

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 18th DAY OF MARCH, 2014.

On the 18TH day of March, 2014, 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:

Bob F. Brown	Mayor
Lynn Torres	Mayor Pro-Tem
Victor Travis	Councilmember, Ward No. 1
Don Langston	Councilmember, Ward No. 4
Rufus Duncan	Councilmember, Ward No. 5
Sarah Murray	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Keith Wright	Deputy City Manager
Bruce Green	City Attorney
Kara Atwood	City Secretary
Rodney Ivy	Human Resources Director
Gerald Williamson	Police Chief
David Thomas	Assistant Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Steve Poskey	Street Department Director
Chuck Walker	Public Utilities Director
Mike Akridge	Parks & Recreation Director
Dale Allred	Inspection Services Director
Thad Chambers	Economic Development Director
Barbara Thompson	Main Street Director

being present; and

Robert Shankle	Councilmember, Ward No. 2
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being absent when the following business was transacted.

1. The meeting was opened with prayer by Brother Vic Bass of Faith Family Church.
2. Mayor Bob Brown welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting held March 4, 2014, were approved on a motion by Councilmember Sarah Murray and seconded by Councilmember Lynn Torres. A unanimous affirmative vote was recorded to approve the minutes as presented.

4. **OATH OF OFFICE TO LUFKIN FIREFIGHTERS SCOTT SHIPLEY, JULIAN WOOD AND JACOB SNIDER**

Mayor Bob Brown issued the Oath of Office to Lufkin Firefighters Scott Shipley, Julian (J.R.) Wood and Jacob Snider.

5. **PROMOTION CEREMONY: LUFKIN POLICE DEPARTMENT CORPORAL TRAVIS STRICKLAND TO THE RANK OF SERGEANT, OFFICER BRADLEY BAKER TO THE RANK OF CORPORAL AND OATH OF OFFICE TO ASSISTANT POLICE CHIEF DAVID THOMAS**

Mayor Bob Brown promoted Corporal Travis Strickland to Sergeant and Officer Bradley Baker to Corporal. Police Chief Gerald Williamson pinned the badges for both. Mayor Brown then issued the Oath of Office to Assistant Police Chief David Thomas.

NEW BUSINESS:

6. **PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING AND FUTURE LAND USE MAP TO “COMMERCIAL” ON PROPERTY DESCRIBED AS 4766 LANDINVEST FM 819 SUBDIVISION – APPROVED**

Mayor Bob Brown stated the next item was to conduct a Public Hearing and consider on First Reading an Ordinance amending the Zoning Ordinance by changing the zoning and Future Land Use map to “Commercial” on property described as 4766 Landinvest FM 819 Subdivision.

City Manager Paul Parker stated a request had been received by owner Jane Ainsworth for a request in the change of zoning as stated. City Manager Parker stated the property meets the required size and the purpose of the request was to enhance future development. City Manager Parker furthered the property was adjacent to a new apartment complex. City Manager Parker stated the property was currently vacant and no opposition had been received in response to this request. City Manager Parker concluded that both Staff and the Planning & Zoning Commission recommended approval of this item.

Councilmember Rufus Duncan recused himself from any discussion or vote on the item.

Mayor Brown opened the Public Hearing at 5:15 p.m. There being no one who wished to speak on the matter, Mayor Brown closed the Public Hearing and requested comments or motions from City Council.

Councilmember Victor Travis moved to approve the First Reading of an Ordinance amending the Zoning Ordinance by changing the zoning and Future Land Use map to “Commercial” on property described as 4766 Landinvest FM 819 Subdivision. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded along with Councilmember Rufus Duncan’s recusal.

7. **ACCEPTANCE OF CERTIFICATION FROM CITY SECRETARY CANCELING THE MUNICIPAL ELECTION SCHEDULED FOR MAY 10, 2014 TO ELECT A CITY COUNCIL MEMBER FOR WARD NO. 5 AND WARD NO. 6 AND FIRST READING OF AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 10, 2014 GENERAL CITY ELECTION, ELECTED TO OFFICE AND CANCELLING THE ELECTION – APPROVED**

Mayor Bob Brown stated the next item was consider acceptance of Certification from City Secretary canceling the Municipal Election scheduled for May 10, 2014 to elect a City Council Member for Ward No. 5 and Ward No. 6 and consider on First Reading an Ordinance declaring unopposed candidates in the May 10, 2014 General City Election, elected to office and cancelling the election.

