

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 15TH DAY OF DECEMBER, 2009

On the 15th day of December, 2009, 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
Don Langston	Mayor Pro-Tern
R. L. Kuykendall	Councilmember, Ward No.1
Robert Shankle	Councilmember, Ward No.2
Lynn Torres	Councilmember, Ward No.3
Rufus Duncan	Councilmember, Ward No.5
Phil Medford	Councilmember, Ward No.6
Paul L. Parker	City Manager
Keith Wright	Deputy City Manager
Robert Flournoy	City Attorney
Bruce Green	Asst. City Attorney
Renee Thompson	City Secretary
Rodney Ivy	Human Resource Director
Scott Marcotte	Police Chief
Gerald Williamson	Asst. Police Chief
Danny Kistner	Fire Chief
Doug Wood	Finance Director
Dorothy Wilson	Planning Director
Barbara Thompson	Main Street Director
Jim Wehmeier	Economic Development Director
Dale Allred	Inspection Services Director
Lee Fran Skelton	Fire Marshall

being present, when the following business was transacted:

1. The meeting was opened with prayer by Deputy City Manager Keith Wright.
2. Mayor Jack Gorden welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of December 1, 2009 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Robert Shankle. 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 CHANGING THE ZONING DESIGNATION ON LAND DESCRIBED AS BEING LOCATED ALONG THE SOUTHWEST SIDE OF FM 819, AND BEING A SUBDIVISION OF 51.155 ACRES OF THE JOSE MARIA SOTO SURVEY, ABSTRACT NO. 44, ANGELINA COUNTY, TEXAS, AN "AGRICULTURAL ZONING DISTRICT" TO A "COMMERCIAL ZONING DISTRICT" 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 changing the zoning designation on land described as being located along the southwest side of FM 819, and being a subdivision of 51.155 acres of the Jose Maria Soto Survey, Abstract No. 44, Angelina county, Texas, an "Agricultural Zoning District" to a "Commercial Zoning District" and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that Landinvest 2009, LLC was requesting a zone change from "Agricultural" to "Commercial". City Manager Parker added that the general location of the property was on the southwest side of PM 819 and was approximately three thousand (3,000) feet south of the intersection with US Hwy 59. City Manager Parker explained that the property was across the street and to the left coming out of the rear entrance of Crown Colony. City Manager Parker stated that the Planning and Zoning Commission had recommended that the City Council approve the request. City Manager Parker added that the tract was 51.155 total acres that was presently undeveloped. City Manager Parker stated that the location was surrounded by Crown Colony across the street, which was residential, but was also adjacent to property zoned "Agricultural", as well as the Pentecostal Camp Ground. City Manager Parker stated that since the last Council Meeting the City had received several inquiries and communications from individuals who were primarily from the Crown Colony Subdivision, which was adjacent to the subject property. City Manager Parker explained that the individuals had some concerns regarding the zoning of the property. City Manager Parker stated that Staff had visited with the owners of the property, and that these owners might have an amended proposal to make to the Council for their consideration. City Manager Parker then suggested that the Mayor open the Public Hearing and requested that the Council first hear from Mr. Rick Ainsworth, who could possibly clear up some of the concerns.

Councilmember Rufus Duncan asked to be recused from the discussion and the vote concerning the zone change. Mayor Gorden then instructed City Secretary Renee Thompson to show Councilmember Duncan recused from the agenda item.

Mayor Gorden opened the Public Hearing 5:08 p.m. and asked anyone who wished to speak on the item to please step forward. Speaking concerning the zone change were:

Rick Ainsworth

Dale Boren
Dennis Johnston
Ed Booth
Scott Taylor
Don McBride
Buddy Zeagler
Raymond Vann
Jim Brody

Mayor Gorden closed the Public Hearing at 5:43 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford stated that the City's present notification system left something to be desired. Councilmember Medford added that he and City Manager Parker had recently discussed the issue. Councilmember Medford stated that he knew that other cities such as Nacogdoches, Tyler and Austin placed highly visible signs near the site of pending zone changes. Councilmember Medford explained that he thought that was prudent, and would assist in notifying people living outside of the two hundred foot (200') notification area.

