MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 5th DAY OF FEBRUARY, 2008.

On the 5th day of February, 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.	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	Councilmember, Ward No. 5
Phil Medford	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Keith Wright	Assistant City Manager
Bob Flournoy	City Attorney
Renee Thompson	City Secretary
Larry Brazil	Police Chief
Scott Marcotte	Asst. Police Chief
Pete Prewitt	Fire Chief
Lee Fran Skelton	Fire Marshal
Doug Wood	Finance Director
Don Hannabas	Parks & Leisure Services Director
Steve Poskey	Street Department Superintendent
David Koonce	Human Resource Director
Dale Allred	Inspection Services Director
Dorothy Wilson	Planning Director
Jim Wehmeier	Economic Development Director
J. B. Smith	Patrolman- Police Department
Bill Cameron	City Webmaster

being present, when the following business was transacted:

1. The meeting was opened with prayer by Brother Nathan Scoggins, Cornerstone United Pentecostal Church.

2. Mayor Jack Gorden welcomed visitors present. Councilmember Lynn Torres recognized LHS students who were present satisfying their government class requirement

3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of January 15, 2008 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Rose Faine Boyd. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARY LIMITS OF THE CITY OF LUFKIN TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO ALL INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING THE INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; AND ADOPTING A SERVICE PLAN AND ESTABLISHING AN EFFECTIVE DATE**

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 boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding the inhabitants by all of the Acts, Ordinances, Resolutions and Regulations of the City; and adopting a service plan and establishing an effective date.

Mayor Gorden opened the Public Hearing at 5:07 p.m.

City Manager Paul Parker stated that this was the Second Reading and that the item had been before the Council four (4) previous times. City Manager Parker added that unless the Council had specific questions regarding the item, that Staff would recommend approval.

Mayor Gorden then asked anyone wishing to speak on the item to please step forward.

Speaking on the Ordinance was Mr. Joe Pase, a resident of Normandy Estates.

Mayor Gorden closed the Public Hearing at 5:08 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 boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding the inhabitants by all of the Acts, Ordinances, Resolutions and Regulations of the City; and adopting a service plan and establishing an effective date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

5. **PUBLIC HEARING AND FIRST READING OF A REQUEST FOR A ZONE CHANGE – APPROVED - FROM THE CLASSIFICATIONS OF "RESIDENTIAL LARGE SINGLE-FAMILY DWELLING", "NEIGHBORHOOD RETAIL", AND "COMMERCIAL" TO A SINGLE CLASSIFICATION OF "COMMERCIAL" ON APPROXIMATELY 23.6 ACRES OF LAND DESCRIBED AS TRACTS 43, 44, 45, 52, 53, 55, 56, 57, AND 58 OF THE MCKINNEY AND WILLIAMS SURVEY ABSTRACT 463 GENERALLY LOCATED BETWEEN BROWN ROAD AND RICKS ROAD NEAR TULANE DRIVE AND AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE DESIGNATION OF THE PROPERTIES FROM "RETAIL", "OFFICE", AND "LOW DENSITY RESIDENTIAL" TO A SINGLE DESIGNATION OF "COMMERCIAL"**

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and First Reading of a request for a zone change from the classifications of "Residential Large Single-Family Dwelling", "Neighborhood Retail", and "Commercial" to a single classification of "Commercial" on approximately 23.6 acres of land described as Tracts 43, 44, 45, 52, 53, 55, 56, 57, and 58 of the McKinney and Williams Survey Abstract 463 generally located between Brown Road and Ricks Road near Tulane Drive and an amendment to the Future Land Use Map of the Comprehensive Plan by changing the designation of the properties from "Retail", "Office", and "Low Density Residential" to a single designation of "Commercial".

City Manager Paul Parker stated that this was a request from David Miles for a rezoning of the property that was approximately 23.6 acres to a "Commercial" classification. City Manager Parker added that there was currently a variety of "Residential Large Single-Family Dwelling", "Neighborhood Retail", and "Commercial" properties in the area. City Manager Parker stated that the area contained the Tidwell Manufactured Mobile Home Park and surrounding properties. City Manager Parker added that the property was located between Brown Road and Ricks Road near Tulane and the back of the Texas Forest Service. City Manager Parker stated that the area was in transition, and that the Planning and Zoning Commission, by unanimous vote, recommended that Council approve the request.

Mayor Gorden opened the Public Hearing at 5:10 p.m. and asked anyone wishing to speak on the item to please step forward.

Speaking on the Ordinance was David Miles.

Mayor Gorden closed the Public Hearing at 5:12 p.m.

Councilmember Phil Medford stated that the proposal sounded like a good project. Councilmember Medford added that by looking at the existing use of the property and taking into consideration the plans presented by Mr. Miles, that he thought it would be an enhancement for the City of Lufkin.

