped the Zoo to grow and develop.

Mayor Jack Gorden stated that he did not have any problem with starting off by using the suggestions made by Zoo Director Henley in his letter, that was included in the Council Packet. Mayor Gorden added that the Ellen Trout Zoo Administration/Educational Facility was a tremendous asset to the community and that the Zoo was quite possibly the largest single attraction that the City of Lufkin had. Mayor Gorden stated that the Zoo had three hundred thousand plus (300,000+) visitors each year, and was a type of economic development to Lufkin and had a little over one million dollar (1,000,000+) budget each year. Mayor Gorden added that the Zoo was a source of pride for the Council and City and that he hoped that as the Zoo Staff became comfortable with the new facility that the City could find a way to use it to help showcase the building to people both inside and outside the Lufkin community. Mayor Gorden stated that he did not want to see the facility used as a regular meeting place, but did want to work toward finding a way that worked for the Zoo programs, as well as other groups that the Council and City authorized.

Mr. Henley stated that the "Louisiana Pine Snake Breeding Program" and the people associated the "Red Cockaded Woodpeckers" brought people in from as far away as Georgia and Washington D. C. that were a part of the endangered species program. Mr. Henley those types of functions would be bringing people into town that wouldn't normally be in Lufkin.

Mayor Gorden stated that Mr. Henley had recently gotten the City of Lufkin more publicity and was to be commended. Mayor Gorden stated that the latest Texas Parks and Wildlife magazine had an article concerning the Ellen Trout Zoo.

Councilmember Lynn Torres asked if there would be a need to add staff to the Ellen Trout Zoo, because she was concerned about having a facility and not having the staff to take care of it. Mr. Henley stated that the Zoo would hire one (1) additional staff member this year and also a seasonal person that would be hired in March to work through the summer. Mr. Henley added that the seasonal person could actually be utilized any time throughout the year, whenever it was most productive. City Manager Parker stated that he thought that Councilmember Torres was referring to the booking of the facility, and that the full time person was to assist with education and children's programs and the seasonal person was for the Zoo, and would on occasion be used at the new facility. Councilmember Torres stated that there were janitor needs that would need to be addressed. City Manager Parker stated that the City would consider using a part time janitorial service, such as was used at the Public Works facility. City Manager Parker added that the Zoo personnel would also be utilized for some maintenance and operations in the area. City Manager Parker stated that if the City began booking the facility as a meeting area there would have to be staff added. Councilmember Torres stated that there was a fine line concerning the use, and that she hoped to fill the facility with school children using the educational program, but at the same time she did not want the facility to become the next site to be used for events such as birthday parties. Councilmember Torres explained that there was a large spectrum of uses and she wanted to keep education at the forefront. City Manager Parker stated that Staff agreed with Councilmember Torres, and didn't want to see the facility used as a wedding venue or uses such as that because the facility was not set up for that type of event. City Manager Parker added that on the other hand, if a group wanted to have a retreat or something of that nature, that was co-sponsored by the City, and had the staff available to set up and tear down their event, the City did not want to exclude them. City Manager Parker stated that at this time the event would either have to be "Zoo related" or "okayed" by the City.

Mayor Gorden requested that Staff compose a policy and bring it back to the Council for approval. Mayor Gorden asked that as the policy was written, if would Staff consider putting in the wording something making reference to community development or something along that line. Mayor Gorden suggested that rather than placing Staff in the position to pick and choose which reservations to allow, the City Manager's Office would make the final determination on requests for use. City Manager Parker stated that he and Mr. Henley had discussed that idea and would work it out. City Manager Parker stated that at first they had discussed only allowing "non profit" agencies to use the facility, but then noted that many "for profit" agencies made tremendous contributions to the Ellen Trout Zoo. City Manager Parker added that he would hate to tell Brookshire Brothers that they could not use a meeting room for a retreat, when they had work days and spent hundreds of man-hours working at the Zoo. Mayor Gorden stated that was the same as Memorial Hospital wanting to use the meeting room at the Library. Mayor Gorden pointed out that Memorial Hospital was a great contributor to the Kurth Memorial Library, but were denied access to the space. Mayor Gorden added that Memorial was not denied access by the City of Lufkin but by another group associated with the Library.

Councilmember Rose Faine Boyd stated that she thought that Zoo Director Gorden Henley had requested to adopt the policy that was in the letter included in the Council packet for one (1) year. Mayor Gorden stated that he thought that he had read that Staff was looking for input and was going to write a policy. City Manager Parker stated that Mr. Henley's letter stated that he was requesting his suggestions be followed for one (1) year and that later he (City Manager Parker) had requested that the Council discuss its wishes. City Manager Parker added that he thought that Staff would come back with a recommendation very similar to the one suggested by Mr. Henley. Mayor Gorden stated that it made perfect sense to him that Staff would have to get a feel for the facility before making final determinations.

