

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 5th DAY OF JULY, 2006**

On the 5th day of July, 2006, 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
Rose Faine Boyd	Mayor pro tem
R. L. Kuykendall	Councilmember, Ward No. 1
Lynn Torres	Councilmember, Ward No. 3
Don Langston	Councilmember, Ward No. 4
Rufus Duncan, Jr.	Councilmember, Ward No. 5
Phil Medford	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Renee Thompson	City Secretary
Robert Flournoy	City Attorney
Keith Wright	Asst. City Manager/Public Works
Kenneth Williams	Asst. City Manager/Administrative Services
David Koonce	Human Resource Director
Beauford Chapman	Inspection Services Director
Don Hannabas	Parks and Recreation Director
Larry Brazil	Police Chief
Scott Marcotte	Asst. Police Chief
Pete Prewitt	Fire Chief
Doug Wood	Finance Director
Dorothy Wilson	Planning Director
Barbara Thompson	Main Street Director
Jim Wehmeier	Economic Development Director
Rhonda McLendon	Municipal Court & Animal Control Director
Scott Rayburn	City Planner
J. P. McDonald	Museum of East Texas Director
Carol Riggs	Texas Forestry Museum Director
Judge David Wilson	President of the George H. Henderson, Jr. Exposition Center
Heather Kartye	Vice President of marketing, tourism development, and membership for the Angelina County Chamber of Commerce
Glen Sullivan	George H. Henderson, Jr. Exposition Center Director

being present, when the following business was transacted:

1. The meeting was opened with prayer by Brother Danny Cryer, Harvest Baptist Church.
2. Mayor Jack Gorden welcomed visitors present. Mayor Gorden then thanked the City of Lufkin Staff for their assistance during the 4th of July Celebration at Ellen Trout Zoo.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting on June 20, 2006 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 ANNEXING APPROXIMATELY 5.254 ACRES OF LAND IN THE P. C. ABNEY SURVEY, ABSTRACT NO. 69 AND THE J. L. QUINALTY SURVEY, ABSTRACT NO. 40, AND EXTENDING THE BOUNDARIES OF THE CITY OF LUFKIN, TEXAS – APPROVED - TO INCLUDE THE 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 CITY

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance annexing approximately 5.254 acres of land in the P. C. Abney Survey, Abstract No. 69 and the J. L. Quinalty Survey, Abstract No. 40, and extending the boundaries of the City of Lufkin, Texas to include the 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 City. City Manager Paul Parker stated that this was the Second Reading of the Ordinance and was for the annexation of the Mercer Honda property and added that the zoning item would be on the agenda later in the meeting. City Manager Parker added that the Staff and Planning and Zoning Commission unanimously recommended that Council approve the Ordinance

Mayor Gorden then opened the Public Hearing at 5:06 p.m. concerning the Annexation. Mayor Gorden asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Annexation. Mayor Gorden then closed the Public Hearing at 5:07 p.m.

Councilmember Phil Medford asked to be recused from voting on the Ordinance due to his wife being a trustee of the Arnett Family Trust.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance annexing approximately 5.254 acres of land in the P. C. Abney Survey, Abstract No. 69 and the J. L. Quinalty Survey, Abstract No. 40, and extending the boundaries of the City of Lufkin, Texas to include the 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 City. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

5. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS – APPROVED - BY CHANGING THE ZONING DESIGNATION OF A CERTAIN TRACT OR PARCEL OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS APPROXIMATELY 5.044 ACRES OF LAND DESCRIBED AS TRACT 15 OF THE P. C. ABNEY SURVEY LOCATED NEAR THE CORNER OF U. S. HWY 69 SOUTH AND LESLIE LANE FROM “LIGHT MANUFACTURING” AND “RESIDENTIAL LARGE SINGLE FAMILY DWELLING” TO A SINGLE CLASSIFICATION OF “COMMERCIAL” AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP, AND AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS AMENDING THE CITY OF LUFKIN COMPREHENSIVE PLAN

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 of a certain tract or parcel of land within the corporate limits of the City of Lufkin, Texas, described as approximately 5.044 acres of land described as Tract 15 of the P. C. Abney Survey located near the corner of U. S. Hwy 69 South and Leslie Lane from “Light Manufacturing” and “Residential Large Single Family Dwelling” to a single classification of “Commercial” and authorizing the City Planner to make such changes on the Official Map, and an Ordinance of the City of Lufkin, Texas amending the City of Lufkin Comprehensive Plan. City Manager Paul Parker stated that this was the Second Reading and that the Council had thoroughly reviewed the Ordinance. City Manager Parker added that the Staff and Planning and Zoning Commission unanimously recommended that Council approve the Ordinance.