Councilmember Rufus Duncan moved to approve the First Reading of the request for a zone change from the classifications of "Residential Large Single-Family Dwelling", "Neighborhood Retail", and "Commercial" to a single classification of "Commercial" on approximately 23.6 acres of land described as Tracts 43, 44, 45, 52, 53, 55, 56, 57, and 58 of the McKinney and Williams Survey Abstract 463 generally located between Brown Road and Ricks Road near Tulane Drive and an amendment to the Future Land Use Map of the Comprehensive Plan by changing the designation of the properties from "Retail", "Office", and "Low Density Residential" to a single designation of "Commercial". Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

6. <u>PRESENTATION BY ELLEN TEMPLE IN REGARD TO THE GREEN INFRASTRUCTURE PLAN</u>

Mayor Gorden stated that the next item on the agenda was a presentation by Ms. Ellen Temple and Ms. Julie Shackleford in regard to the Green Infrastructure Plan. Mayor Gorden then stated that the City of Lufkin has been working diligently to become a "greener" community, and both Ms. Temple and Ms. Shackleford had helped with this effort, along with City Planner Dorothy Wilson, who previously attended Green Infrastructure training. Mayor Gorden continued that one idea that had been presented was to alter the design of the Whitehouse Drive extension to accommodate the construction of a walking path, and that City Manager Parker was working with Staff to move forward with this idea. Mayor Gorden then introduced Ms. Ellen Temple. Ms. Temple stated she felt privileged to be at the Council meeting and that she was a member of the Vision 20/20 Infrastructure Committee and she cared passionately for the future of Angelina County. Ms. Temple continued that as presented at the recent Economic Development conference, East Texas was projected to double in size within the next twenty (20) to twenty-five (25) years, and because of that and the tremendous resources available in the East Texas area including the proximity of the community to the National Forests, Lake Sam Rayburn, both the Angelina and Neches rivers and the beautiful creeks running through the area, the community was in the best possible place for being designated as a retirement community. Ms. Temple furthered that during the creation of the Vision 20/20 plan, the question came up time and time again of how the area could grow and develop while at the same time sustaining and enhancing the wonderful natural resources, so that future generations would have clean air, water, places to enjoy nature, and continue to have the same benefits that the area currently enjoys. Ms. Temple stated the answer to these questions was to implement a plan, and the Conservation Fund, who has expertise in this area, has heavily committed to this plan. Ms. Temple then introduced Ms. Julie Shackleford, the Program Director for the Conservation Fund and continued that Ms. Shackleford had recently moved to East Texas, and which was indicative of the Conservation Funds interest in the East Texas area and the Conservation Fund wanted to help this area fulfill their plans. Ms. Temple continued that all communities and entities were on board to help with this and she was grateful for their dedication. Ms. Temple then turned the presentation over to Ms. Shackleford. Ms. Shackleford expressed her appreciation for being allowed to speak at the Council meeting. Ms. Shackleford continued that she would be detailing what the Green Infrastructure plan encompasses. Ms. Shackleford stated she was the Program Director for the Conservation Fund and introduced several of her staff in attendance: Mr. Andy Jones, Texas Director; and Betty Russo, Pineywoods Experience Coordinator. Ms. Shackleford continued that the Conservation Fund is a national non-profit organization that worked at the request of entities to help them with many things including land acquisition and the Fund has worked with the Big Thicket, several wildlife refuges and were beginning to work with the National Forest Service. Ms. Shackleford stated the Conservation Fund was the initiator of the Pineywoods Experience, which is an economic development initiative that takes advantage of East Texas' cultural, historic and natural resources to promote the region for tourism and economic development. Ms. Shackleford furthered that the Green Infrastructure plan rose out of discussions related to the Pineywoods Experience and the Vision 20/20 Plan and this plan would help achieve the goals of these discussions. Ms. Shackleford reiterated that Angelina County would continue to grow and the County and the City were promoting the area as a retirement destination and that generally new residents were drawn to an area by its parks, trails, good quality of life, trees, clean air and an overall attractive environment and that the goal of the Plan was to assist the community in providing these amenities to future citizens. Ms. Shackleford stated the Green Infrastructure plan was basically a blueprint, such as a Gray Infrastructure plan, which planned for roads, utilities, and services, and this Green Infrastructure plan would ensure that parks, rivers, trails, and corridors were considered up front and not as an afterthought. Ms. Shackleford stated that the goal of the Green Infrastructure plan was to provide placement for future parks, plan for connecting corridors and other infrastructures in a way that took advantage of the natural resources and the services they will provide to citizens. Ms. Shackleford continued that clean air, clean