Councilmember Lynn Torres moved to accept the Certification and approve the Ordinance on First Reading cancelling the May 10th, 2014 General City Election and declaring the unopposed candidates for Ward No. 5 and No. 6 elected to office. Councilmember Don Langston seconded the motion and a unanimous vote to approve was recorded.

8. **FIRST READING OF AN ORDINANCE PROVIDING FOR THE ABANDONMENT, VACATION AND CLOSURE OF AN ALLEY LOCATED BETWEEN WEST POLK AND WEST LAUREL AVENUE AND AUTHORIZING THE CITY MANAGER TO CONVEY THE PROPERTY TO ADJACENT PROPERTY OWNERS UPON PAYMENT OF FAIR MARKET VALUE – APPROVED**

Mayor Bob Brown stated the next item was to consider on First Reading an Ordinance providing for the abandonment, vacation and closure of an alley located between West Polk and West Laurel Avenue and authorizing the City Manager to convey the property to adjacent property owners upon payment of fair market value.

City Manager Paul Parker stated this item was a continuation of the Council's previous action to sell surplus property. City Manager Parker stated this property was an alley located between West Polk and West Laurel Avenue that was adjacent to several property owners; however, only three (3) were interested. City Manager Parker continued that the property would be divided and sold to adjacent property owners Mr. Wayne Cook in the amount of three hundred sixteen dollars and sixty-seven cents (\$316.67); Mr. Mario Fuentes in the amount of two hundred twenty-three dollars and forty-seven cents (\$223.47); and Mr. Joe Treadwell in the amount of two hundred forty dollars and eleven cents (\$240.11) through a quit claim deed upon payment. City Manager Parker concluded that Staff recommended City Council approve the sale of the alley as stated, with the knowledge that the City would retain the necessary utility easements.

Councilmember Rufus Duncan moved to approve the First Reading of the Ordinance for the closure of the alley as stated and authorizing the sale of said alley to the adjacent property owners. Councilmember Don Langston seconded the motion and unanimous vote to approve was recorded.

9. **RESOLUTION ESTABLISHING THE FEE SCHEDULE FOR EMERGENCY MEDICAL SERVICES BASE RATES AND MILEAGE USED IN EMERGENCY MEDICAL TRANSPORT BILLING – APPROVED**

Mayor Bob Brown stated that the next item was to consider a Resolution establishing the fee schedule for Emergency Medical Services base rates and mileage used in emergency medical transport billing.

City Manager Paul Parker stated that a document had been distributed to City Council regarding the number of ambulance runs documented by the Fire Department in 2013. City Manager Parker stated the Fire Department conducts a tremendous amount of Emergency Medical Service calls; basically due to the Department providing services to all of Angelina County. City Manager Parker furthered that as Council was aware, Staff was currently in the process of bringing the ambulance billing process back in house. City Manager Parker stated that during recent training of employees, it was determined that the Affordable Care Act had altered the billing requirements for Medicaid and Medicare, and no longer allowed for itemized billing. City Manager Parker stated that it had to be billed under a base rate for services. City Manager Parker stated that this Resolution would remove the itemized billing schedule and include a fee for treat/no-transport patients. City Manager Parker continued that this fee would be charged for a patient that was treated on the scene, but refused transport. City Manager Parker stated the fee would be one hundred seventy-five dollars (\$175.00) for a treat/no-transport. City Manager Parker concluded that Staff recommended City Council approve the Resolution as presented.

Councilmember Don Langston expressed concern regarding the billing amounts and requested that an in-depth review and study be conducted to determine the true cost of providing Emergency Medical Services. Councilmember Langston stated this was needed so that City Council could make an educated decision regarding rate amounts for these services. City Manager Parker agreed that a review needed to be conducted; however, this would possibly require outside services in order to obtain a detailed study which included both direct and indirect costs.

Councilmember Don Langston moved to approve the Resolution as presented, with the request that a detailed study be completed by the budget process regarding the true cost of providing Emergency Medical Services. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

10. **PURCHASE OF APPROXIMATELY 7.8 ACRES OF PROPERTY KNOWN AS 2301 NORTH RAGUET STREET AND A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 12 APPROPRIATING FUNDING FOR THE PURCHASE – APPROVED**

Mayor Bob Brown stated that Item No. 10 was to consider approval of the purchase of approximately 7.8 acres of property known as 2301 North Raguet Street and a Resolution authorizing Budget Amendment No. 12 appropriating funding for the purchase.

