

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS HELD ON THE 1st DAY OF MAY, 2012.**

On the 1st day of May, 2012, 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
Don Langston	Mayor Pro-Tem
Victor Travis	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Rufus Duncan	Councilmember, Ward No. 5
Sarah Murray	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Keith Wright	Deputy City Manager
Bruce Green	City Attorney
Kara Atwood	City Secretary
Scott Marcotte	Police Chief
Gerald Williamson	Assistant Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Rodney Ivy	Human Resources Director
Dorothy Wilson	Planning Director
Chuck Walker	City Engineer
Jim Wehmeier	Economic Development Director
Barbara Thompson	Main Street Director
Dale Allred	Inspection Services Director
Mike Akridge	Parks & Recreation Director

being present when the following business was transacted.

1. The meeting was opened with prayer by Pastor Mark O'Neill, Covenant Presbyterian.
2. Mayor Jack Gorden welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of April 17th, 2012 were approved on a motion by Councilmember Lynn Torres and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY GRANTING A SPECIAL USE PERMIT FOR INDOOR COMMERCIAL RECREATION AND ENTERTAINMENT IN A "CENTRAL BUSINESS DISTRICT" FOR PROPERTY DESCRIBED AS BLOCK 4, LOT 17-18 OF THE CITY OF LUFKIN AND MORE COMMONLY KNOWN AS 122 SOUTH FIRST STREET, IN THE DOWNSTAIRS PORTION OF THE BUILDING – APPROVED.**

Mayor Jack Gorden stated that the next agenda item was to conduct a Public Hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for Indoor Commercial Recreation and Entertainment in a "Central Business District" for property described as Block 4, Lot 17-18 of the City of Lufkin and more commonly known as 122 South First Street, in the downstairs portion of the building.

City Manager Paul Parker stated that this was the second reading of the request for a Special Use Permit for the downstairs portion of the building located at 122 South First Street. City Manager Parker furthered that the location would be used for live entertainment and studio space. City Manager Parker continued that this Special Use Permit would allow Bring Your Own Beverage (BYOB) in the facility. City Manager Parker concluded that both staff and the Planning and Zoning Commission recommended approval.

Mayor Gorden opened the Public Hearing at 5:12 p.m. and asked that anyone who wished to speak on the item to please step forward. There being no one who wished to speak, Mayor Gorden closed the Public Hearing at 5:13 p.m.

Mayor Gorden then asked for questions or motions from the Council.

Councilmember Rufus Duncan moved to approve the Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for Indoor Commercial Recreation and Entertainment in a "Central Business District" for property described as Block 4, Lot 17-18 of the City of Lufkin and more commonly known as 122 South First Street, in the downstairs portion of the building. Councilmember Victor Travis seconded the motion and a unanimous vote was recorded.

NEW BUSINESS:

5. ACCEPTANCE OF A DONATION FROM PERRY ELLIS KIA IN THE AMOUNT OF FIVE HUNDRED DOLLARS (\$500) TO THE LUFKIN FIRE DEPARTMENT AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2011/2012 OPERATING BUDGET (BUDGET AMENDMENT NO. 22), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE – APPROVED.

Mayor Gorden stated that the next agenda item was to consider the acceptance of a donation from Perry Ellis Kia in the amount of five hundred dollars (\$500) to the Lufkin Fire Department and a Resolution authorizing an Amendment to the 2011/2012 Operating Budget (Budget Amendment No. 22), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date.

City Manager Parker stated that the Lufkin Fire Department had recently received a generous donation from Perry Ellis Kia in the amount of five hundred dollars (\$500) for the purchase of equipment for the Lufkin Fire Department Honor Guard.

Mayor Gorden then asked for comments or motions from the Council.

Councilmember Rufus Duncan moved to approve the acceptance of a donation from Perry Ellis Kia in the amount of five hundred dollars (\$500) to the Lufkin Fire Department and a Resolution authorizing an Amendment to the 2011/2012 Operating Budget (Budget Amendment No. 22), providing for the supplemental appropriation of funds in the General Fund; and providing an effective date. Councilmember Victor Travis seconded the motion. A unanimous vote was recorded.

6. AWARD OF BID TO WEISINGER ELECTRIC IN THE AMOUNT OF EIGHTY-EIGHT THOUSAND SIX HUNDRED THREE DOLLARS (\$88,603) FOR THE LUFKIN WATER WELL UPGRADE IN NACOGDOCHES COUNTY – APPROVED.

Mayor Jack Gorden stated that the next item on the agenda for consideration was an award of bid to Weisinger Electric in the amount of eighty-eight thousand six hundred three dollars (\$88,603) for the Lufkin Water Well Upgrade in Nacogdoches County.

