

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY  
OF LUFKIN, TEXAS HELD ON THE 7<sup>TH</sup> DAY OF DECEMBER, 2010**

On the 7<sup>th</sup> day of December, 2010, 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
Victor Travis	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
Bruce Green	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
Steve Floyd	Public Works Director
Barbara Thompson	Main Street Director
Dale Allred	Inspection Services Director
Chuck Walker	Public Utilities Director
Lorraine Simoneau	Library Director
Robbin Crawford	Senior Accountant

being present, and

Don Langston	Mayor Pro-Tem
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being absent, when the following business was transacted:

1. The meeting was opened with prayer by Pastor Jeff Kolk, Southside Baptist Church.
2. Mayor Jack Gorden welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of November 16, 2010 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded.

## **NEW BUSINESS:**

### **4. PUBLIC HEARING IN CONSIDERATION OF A VOLUNTARY ANNEXATION ON APPROXIMATELY 1.0 ACRES OF LAND AT THE SOUTHEAST CORNER OF TOWER LANE AND BRIDGES DRIVE AND BEING PART OF THE FULLER SPRINGS FARM ACRES SUBDIVISION, BLOCK 83**

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing in consideration of a voluntary annexation on approximately 1.0 acres of land at the southeast corner of Tower Lane and Bridges Drive and being part of the Fuller Springs Farm Acres Subdivision, Block 83.

City Manager Paul Parker stated that items four (4) and (5) were the first and second Public Hearings on a voluntary annexation. City Manager Parker explained that this was not ordinary due to the fact that both Public Hearings were being held in one (1) Council Meeting, but that law allowed this if both hearings were listed separately on the agenda. City Manager Parker added that since the parcel was a small one (1) acre voluntary annexation for residential purposes, the developer was desiring to speed up the process for potential development of two (2) or three (3) residential lots that would be the planned usage of the property. City Manager Parker stated that the owner also wanted municipal water and sewer services, and this was the primary reason for the annexation request. City Manager Parker stated that the property was located at the southeast corner of Tower Lane and Bridges Drive, and was part of the Fuller Springs Farm Acres Subdivision, Block 83. City Manager Parker stated that Staff recommended that the Council hold the Public Hearings, and between twenty (20) and forty (40) days of the end of the Second Public Hearing Staff would bring back the Ordinance for the Council to consider for annexation.

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. Speaking concerning the item was:

Michael Parker

There was some discussion among the Council, City Manager and Mr. Parker concerning the annexation. Mayor Gorden closed the Public Hearing at 5:12 p.m.

Mayor Gorden asked for questions or comments from the Council. There was none.

### **5. SECOND PUBLIC HEARING IN CONSIDERATION OF A VOLUNTARY ANNEXATION ON APPROXIMATELY 1.0 ACRES OF LAND AT THE SOUTHEAST CORNER OF TOWER LANE AND BRIDGES DRIVE AND BEING PART OF THE FULLER SPRINGS FARM ACRES SUBDIVISION, BLOCK 83**

Mayor Jack Gorden stated that the next item for consideration was a Second Public Hearing in consideration of a voluntary annexation on approximately 1.0 acres of land at the southeast corner of Tower Lane and Bridges Drive and being part of the Fuller Springs Farm Acres Subdivision, Block 83.

City Manager Paul Parker stated that the information was the same as was discussed in the previous item, and that there was nothing additional to add.

Mayor Gorden opened the Public Hearing at 5:13 p.m. and asked anyone who wished to speak on the item to please step forward. Speaking concerning the item was:

Michael Parker

Mayor Gorden closed the Public Hearing at 5:14 p.m.

Mayor Gorden asked for questions or comments from the Council. There was none.

**6. PUBLIC HEARING AND A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, - APPROVED - DIRECTING THE PLANNING AND ZONING STAFF TO PROCEED WITH ANNEXATION OF PROPERTY OWNED BY THE LUFKIN 4B ECONOMIC DEVELOPMENT CORPORATION AND TO DEVELOP A SERVICE PLAN FOR THE AREA**

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and a Resolution of the City Council of the City of Lufkin, Texas, directing the Planning and Zoning Staff to proceed with annexation of property owned by the Lufkin 4B Economic Development Corporation and to develop a service plan for the area.