City Manager Paul Parker stated that for several years the City has had an interest in purchasing the property adjacent to Morris Frank Park located at 2301 North Raguet Street for park usage; however the cost had been too high. City Manager Parker furthered that the City had recently been contacted by the owner who wished to now sell the property for a reasonable amount. City Manager Parker furthered that a rendering had been included in the Council Packet to show the number of soccer fields and a possible new entrance that could be added to the Park should the property be obtained by the City. City Manager Parker stated that the fields would be done mostly in-house as funding allowed. City Manager Parker furthered that the total cost for the property was sixty-two thousand four hundred forty dollars (\$62,440) and funding was available in the 2010 Capital Improvement Program Fund due to projects being completed under budget. City Manager Parker concluded that Staff recommended City Council approve the purchase of the property.

Councilmember Rufus Duncan moved to approve the purchase of the property and the Resolution which authorized Budget Amendment No. 12. Councilmember Victor Travis seconded the motion and a unanimous vote to approve was recorded.

11. **2013-2014 STREET RECONSTRUCTION PROGRAM - APPROVED**

Mayor Bob Brown stated the next item was to consider approval of the 2013-2014 Street Reconstruction Program

Street Department Director Steve Poskey presented the proposed Street Reconstruction Program. Director Poskey highlighted the planned reconstructions for each Ward.

City Manager Paul Parker stated that six hundred thousand dollars (\$600,000) had been allocated for the program, with four hundred thousand dollars (\$400,000) being designated for the streets presented by Director Poskey, and the remaining funds of two hundred thousand dollars (\$200,000) being allocated for the repair of Angelina Street between Denman Avenue and Pershing Avenue. City Manager Parker furthered that the completion of that portion of the program would be postponed until sales tax revenues had improved, and if revenue did not increase, the project would not be completed until funding was available, possibly from unspent funding in the 2012 Capital Improvement Program Fund.

Councilmember Sarah Murray moved to approve the 2013-2014 Street Reconstruction Program as presented. Councilmember Victor Travis seconded the motion and a unanimous vote to approve was recorded.

12. **ACCEPTANCE OF FUNDING TO THE LUFKIN FIRE DEPARTMENT FROM THE STATE OF TEXAS LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION (LEOSE) FUND AND A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 11 – APPROVED**

Mayor Bob Brown stated the next item was to consider acceptance of funding to the Lufkin Fire Department from the State of Texas Law Enforcement Officer Standards and Education (LEOSE) fund and a Resolution authorizing Budget Amendment No. 11.

City Manager Paul Parker stated that recently the City had received funding from the Law Enforcement Officer Standards and Education (LEOSE) fund in the amount of nine hundred seven dollars and sixty-one cents (\$907.61), with no match required. City Manager Parker stated the funding would be utilized for training in the Fire Marshal's office. City Manager Parker concluded that Staff recommended acceptance of the funding and the approval of Budget Amendment No. 11.

Councilmember Lynn Torres moved to approve the acceptance of the funding and a Resolution which authorized Budget Amendment No. 11. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

13. **INSTALLATION OF A MONUMENT STREET SIGN ON GASLIGHT BOULEVARD BY THE LUFKIN LANDSCAPE TASK FORCE – WITHDRAWN**

Item No. 13 was requested to be withdrawn by the Lufkin Landscape Task Force.

14. **CITY MANAGER'S REPORT**

City Manager Parker highlighted the Financial Reports and noted that Sales Tax Revenue had not improved. City Manager Parker furthered that Staff hoped that this trend reversed and had taken steps to counter act the revenue decline. City Manager Parker stated that Water and Sewer Revenue was down; however, this should increase during the summer months. City Manager Parker furthered that the remainder of funds and expenditures were in good shape. City Manager Parker stated that the Municipal Court building and Fire Station No. 5 should be completed and occupied during April. City Manager Parker stated he would be glad to answer any questions related to the reports.

15. **EXECUTIVE SESSION**

Mayor Bob Brown welcomed Thad Chambers, the new Economic Development Director.

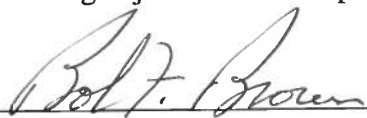
Mayor Bob Brown convened Executive Session at 5:45 p.m.

Mayor Bob Brown re-convened Regular Session at 6:05 p.m.


16. **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 Paul Parker stated that the calendar of upcoming events had been distributed and he would be glad to address any questions City Council might have concerning any meetings or events. Councilmember Victor Travis reminded City Council of the upcoming Teen Summit to be held at the Lufkin Middle School and invited all to attend. Mayor Brown reminded City Council of the meeting regarding the clean-up effort in North Lufkin.

17. There being no further business for consideration, the meeting adjourned at 6:10 p.m.



Bob F. Brown, Mayor



Kara Atwood, City Secretary

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