water, flood control should be considered prior to Gray Infrastructure and that examples were parks, open spaces, river and stream corridors, conversion of old railroad beds, clean air and water. Ms. Shackleford furthered that Green Infrastructure Planning would also make the community more strategic in areas of making land conservation and development decisions and the area was already off to a good start and that Planning Director Dorothy Wilson attended a Green Infrastructure Planning session put on by the Conservation Fund at their training facility in West Virginia. Ms. Shackleford stated that Angelina County and the City should consider a plan of this nature for several reasons including enhancing economic development, attracting tourists to the area, and generally increase the attractiveness of the area due to having more green space, less cement, and all of the natural resources unique to the area. Ms. Shackleford furthered that the Plan would help with flooding issues, air and water quality enhancement, wildlife habitat and help to keep the features already present in the area. Ms. Shackleford continued that keeping trees would help with flood control, removing pollutants from the air and water quality and keep natural wildlife intact, which is a compelling argument due to the area attracting residents and tourists with hunting and fishing opportunities. Ms. Shackleford stated that having a Plan in place would also help with obtaining funding to help with these ideas and one thing that County currently was undertaking was the renovation of Cassells Boykin Park and this project was the kind of thing that would be a great hub and connector by creating trails. Ms. Shackleford then asked for Council to envision being connected to the lake and rivers by trails, being surrounded by the Angelina and Davy Crockett National Forest, the many parks in the City being connected to all of these areas by trails constructed from old railroad beds and minimizing costs for providing things like good water and air quality. Ms. Shackleford explained the first item on the agenda of the Plan, was to hold a Leadership Forum on March 5th, 2008, which is basically a community meeting to be held at Crown Colony and that the meeting would be an identification of priorities and community goals and the Conservation Fund staff was currently gathering as much data and information as available about what was currently existing in the County and would present this at the Forum so that the community could decide which direction they wished to take from this point. Ms. Shackleford stated that after the meeting, the Fund would analyze the feedback to develop a report and a GIS based map to present to the community in the form of an “implementation quilt”, which was basically recommendations on how to implement the Green Infrastructure Plan. Ms. Shackleford continued that the “implementation quilt” would consist of many things including what type of tools and funding are available, what staff capabilities exist, and ordinances that would help with the plan. Ms. Shackleford continued that this concept was presented to the Angelina County Commissioners Court previously and that they could help with plan in regard to funding, land acquisition and costs. Ms. Shackleford stated that the cost was estimated at sixty thousand dollars ($60,000), and that Conservation Fund was committed to providing half of the cost, or thirty thousand dollars ($30,000) and that the remainder of funding was being sought from the City, County, 4B, and other communities. Ms. Shackleford stated that the initial kick off meeting for this plan was in September 2007 and the final plan should be ready for presentation by September 2008 and that the Conservation Fund was looking forward to working with the Community. Ms. Shackleford then stated she would be glad to answer any questions. Mayor Gorden then thanked Ms. Shackleford and the Conservation Fund for their interest in the area and that it being a nationwide program, the City was very appreciative of their concern and efforts. Mayor Gorden continued that the first thing which caught his attention about the Conservation Fund, was its efforts to raise the standard of living for the people in the areas they were preserving and that part of the message was wonderful and rang true for the area. Mayor Gorden stated that the blueprint would be a wonderful tool for helping with the implementation of the Plan. Councilmember Don Langston stated that everyone understood that all of the Council looked for effective methods of doing their jobs, and all were looking toward the future and methods of planning and sources to achieve their objectives and that he was grateful for the input of private citizens to implement a plan that was effectively “green”, but that was not restrictive to development and was excited to see the results of all the hard work being put into this effort. Councilmember Rufus Duncan stated that current parks were experiencing heavy usage, and that all studies showed substantial growth to occur in the next fifty (50) years, and if future parks were not planned, they would not be created and he was looking forward to the park aspect of the study. Councilmember Phil Medford commented that he had raised the issue of permit and development plans that incorporate "green" aesthetics that would still be there in fifty (50) years and that it was wonderful that a plan was being implemented to accomplish this task. Mayor Gorden thanked both Ms. Temple and Ms. Shackleford for their attendance and presentation.

