

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 18th DAY OF NOVEMBER, 2014.

On the 18th day of November 2014, 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:

Bob F. Brown	Mayor
Lynn Torres	Mayor Pro-Tem
Victor Travis	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Don Langston	Councilmember, Ward No. 4
Sarah Murray	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Keith Wright	City Manager
Steve Floyd	Assistant City Manager
Bruce Green	City Attorney
Kara Atwood	City Secretary
Rodney Ivy	Human Resources Director
Gerald Williamson	Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Mike Akridge	Parks & Recreation Director
Barbara Thompson	Main Street Director
Brant Lee	Convention Center Director
Dale Allred	Inspection Services Director
Chuck Walker	Public Utilities Director
Kent Havard	Solid Waste Director
Thad Chambers	Economic Development Director

being present when the following business was transacted,
and the following being absent;

Rocky Thigpen	Councilmember, Ward No. 5
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- 1. The meeting was opened with prayer by Pastor Randy Brown, Calvary Baptist Church.
- 2. Mayor Bob Brown welcomed visitors present including the Angelina College Government students in Ms. Olivia Wilson’s class.
- 3. **APPROVAL OF MINUTES**

Minutes of the Regular Council Meeting on November 4, 2014 were approved on a motion by Councilmember Lynn Torres and seconded by Councilmember Sarah Murray. A unanimous affirmative vote was recorded.

NEW BUSINESS

- 4. **FIRST PUBLIC HEARING IN CONSIDERATION OF AN ANNEXATION FOR PROPERTY LOCATED ADJACENT TO AND INCLUDING JOE C. LANE AND CONSIDER APPROVAL OF A MUNICIPAL SERVICE PLAN FOR THE SAME-APPROVED**

City Manager Keith Wright stated that during the October 7th meeting, City Council had approved a Resolution for Staff to move forward with the annexation process for property located adjacent to and including Joe C. Lane. City Manager Wright furthered that Staff had received the annexation request from residents located in and around Joe C. Lane due to existing sewer issues, because several residents had conventional septic systems and wished to connect to the City’s sewer system.

City Manager Wright continued that per the Texas Local Government Code 43.502 (h)(1), an “area that contains fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract”, is not required to be placed on a three (3) year annexation plan. City Manager Wright furthered that the procedure for this annexation pursuant to

Chapter 43, Sub Chapter C-1 of the Local Government Code, required the City Council to first direct Staff to prepare a service plan and proceed with the annexation, then the City was required to hold two (2) Public Hearings concerning the proposed annexation. City Manager Wright explained that these Public Hearings were allowed to be conducted within one (1) City Council meeting, so long as they were listed as separate agenda items and the annexation could then be initiated within twenty to forty days (20-40) of the Public Hearings.

City Manager Wright stated that Staff recommended City Council conduct the required Public Hearings in order to allow for the annexation of property located adjacent to and including Joe C. Lane as well as consider approval of the municipal service plan for the property to be annexed.

Mayor Brown opening the First Public Hearing at 5:03 pm and stated that this was a Public Hearing and anyone wishing to speak on this matter was welcome to step forward.

Sarah Wilson of 206 Joe C. Lane addressed City Council and stated that she did not want her property to be annexed. Ms. Wilson questioned why the whole street was not being annexed instead of only a portion of the street. City Manager Wright responded that the original proposal was for the whole street, but that after canvassing residents on Joe C. Lane, the proposed annexation area was narrowed to try to limit the area only to the residents who desired annexation. Ms. Wilson stated that she and her husband were not interested in annexation and wanted to be taken off of the proposed annexation area. City Manager Wright responded that Staff would look into her request. Accompanying documents to the Council Packet showed that Ms. Wilson had told Staff she was in favor of the annexation, however Planning & Zoning Director Dorothy Wilson clarified that Ms. Wilson had indicated she might be interested in obtaining City Sewer, but her husband was steadfastly against annexation.

Jurray Julian of 209 Joe C. Lane stated that she was in favor of the proposed annexation. Ms. Julian asked if it would take three (3) years for the service plan to be installed. City Manager Wright responded that the City would have the sewer in place earlier than three (3) years, and that this was the amount of time allowable by law for the annexation process to be completed.

William Wilson of 206 Joe C. Lane listed his concerns over the annexation including City taxes, and the cost to hook up to City sewer. Mr. Wilson asked why the City was proposing this annexation plan at this time. City Manager Wright answered that residents on Joe C. Lane had requested City annexation due to existing sewer issues.