City Manager Paul Parker stated that as Council would recalled, when the City purchased the water rights and wells from Abitibi, three (3) of the water wells were actually located in Nacogdoches County. City Manager Parker continued that the City also acquired the electrical system that serviced the wells. City Manager Parker furthered that last year Council approved the upgrade of the electrical lines in Angelina County and those lines were then accepted by ONCOR for maintenance and upkeep. City Manager Parker stated that the three (3) wells in Nacogdoches County are served by Deep East Texas Electric Coop and Staff had negotiated with them for the maintenance and operation of the lines, along with the connection of the line to the first well, once they were upgraded to the Deep East Texas Electric Coop standards. City Manager Parker continued that the City would maintain ownership of the 1.5 miles of electrical line that would service the three (3) wells; however, Deep East Texas Electric Coop would maintain and operate the line. City Manager Parker stated that Staff recommended Council award a bid to Weisinger Electric in the amount of eighty-eight thousand six hundred three dollars (\$88,603) for the upgrade of the 1.5 miles of electrical line that would service the three (3) wells in Nacogdoches County. Councilmember Don Langston questioned what the alternate bid from LUDCO Electric included. Director of Public Utilities Chuck Walker stated that Lud Davis, with LUDCO Electric, proposed an alternate upgrade solution that would be cheaper; however, Deep East Texas Electric Coop

would not accept the alternate upgrade. Director Walker stated that it was simply noted on the Bid Tabulation, but was not a viable alternate.

Councilmember Don Langston moved to approve an award of bid to Weisinger Electric in the amount of eighty-eight thousand six hundred three dollars (\$88,603) for the Lufkin Water Well Upgrade in Nacogdoches County. Councilmember Lynn Torres seconded the motion and a unanimous vote was recorded.

7. **CLOSURE, SALE AND CONVEYANCE OF AN ALLEY LOCATED ON MCHALE STREET, BLOCK NO. 16 OF THE HERTY SUBDIVISION TO JOSE AND ARELIA CHAVEZ IN THE AMOUNT OF ONE THOUSAND FIVE HUNDRED NINETEEN DOLLARS (\$1,519) – APPROVED.**

Mayor Jack Gorden stated that the next item was to consider the closure, sale and conveyance of an alley located on McHale Street, Block No. 16 of the Herty Subdivision to Jose and Arelia Chavez in the amount of one thousand five hundred nineteen dollars (\$1,519).

City Manager Paul Parker stated that Jose and Arelia Chavez had requested to purchase the alley located on McHale Street. City Manager Parker continued that Mr. and Mrs. Chavez owned all the property next to the alley. City Manager Parker stated that Staff had contacted William J. Lyons and Associates to assess the fair market value of the property. City Manager Parker continued that the appraisal value of the property was one thousand sixty-nine dollars (\$1,069) and the cost of the appraisal was four hundred and fifty dollars (\$450). City Manager Parker stated that alley would be sold to Mr. and Mrs. Chavez for one thousand five hundred nineteen dollars (\$1,519) which was the total of the appraised value and cost of the appraisal should Council approve the request. City Manager Parker stated that Staff would draft an Ordinance for the closure and sale of the alley and place on a future agenda should Council approve moving forward with the sale.

Mayor Gorden then asked for comments or questions from Council.

Councilmember Rufus Duncan moved to approve the closure, sale and conveyance of an alley located on McHale Street, Block No. 16 of the Herty Subdivision to Jose and Arelia Chavez in the amount of one thousand five hundred nineteen dollars (\$1,519). Councilmember Victor Travis seconded the motion and a unanimous vote was recorded.

8. **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.

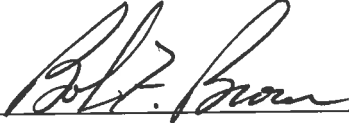
Mayor Jack Gorden stated there was no need for Council to recess into Executive Session and moved onto the next agenda item.

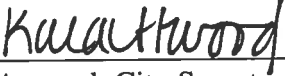
9. **DISCUSSION OF ITEMS OF COMMUNITY INTEREST, INCLUDING EXPRESSIONS OF THANKS, CONGRATULATIONS OR CONDOLENCE; INFORMATION REGARDING HOLIDAY SCHEDULES; HONORARY RECOGNITIONS OF CITY OFFICIALS, EMPLOYEES OR OTHER CITIZENS; REMINDERS ABOUT UPCOMING EVENTS SPONSORED BY THE CITY OR OTHER ENTITY THAT IS 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 stated that Council had the calendar of upcoming events, City Manager Parker stated that National Day of Prayer ceremony would be held Thursday, May 3rd in Louis Bronaugh Park. City Manager Parker then reviewed the remainder of calendar and noted the upcoming First Friday Luncheon, the Annual Expo Party and Council Budget Retreat.

Councilmember Robert Shankle stated that he wished to express his appreciation to the Staff of Main Street for their efforts in making the Annual Downtown Hoedown a great success. Councilmember Shankle stated that there was a huge turnout and Main Street Director Barbara Thompson and her Staff did an excellent job.

10. There being no further business, the meeting adjourned at 5:20 p.m.


Bob F. Brown, Mayor


Kara Atwood, City Secretary