Mayor Gorden then opened the Public Hearing at 5:10 p.m. concerning the Ordinance. Mayor Gorden asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Ordinance. Mayor Gorden then closed the Public Hearing at 5:11 p.m.

Councilmember Phil Medford moved to approve the Second Reading of the Ordinance Amending the Zoning Ordinance of the City of Lufkin, Texas by changing the zoning designation of a certain tract or parcel of land within the corporate limits of the City of Lufkin, Texas, described as approximately 5.044 acres of land described as Tract 15 of the P. C. Abney Survey located near the corner of U. S. Hwy 69 South and Leslie Lane from "Light Manufacturing" and "Residential Large Single Family Dwelling" to a single classification of "Commercial" and authorizing the City Planner to make such changes on the Official Map, and an Ordinance of the City of Lufkin, Texas amending the City of Lufkin Comprehensive Plan. Councilmember Rufus Duncan, Jr. seconded the motion. A unanimous affirmative vote was recorded.

6. **SECOND READING OF AN ORDINANCE ADOPTING RULES AND REGULATIONS ESTABLISHING CERTAIN FLOOD PREVENTION AND MITIGATION MEASURES; PROVIDING FOR THE PROTECTION OF THE HEALTH AND SAFETY OF THE CITIZENS OF LUFKIN; PROVIDING A PENALTY FOR VIOLATION; CONTAINING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND A REPEALER CLAUSE; PROVIDING FOR PUBLICATION, CODIFICATION, AND AN EFFECTIVE DATE; - APPROVED - AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT**

Mayor Jack Gorden stated that the next item for consideration was a Second Reading of an Ordinance adopting rules and regulations establishing certain flood prevention and mitigation measures; providing for the protection of the health and safety of the citizens of Lufkin; providing a penalty for violation; containing a savings clause, a severability clause and a repealer clause; providing for publication, codification, and an effective date; and containing other provisions relating to the subject. City Manager Paul Parker stated this Ordinance would bring the City of Lufkin's Flood Prevention Ordinance into compliance with FEMA regulations and that the Council had thoroughly gone through the Ordinance on First Reading. City Manager Parker added that Staff would be happy to answer any questions that the Mayor or Council had concerning the Ordinance.

There were questions and discussion among the Mayor and City Council Members concerning the Ordinance.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance adopting rules and regulations establishing certain flood prevention and mitigation measures; providing for the protection of the health and safety of the citizens of Lufkin; providing a penalty for violation; containing a savings clause, a severability clause and a repealer clause; providing for publication, codification, and an effective date; and containing other provisions relating to the subject. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

7. **PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND THE COMPREHENSIVE PLAN 2001 OF THE CITY OF LUFKIN, TEXAS - APPROVED - BY ESTABLISHING A "COMMERCIAL" ZONING DISTRICT AND CHANGING THE FUTURE LAND USE PLAN DESIGNATION FROM "RETAIL" AND "LOW DENSITY RESIDENTIAL" TO "COMMERCIAL" FOR 5.254 ACRES OF LAND IN THE P. C. ABNEY SURVEY, ABSTRACT NO. 69 AND THE J. L. QUINALTY SURVEY, ABSTRACT NO. 40 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 First Reading of an Ordinance Amending the Zoning Ordinance and the Comprehensive Plan 2001 of the City of Lufkin, Texas by establishing a "Commercial" Zoning District and changing the Future Land Use Plan designation from "Retail" and "Low Density Residential" to "Commercial" for 5.254 acres of land in the P. C. Abney Survey, Abstract No. 69 and the J. L. Quinalty Survey, Abstract No. 40 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 this was the companion Ordinance to the Annexation that was passed earlier in the meeting. City Manager Parker added that the Staff and Planning and Zoning Commission recommended that Council approve the Ordinance.