Clarine Havard's daughter of 201 Joe C. Lane stated that she was against the proposed annexation plan. Councilmember Lynn Torres indicated that there was an 'approval' next to Clarine Havard's name on the list. Ms. Havard's daughter responded that she had not been given the option for approval or disapproval and had only been provided with information on the subject. Planning & Zoning Director Dorothy Wilson stated that she was under the impression that Ms. Havard had been in favor of the annexation.

Armando Navarro Jr. of 119 Joe C. Lane stated that he was in favor of the proposed annexation plan.

Clarine Havard of 201 Joe C. Lane stated that Mr. Navarro's property was leaking sewage on her property. Ms. Havard furthered that the mobile homes owned by Mr. Navarro on Joe C. Lane were an eyesore without the proper skirting around them, and that some of the houses needed to be condemned. City Manager Wright responded that this annexation plan would help with her sewer problems, and as far as condemning the mobile homes that would be an issue for Code Enforcement to look into, once these properties were annexed into the City.

Councilmember Don Langston stated that the maps and resident listings provided to Council did not match and that he wanted clarification on who the property owners were and which properties corresponded to the owners. City Manager Wright added that the lot numbers on the list did not correspond to the map. Councilmember Langston stated he wanted to be able to match up who agreed and disagreed with the annexation proposal before any action was taken. Planning & Zoning Director Wilson stated that her Assistant Director Alaina Helton was going to print the map with the P&Z comments and would bring printouts to the Council shortly. City Manager Wright stated that there would be two more opportunities for Council to vote on this item before the City fully proceeded with the annexation.

Councilmember Torres asked Planning & Zoning Director Wilson if the Over 65 Exemption and the Homestead Exemption would prevent the proposed annexation residents from owing more taxes when they entered the City limits. Planning & Zoning Director Wilson answered that this was not the case and that City taxes would come in to play regardless of these exemptions. Councilmember Torres made the point that currently residents on Joe C. Lane were paying one and a half (1 ½) times the rate for water, but upon annexation into the City they would only pay one (1) time the rate for water. Councilmember Torres asked City Manager Wright what the sewer process would be for newly annexed residents on Joe C. Lane. City Manager Wright replied that sewer taps would be set up at each residence to hook up to the existing sewer systems.

Councilmember Victor Travis asked what direction the sewer would be coming from and City Manager Wright replied that the sewer line would extend from Loop 287.

Councilmember Sarah Murray asked what the zoning designation would be for this area. City Manager Wright replied that upon annexation the zoning designation would be Agricultural.

Councilmember Langston noted that it would be simple to cut the Wilson property from the annexation proposal, but it would not be easy to cut the Havard property from the annexation proposal. Some discussion ensued among Councilmembers over the possibility of eliminating the Wilson property from annexation and appealing to Clarine Havard to consider approving the annexation.

The municipal service plan was approved on a motion by Councilmember Don Langston and seconded by Councilmember Lynn Torres. A unanimous affirmative vote was recorded.

5. **SECOND PUBLIC HEARING IN CONSIDERATION OF AN ANNEXATION FOR PROPERTY LOCATED ADJACENT TO AND INCLUDING JOE C. LANE AND CONSIDER APPROVAL OF A MUNICIPAL SERVICE PLAN FOR THE SAME-APPROVED**

City Manager Wright stated this was an identical item that fulfilled requirements in the local government code. City Manager Wright furthered that Staff recommended City Council conduct the second required Public Hearing for the proposed annexation and approved the municipal service plan as presented.

Mayor Brown opened the Second Public Hearing at 5:26 pm, and there being no one wishing to speak on the matter the Second Public Hearing was closed at 5:27 pm.

The municipal service plan was approved on a motion by Councilmember Victor Travis and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded.

Mayor Brown questioned what would happen next in the annexation process. City Manager Wright stated that Staff would present an Ordinance for a first and second reading by City Council before final approval.

6. **RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH THE LUFKIN EVENING LIONS CLUB FOR THE USE OF THE BOY SCOUT HOUSE IN KIWANIS PARK-APPROVED**

City Manager Wright stated that the City has had a lease agreement with the Evening Lions Club for the past twenty-five (25) years, which had now expired. City Manager Wright furthered that the Boy Scout House was actually built and maintained by the Evening Lions Club, but the building is on City property. City Manager Wright concluded that Staff recommended City Council approve a lease with the Lufkin Evening Lions Club for the use of the Boy Scout House in Kiwanis Park.