Councilmember Medford stated that he did not think that changing the zone on the two (2) parcels in question would automatically give the developers leverage for an additional zone change. Councilmember Medford added that he thought that would be a standalone item, such as the request that was currently being discussed. Councilmember Medford explained that the Council was discussing changing the zone on fifteen (15) acres, and that he commended those involved in the project for amending their application. Councilmember Medford stated that he understood the thoughts going into the original application, but felt that the right thing had been done by the developer coming back and asking to zone what was intended to be developed at the present time. Councilmember Medford added that the apartments were the lowest use, above "Single Family Residential" Zoning, that was used as a buffer, and that it made sense to use that approach to develop the tract.

Councilmember Don Langston stated that the citizens concerned with the zone change were his neighbors, and that he had heard a lot of diverse opinions with various conclusions. Councilmember Langston added that whenever asked, he had expressed his personal views on zoning, which most of his neighbors would find to be rather liberal, compared to their views on zoning. Councilmember Langston stated that he was in favor of property rights, because use of property through ownership was a right. Councilmember Langston stated that he also understood that whenever one came into a community with regulations, there were processes for fair hearings, and that people should have the right to be heard. Councilmember Langston added that he was hopeful that part of the solutions that had been discussed at the current meeting, such as signage and notifying people of upcoming zone changes, would be a positive step in the right direction. Councilmember Langston stated that he understood that the issue came on the neighborhood's radar at a late time in the process, which made it even more difficult to digest. Councilmember Langston stated that he came to the meeting in a dilemma, in that he understood that there was a commercial designation to deliberate on, and that he had some definite thoughts in that regard. Councilmember

Langston explained that whenever he learned that the designation had been revised to what he considered acceptable, it may have caught some people off guard. Councilmember Langston added that he understood the desire of some to table the issue, so that the request could be more fully digested. Councilmember Langston then polled the opinions of the audience members concerning the development of the property. Councilmember Langston then explained that there was a dilemma, because there was a piece of property that was located in the City and was in the tax base, and that the City was all about economic development and asked for orderly development, yet there wasn't a use that would be acceptable to the neighborhood except for residential. Councilmember Langston stated that even though it didn't follow his philosophy toward orderly development of the City, he, as their representative, would have to go along with the wishes of the neighborhood.

Councilmember Medford stated that he understood the request to table the item, but at the same time, if the sentiment was that nothing was acceptable but "Single Family Residential", there would be no reason to table the item. Councilmember Medford explained that the issue was a "yes" or "no" decision concerning residential or non residential, and that he wasn't sure what tabling the issue would accomplish.

Councilmember Lynn Torres stated that in light of the changes and the due diligence of the applicant, that she moved to approve the Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation on land described as being Lot 1 and Lot 2 of Landinvest FM 819 Subdivision, Angelina County, Texas, amending an "Agricultural Zoning District" to a "Office Zoning District" on Lot 1 and an "Apartment Zoning District" on Lot 2, and authorizing the City Planner to make such changes on the Official Map. Councilmember Phil Medford seconded the motion. The following vote was recorded:

Aye: Mayor Jack Gorden, Council Members R.L. Kuykendall, Lynn Torres, Robert Shankle, and Phil Medford

Nay: Councilmember Don Langston

The motion carried with five (5) affirmative votes and one (1) negative vote.

NEW BUSINESS:

5. FIRST READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - TABLED - AMENDING ORDINANCE 3548 OF THE CITY OF LUFKIN, TEXAS, REPEALING CONFLICTING AND INCONSISTENT PROVISIONS, ADOPTING THE 2006 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE AND ALL AMENDMENTS, SCHEDULES AND APPENDICES LISTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE
6. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 3676 AND AMENDED ORDINANCE 3680 OF THE CITY OF LUFKIN, TEXAS, - TABLED- REPEALING CONFLICTING AND INCONSISTENT PROVISIONS, ADOPTING THE 2006 INTERNATIONAL BUILDING CODE AND ALL AMENDMENTS,

SCHEDULES AND APPENDICES LISTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE

7. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 2680 OF THE CITY OF LUFKIN, TEXAS, • TABLED• REPEALING CONFLICTING AND INCONSISTENT PROVISIONS, ADOPTING THE 2006 INTERNATIONAL EXISTING BUILDING CODE AND ALL AMENDMENTS, SCHEDULES AND APPENDICES LISTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE
8. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 3674 OF THE CITY OF LUFKIN, TEXAS, • TABLED• REPEALING CONFLICTING AND INCONSISTENT PROVISIONS, ADOPTING THE 2006 INTERNATIONAL FIRE CODE AND ALL AMENDMENTS, SCHEDULES AND APPENDICES LISTED HEREIN, AND PROVIDING FOR AN EFFECTIVE DATE
9. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 3678 OF THE CITY OF LUFKIN, TEXAS, • TABLED - REPEALING CONFLICTING AND INCONSISTENT PROVISIONS, ADOPTING THE 2006 INTERNATIONAL FUEL GAS CODE AND ALL AMENDMENTS, SCHEDULES AND APPENDICES LISTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE
10. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 3679 OF THE CITY OF LUFKIN, TEXAS, - TABLED - REPEALING CONFLICTING AND INCONSISTENT PROVISIONS, ADOPTING THE 2006 INTERNATIONAL MECHANICAL CODE AND ALL AMENDMENTS, SCHEDULES AND APPENDICES LISTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE
11. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 3677 OF THE CITY OF LUFKIN, TEXAS, - TABLED - REPEALING CONFLICTING AND INCONSISTENT PROVISIONS, ADOPTING THE 2006 INTERNATIONAL PLUMBING CODE AND ALL AMENDMENTS, SCHEDULES AND APPENDICES LISTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE
12. FIRST READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS - TABLED - ADOPTING THE 2006 INTERNATIONAL ENERGY CONSERVATION CODE AND ALL AMENDMENTS, SCHEDULES AND APPENDICES LISTED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance of the City of Lufkin, Texas, amending Ordinance 3548 of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions, adopting the 2006 Edition of the International Residential Code and all amendments, schedules and appendices listed herein; and providing for an effective date. Mayor Gorden added that several of the upcoming items pertained to code changes.

City Manager Paul Parker stated the next eight (8) items were all related to the same preface that he would go through on the current item in question. City Manager Parker stated that the Staff of the Inspection Services and Fire Departments had been studying the updating of the

City's Codes. City Manager Parker explained that the City was currently using the 2003 Codes and classifications, and that the 2009 Codes were about to come out. City Manager Parker stated that the acceptable ISO Ratings, which were the ratings that guided the insurance, stated that the City needed to be within at least two (2) codes in order to be current, and to maintain all of the points in an ISO Rating.

City Manager Parker stated that the City was recently contacted by an inspector from the Community Mitigation Field Representatives for the Insurance Service Organization (ISO) who stated that they were going to inspect just the portion related to codes. City Manager Parker added that an item later on the agenda was regarding having someone come in to look at the entire ISO Rating, and that Staff felt that the City could improve its rating. City Manager Parker explained that the current rating was four (4), and that the City could probably achieve a three (3), or even possibly a two (2), with a new rating. City Manager Parker stated that the City of Lufkin had not been rated since 1996. City Manager Parker added that on one (1) hand the Staff was looking at updating the codes, and on the other hand Staff was considering the ISO Rating, when the City suddenly had an inspector come in wanting to look at the codes. City Manager Parker explained that this lead up to Staff bringing the eight (8) codes to the Council. City Manager Parker added that the codes only represented about 1.5 points out of a possible one hundred ten (110) points in the rating. City Manager Parker stated that having the codes updated would not automatically raise the ISO Rating. City Manager Parker explained that if the Council did not adopt the codes in a timely fashion for the inspector, the City could still recoup the ratings at a later time. City Manager Parker stated that plans were well underway to update the codes, regardless of the inspector. City Manager Parker explained that Staff had already been making revisions, but the inspection prompted bringing the codes to the Council in a more rapid fashion, and led to bringing the eight (8) codes to the Council at one (1) time.

