

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 4th DAY OF MARCH, 2008.

On the 4th day of March, 2008, the City Council of the City of Lufkin, Texas convened in a Regular Meeting in the Council Chambers of City Hall with the following members, thereof to wit:

Jack Gorden, Jr.
Rose Faine Boyd
R. L. Kuykendall
Lynn Torres
Don Langston
Rufus Duncan
Phil Medford
Paul L. Parker
Keith Wright
Bob Flournoy
Renee Thompson
Larry Brazil
Scott Marcotte
Pete Prewitt
Doug Wood
David Koonce
Barbara Thompson
Dale Allred
Dorothy Wilson
Jim Wehmeier
Bill Cameron

Mayor
Mayor Pro Tem
Councilmember, Ward No. 1
Councilmember, Ward No. 3
Councilmember, Ward No. 4
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
Assistant City Manager
City Attorney
City Secretary
Police Chief
Asst. Police Chief
Fire Chief
Finance Director
Human Resource Director
Main Street Director
Inspection Services Director
Planning Director
Economic Development Director
City Webmaster

being present, when the following business was transacted:

1. The meeting was opened with prayer by Pastor Bob Klund, Believer's Bible Church.
2. Mayor Jack Gorden welcomed visitors present. Councilmember Lynn Torres welcomed LISD students who were present satisfying their government class requirement.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting of February 19, 2008 were approved on a motion by Councilmember Rose Faine Boyd, and seconded by Councilmember Lynn Torres. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND THE COMPREHENSIVE PLAN 2001 OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY ESTABLISHING ZONING AND FUTURE LAND USE PLAN DESIGNATIONS FOR CERTAIN TRACTS OR PARCELS OF LAND ANNEXED BY THE CITY OF LUFKIN, 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 a Second Reading of an Ordinance amending the Zoning Ordinance and the Comprehensive Plan 2001 of the City of Lufkin, Texas, by establishing Zoning and Future Land Use Plan designations for certain tracts or parcels of land annexed by the City of Lufkin, and authorizing the City Planner to make such changes on the official map.

City Manager Paul Parker stated that unless Council had specific questions in regard to the item, he had nothing new to make note of. City Manager Parker continued that this was the sixth (6th) time the item had been presented to Council.

Mayor Gorden opened the Public Hearing at 5:07 p.m. and asked anyone who wished to speak on the item to please step forward. There appearing to be no one wishing to speak, Mayor Gorden closed the Public Hearing at 5:08 p.m.

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

Councilmember Phil Medford moved to approve the Second Reading of the Ordinance amending the Zoning Ordinance and the Comprehensive Plan 2001 of the City of Lufkin, Texas, by establishing Zoning and Future Land Use Plan designations for certain tracts or parcels of land annexed by the City of Lufkin, and authorizing the City Planner to make such changes on the official map. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

5. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED 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

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said hereinafter described 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 that this was the Second Reading of this Ordinance, and the property owner requested annexation in order to obtain municipal services.

Mayor Gorden opened the Public Hearing at 5:10 p.m. and asked anyone wishing 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 5:11 p.m.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said hereinafter described 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 Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

6. FIRST READING OF AN ORDINANCE CALLING AND ORDERING A GENERAL ELECTION FOR THE CITY OF LUFKIN, TEXAS - APPROVED - TO BE HELD AT TWO POLLING PLACES IN LUFKIN, TEXAS ON MAY 10, 2008 BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M. FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR WARD 5 AND A COUNCILMEMBER FOR WARD 6, FOR THREE YEAR TERMS, AND PROVIDING FOR THE NECESSARY NOTICES, AND FIXING THE DATE

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance calling and ordering a General Election for the City of Lufkin, Texas to be held at two (2) polling places in Lufkin, Texas on May 10, 2008 between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing a Councilmember for Ward Five (5) and a

Councilmember for Ward Six (6), for three (3) year terms, and providing for the necessary notices, and fixing the date.

City Manager Paul Parker stated that this was the required ordinance calling for the election should one be necessary for the election of Council members for Ward Five (5) and Ward Six (6).