City Manager Paul Parker stated that this was the first step in the annexation process in which the Council could direct the Staff to go forth with a service plan preparation for potential annexation. City Manager Parker added that the property was not initially annexed whenever the City annexed the Industrial Park when it was first purchased. City Manager Parker stated that the City came back at a later date and purchased some property that was not part of the City at that time. City Manager Parker explained that the annexation would bring the remainder of the Industrial Park into the City of Lufkin. City Manager Parker stated that Staff requested that the Council direct the Staff to begin the preparation of a service plan and approve a Resolution initiating the annexation procedures.

Mayor Gorden opened the Public Hearing at 5:15 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 5:16 p.m.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the Resolution of the City Council of the City of Lufkin, Texas, directing the Planning and Zoning Staff to proceed with annexation of property owned by the Lufkin 4B Economic Development Corporation and to develop a service plan for the area. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

**7. ANNUAL REPORT FOR THE KURTH MEMORIAL LIBRARY BY WALTER BORGFELD**

Mayor Jack Gorden stated that the next item for consideration was the Annual Report for the Kurth Memorial Library by Walter Borgfeld.

City Manager Paul Parker stated that the Kurth Memorial Library had a very good year and that there had been good relationships with the Library Board and Staff. City Manager Parker stated that Lorraine Simoneau was doing a remarkable job as the Library Director. City Manager Parker thanked the Library Board and commented that the previous dilemmas had gone away and that there were excellent working relationships with all.

President of the Kurth Memorial Library Board of Directors Walter Borgfeld stated that the Board had submitted a written report to the City of Lufkin City Council and that he commended the report to the Council for their reading. Mr. Borgfeld added that the hiring of the new Library Director turned a mediocre year of public use of the Library into a very good year, with increased attendance and use of the Library facility. Mr. Borgfeld stated that the addition of the new Assistant Library Director, in July 2010, also contributed to the good operation of the Library. Mr. Borgfeld added that the Board felt that with the implementation of the collection development plan that was prepared by the new Library Director, the purchase and use of the new software systems, the replacement of computers and related equipment, and technology replacement plan that was in place, the Library should have an even better year in the coming year for the Kurth Memorial Library. Mr. Borgfeld stated that the Board found itself in a unique position financially by being able to provide funds for the purchase of more items that could be added to the Library's collection than the Staff could reasonably process. Mr. Borgfeld added that the Staff was really working to get the collection processed. Mr. Borgfeld explained that a book was not just purchased and then put on a shelf, but that it took some work to get the book in circulation. Mr. Borgfeld stated that the "Friends of the Library" continued to contribute to the Library's well being. Mr. Borgfeld added that the "Friends of the Library" contributed funds to purchase a new security system at an approximate amount of sixteen thousand dollars (\$16,000). Mr. Borgfeld stated that the "Friends" also contributed ten thousand dollars (\$10,000) to an endowment trust for the Library. Mr. Borgfeld explained that the book sale that the "Friends" conducted, and all of the other efforts put in, really bore fruit for the Library. Mr. Borgfeld stated that the Library Board really appreciated the Council's support and the approval of the recommendations of the City Manager and Deputy City Manager in the hiring of the Library Director and Assistant Library Director, and that the Board looked forward to good and great things out of the Library. Mr. Borgfeld stated that he would answer any questions the City Council had regarding the Library or the report from the Board.

Mayor Gorden asked Mr. Borgfeld to extend the thanks and gratitude from the City Council to the Library Board for their efforts. Mayor Gorden added that the Kurth Memorial Library continued to be something that the community was extremely proud of. Mayor Gorden stated that Councilmember Lynn Torres represented the Council on the Library Board and that the Council appreciated the work of the Board and Councilmember Torres.