7. **FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, - APPROVED - AMENDING THE CODE OF ORDINANCES BY ADDING AN ORDINANCE REGULATING "ALARM SYSTEMS" TO PROVIDE REGULATIONS FOR ALARM SYSTEMS; BY ESTABLISHING PERMIT FEES AND CALL OUT CHARGES; PROVIDING A REPEALING CLAUSE; PROVIDING FOR A PENALTY OR FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000) FOR EACH OFFENSE; AND PROVIDING 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, amending the Code of Ordinances by adding an Ordinance regulating "Alarm Systems" to provide regulations for Alarm Systems; by establishing permit fees and call out charges; providing a repealing clause; providing for a penalty or fine not to exceed the sum of two thousand dollars ($2,000) for each offense; and providing an effective date.

City Manager Paul Parker stated that the Council recently had a study session where the problems associated with fire alarms had been discussed. City Manager Parker added that the Police Department presently had an Ordinance that enforced excessive false alarms, but the Fire Department did not currently have an Alarm Ordinance. City Manager Parker stated that the proposal before the Council was being presented by Chief Pete Prewitt and Fire Marshal LeeFran Skelton. City Manager Parker explained that Staff looked at several of the problems that were associated with false alarms and that from November of 2006 to November of 2007 there were three hundred seventy-two (372) false alarms or approximately thirty-one (31) false alarms per month. City Manager Parker stated that one institution had thirty-four (34) false alarms during that period. City Manager Parker explained that each time there was a false alarm the Fire Department ran several stations, plus a Battalion Chief to respond to the alarm. City Manager Parker stated that in addition to the personnel there were several pieces of equipment being used in emergency situations. City Manager Parker added that this decreased the number of personnel and equipment that could be available to respond to a true emergency. City Manager Parker stated that the fees were in the Resolution that was attached to the Ordinance and would be presented for Council's consideration at the February 19, 2008 meeting. City Manager Parker added that Councilmember Langston had even suggested increasing the fees, but that Staff had left them as they were and the fees would be left for the Council to consider.

Fire Chief Pete Prewitt introduced Fire Marshal LeeFran Skelton and stated that City Manager Parker had summarized the proposed Ordinance quite well and that he would answer any questions that Council had concerning the Ordinance.

Councilmember Don Langston stated that he still shared his concern that the fees were not a deterrent, in some cases, and that his position was that they should have been. Councilmember Langston added that he hoped that the Council could consider it later.

Mayor Jack Gorden asked if the Council could ask the Staff to stay close to the proposed fees.

Councilmember Langston stated that he would accept the recommendation but wanted to make sure that if it were not a strong enough deterrent, he would like to revisit the fees at a later time.

Councilmember Rose Faine Boyd moved to approve the First Reading of the Ordinance of the City Council of the City of Lufkin, Texas, amending the Code of Ordinances by adding an Ordinance regulating "Alarm Systems" to provide regulations for Alarm Systems; by establishing permit fees and call out charges; providing a repealing clause; providing for a penalty or fine not to exceed the sum of two thousand dollars ($2,000) for each offense; and providing an effective date. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

8. **<u>AWARD OF BID TO WALKER'S RUSTIC ACRES IN THE AMOUNT OF $31,254 FOR THE BEAUTIFICATION PROJECT AT KURTH DRIVE – APPROVED - (HWY 69 NORTH) AND MARTIN LUTHER KING DRIVE</u>**

Mayor Jack Gorden stated that the next item for consideration was the award of bid to Walker's Rustic Acres in the amount of $31,254 for the beautification project at Kurth Drive (Hwy 69 North) and Martin Luther King Drive.

City Manager Paul Parker referred the Council to the maps found in their Council packets under item number eight (#8). City Manager Parker stated that the area for the proposal was the three (3) corners at Kurth Drive and Martin Luther King Drive with the exception of Jones Park, which already had signage. City Manager Parker explained that the northeast and southeast corners would have a monument of polygonal shape with a radius front that would have wall mount signage with the inscription "Gateway to Lufkin" on it. City Manager Parker added that the southwest corner would have two (2) plaques; one with the names of the members of the Beautification Committee and the other A granite monument dedicated to two (2) leading educators; Claude Hill, Sr. and Essie M. Hill. City Manager Parker stated that the Lufkin City Council had set aside fifty thousand dollars ($50,000) in the budget for the beautification of the intersection and that the bid from Walker's Rustic Acres was in the amount of thirty-one thousand two hundred fifty-four dollars ($32,254). City Manager Parker added that the bid did not include the lettering and signage and that Staff estimated the cost for them to be approximately five thousand dollars ($5,000). City Manager Parker stated that Staff recommended that Council approve the project. City Manager Parker added that several civic clubs had stated that they would be available for the upkeep of the landscaping. City Manager Parker stated that Staff would answer any questions that the Council had concerning the project.

Mayor Jack Gorden stated that the Top Ladies of Distinction was the civic club that had agreed to assist with the landscape maintenance in the area.

City Manager Parker added that the Top Teens would assist the Top Ladies of Distinction.

Councilmember R. L. Kuykendall stated that the project would be rewarding to the citizens of the area. Councilmember Kuykendall added that the improvements would also assist in the rebuilding of North Lufkin and that visitors entering Lufkin through the area would see that it was an impressive area.

Councilmember Rose Faine Boyd stated that she agreed and hoped that the Council would approve the project.

