

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY  
OF LUFKIN, TEXAS HELD ON THE 17<sup>th</sup>, DAY OF SEPTEMBER, 2013.**

On the 17<sup>th</sup> day of September, 2013, 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:

Lynn Torres	Mayor Pro-Tem
Victor Travis	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
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
Scott Marcotte	Police Chief
Gerald Williamson	Assistant Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Chuck Walker	Public Utilities Director
Dorothy Wilson	Planning & Zoning Director
Steve Poskey	Street Department Director
Mike Akridge	Parks & Recreation Director
Barbara Thompson	Main Street Director
Dale Allred	Inspection Services Director

being present; and

Bob Brown	Mayor
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being absent when the following business was transacted.

1. The meeting was opened with prayer by Chaplain Rick Williams, Woodland Heights Hospital.
2. Mayor Pro Tem Lynn Torres welcomed visitors present and recognized those in attendance from Leadership Lufkin.
3. **APPROVAL OF MINUTES**

Minutes of the Minutes of the Regular Meeting held September 3<sup>rd</sup>, 2013 and the minutes of the Special Called Meeting held on September 10<sup>th</sup>, 2013 were approved on a motion by Councilmember Robert Shankle and seconded by Councilmember Sarah Murray. A unanimous affirmative vote was recorded to approve the minutes as presented.

**OLD BUSINESS:**

4. **SECOND READING OF AN APPROPRIATIONS ORDINANCE ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014 – APPROVED.**

Mayor Pro Tem Lynn Torres stated the next item was to consider on Second Reading an Appropriations Ordinance adopting a Budget for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014.

City Manager Paul Parker stated this item had been presented to City Council on numerous occasions. City Manager Parker continued that the proposed budget included the tax rate of 0.5038, which is the same as the current rate. City Manager Parker furthered that there was

no increase in water, sewer or solid waste rates. City Manager Parker stated that he would be happy to answer any questions City Council may have.

Mayor Pro Tem Torres then asked for comments or questions from City Council.

Councilmember Don Langston moved to approve the Second Reading of an Appropriations Ordinance adopting a Budget for the Fiscal Year beginning October 1, 2013 and ending September 30, 2014. Councilmember Victor Travis seconded the motion and a unanimous vote to approve was recorded.

5. **SECOND READING OF AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF LUFKIN AND PROVIDING FOR THE DEBT SERVICE FUND FOR THE FISCAL YEAR 2014 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE – APPROVED.**

Mayor Pro Tem Lynn Torres stated the next item was to consider on Second Reading an Ordinance levying taxes for the use and support of the Municipal Government of the City of Lufkin and providing for the Debt Service Fund for the Fiscal Year 2014 and apportioning each levy for the specific purpose.

City Manager Paul Parker stated that this item had also been presented at numerous meetings and the rate for the upcoming year would remain the same at 0.5038. City Manager Parker stated the approval of this rate would require specific language for the motion.

Councilmember Don Langston moved to approve the second reading of the Ordinance levying taxes and that the property tax rate be increased by the adoption of a tax rate of 0.5038, which is effectively a 0.80 percent increase in the tax rate. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

6. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY, APPROXIMATELY FOUR HUNDRED SEVENTY-TWO (472) ACRES OF PROPERTY LOCATED NORTHEAST OF THE CURRENT CITY LIMITS ALONG STATE HIGHWAY 103 EAST, TO THE CITY OF LUFKIN, TEXAS, AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY – APPROVED.**

Mayor Pro Tem Lynn Torres stated that Item No. 6 was to conduct a Public Hearing and consider on Second Reading an Ordinance annexing the hereinafter described territory, approximately four hundred seventy-two (472) acres of property located northeast of the current City Limits along State Highway 103 East, to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said property within the City Limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the acts and Ordinances of the said City.

City Manager Paul Parker stated this item had been discussed numerous times per State law requirements. City Manager Parker continued that at the previous Council meeting, Council modified the request to remove the residential areas in the initial annexation proposal. City Manager Parker furthered that the Industrial District agreement in conjunction with the annexation had been executed as well. City Manager Parker stated that even though the residential properties had been presently excluded, in ten (10) years when the Industrial District agreement allows for annexation, the adjoining residential properties will be annexed as well. City Manager Parker stated this in essence postponed the annexation of the residential properties. City Manager Parker concluded that Staff recommended approval of the Ordinance.