**8. PROPOSED WATER SUPPLY CONTRACT – APPROVED - BETWEEN THE CITY OF LUFKIN AND THE REDLAND WATER SUPPLY CORPORATION**

Mayor Jack Gorden stated that the next item for consideration was a proposed Water Supply Contract between the City of Lufkin and the Redland Water Supply Corporation.

City Manager Paul Parker stated that the contract was a renewal and expansion of an existing contract between the City of Lufkin and Redland Water Supply Corporation. City Manager Parker added that the contract was for twenty (20) years, with a five (5) year renewal clause included. City Manager Parker stated that the rates would be set at one dollar ninety-six cents (\$1.96) per one thousand (1000) gallons for treated water, and one dollar six cents (\$1.06) per one thousand (1000) gallons for untreated water. City Manager Parker stated that presently the Redland Water Supply Corporation did not take any untreated water, but there were some plans in the future that one (1) of the Abitibi wells located near the area might service the Redland area, and that the City of Lufkin might look at the option of selling untreated water, as well as the treated water. City Manager Parker explained that this was why the contract had been expanded to include both treated and untreated water. City Manager Parker added that this was the rate established for all of the City of Lufkin water users. City Manager Parker stated that Staff recommended that the Council approve the contract as submitted.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres moved to approve the Water Supply Contract between the City of Lufkin and the Redland Water Supply Corporation. Councilmember Victor Travis seconded the motion. A unanimous affirmative vote was recorded.

**9. FIRST READING OF AN ORDINANCE ESTABLISHING MAXIMUM SPEEDS OF MOTOR VEHICLES FROM LOOP 287 TO A POINT APPROXIMATELY 2.226 MILES SOUTHWARD, - APPROVED - THE SPEED LIMIT SHALL BE FIFTY-FIVE (55) MILES PER HOUR IN EITHER DIRECTION AND FROM A POINT APPROXIMATELY 2.226 MILES SOUTH OF LOOP 287 TO THE SOUTH LUFKIN CITY LIMITS, A DISTANCE OF 2.156 MILES THE SPEED LIMIT SHALL BE SIXTY (60) MILES PER HOUR IN EITHER DIRECTION**

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance establishing maximum speeds of motor vehicles from Loop 287 to a point approximately 2.226 miles southward, the speed limit shall be fifty-five (55) miles per hour in either direction and from a point approximately 2.226 miles south of Loop 287 to the South Lufkin City Limits, a distance of 2.156 miles the speed limit shall be sixty (60) miles per hour in either direction.

City Manager Paul Parker stated that after the completion of the construction on Highway 59 South, the City requested TxDOT to provide a study of the speed limit in the area. City Manager Parker added that TxDOT used an eighty-five (85) percentile guide that TxDOT used on their traffic analysis. City Manager Parker explained that the analysis indicated that traffic leaving the City going south from the flyover should be changed from forty-five (45) miles per hour to fifty-five (55) miles per hour from Loop 287 to 2.226 miles south (or just past FM 819). City Manager Parker stated that there was a small section going north that presently dropped from sixty (60) miles per hour to fifty-five (55) miles per hour and then to

forty-five (45) miles per hour. City Manager Parker stated that the small section currently set at fifty-five (55) miles per hour would be changed to sixty (60) miles per hour. City Manager Parker stated that the Staff and TxDot recommended the speed limit changes to the Council for their consideration and approval.

Mayor Gorden asked for questions or comments from the Council. There was none.

Councilmember Victor Travis moved to approve the First Reading of the Ordinance establishing maximum speeds of motor vehicles from Loop 287 to a point approximately 2.226 miles southward, the speed limit shall be fifty-five (55) miles per hour in either direction and from a point approximately 2.226 miles south of Loop 287 to the South Lufkin City Limits, a distance of 2.156 miles the speed limit shall be sixty (60) miles per hour in either direction. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

**10. FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, - APPROVED - REGULATING THE ACTIVITIES ON AND ADJACENT TO KURTH LAKE; 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 Council of the City of Lufkin, Texas, regulating the activities on and adjacent to Kurth Lake; and providing for an effective date.