Councilmember Lynn Torres moved to approve the award of bid to Walker's Rustic Acres in the amount of $31,254 for the beautification project at Kurth Drive (Hwy 69 North) and Martin Luther King Drive. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

9. **<u>REALIGNMENT OF THE BUDGET FOR STREET IMPROVEMENTS AND APPROVAL OF A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2007/2008 OPERATING BUDGET (BUDGET AMENDMENT NO. 17), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL AND GENERAL FUND CONSTRUCTION FUND; AND PROVIDING AN EFFECTIVE DATE</u>**

Mayor Jack Gorden stated that the next item for consideration was the approval of realignment of the budget for street improvements and approval of a Resolution authorizing an Amendment to the 2007/2008 Operating Budget (Budget Amendment No. 17), providing for the supplemental appropriation of funds in the general and general fund construction fund; and providing an effective date.

Mayor Gorden added that he wanted to commend the Staff for the significant saving of money and that the Council appreciated it.

City Manager Paul Parker stated items number nine (No. 9) and number ten (No. 10) went "hand in hand". City Manager Parker explained that the Council had previously approved a budget of three hundred thirty-eight thousand eight hundred ninety dollars ($338,890) for the reconstruction of Humason Street. City Manager Parker added that revised construction techniques resulted in the project being completed for one hundred fourteen thousand nine hundred fifty-three dollars and eighty cents ($114,953.80). City Manager Parker explained that Staff was requesting to realign the remainder of that budget to complete the overlays on Voyle, Jones, Ellis, and Gaslight Streets. City Manager Parker stated that Voyle, Jones, and Ellis were already completed, and if approved, the operating funds would reimburse ninety-one thousand dollars ($91,000) for the actual expenditures, which would allow Staff to reconstruct all streets in the 2007/2008 Street Overlay Program. City Manager Parker added that there was eight hundred thousand dollars ($800,000) budgeted for the 2007/2008 Street Overlay Program but ninety-one thousand dollars ($91,000) had been expended to complete Voyle, Jones, and Ellis. City Manager Parker explained that Staff would be able to complete all projects discussed in the Overlay Project if the ninety-one thousand dollars ($91,000) was returned to the Overlay Budget. City Manager Parker added that without the Budget Amendment, modifications to the Overlay Program would be necessary to fully fund all projects. City Manager Parker stated that the balance of the funds would be utilized to complete the southbound lane of Gaslight Boulevard.

Councilmember Don Langston asked if the City had solved the utility issues in the Gaslight area. Assistant City Manager Keith Wright stated that the City Staff had not solved all of the utility issues in the area. Assistant City Manager Wright explained that the magnesium hydroxide being used to treat odor problems was affecting the odor somewhat. Assistant City Manager Wright added that there was a thirty-six inch (36") line located in the area that crossed a creek and had "swag" in the line. Assistant City Manager Wright stated that the line was approximately three quarters (3/4) full, on a dry day. Assistant City Manager Wright stated that one of the projects that would be brought back to the Council in the CIP Program would be to parallel that line with a new sewer interceptor and that Staff believed that the I and I Study would bear that out.

City Manager Parker asked if it would be within the roadway. Assistant City Manager Wright stated that it would be outside of the roadway, in the easement. City Manager Parker stated that any construction done on Gaslight would not be affected by the proposed sewer project.

City Manager Parker stated that other problems in the Gaslight area concerned the irrigation located in the islands. City Manager Parker added that he was aware that Street Superintendent Steve Poskey and Parks Director Don Hannabas had worked together to keep the irrigation to a minimum due to the amount of water that ran onto the street and made the base hard to hold. Assistant City Manager Wright commented that the base on the northbound side was very poor and the City had to bring in a lot of fill to get the sub grade to hold up and were expecting the same type of problem on the southbound side of Gaslight.

Councilmember R. L. Kuykendall moved to approve the realignment of the budget for street improvements and approval of a Resolution authorizing an Amendment to the 2007/2008 Operating Budget (Budget Amendment No. 17), providing for the supplemental appropriation of funds in the general and general fund construction fund; and providing an effective date. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

10. <u>FISCAL YEAR 2007-2008 STREET RECONSTRUCTION LIST- APPROVED</u>

Mayor Jack Gorden stated that the next item for consideration was the approval of the Fiscal Year 2007-2008 Street Reconstruction List.
Councilmember Don Langston stated that the recent Zone Change from Tulane to Harmony Hill would result in a lot of construction activity in the area and design changes. Councilmember Langston asked if that was something that Council needed to take a second look at. Councilmember Langston added that it might require some significant changing for traffic flow.

Assistant City Manager Wright stated that Brown was a short street that connected Harmony Hill to Tulane, and was very poor quality. Councilmember Langston stated that he wondered if the development activity would necessitate a different approach to that section of street and wanted Staff and the Council to consider it and not have to do it twice.

Mayor Gorden stated that he agreed with Councilmember Langston and added that perhaps the project could be delayed. Assistant City Manager Wright stated that Staff could wait on the project.

City Manager Parker stated that he had asked Staff to look at the speed limit on Tulane and some of the striping in anticipation of the Highway 59 Project and the heavy use in that area.