City Manager Parker stated that this was the preface for each of the following codes on the agenda. City Manager Parker added that all of the codes were related, and that the only new code was the International Energy Code. City Manager Parker explained that Inspection Services Director Dale Allred and the Fire Department Staff had put together their recommendations and changes to the Council. City Manager Parker stated that each of the Council Members had also received a copy of the Ordinances and proposals in advance. City Manager Parker added that Staff was requesting a general discussion on how the Council wanted to approach the items. City Manager Parker asked if Council wanted a detailed approach on each separate code, or a general concept of all of the Ordinances.

Mayor Gorden stated that the Council could take as much time as was needed. Mayor Gorden added that since the codes only represented approximately 1.5 points out of a possible one hundred ten (110) points, that he would personally take time to make sure that every part could be agreed with. Mayor Gorden stated that any parts that the Council didn't agree with and did not hurt the ISO Rating could possibly not be included. Mayor Gorden then explained some of the issues that he had with some of the codes. Mayor Gorden asked when the inspection would take place.

City Manager Parker stated that the inspection would not take place until January 2010. City Manager Parker added that the inspector was due to come in December 2009, but that Inspection Services Director Dale Allred had gotten it postponed. City Manager Parker

explained that the codes did not have to be adopted, but did need to be in the process of adoption, by the time of the inspection. City Manager Parker then asked Mr. Allred to update the Council concerning the inspection.

Mr. Allred stated that his understanding, when talking to the Mitigation Representative, was that if the City was in the process of adoption it would be counted as "in progress of adopting a current code". Mr. Allred added that amending a current code would be treated almost the same as not adopting the current code. Mr. Allred explained that weakening the code would cause penalties, and that this was stated in the letter from the inspector.

The Mayor, Council and Staff then discussed ISO Ratings and how it related insurance rates. City Manager Parker stated he wanted to make sure the Council understood that Staff was not bringing the codes for consideration because of the ISO Ratings. City Manager Parker explained that Staff had been working on updating the codes for some time. City Manager Parker added that the ISO Rating was not as pertinent as the need to update and get the right thing for Lufkin.

There was additional discussion among the Council and Staff concerning the details in the codes, and how they would affect development in the City. The Council discussed forming a committee to go over the codes and discuss changes, concerns and solutions for updating the codes.

Councilmember Rufus Duncan moved to table agenda item five (5) which was the First Reading of an Ordinance of the City of Lufkin, Texas, amending Ordinance 3548 of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions, adopting the 2006 Edition of the International Residential Code and all amendments, schedules and appendices listed herein; and providing for an effective date, item six (6) which was the First Reading of an Ordinance amending Ordinance 3676 and amended Ordinance 3680 of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions, adopting the 2006 International Building Code and all amendments, schedules and appendices listed herein; and providing for an effective date, item seven (7) which was the First Reading of an Ordinance amending Ordinance 2680 of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions, adopting the 2006 International Existing Building Code and all amendments, schedules and appendices listed herein; and providing for an effective date, item eight (8) which was the First Reading of an Ordinance amending Ordinance 3674 of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions, adopting the 2006 International Fire Code and all amendments, schedules and appendices listed herein, and providing for an effective date, item nine (9) which was the First Reading of an Ordinance amending Ordinance 3678 of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions, adopting the 2006 International Fuel Gas Code and all amendments, schedules and appendices listed herein; and providing for an effective date, item ten (10) which was the First Reading of an Ordinance amending Ordinance 3679 of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions, adopting the 2006 International Mechanical Code and all amendments, schedules and appendices listed herein; and providing for an effective date, item eleven (11) which was the First Reading of an Ordinance amending Ordinance 3677 of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions, adopting the 2006 International Plumbing Code and all amendments, Schedules and appendices listed herein; and providing for an effective date, and item twelve

(12) which was the First Reading an Ordinance of the City of Lufkin, Texas adopting the 2006 International Energy Conservation Code and all amendments, schedules and appendices listed herein; and providing for an effective date. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

13. AUTHORIZATION TO HIRE MIKE PIETSCHKE, - APPROVED - AN ISO CONSULTANT, TO CONDUCT PHASE I OF A THREE PHASE, MULTI-PHASE PROJECT TO DETERMINE THE FEASIBILITY OF IMPROVING THE CITY'S ISO GRADING

Mayor Jack Gorden stated that the next item for consideration was the authorization to hire Mike Pietsche, an ISO Consultant, to conduct Phase I of a three phase, multi-phase project to determine the feasibility of improving the City's ISO grading.