Mayor Pro Tem Torres opened the Public Hearing at 5:09 p.m. and asked anyone who wished to speak on the item to please step forward. Michael Parker spoke and requested that new map of the annexation area be made available to the public, and be posted on the website. City Manager Parker stated the new map could be obtained through the Planning and Zoning Department. There being no one further who wished to speak, Mayor Pro Tem Torres closed the Public Hearing and asked for comments or questions from City Council.

Councilmember Victor Travis moved to approve the second reading of an Ordinance annexing the hereinafter described territory, approximately four hundred seventy-two (472) acres of property located northeast of the current City Limits along State Highway 103 East, to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said property within the City Limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the acts and Ordinances of the said City. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

**NEW BUSINESS:**

7. **RESOLUTION OF THE CITY OF LUFKIN, TEXAS, AUTHORIZING ACCEPTANCE OF THE 2013 U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, FY 2013 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD IN THE SHARED AMOUNT OF THIRTEEN THOUSAND SEVEN HUNDRED FIFTY-ONE DOLLARS (\$13,751); AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF LUFKIN IN ALL MATTERS RELATED TO THE GRANT; AND PLEDGING THAT THE CITY OF LUFKIN WILL COMPLY WITH ALL REQUIREMENTS OF THIS GRANT PROGRAM AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2012/2013 OPERATING BUDGET (BUDGET AMENDMENT NO. 21), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE – APPROVED.**

Mayor Pro Tem Lynn Torres stated that Item No. 7 was to consider approval of a Resolution of the City of Lufkin, Texas, authorizing acceptance of the 2013 U.S. Department of Justice, Office of Justice Programs, FY 2013 Edward Byrne Memorial Justice Assistance Grant Award in the shared amount of thirteen thousand seven hundred fifty-one dollars (\$13,751); authorizing the City Manager to act on behalf of the City of Lufkin in all matters related to the grant; and pledging that the City of Lufkin will comply with all requirements of this grant program and a Resolution authorizing an amendment to the 2012/2013 Operating Budget (Budget Amendment No. 21), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date.

City Manager Paul Parker stated that the Lufkin Police Department had received a grant in the amount of thirteen thousand seven hundred fifty-one dollars (\$13,751) to be divided between the Lufkin Police Department and the Angelina County Sheriff's Department. City Manager Parker stated that the City would receive the funds and disburse to the County. City Manager Parker stated that Council approve the Resolution accepting the grant and Budget Amendment No. 21.

Councilmember Victor Travis moved to approve a Resolution of the City of Lufkin, Texas, authorizing acceptance of the 2013 U.S. Department of Justice, Office of Justice Programs, FY 2013 Edward Byrne Memorial Justice Assistance Grant Award in the shared amount of thirteen thousand seven hundred fifty-one dollars (\$13,751); authorizing the City Manager to act on behalf of the City of Lufkin in all matters related to the grant; and pledging that the City of Lufkin will comply with all requirements of this grant program and a Resolution authorizing an amendment to the 2012/2013 Operating Budget (Budget Amendment No. 21), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

8. **DONATION OF A RETIRED 1998 FREIGHTLINER FIRE ENGINE (VIN NO. 1FV6JLCA5XH959505) TO THE DIBOLL VOLUNTEER FIRE DEPARTMENT – APPROVED.**

Mayor Pro Tem Lynn Torres stated the next item was to consider approval of the donation of a retired 1998 Freightliner Fire Engine to the Diboll Volunteer Fire Department.

City Manager Paul Parker stated the City of Lufkin had a long history of providing assistance to local rural firefighting agencies in Angelina County and it has been the practice of the City of Lufkin to donate retired apparatus and vehicles to these agencies. City Manager Parker stated the City also benefitted from these donations due to the City having Mutual Aid agreements with the agencies that allow for them to provide manpower and equipment to the City should it be needed. City Manager Parker stated that when equipment was retired, the Fire Department evaluated the needs of local agencies to determine the best use of the equipment. City Manager Parker furthered that this engine was recommended to be donated to the Diboll Volunteer Fire Department for use in the Beulah area of Angelina County.

Councilmember Robert Shankle moved to approve the donation of the retired 1998 Freightliner Fire Engine to the Diboll Volunteer Fire Department. Councilmember Victor Travis seconded the motion and a unanimous vote to approve was recorded.