City Manager Paul Parker stated that many of the rules around Kurth Lake had been that of property ownership, but the City did not have the rules in an Ordinance format. City Manager Parker explained that the proposed Ordinance put the rules in a format that the City had already been enforcing, which was “no hunting, swimming, and camping on the lake and regulating the fishing with a permitting system”. City Manager Parker added that there was nothing in the proposed Ordinance that should be onerous to the user, but gave the City a little more enforcement power if needed. City Manager Parker stated that during the last year the City had experience very few problems, and that the Ordinance was just to protect the City and would spell out the practices for the area.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the First Reading of the Ordinance of the City Council of the City of Lufkin, Texas, regulating the activities on and adjacent to Kurth Lake; and providing for an effective date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

**11. RESOLUTION OF THE CITY OF LUFKIN, TEXAS, - APPROVED - AUTHORIZING THE LUFKIN CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO ENABLE THE POLICE DEPARTMENT TO BE A TESTING SITE FOR THE PROPOSED STATE WIDE CRASH REPORTING AND ANALYSIS FOR SAFER HIGHWAYS (CRASH) SYSTEM AT NO COST TO THE CITY**

Mayor Jack Gorden stated that the next item for consideration was a Resolution of the City of Lufkin, Texas, authorizing the Lufkin City Manager to enter into an agreement with the Texas Department of Transportation (TXDOT) to enable the Police Department to be a testing site for the proposed State Wide Crash Reporting and Analysis for Safer Highways (CRASH) System at no cost to the City.

City Manager Paul Parker stated that currently whenever a person was involved in an accident and wanted a Police Report, that person would have to come to the Police Department Records window to get a copy and pay for the report. City Manager Parker added that this was burdensome on the citizens of Lufkin. City Manager Parker explained that the proposed accident reporting system would allow a person to go online and download accident reports. City Manager Parker stated that it would also give the Police Department easier ability to monitor accident locations for information and analysis. City Manager Parker added that the system was good for the department, and would also make it easier on the citizens of Lufkin to get their information without having to go to the Police Department to get it.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres moved to approve the Resolution of the City of Lufkin, Texas, authorizing the Lufkin City Manager to enter into an agreement with the Texas Department of Transportation (TXDOT) to enable the Police Department to be a testing site for the proposed State Wide Crash Reporting and Analysis for Safer Highways (CRASH) System at no cost to the City. Councilmember Victor Travis seconded the motion. A unanimous affirmative vote was recorded.

**12. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2010/2011 OPERATING BUDGET (BUDGET AMENDMENT NO. 7), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL, HOTEL/MOTEL TAX, ECONOMIC DEVELOPMENT, LUFKIN VISITORS AND CONVENTION BUREAU, WATER/SEWER, AND SOLID WASTE/RECYCLING FUNDS; AND PROVIDING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing an amendment to the 2010/2011 Operating Budget (Budget Amendment No. 7), Providing for the supplemental appropriation of funds in the General, Hotel/Motel Tax, Economic Development, Lufkin Visitors and Convention Bureau, Water/Sewer, and Solid Waste/Recycling Funds; and providing an effective date.

City Manager Paul Parker stated that whenever the budget process was started in the previous year the City of Lufkin had declining revenue. City Manager Parker explained that it appeared that in the worst case scenario the City would end the year with a one million four hundred thousand dollar (\$1,400,000) deficit. City Manager Parker stated that through conservative efforts and some enhanced Sales Tax toward the end of the fiscal year, the year ended with a five hundred thousand dollar (\$500,000) shortfall. City Manager Parker explained that this was through the efforts of the Department Heads and individual employees of the City. City Manager Parker added that the year had also ended with several months of positive Sales Tax. City Manager Parker stated that during the preparation of the