Mayor Gorden then opened the Public Hearing at 5:12 p.m. concerning the Ordinance. Mayor Gorden asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Annexation. Mayor Gorden then closed the Public Hearing at 5:13 p.m.

Councilmember Rufus Duncan, Jr. moved to approve the First Reading of the Ordinance Amending the Zoning Ordinance and the Comprehensive Plan 2001 of the City of Lufkin, Texas by establishing a "Commercial" Zoning District and changing the Future Land Use Plan designation from "Retail" and "Low Density Residential" to "Commercial" for 5.254 acres of land in the P. C. Abney Survey, Abstract No. 69 and the J. L. Quinalty Survey, Abstract No. 40 annexed by the City of Lufkin and authorizing the City Planner to make such changes on the official map. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

8. PRESENTATION OF FUNDING REQUESTS FROM THE HOTEL/MOTEL FUND.

Mayor Jack Gorden stated that the next item for consideration was a Presentation of funding requests from the Hotel/Motel Fund. Mayor Gorden added that representatives from each of the entities were present at the meeting. City Manager Paul Parker stated that the committee (Mayor Gorden, Councilmember Torres, and Councilmember Boyd) that was appointed to review the requests would report back to the Council as the City of Lufkin goes through the budgeting process. City Manager Parker added that the four (4) entities that had received funding from the Hotel/Motel Fund were in the preliminary budget at the same funding level as the previous year's request. City Manager Parker stated that two (2) of the entities had requested additions to the previous year's budgeted funds. City Manager Parker added that the two (2) entities were the Texas Forestry Museum and the Lufkin Convention and Visitors Bureau. City Manager Parker stated that the adjustments would be made during the budgeting process, at the desire of the Council. City Manager Parker added that the Council had requested to hear from the four (4) entities concerning their operations, as they related to tourism.

Mayor Gorden stated that the four (4) entities present at the Council Meeting were the Museum of East Texas, Texas Forestry Museum, Exposition Center, and the Lufkin Convention and Visitors Bureau. Mayor Gorden then called on the entities to make their presentations.

J. P. McDonald, Director of the Museum of East Texas, then presented the budget requests for the Museum of East Texas.

Carol Riggs, Director of the Texas Forestry Museum, then presented the budget requests for the Texas Forestry Museum.

Judge David Wilson, President of the George H. Henderson, Jr. Exposition Center, then presented the budget requests for the Exposition Center. Judge Wilson then introduced Glen Sullivan, Manager of the Exposition Center.

Heather Kartye, Vice President of marketing, tourism development, and membership for the Angelina County Chamber of Commerce, began by announcing that the Chamber of Commerce had recently undergone some restructuring. Ms. Kartye stated that the Chamber had recently hired a new Manager for the Lufkin Convention and Visitors Bureau. Ms. Kartye then introduced Manager Alisha Barrow.

There were questions and discussion among the Mayor and City Council Members concerning the funding requests from the Lufkin Convention and Visitors Bureau.

Mayor Jack Gorden stated that each of the entities were important to the Lufkin community and do an excellent job for the City of Lufkin. Mayor Gorden added that the Council looked forward to working through the budget and considering the requests from the entities. Mayor Gorden thanked each representative, and all of those supporting them, for attending the meeting.

9. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2005/2006 OPERATING BUDGET (BUDGET AMENDMENT NO. 24), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND, AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 24), providing for the supplemental appropriation of funds in the General Fund, and providing an effective date. City Manager Paul Parker stated that this was a generous gift from the Pineywoods Foundation in the amount of sixteen thousand five hundred dollars (\$16,500) and the Lufkin Landscape Task Force in the amount of fifteen thousand eight hundred twenty-two dollars (\$15,822) to fund a proposed cover for the Spray Play Pad at Chambers Park. City Manager Parker added that the total project was thirty-two thousand three hundred twenty-two dollars (\$32,322). City Manager Parker stated that the change order would allow the City to accept the two (2) donations and purchase the Spray Play Cover for Chambers Park. City Manager Parker thanked the Pineywoods Foundation and the Lufkin Landscape Task Force for their generous donations to the City of Lufkin.