9. **RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2012/2013 OPERATING BUDGET (BUDGET AMENDMENT NO. 22), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE 2009 WATER/WASTEWATER CERTIFICATES OF OBLIGATION FUND; AND PROVIDING AN EFFECTIVE DATE – APPROVED.**

Mayor Pro Tem Lynn Torres stated the next item was to consider a Resolution authorizing an Amendment to the 2012/2013 Operating Budget (Budget Amendment No. 22), providing for the supplemental appropriation of funds in the 2009 Water/Wastewater Certificates of Obligation Fund; and providing an effective date.

City Manager Paul Parker stated that when the previous bond issue was passed several years ago, the process of completing water and sewer projects was brought “in house” and projects were now completed by City Staff, rather than being bid out to outside contractors. City Manager Parker stated this process had reduced costs and allowed for the completion of more projects. City Manager Parker furthered that due to the reduced costs; approximately six hundred thousand dollars (\$600,000) remained unobligated in this bond issue. City Manager Parker stated that in order for the City to fully utilize the Abitibi water rights, the construction of a twenty-four inch (24”) transmission line was necessary to transfer water from the wells on the Abitibi site to the southern part of the City. City Manager Parker stated the right-of-way for this line had been purchased previously. City Manager Parker furthered that the total cost of this portion of the project was approximately three million five hundred thirty-five thousand dollars (\$3,535,000); which included the purchase of ductile iron pipe. City Manager Parker stated that Staff wished to utilize the unobligated funds (\$600,000) to begin the purchase of the pipe and the road boars for the project. City Manager Parker continued that Staff anticipated issuing bonds in the fall of 2013 in order to complete the project, which included the construction of a water plant and the transmission line. City Manager Parker furthered that the entire project would be approximately seven million dollars (\$7,000,000). City Manager Parker continued that he wanted to make sure that City Council was aware that the request to utilize the unobligated funds for the purchase of the pipe was just the beginning of the project; and that Staff anticipated funding the remainder of the project with a bond issue and Fund 380. City Manager Parker stated the project would probably take two (2) years to complete. Councilmember Victor Travis questioned when the project would begin. City Manager Parker stated that once this Budget Amendment was approved, Staff would proceed with the purchase of the pipe and the necessary road bores. Councilmember Don Langston confirmed that this purchase was the beginning of a large approximately seven million dollar (\$7,000,000) project. City Manager Parker stated that it was. Councilmember Don Langston asked if City Manager Parker was comfortable with Staff completing the pipe-bursting projects. City Manager Parker stated that City Staff did an excellent job of completing pipe-bursting and construction projects and the City had saved funds by doing so. City Manager Parker furthered that the quality of work was much better as well.

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Councilmember Rufus Duncan moved to approve Resolution authorizing an Amendment to the 2012/2013 Operating Budget (Budget Amendment No. 22), providing for the supplemental appropriation of funds in the 2009 Water/Wastewater Certificates of Obligation Fund; and providing an effective date. Councilmember Victor Travis seconded the motion and a unanimous vote to approve was recorded.

10. **CITY MANAGER'S REPORT**

City Manager Paul Parker stated that City Council had the monthly financial reports in the packet and he would be glad to answer any questions regarding the reports. City Manager Parker stated that the City received an increase in sales tax revenue for the month of August. City Manager Parker stated that the Joyce Lane reconstruction project was completed and Staff was addressing items on the punch list with the contractor. City Manager Parker updated City Council on the North Brentwood Extension project and the construction of Fire Station No. 5 and the renovation of the Municipal Court building.

11. **EXECUTIVE SESSION**

Mayor Pro Tem Lynn Torres stated there would be no need for an Executive Session.

12. **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 highlighted the meetings and events on the calendar. City Manager Parker reminded City Council of the upcoming Lufkin Bistro, Texas State Forest Festival and TML Convention. City Manager Parker also reminded City Council of the Chamber Board Meeting, DETCOG Board Meeting and Lufkin Convention & Visitors Bureau Board Meeting. City Manager Parker also stated that Brant Lee had resigned from the Lufkin Convention & Visitors Bureau Board due to being selected as the new director for the Lufkin Convention Center. City Manager Parker stated an item would be placed on an upcoming Council Agenda to select a replacement for Mr. Lee.

13. There being no further business for consideration, the meeting adjourned at 5:29 p.m.

  
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Lynn Torres, Mayor Pro Tem

  
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Kara Atwood, City Secretary