Councilmember Langston stated that Davisville had a significant increase in traffic and that the surrounding neighborhood streets were wider than that particular road and wanted to look at it in the CIP Program. City Manager Parker stated that Staff had already submitted Davisville as a consideration to the Council.

Councilmember Rose Faine Boyd moved to approve the Fiscal Year 2007-2008 Street Reconstruction List. Councilmember Rufus Duncan seconded the motion. A unanimous affirmative vote was recorded.

11. <u>UPDATES TO THE CITY OF LUFKIN ECONOMIC DEVELOPMENT INCENTIVE POLICY- APPROVED</u>

Mayor Jack Gorden stated that the next item for consideration was the approval of updates to the City of Lufkin Economic Development Incentive Policy.

City Manager Paul Parker stated that the current Incentive Policy had not been brought up to date in approximately ten (10) years. City Manager Parker added that the policy before the Council put a lot of emphasis on existing businesses in Lufkin, environmental remediation projects, rehabilitation of older buildings that were out of code, and rewarding new companies that paid above average wages. City Manager Parker stated that the 4B Board had gone into detail in reviewing the Policy and recommended that the Policy by adopted and that it included the Main Street Incentive area as well as Economic Development incentives. City Manager Parker stated that Economic Development Director Jim Wehmeier was present to answer any questions that the Council had or to highlight anything the Council wanted to know about the Incentive Program.

Councilmember Don Langston asked if the 4B Board had made any significant changes from the original proposal. Mr. Wehmeier stated that they did not make any notable changes. Mayor Gorden stated that the proposed policy placed emphasis on local industry, rehabilitation of existing buildings, and higher wages and was a synopsis of the part of the policy that he supported.

Councilmember Don Langston asked if the incentive payout over a period of time would be tracked in-house. Mr. Wehmeier stated that it was looked at annually and that the proposed policy was more detailed than the current policy. Mr. Wehmeier added that there was now a way to have larger incentives available for the truly community changing or the higher impact projects. Mr. Wehmeier stated that none of the incentive packages had decreased. Mr. Wehmeier explained that additional levels had been added to the policy.

City Manager Parker stated that each project would be brought back to the Council and that the City Council would have the final say on any incentives that would be offered. Mr. Wehmeier stated that the proposed policy was a guideline but there was still flexibility to go outside the guidelines of the policy.

Mayor Gorden commented that historically speaking the County and Angelina College had followed suit. Mr. Wehmeier stated that both had been made aware of the proposed policy and that if the City Council approved it, the policy would be taken to both.

Councilmember Don Langston moved to approve the updates to the City of Lufkin Economic Development Incentive Policy. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

12. <u>LEGISLATIVE CONSULTANT AGREEMENT WITH HANCE SCARBOROUGH, LLP -APPROVED</u>

Mayor Jack Gorden stated that the next item for consideration was the approval of a Legislative Consultant Agreement with Hance Scarborough, LLP.

City Manager Paul Parker stated this was a continuation of a three (3) year contract. City Manager Parker added that the contract had expired, and that the 4B Board and the Partnership had funded the project on a fifty-fifty (50-50) basis. City Manager Parker stated that if Council concurred to continue with the fifty-fifty (50-50) agreement with the Partnership, the total contract would be fifty-four thousand dollars ($54,000) in 2008, seventy-two thousand dollars ($72,000) in 2009, and sixty thousand dollars ($60,000) in 2010, plus expenses. City Manager Parker stated that this was the institution that the City of Lufkin used to help bring programs and legislation and to protect the City from bad legislation. City Manager Parker added that Hance Scarborough, LLP had been very successful in the past and that Staff and the 4B Board recommended that the Council continue in sharing the funding with the Partnership for the contract.

Mayor Gorden stated that Hance Scarborough, LLP had done a great job for the area and the City of Lufkin. Mayor Gorden added that one of the most notable was assisting in keeping the Lufkin State School open.

Councilmember Rufus Duncan stated that David Pore gave a report to the Partnership. Councilmember Duncan requested that Economic Development Director Jim Wehmeier put a copy of that report in the Council's packets. Mr. Wehmeier stated that he would be happy to do that.

Councilmember Rufus Duncan moved to approve the Legislative Consultant Agreement with Hance Scarborough, LLP. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

13. **AWARD OF BID TO PUMP SOLUTIONS, INC. – APPROVED - IN THE AMOUNT OF $25,366 FOR THE PURCHASE OF A BOOSTER PUMP FOR WATER PLANT NO. TWO (2)**

Mayor Jack Gorden stated that the next item for consideration was the award of bid to Pump Solutions, Inc. in the amount of $25,366 for the purchase of a Booster Pump for Water Plant No. two (2).