City Manager Parker stated that if the Council felt comfortable with the direction that they had given then Staff could write the policy and not have to come back to the Council, or write the policy and bring it back to the Council for approval. Councilmember Don Langston stated that he did not see the need for Staff to come back to the Council for approval. Councilmember Langston added that the original discussion was the building would be primarily used for educational purposes, and that the mission of the facility described what the Council and Staff had been sensing along the way and that certainly City organized or City sponsored programs would be permitted. Mr. Henley pointed out that his suggestion for booking the activities through the Zoo was because they may have events scheduled that could be in conflict with outside requests. Mr. Henley added that then the reservations could be coordinated with availability. City Manager Parker stated that his office would coordinate with the Zoo staff according to availability. City Manager Parker stated that his understanding of the Council's wishes were the new facility would be used for Zoo activities and other events that could be sponsored or co-sponsored by the City of Lufkin upon availability. City Manager Parker added that all events would have to be set up and torn down by the requesting parties. Mayor Gorden asked if it would be out of the question to use Civic Center personnel, if there was an opening on their schedule, and if extra help was needed for a large function for the Zoo itself. City Manager Parker stated that City Departments consistently assisted each other with events, and that City Staff worked well with each other to get things accomplished. City Manager Parker added that he was really referring to outside agencies having to take care of their own set ups and tear downs.

Councilmember Langston stated that he was sure that "we" would stumble a little as "we" went on, but would work through and find solutions for any unforeseen problems. City Manager Parker explained that Staff didn't want to begin using the facility and have people asking what the City was charging to use it and not have input from the Council in advance. City Manager Parker added that Staff didn't want to charge for the use, because the City would then have to provide more services and besides that the facility would be used by the Zoo a large portion of the time, especially in the summer. City Manager Parker stated that however, he could envision the budget preparation meetings being held there. City Manager Parker reiterated that the building would be booked solid with educational events during the summer months.

Mayor Gorden stated that the goal was to "sell the City" and asked Staff to keep an open mind and view for groups coming to Lufkin that might want to use the facility. City Manager Parker stated that he felt confident that Staff now had enough direction from the Mayor and Council to determine which uses and requests would be permitted for the facility. City Manager Parker added that the City didn't want to turn the building into a shrine, but also didn't want to turn it into an area for every day usage by the general public. Mr. Henley stated that certain events had been hosted by the Zoo in the past and that they would be happy to continue those types of events. Mr. Henley added that some event might be held in the Zoo itself, as opposed to always using the new building.

Councilmember Torres stated that it might help the audience and those who might be tuned into Channel 15, if someone read the statement in the letter from Zoo Director Gordon Henley that was included in the Council packets. City Manager Parker requested that Councilmember Torres read the statement. Councilmember Torres stated that the proposal stated that the "Education Center Use would be for classes and functions directly related to the mission of the Zoo (zoo science, conservation organizations and meetings), or that directly benefitted the zoo, functions of Friends of the Ellen Trout Zoo, and City organized programs".

Councilmember R. L. Kuykendall asked if the Council would see the policy set forth for the Ellen Trout Zoo Administration/Educational Facility. Mayor Gorden stated that the proposal that Councilmember Torres just read would be the policy. City Manager Parker stated that Staff would come up with better language for the Policy and would send it to Councilmember Kuykendall.

Councilmember Langston stated that the only other thing that he would request was that Mr. Henley make a "master" calendar available to the City Manager. City Manager Parker stated that Staff would link the calendars between the City Manager's office and the Zoo. Councilmember Boyd suggested that Staff make a list of requests that was received for the facility that did not fall into the requirements set forth in the statement that Councilmember Torres read, so that the Council could review them in the future and decide if additional changes needed to be made to the policy. Mayor Gorden agreed with Councilmember Boyd and added that this was a great suggestion. Mayor Gorden asked City Manager Parker if the Council needed to take further action on the item. City Manager Parker stated that the Staff had adequate direction unless anyone had further questions or suggestions.

Councilmember Phil Medford stated that he wanted Mr. Henley to understand that if the building was not used all of the time it would not be a problem until "he" (Mr. Henley) had time to determine how he could best use the facility, and other educational programs that could be developed because of the facility, and could work through these decisions. Councilmember Medford added that it seemed reasonable that it would take a year for Mr. Henley to get his feet on the ground, and then the Council could take a look at changes if they were needed. Councilmember Medford stated that he would keep the use somewhat restrictive to begin with for the uses that the facility was originally built for.