City Manager Paul Parker stated this item was in line with the Council's previous discussions. City Manager Parker stated that after Fire Chief Danny Kistner was hired, but before he had actually come to work, he had talked about the City's ISO Ratings. City Manager Parker added that it just so happened that the inspector came in that predicated the portion of the codes that had been previously discussed. City Manager Parker stated that the ISO Total Rating was more than just codes. City Manager Parker explained that the ISO was the Insurance Services Organization, and was what insurance companies used to evaluate the safety of structures for insurance purposes. City Manager Parker explained that the higher the ISO Rating the more likely the City was to pay a higher premium. City Manager Parker stated that the City of Lufkin was presently rated a four (4), which was a very good rating for a city the size of Lufkin. City Manager Parker added that approximately forty percent (40%) of an ISO Rating was related to water lines and water improvements. City Manager Parker stated that since 1996, the City of Lufkin had made a tremendous amount of improvements to its water system and hydrants with the Asbestos Water Line Program. City Manager Parker added that, in itself, would go a long way in the rating. City Manager Parker stated that the City had bought the new ladder truck and added an additional fire station, along with many other things that should help the City. City Manager Parker stated that Staff was looking at a new pumper truck this year, but needed someone to come in that was familiar with the grading system. City Manager Parker added that Mike Pietsche was the individual who was most known in the State. City Manager Parker explained that he had visited with Mr. Pietsche at a Texas Municipal League Meeting, and then Mr. Pietsche had been to Lufkin to speak to the Staff concerning what would be involved in the study. City Manager Parker stated that the Study was basically done in three (3) phases. City Manager Parker explained that Staff was only asking for authorization to do the first phase, which would not exceed the total amount of eleven thousand dollars (\$11,000). City Manager Parker stated that the first phase would be where an assessment would be done, and they would do a mock walk through of what the ratings would be. City Manager Parker stated that if it appeared that it would be feasible to go forth with a full rating, then Staff would return with a request to do the next phases, which would take the City through the application process for the ISO and then inspectors would come to Lufkin to do an actual ISO Rating. City Manager Parker explained that the real benefit would be to the residents of Lufkin, with the largest benefit falling into the "commercial" category. City Manager Parker added that if it did indeed produce a nine percent (9%) drop in rates, then it would be a significant savings to the property owners in Lufkin for insurance purposes, and also would get the City better fire

protection. City Manager Parker stated that last phase also went into how to improve the department and how to look at station locations, and eventually would come down to spending more funds by adding more manpower and equipment. City Manager Parker added that the City couldn't afford to do that just to justify reducing insurance, but wouldn't know until the study was done to evaluate cost versus needs. City Manager Parker stated that the decision was in the hands of the City Council.

Councilmember Rufus Duncan asked if the City decided to stay with the 2000 Code in some areas, instead of adopting the 2006 Code, would Mr. Pietsche be able to use this study to explain the impact on the ISO Rating. City Manager Parker stated that the study that Mr. Pietsche had proposed was set up to do that. City Manager Parker added that he did not think that the earlier action of tabling the items on the codes would negatively impact the City. City Manager Parker stated that in the review Mr. Allred would explain that the City of Lufkin was in the process of updating the codes and was getting a committee to look at the changes. City Manager Parker stated that Mr. Pietsche's study would not only cover the codes, but would also go into fire apparatus, manpower, water utility locations, water pressure, and many other different variables. City Manager Parker then asked Fire Chief Kistner to explain the point system.

Fire Chief Danny Kistner stated that the total points that could be accumulated were one hundred ten (110) points. Chief Kistner added that anywhere from ninety (90) to one hundred ten (110) points would get a city an ISO Class 1 rating. Chief Kistner stated that the remainder of the system was broken down accordingly. Chief Kistner explained that the City might be able to go from a four (4) to a three (3) or two (2) by doing different things, and was not just increasing staffing. Chief Kistner stated that station relocation, improving training records, or improving something within communications were some options that would assist in lowering the City's rating. Chief Kistner explained that the City wouldn't know until Mr. Pietsche came in and did the study.