City Manager Paul Parker stated that thirty-five thousand dollars ($35,000) was appropriated in the 2007/2008 budget for additional booster pumps for Water Plant No. 2. City Manager Parker added that the booster pump would give the City some backup support in high peak times, or if one of the existing pumps experienced mechanical failure. City Manager Parker stated that this would help protect the water supply in the City of Lufkin and that Staff recommended that the Council approve the pump in the amount of twenty-five thousand three hundred sixty-six dollars ($25,366).

Councilmember Don Langston moved to approve the award of bid to Pump Solutions, Inc. in the amount of $25,366 for the purchase of a Booster Pump for Water Plant No. two (2). Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

14. **AWARD OF BID FOR THE PURCHASE OF TWO (2) SEDANS FOR THE POLICE DEPARTMENT – APPROVED – IN THE AMOUNT OF $34,030 ($17,015 EACH) THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (HGAC) FROM PHILPOT MOTORS IN NEDERLAND, TEXAS**

Mayor Jack Gorden stated that the next item for consideration was the award of bid for the purchase of two (2) sedans for the Police Department in the amount of $34,030 ($17,015 each) through the Texas Local Government Purchasing Cooperative (HGAC) from Philpot Motors in Nederland, Texas.

City Manager Paul Parker stated that two (2) police detective vehicles were due to be replaced in the Amortization Schedule. City Manager Parker added that the vehicles would replace two (2) older Crown Vics that were worn out due to the mileage. City Manager Parker stated that the City was proposing to purchase two (2) Ford Fusion sedans in the amount of seventeen thousand fifteen dollars ($17,015) for a total of thirty-four thousand thirty dollars ($34,030) from Philpott Motors in Nederland, Texas through HGAC.

Councilmember Phil Medford moved to approve the award of bid for the purchase of two (2) sedans for the Police Department in the amount of $34,030 ($17,015 each) through the Texas Local Government Purchasing Cooperative (HGAC) from Philpot Motors in Nederland, Texas. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

15. **AWARD OF BID FOR THE PURCHASE OF A CATERPILLAR CB4340-XW VIBRATORY ASPHALT COMPACTOR FOR THE STREET DEPARTMENT – APPROVED - IN THE AMOUNT OF $101,500 THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (HGAC) FROM MUSTANG CAT IN LUFKIN, TEXAS**

Mayor Jack Gorden stated that the next item for consideration was the award of bid for the purchase of a Caterpillar CB4340-XW Vibratory Asphalt Compactor for the Street Department in the amount of $101,500 through the Texas Local Government Purchasing Cooperative (HGAC) from Mustang Cat in Lufkin, Texas.

City Manager Paul Parker stated that this was a replacement of the existing 2001 Terex Benford five (5) ton asphalt roller. City Manager Parker explained that the asphalt compactor had a lot more capacity with a larger roller. City Manager Parker stated that the size of the roller on the previous equipment did not have as much vibratory capability. City Manager Parker explained that the compactor would assist in completing the reconstruction that the Council had approved earlier in the meeting. City Manager Parker stated that the compactor would replace existing asphalt roller and would allow Staff to eliminate one (1) backhoe. City Manager Parker added that the overall result was that it would save money and the City would get better equipment to do the job.

Councilmember Rose Faine Boyd moved to approve the award of bid for the purchase of a Caterpillar CB4340-XW Vibratory Asphalt Compactor for the Street Department in the amount of $101,500 through the Texas Local Government Purchasing Cooperative (HGAC) from Mustang Cat in Lufkin, Texas. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

16. **AWARD OF BID FOR THE PURCHASE OF TWO (2) PETERBILT 320 TRUCKS WITH HEIL 28 CUBIC YARD FRONT LOADER – APPROVED - IN THE AMOUNT OF $401,016.18 ($200,508.09 EACH) THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUY BOARD) FROM RUSH TRUCK CENTER OF LUFKIN, TEXAS**

Mayor Jack Gorden stated that the next item for consideration was the award of bid for the purchase of two (2) Peterbilt 320 Trucks with Heil 28 cubic yard Front Loader in the amount of $401,016.18 ($200,508.09 each) through the Texas Local Government Purchasing Cooperative (Buy Board) from Rush Truck Center of Lufkin, Texas.

City Manager Paul Parker stated that the item was part of the Amortization Fund to replace some of the City's front load refuse collection trucks. City Manager Parker added that the two (2) vehicles came to a total price of four hundred one thousand sixteen dollars and eighteen cents ($401,016.18. City Manager Parker stated that Staff recommended that Council approve the purchase of the two (2) Peterbilt 320 trucks with Heil 28 cubic yard front loaders.