11. CITY MANAGER'S REPORT

Mayor Jack Gorden stated that the next item for consideration was a report from City Manager Paul Parker.

City Manager Paul Parker stated that the City was early in its fiscal year and that the Council would see that Finance Director Doug Wood put the Policy Reserve amount at the bottom of each page to indicate that the City was over the Policy Reserve in most of the Funds. City Manager Parker added that the City looked at some projects in the Capital Improvements Program and other programs after Staff gets an idea of the trend of how the City was doing in Sales Tax. City Manager Parker stated that Council could get some idea on how to best utilize the funds. City Manager Parker added that the bottom line was that the City was in relatively good shape early in the current fiscal year. City Manager Parker stated that Council would notice that the City had a pretty large Sales Tax increase during the month, but that most of it was an audit return from the Comptroller's Office. City Manager Parker explained that this was the dilemma of looking at the report from month to month, because the next month would show a decrease because that wouldn't be included and then the Council might wonder what happened. City Manager Parker stated that this was why the City needed to look at its Sales Tax on a four (4) to six (6) month cycle and make determinations on where it stood as far as Sales Tax was concerned. City Manager Parker stated that the Christmas sales would be reflected in February 2009, because the City ran two (2) months in arrears. City Manager Parker added that this amount usually gave the best indications of how the year would be. City Manager Parker stated that he didn't have anything else on the Financials at the time, unless there were questions from the Council.

City Manager Parker stated that there were some projects that he wanted to highlight for the Council. City Manager Parker stated that Staff had learned that day that the bridge over Whitehouse should be opened by the coming weekend. Public Utilities Director Chuck Walker stated that the bridge would be opened on Sunday, December 21, 2008. City Manager Parker reiterated that the four (4) lane bridge would opened on Sunday. City Manager Parker stated that the Whitehouse Extension Project was virtually complete with only minor cleanup to be done. City Manager Parker added that Staff had done some traffic counts and that it was amazing the amount of traffic was hitting that area. City Manager Parker stated that Staff was trying to do another count before school let out for the holidays, and that he had not seen the results of that count, but there were several thousand vehicles using that road and that it was a nice addition for the Christmas Season. City Manager Parker stated that the Lotus Lane Project was also virtually complete with a few areas, but nothing significant, left to do on the project. City Manager Parker stated that the Crown Colony Water Project was finally close to fruition, and that Staff was doing the final portion of the project and that the first of the year the City would close out all three (3) of those major projects and would conclude the City's heavy construction that had taken place over the past year. City Manager Parker stated that this would conclude the Project Status Report, unless the Council had specific questions concerning a project.

City Manager Parker stated that he wanted to highlight a couple of items in the back of the Council's packets. City Manager Parker stated that there were four (4) employees who had recently completed the Certified Public Management Course, which took a lot of time and effort. City Manager Parker stated that the employees were Bryant McCollum, Ray Wells, Lynn Winthrop, and Steve Floyd. Mayor Gorden congratulated the employees on their accomplishment. City Manager Parker added that this was an excellent educational program. Assistant City Manager Keith Wright stated that the program required a lot of work and included a lot of homework and took multiple years to complete.

City Manager Parker stated that this concluded the City Manager Report.

12. Mayor Jack Gorden stated that on behalf of the City Staff and City Council, he wanted to wish everyone a very Merry Christmas and a Happy New Year. Mayor Gorden then recessed the Regular Session at 5:55 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, demolition of buildings, or appointments to boards and personnel may be discussed.

Mayor Jack Gorden reconvened the Regular Session at 7:01 p.m.

13. CALENDAR NOTATIONS FROM MAYOR, COUNCIL MEMBERS, AND CITY MANAGER

Mayor Jack Gorden stated that the next item for consideration was the calendar notations from the Mayor, Council Members, and City Manager. Mayor Gorden stated that Thursday, December 18, 2008, was the monthly DETCOG Meeting in Jasper. Mayor Gorden reminded the Council about the Deep East Texas Reception that would be held on Monday, January 12, 2009 from 5:00 to 7:00 p.m. at the Omni Downtown Hotel in Austin. Mayor Gorden also reminded the Council about the Lufkin/Angelina County Day Reception that would be held on Wednesday, February 11, 2009, at 5:30 p.m. at the Sheraton Austin Hotel in Austin.

City Manager Parker stated that he also wanted to remind the Council about the "Grand Opening" of the Ellen Trout Zoo Education Center and Administration Complex on Monday, December 22, 2008 from 4:00 to 6:00 p.m.

14. There being no further business for consideration, the meeting adjourned at 7:03 p.m.

Jack Gorden

Jack Gorden, Mayor

Renee Thompson

Renee Thompson – City Secretary