Mayor Gorden stated that it sounded like the City needed to go forward with the first phase, and allocate the eleven thousand dollars (\$11,000). Mayor Gorden asked that after the initial phase, if it appeared the City would have a better chance to get a higher rating, then would the City have Mr. Pietsche come back and do the remaining phases. Chief Kistner stated that this would be the way the system would work. City Manager Parker stated that the second phase would be for the City to actually fill out the application, and that the third phase would be the actual ISO Rating for the City of Lufkin. City Manager Parker added that Mr. Pietsche had assisted so many other cities that he could help the City of Lufkin on how to pick up points here and there.

Councilmember Langston stated that if the City hired Mr. Pietsche for the first phase, that it would be a safe bet that the City would want to hire him for the remaining two (2) phases as well. City Manager Parker agreed that would probably be true, but reminded the Council of the one hundred thousand dollars (\$100,000) in contingency that had been set aside.

Councilmember Lynn Torres stated that this would better inform the Council about what needed to be done. Councilmember Torres added that it would be prudent to know more information. City Manager Parker stated that the last ISO Review was in 1996.

Councilmember Don Langston moved to authorize the hiring of Mike Pietsche, an ISO Consultant, to conduct Phase I of a three phase, multi-year project to determine the feasibility of improving the City's ISO grading. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

14. APPLICATION FOR THE U. S. DEPARTMENT OF JUSTICE, DEEP EAST TEXAS COUNCIL OF GOVERNMENTS (DETCOG) JUSTICE ASSISTANCE GRANT - APPROVED FOR VIOLENCE AGAINST WOMEN FOR THE POLICE DEPARTMENT

Mayor Jack Gorden stated that the next item for consideration was an application for the U. S. Department of Justice, Deep East Texas Council of Governments (DETCOG) Justice Assistance Grant for Violence Against Women for the Police Department.

City Manager Paul Parker stated that the grant application was for twelve thousand dollars (\$12,000), with no local match. City Manager Parker added that if the grant were approved, it would allow the City to purchase forty (40) digital cameras to be used by patrol officers and investigators to document injuries caused to victims of domestic violence. City Manager Parker stated that the grant was through the US Department of Justice, DETCOG Justice Assistance Grant for Violence Against Women and Staff requesting that the Council allow the City to apply for the funding.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres moved to approve the application for the U. S. Department of Justice, Deep East Texas Council of Governments (DETCOG) Justice Assistance Grant for Violence Against Women for the Police Department. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

15. 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 he had emailed the Council earlier in the week regarding the Sales Tax taking a large dive for the current month, compared to the same month last year. City Manager Parker added that the Sales Tax had an approximate twenty percent (20%) decrease. City Manager Parker explained that it was hard to compare month to month without understanding the circumstances that took place. City Manager Parker stated that the City had an audit rebate of approximately one hundred thirty-nine thousand dollars (\$139,000) in the same month of the previous year. City Manager Parker explained that the same month this year had a thirty thousand dollar (\$30,000) rebate. City Manager Parker stated that approximately one hundred ten thousand dollars (\$110,000) of the shortfall was actually an audit rebate. City Manager Parker added that there would still have been an approximate eleven percent (11 %) decrease in Sales Tax, instead of the twenty percent (20%) decrease. City Manager Parker stated that this was the fourth month in a row with a Sales Tax decrease. City Manager Parker stated that Staff was looking at this, and several of the larger Administrative Departments had met and had discussed ways to slow down the hiring process and some other methods. City Manager

Parker added that Staff was not in a panic mode, because the City Council had planned well for unforeseen needs, and the City still had a budget in excess of two million dollars (\$2,000,000) above the twenty-five percent (25%) reserve. City Manager Parker stated that the City was approximately two hundred fifty thousand dollars (\$250,000) below last year in Sales Tax. City Manager Parker explained that Sales Tax made up roughly forty percent (40%) of the General Fund Operations. City Manager Parker stated that if Economic Development was counted then the Sales Tax made up approximately forty-three percent (43%) of the budget. City Manager Parker added that other factors made up the remainder, such as Property Tax, ambulance runs, forfeitures, fines, and permits.