budget the City Council withheld any consideration of employee salary adjustments, due to the economic conditions of the time. City Manager Parker added that the Council wanted to wait to see what the economy would do and to take care of shortfall. City Manager Parker stated that it appeared that the worst of the economic times were behind the City. City Manager Parker added that the Council had relooked at the situation and was considering an increase of salaries by 1.35%, which was above the current cost of living factor. City Manager Parker stated that several of the Council Members stated that the decision was more reflective of the job that the employees did in helping to bridge the shortfall. City Manager Parker added that those efforts did not go unnoticed by the Mayor and Council. City Manager Parker stated that if this was approved there would be an adjustment of 1.35% in January 2011 for the remaining nine (9) months of the fiscal year.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Victor Travis moved to approve the Resolution authorizing an amendment to the 2010/2011 Operating Budget (Budget Amendment No. 7), Providing for the supplemental appropriation of funds in the General, Hotel/Motel Tax, Economic Development, Lufkin Visitors and Convention Bureau, Water/Sewer, and Solid Waste/Recycling Funds; and providing an effective date. Councilmember Robert Shankle seconded the motion. A unanimous affirmative vote was recorded.

Mayor Gorden stated that the Council wished to extend their thanks for a job well done to the employees of the City of Lufkin.

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

**14. 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 Paul Parker thanked the City Council on behalf of the employees for the action just taken on the City of Lufkin employee's salary increases. City Manager Parker added that it was well received by the City employees, and that everyone appreciated the Council for taking a look at the salaries at the midterm of the fiscal year. City Manager Parker stated that it was a unique situation that the Council placed the employees in compared to



employees for other cities in the area. City Manager Parker added that the action did not go unappreciated.

City Manager Parker then thanked the City employees such as Debbie Fitzgerald, Angela McDaniel, the Street Department and other utility departments in the City that had worked to decorate the City Hall Atrium, the City Hall Council Chambers, and the downtown area. City Manager Parker commented that the City of Lufkin had a great staff, and that the staff did this on their own and weren't required to decorate these areas. City Manager Parker stated that if citizens had the chance to go to the downtown area of Lufkin at night they would see that the City Hall Park, the downtown area, and the Courthouse was worth the trip to travel to look at the Christmas decorations. City Manager Parker stated that Barbara Thompson did a great job in organizing the Christmas Parade. City Manager Parker added that the parade was being shown on Channel 15, if there were people who were unable to attend the event. City Manager Parker stated that the parade was a great event, had a great turnout and was a good time for the City of Lufkin. City Manager Parker added that a lot of staff time went into the event with a lot of departments participating.

City Manager Parker stated that the Lufkin/Angelina County Day in Austin was noted on the calendar, and that City Secretary Renee Thompson had made reservations for the Council and some employees to attend. City Manager Parker stated that the City of Lufkin Employee Christmas and Awards Banquet would be held on Tuesday, December 14, 2010 at the Lufkin Pitser Garrison Civic Center at 6:30 p.m., and added that he hope everyone could attend.

Mayor Gorden stated that City Staff did a great job on the Christmas decorations and lighting in the downtown area. Mayor Gorden added that the citizens of Lufkin appreciated the hard work and that it helped to get everyone in the spirit of the Christmas Season. Mayor Gorden stated that there would be groundbreaking ceremonies for the Lufkin Business Park on Wednesday, December 8, 2010, at 3:00 p.m. Mayor Gorden added that there would also be a groundbreaking ceremony for Innovative Metal Concepts on Friday, December 10, 2010, at 10:00 a.m. Mayor Gorden stated that Innovative Metal Concepts was the first industry to go into the Lufkin Business Park, and that the public was invited to attend.

Councilmember Victor Travis stated that on Thursday, December 9, 2010, at 6:00 p.m. there would be a Public Hearing concerning the Lufkin Post Office and the possibility of it closing. Councilmember Travis added that the meeting would be held at the Lufkin City Hall.

Mayor Gorden stated that the DETCOG Christmas Meeting was on Thursday, December 16, 2010, in Jasper.

15. There being no further business for consideration, the meeting adjourned at 5:39 p.m.

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Jack Gorden, Mayor

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Renee Thompson – City Secretary