Councilmember Lynn Torres moved to approve the award of bid for the purchase of two (2) Peterbilt 320 Trucks with Heil 28 cubic yard Front Loader in the amount of $401,016.18 ($200,508.09 each) through the Texas Local Government Purchasing Cooperative (Buy Board) from Rush Truck Center of Lufkin, Texas. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

17. **AWARD OF BID FOR THE PURCHASE OF ONE (1) JOHN DEERE 410J BACKHOE LOADER FOR THE SEWER REHAB DEPARTMENT – APPROVED - IN THE AMOUNT OF $91,935.78 THROUGH THE TEXAS LOCAL**

GOVERNMENT PURCHASING COOPERATIVE (BUY BOARD) FROM JOHN DEERE DEALERSHIP, NORTRAX, INC. IN LUFKIN, TEXAS

Mayor Jack Gorden stated that the next item for consideration was the award of bid for the purchase of one (1) John Deere 410J Backhoe Loader for the Sewer Rehab Department in the amount of $91,935.78 through the Texas Local Government Purchasing Cooperative (Buy Board) from John Deere Dealership, Nortrax, Inc. in Lufkin, Texas.

City Manager Paul Parker stated that the backhoe would replace the earlier mentioned smaller backhoe. City Manager Parker added that the backhoe would be shared between the Water Utility Crew and the Street Department. City Manager Parker explained that there was eighty-nine thousand dollars ($89,000) budgeted and that the bid amount for the backhoe was ninety-one thousand nine hundred thirty-five dollars and seventy-eight cents ($91,935.78) from Nortrax, Inc. in Lufkin. City Manager Parker stated that Staff recommended that Council approve the purchase.

Councilmember Lynn Torres moved to approve the award of bid for the purchase of one (1) John Deere 410J Backhoe Loader for the Sewer Rehab Department in the amount of $91,935.78 through the Texas Local Government Purchasing Cooperative (Buy Board) from John Deere Dealership, Nortrax, Inc. in Lufkin, Texas. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

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

Mayor Gorden stated that there were several calendar notations that needed to be covered. Mayor Gorden stated that the first item to discuss was an event to be held in Downtown Lufkin to enhance it and put the City of Lufkin on the map. Mayor Gorden requested that Assistant City Manager Keith Wright report on the event. Assistant City Manager Wright stated that the Event Committee had recently brought a possible music festival proposal to the Council. Assistant City Manager Wright added that the committee had been working on that concept and had finally decided to tie the event to the Downtown Hoedown that would be held on a Saturday. Assistant City Manager Wright stated that the concert would be held on the Friday night preceding the Hoedown Event. Assistant City Manager Wright added that the concert would be advertised as part of the Hoedown Event and the there would be several advertisements at the musical event for the Hoedown the next day and the advertising for both events would be combined. Assistant City Manager Wright stated that Staff currently had a proposal from Robert Earl Keen and the tickets would sell for fifteen dollars ($15). Assistant City Manager Wright added that in addition to ticket sales there would be sponsors for the event and the budget was estimated to be forty thousand dollars ($40,000). Assistant City Manager Wright explained that the committee was asking for approval from the Council to move forward by signing a contract with Robert Earl Keen to perform at the Lufkin Pitser Garrison Civic Center on April 18, 2008. City Manager Parker stated that there could be modifications to the proposal but Staff was looking for consensus from the Council to enable Staff to sign the contract with Robert Earl Keen for the event. City Manager Parker added that Staff would be bringing a proposed budget back to the Council at a later date. City Manager Parker also asked Council for permission to use Hotel/Motel funds set aside for promotions to supplement the event. The City Council concurred with Staff to move forward.

Mayor Gorden asked Staff to consider advertising in the Houston area if it were cost effective.

City Manager Parker stated that Wednesday, February 13, 2008 at 10:00 a.m. would be the "Grand Opening" of the new fire station on Old Union Road and that Council was urged to attend. City Manager Parker added that February 26, 2008 would be Lufkin Day in Austin and that rooms had been reserved for those Council Members that were available to attend.

Mayor Gorden stated that included in the Council packet were a couple of letters to bring to the attention of the Council. Mayor Gorden stated that there was a letter to Police Chief Larry Brazil from Amy Burr. Mayor Gorden added that Ms. Burr was the victim of a hit and run on September 26, 2007. Mayor Gorden stated that Ms. Burr was very complimentary of the Lufkin Police Department and expressed her gratitude for their diligence and hard work on her case.

Mayor Gorden stated that also included in the Council packet was a letter from Melita McCall who was a member of the Mayor's Committee for People with Disabilities. Mayor Gorden added that Ms. McCall was complimenting the City of Lufkin for their work in helping people with disabilities to have better access to facilities in Lufkin. Mayor Gorden stated that Council should take the time to thank Ms. McCall because she was a driving force on that committee, and had been for years.

Councilmember Rose Faine Boyd requested that Ms. McCall and the committee look at the Post Office, as that facility did not have automatic doors. Councilmember Don Langston pointed out that the Post Office was a privately owned facility.

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

Jack Gorden

Jack Gorden, Mayor

Renee Thompson

Renee Thompson – City Secretary