City Manager Parker stated that the City was not in a trend that was seen in other cities in the metropolitan area where there were mandatory cutbacks and furloughs and so forth. City Manager Parker explained that Staff was monitoring the situation and were already taking preliminary steps, in case the trend continued, so the City would not run itself into any financial problems. City Manager Parker added that the positive news was that the City Council planned well, and the City had the ability to withstand some shortfalls, but a two hundred fifty thousand dollar (\$250,000) deficit in two (2) months did get attention from a management's standpoint. City Manager Parker stated that Council could rest assured that Staff had already started making steps to slow down spending of capital.

City Manager Parker stated that the City was in good shape with the remainder of the revenues, other than the Sales Tax. City Manager Parker added that he would not go through the remaining funds unless the Council had questions. City Manager Parker pointed out that the Water and Sewer Funds were always lower during this time of year, and then picked up during the summer months. City Manager Parker added that the Solid Waste Department was right on budget. City Manager Parker reiterated that he would answer any questions from the Council concerning the Revenues.

Councilmember Don Langston stated that he was very impressed with the amount of information that the Council received, and was also available to the public through the website. Councilmember Langston added that there should never be a complaint from a citizen that they were uninformed as to how the City utilized its funds. Councilmember Langston reiterated that the City did a tremendous job making sure that information was totally available, and that he commended Staff for that. Councilmember Langston stated that City Manager Parker instituted the summary (Financial Status Report) that always gave Council the opportunity to look ahead of time and ask their questions.

City Manager Parker reminded the Council that their copies of the City of Lufkin Budget had been provided, and that it had been several years in a row that the City of Lufkin had award winning budgets for accounting. City Manager Parker added that Finance Director Doug Wood and his staff did a tremendous job compiling the information that was included in the reports and the yearly budget. City Manager Parker stated that whenever a person looked at what it took to run a City and prepare the budget, they would see that a pretty substantial document had been compiled.

City Manager Parker stated that the Council had the Project Status Report included in the packet, and that he would answer any questions that the Council had regarding any project. City Manager Parker added that Staff was getting projects that were in the Capital Fund ready to bid, because pricing was good at the current time.

Councilmember Langston asked if the blocked street at the entrance to Crown Colony was a project that the City of Lufkin was doing. City Manager Parker stated that it was part of the I and I Study. City Manager Parker added that it was not City crews that were working there. City Manager Parker stated that he would double check to find out for sure what was being done.

16. Mayor Jack Gorden stated that there was no need for an Executive Session that evening.

17. **DISCUSSION OF ITEMS OF COMMUNITY INTEREST, INCLUDING EXPRESSIONS OF THANKS, CONGRATULATIONS OR CONDOLENCE; INFORMATION REGARDING HOLIDAY SCHEDULES; HONORARY RECOGNITIONS OF CITY OFFICIALS, EMPLOYEES OR OTHER CITIZENS; REMINDERS ABOUT UPCOMING EVENTS SPONSORED BY THE CITY OR OTHER ENTITY THAT IS SCHEDULED TO BE ATTENDED BY CITY OFFICIALS OR EMPLOYEES; AND ANNOUNCEMENTS INVOLVING IMMINENT THREATS TO THE PUBLIC HEALTH AND SAFETY OF THE CITY**

Mayor Gorden stated that the next item for consideration was the discussion of items of community interest, including expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary recognitions of City officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of the City.

City Manager Parker stated that there were several events that were highlighted in January on the Council Calendar. City Manager Parker asked the Council to let City Secretary Renee Thompson know which events they planned to attend, so that reservations could be made.

City Manager Parker stated that he wanted to commend many of the City Departments for the work put into decorating the Downtown area. City Manager Parker added that many of the City workers spent a lot of time and effort making sure that City Hall and Downtown looked great. City Manager Parker then wished the Council Merry Christmas and that hopefully everyone would have a safe holiday. Mayor Gorden wished the same to City Manager Parker and to all of the City Staff.

11. There being no further business for consideration, the meeting adjourned at 6:35 p.m.

Jack Gorden, Mayor

Renee Thompson - City Secretary