Councilmember Rose Faine Boyd moved to approve the First Reading of the Ordinance calling and ordering a General Election for the City of Lufkin, Texas to be held at two (2) polling places in Lufkin, Texas on May 10, 2008 between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing a Councilmember for Ward Five (5) and a Councilmember for Ward Six (6), for three (3) year terms, and providing for the necessary notices, and fixing the date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

7. **FIRST READING OF AN ORDINANCE AMENDING THE TRAFFIC ORDINANCE OF THE CITY OF LUFKIN, TEXAS; - APPROVED - PROVIDING FOR A CHANGE IN THE SPEED LIMIT ON TULANE DRIVE, AND REPEALING ALL INCONSISTENT ORDINANCES AND ESTABLISHING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance amending the Traffic Ordinance of the City of Lufkin, Texas; providing for a change in the speed limit on Tulane Drive, and repealing all inconsistent Ordinances and establishing an effective date.

City Manager Paul Parker stated that the item was a result of the study by Staff of the speed limits on Tulane Drive and the anticipation of increased traffic on this street once the Highway 59 construction began. City Manager Parker continued that the speed limit on Tulane Drive was currently thirty (30) miles per hour and the study that was completed on Tulane Drive showed that the average speed of the eighty-fifth percentile (85%) vehicle was 44.73 miles per hour which indicated that the speed limit should be increased. City Manager Parker furthered that there was history on a portion of the street that when it was constructed the City agreed to lower the speed limit to thirty (30) miles per hour at the request of the residents and provide on-street parking. City Manager Parker stated that the recommendation of Staff was to keep the speed limit at thirty (30) miles per hour, but eliminate the on-street parking. City Manager Parker stated that Staff recommended that the speed limit be increased to forty (40) miles per hour between Timberland Drive and Card Drive; remain at thirty (30) miles per hour between Card Drive and Harmony Hill (due to the heavy traffic); be increased to forty (40) miles per hour from Harmony Hill to Darlington; and remain at thirty (30) miles per hour from Darlington to Whitehouse, as well as eliminate on-street parking in the area. City Manager Parker stated that Staff was ready to answer any questions that the Council had regarding the Ordinance. Councilmember Langston commented that it was a good idea to eliminate on-street parking, due to the expected increase of traffic, but that the change in speed limit could be confusing due to the speed limit being changed in the middle of a route. Mayor Gorden stated that he did not have a problem with increasing the speed to forty (40) miles per hour along the entire length of Tulane Drive, or with the proposed Staff recommendation. Councilmember Langston stated he preferred to keep the speed limit consistent in order to avoid confusion for drivers.

Councilmember Rufus Duncan moved to approve the First Reading of the Ordinance amending the Traffic Ordinance of the City of Lufkin, Texas; providing for a change in the speed limit on Tulane Drive, and repealing all inconsistent Ordinances and establishing an effective date. Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

8. **APPROVAL OF A CONTRACT WITH THE STANTON GROUP FOR A BI-ANNUAL ACTUARIAL STUDY OF THE OTHER POST EMPLOYMENT BENEFITS - APPROVED - IN THE AMOUNT OF \$11,000**

Mayor Jack Gorden stated that the next item for consideration was approval of a contract with the Stanton Group for a Bi-Annual Actuarial Study of the Other Post Employment Benefits in the amount of \$11,000.

City Manager Paul Parker stated that two (2) years ago the Government Accounting Standards Board (GASB) released what was known as GASB 45 which required the City to account for Other Post Employment Benefits (OPEB) in a separate category. City Manager Parker stated that the only OPEB that the City had for retired employees was the option to maintain health insurance coverage until the age of sixty-five (65). City Manager Parker stated that the total of Other Post Employment Benefits was one hundred seventy-eight thousand nine hundred ninety-nine dollars (\$178,999) based on the last study and during the last meeting of the Health Insurance Committee the amount of one hundred seventy-nine thousand five hundred ninety-four dollars (\$179,594) was budgeted for the benefits. City Manager Parker stated that the City was currently in compliance with GASB 45 and used the pay-as-you-go option. City Manager Parker continued that the required actuarial study would confirm the amount needed for the benefits and that Staff recommended approval of the contract.

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

Councilmember R.L. Kuykendall moved to approve the contract with the Stanton Group for a Bi-Annual Actuarial Study of the Other Post Employment Benefits in the amount of \$11,000. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

9. RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES - APPROVED - TO THE TEXAS LOCAL GOVERNMENT INVESTMENT POOL (TEXPOOL)

Mayor Jack Gorden stated that the next item for consideration was a Resolution amending authorized representatives to the Texas Local Government Investment Pool (TexPool).

City Manager Parker stated that the Resolution removed Marleta Payne, a former employee of the City of Lufkin Finance Department, and added Beverly Williams, the new employee that replaced Ms. Payne, as an authorized representative to TexPool.