Councilmember Lynn Torres moved to approve the Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 24), providing for the supplemental appropriation of funds in the General Fund, and providing an effective date. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

10. RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT WITH AN ELECTRICAL PROVIDER - APPROVED - FOR THE PURPOSE OF PROVIDING ELECTRICAL SERVICES TO THE CITY OF LUFKIN

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing the City Manager to negotiate and enter into a contract with an electrical provider for the purpose of providing electrical services to the City of Lufkin. City Manager Paul Parker stated that as the Council was aware, from the recent Council Planning Retreat, one of largest issues facing the City of Lufkin would be electrical costs to the City. City Manager Parker added that the City's electrical costs would increase by approximately two thirds (2/3) during the coming budget year. City Manager Parker explained that consultant Tim Allen, of American Enerpower, stated during the Planning Retreat, that electrical rates change drastically and that there are peaks and valleys in the system. City Manager Parker stated that Mr. Allen added that the City of Lufkin should be ready to enter into a contract when the City has the lowest possible price, which should occur approximately in September or October 2006. City Manager Parker explained that the City's contract expires on October 1, 2006. City Manager Parker stated that the Resolution would give the City Manager the authority to enter into the contract when rates were deemed most favorable for the City of Lufkin. City Manager Parker added that the City Staff would keep the Council fully abreast of all actions.

There were questions and discussion among the Mayor and City Council Members concerning the Resolution and the negotiation process.

Councilmember Rose Faine Boyd moved to approve the Resolution authorizing the City Manager to negotiate and enter into a contract with an electrical provider for the purpose of providing electrical services to the City of Lufkin. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

11. ARCHITECTURAL AGREEMENT BETWEEN THE CITY OF LUFKIN AND SCOTT AND STRONG, ARCHITECTS - APPROVED - FOR DESIGN SERVICES FOR THE REMODELING OF THE POLICE DEPARTMENT BUILDING

Mayor Jack Gorden stated that the next item for consideration was an Architectural Agreement between the City of Lufkin and Scott and Strong, Architects for design services for the remodeling of the Police Department building. City Manager Paul Parker stated that the Council had recently approved funding for the remodeling of the Police Department building. City Manager Parker added that requests for proposals were submitted and Scott and Strong Architects were selected by the City Staff to prepare the plans, subject to the Council's approval. City Manager Parker stated that the proposal was for 8.5 % of the construction costs, plus reimbursables. City Manager Parker added that the estimate was twenty-three thousand dollars (\$23,000) to twenty-six thousand dollars (\$26,000) for the architectural services. City Manager Parker stated that Staff recommended that Council approve award of contract to Scott and Strong Architects for

architectural services for the renovation of the Police Department building in the amount of 8.5% of the construction cost, plus reimbursables.

There were questions and discussion among the Mayor and City Council Members concerning the contract.

Councilmember Lynn Torres moved to approve the Architectural Agreement between the City of Lufkin and Scott and Strong, Architects for design services for the remodeling of the Police Department building. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

12. Mayor Jack Gorden recessed the Regular Session at 5:50 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, appointment to boards and personnel may be discussed.

Mayor Jack Gorden reconvened the Regular Session at 7:03 p.m.

13. APPOINTMENTS – APPROVED - TO BOARDS AND COMMISSIONS

Mayor Jack Gorden stated that the next item for consideration was appointments to boards and commissions.

Councilmember Lynn Torres moved to approve the appointments to boards and commissions as follows:

- A. Angelina County Appraisal District Board of Directors – no appointments needed
- B. Angelina County Appraisal District Members (ARB) – no appointments needed
- C. Civil Service Commission – Jim Myers expiring July 2009 and Bennie Moyer expiring July 2008
- D. Construction Board of Adjustment & Appeals – Mark Strong expiring July 2009, Sammy Ferrara expiring July 2009, and Andrew Moore expiring July 2009
- E. 4-B Economic Development Board – Lynn Torres expiring in July 2008, Jack Gorden expiring in July 2008, and Phil Medford expiring in July 2008
- F. Firemen's Relief & Retirement Fund Board of Trustees – Danny Roper expiring July 2008
- G. Kurth Memorial Library Board – no appointments needed
- H. Parks and Recreation Advisory Board – Richard Joseph expiring July 2009, Lela Simmons expiring July 2009, and Cathy Todd expiring July 2009
- I. Planning & Zoning Commission – Dale Green expiring July 2009, Jackie Zimmerman expiring July 2009, and Mark Dunn expiring July 2009
- J. Taxi Cab Committee – Ronald Davis expiring July 2007, Bill Philmon expiring July 2008, and Bennie Moyer expiring July 2009
- K. Tree Board – no appointments needed
- L. Zoning Board of Adjustment & Appeals – Luther DeBerry expiring July 2008, Ed Booth expiring July 2007, Al Meyer expiring July 2008, Lt. General Orren Whiddon expiring July 2007, Jerry Benson expiring July 2008, Lacy Chimney expiring July 2008, Karen Heaton expiring July 2007, and Rotley Tankersley expiring July 2008.

Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

14. PRESENTATION OF ANNEXATION PLAN BY PLANNING DIRECTOR DOROTHY WILSON

Mayor Jack Gorden stated that the next item for consideration was a presentation of the Annexation Plan by Planning Director Dorothy Wilson.

Planning Director Dorothy Wilson then presented the City of Lufkin Annexation Plan. Ms. Wilson discussed reasons that new territory was annexed, basis that Staff is using for recommending the annexations for Lufkin, the "Prime Lands" Group with more specifics on the properties, the time line for potential annexation, and the activities that are specific to the annexation process. After the presentation, Ms. Wilson stated that she would answer any questions that Council had concerning annexation.

There were questions and discussion among the Mayor and City Council Members concerning the Annexation Plan.

Mayor Jack Gorden then called on interested parties that wished to speak to the Council concerning the Annexation Plan. Those speaking concerning the plan were:

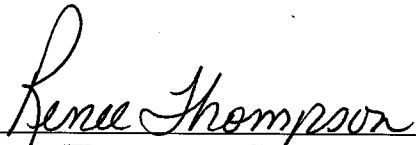
Homer McCall
Mitch Gibson

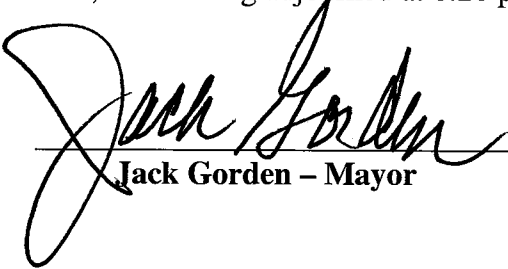
City Manager Parker stated that there would be a Resolution added to the agenda for the July 18, 2006, Council Meeting, declaring the areas that the City wanted to go forth with, and begin the Annexation process. City Manager Parker added that the final process would be approximately February or March 2007.

There were further questions and discussion among the Mayor and City Council Members concerning the Annexation Plan.

15. City Manager Parker added that Council had their Calendar of Events. Mayor Gorden reminded the visitors, Staff and Council that there was a farewell reception honoring Assistant City Manager Administrative Services Kenneth Williams on Thursday, July 6, 2006, from 3:30 – 5:30 p.m. in the City Hall Atrium and invited everyone to attend to bid Mr. Williams farewell as he began his career as the City Manager for the City of Diboll. Mayor Gorden also reminded the Council about First Friday, that was to take place on Friday, July 7, 2006, at Crown Colony and asked that the Council inform City Secretary Renee Thompson if they intended to attend. City Manager Parker reminded the Council of the Budget Workshop that was to take place on Thursday, July 6, 2006, at 5:30 p.m. at the City Hall Council Chambers.

16. There being no further business for consideration, the meeting adjourned at 8:20 p.m.


Renee Thompson – City Secretary


Jack Gorden – Mayor