Councilmember Don Langston moved to approve the Resolution amending authorized representatives to the Texas Local Government Investment Pool (TexPool). Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, - APPROVED - AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE STATE FOR TEMPORARY CLOSURE OF STATE HIGHWAYS FOR THE 2008 DOWNTOWN HOEDOWN PARADE AND DOWNTOWN HOEDOWN

Mayor Jack Gorden stated that the next item for consideration was a Resolution of the City Council of the City of Lufkin, Texas, authorizing the City to enter into an agreement with the State for temporary closure of State highways for the 2008 Downtown Hoedown Parade and Downtown Hoedown.

City Manager Paul Parker stated that this was the annual request to close the necessary streets for the Hoedown, which would be held on April 19th, 2008.

Councilmember Lynn Torres moved to approve the Resolution of the City Council of the City of Lufkin, Texas, authorizing the City to enter into an agreement with the State for temporary closure of State highways for the 2008 Downtown Hoedown Parade and Downtown Hoedown. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

11. AWARD OF BID TO ANGELINA FUELS IN THE AMOUNT OF \$71,820 - APPROVED - FOR THE COMPLETION OF THE CLEAN-UP AND DEBRIS REMOVAL FROM THE LUFKIN INDUSTRIAL RAIL PARK

Mayor Jack Gorden stated that the next item for consideration was the award of a bid to Angelina Fuels in the amount of seventy-one thousand eight hundred twenty dollars (\$71,820) for the completion of the clean-up and debris removal from the Lufkin Industrial Rail Park.

City Manager Paul Parker stated that after this property was purchased, the timber was harvested to make the site more suitable for prospective developers. City Manager Parker continued that the timber was sold for seventy-nine thousand nine-hundred thirty dollars (\$79,930), and the bid recommended for removing of debris, stumps and to reseed the land was in the amount of seventy-one thousand eight hundred twenty dollars (\$71,820) from Angelina Fuels. City Manager Parker continued that Staff recommended Council approval of the low bid.

Councilmember Langston questioned whether a bonding requirement was in place. City Manager Parker stated that there was a bonding requirement, but it could be negotiated once the bid was awarded.

Councilmember Rose Faine Boyd moved to approve the award of bid to Angelina Fuels in the amount of seventy-one thousand eight hundred twenty dollars (\$71,820) for the completion of the clean-up and debris removal from the Lufkin Industrial Rail Park. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

12. APPOINTMENT OF COUNCILMEMBER LYNN TORRES – APPROVED - TO THE DEEP EAST TEXAS COUNCIL OF GOVERNMENT BOARD OF DIRECTORS

Mayor Jack Gorden stated that the next item for consideration was the appointment of Councilmember Lynn Torres to the Deep East Texas Council of Government Board of Directors.

Mayor Gorden stated that Councilmember Torres would be replacing Councilmember Rufus Duncan on the Board.

Councilmember Rufus Duncan moved to approve the appointment of Councilmember Lynn Torres to the Deep East Texas Council of Government Board of Directors. Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

13. Mayor Jack Gorden recessed the Regular Session at 5:29 p.m. to enter into Executive Session.


EXECUTIVE SESSION: In accordance with the Texas Government Code Section 551.071 (2) Consultation with City Attorney on any Regular Session Agenda item requiring confidential, attorney/client advices necessitated by the deliberation or discussion of said items (as needed), and real estate, demolition of buildings, or appointments to boards and personnel may be discussed.

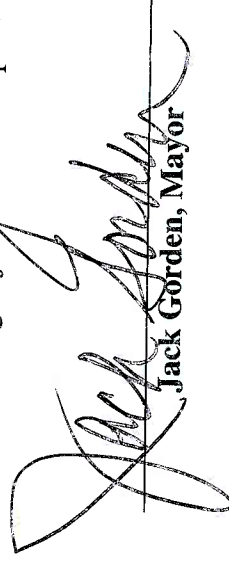
Mayor Jack Gorden reconvened the Regular Session at 7:01 p.m.

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

Mayor Gorden reminded Council of the Groundbreaking Ceremony for the Kurth Drive Beautification Project on Saturday, March 8th, at 10:00 am. City Manager Parker reminded Council of the First Friday Luncheon on March 7th, and asked those wishing to attend to let City Secretary Renee Thompson know.

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


Renee Thompson – City Secretary


Jack Gorden, Mayor