A Resolution authorizing the Mayor to enter into a lease agreement with the Lufkin Evening Lions Club for the use of the Boy Scout House in Kiwanis Park was approved on a motion by Councilmember Don Langston and seconded by Councilmember Sarah Murray. A unanimous affirmative vote was recorded.

7. **AWARD OF BID TO CAPPS-CAPCO CONSTRUCTION, INC. IN THE AMOUNT OF \$1,982,883 FOR THE CONSTRUCTION OF WATER PLANT NO. 3 AND APPROVAL**

**OF A RESOLUTION AUTHORIZING THE BUDGET AMENDMENT NO. 5
APPROPRIATING GRANT FUNDING FOR THE PROJECT-APPROVED**

City Manager Wright stated that after the City purchased the water rights to the Abitibi Paper Mill site on 103 East, Staff applied for and received grants under the Water Quality Protection Grant Program. The two approved grants were for four hundred thousand dollars (\$400,000) and four hundred thirty-seven thousand dollars (\$437,000). City Manager Wright furthered that these grants were for the improvement of the Abitibi system, particularly the rehabilitation of the two ground storage tanks, which has been completed, and now the construction of the ground water plant. City Manager Wright continued that the proposed bid for this project was one million nine hundred forty-two thousand three hundred eighty-three dollars (\$1,942,383) with the additive alternative for a fluoride system of forty thousand five hundred dollars (\$40,500) for a total project cost of one million nine hundred eighty-two thousand eight hundred eighty-three dollars (\$1,982,883) through Capps-Capco Construction. City Manager Wright furthered that there was two hundred five thousand five hundred one dollars (\$205,501) left over from the grant and the required City budget match of one hundred thirty-five thousand nine hundred eighty-nine dollars (\$135,989). City Manager Wright stated that Budget Amendment No. 5 would move the remaining grant funding and the City's matching funds away from the Ground Storage Tank project and into the construction of the Water Plant No. 3. City Manager Wright noted that attached for City Council to view was a copy of the Bid Tab, Letter of Recommendation, and Notice of Award for the Construction of Water Plant No. 3. City Manager Wright concluded that Staff recommended City Council award the bid and the additive alternative to Capps-Capco Construction Inc. in the amount of one million nine hundred eighty-two thousand eight hundred eighty-three dollars (\$1,982,883) for the construction of Water Plant No. 3 and approve Budget Amendment No. 5.

The award of bid to Capps-Capco Construction Inc. in the amount of one million nine hundred eighty-two thousand eight hundred eighty-three dollars (\$1,982,883) for the construction of Water Plant No. 3 and approval of a Resolution authorizing Budget Amendment No. 5 appropriating grant funding for the project was approved on a motion by Councilmember Victor Travis and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded.

**8. PURCHASE OF SIX TAHOE POLICE PATROL VEHICLES IN THE AMOUNT OF
\$223,669.66 FOR THE LUFKIN POLICE DEPARTMENT-APPROVED**

City Manager Wright stated that the purchase of seven (7) Tahoe Police Patrol vehicles was included in the 2014/2015 Amortization Schedule. However, the body style of the 2015 Tahoe had changed significantly and new equipment modifications would have to be made for the new Tahoes. City Manager Wright furthered that Staff was not aware of the change in body style or the extra costs in the necessary up fitting for the 2015 Tahoe model during the budget process. City Manager Wright continued that Staff had had an opportunity last budget year to purchase a 2014 Tahoe model, and now Staff wanted to purchase the remaining six (6) Tahoe Patrol vehicles on the Amortization Schedule.

City Manager Wright explained that the purchase amount of the remaining six (6) vehicles was two hundred twenty-three thousand six hundred sixty-nine dollars and sixty-six cents (\$223,669.66) which was higher than the amount budgeted (\$176,610) in the Amortization Schedule. The price for each vehicle was thirty-seven thousand two hundred eleven dollars and sixty-one cents (\$37,611.61) which includes thirty thousand eight hundred twenty-nine dollars (\$30,829) for the vehicle and six thousand three hundred eighty-two dollars and sixty-one cents (\$6,382.61) in equipment and up fitting. City Manager Wright furthered that the salvage value of the existing Tahoes was estimated at three thousand eight hundred dollars (\$3,800) per vehicle, which would lessen the shortfall amount of forty-seven thousand fifty-nine dollars (\$47,059) by twenty-two thousand eight hundred dollars (\$22,800), resulting in a net deficit of twenty-four thousand two hundred fifty-nine dollars and sixty-six cents (\$24,259.66). City Manager Wright stated that pricing for these vehicles was obtained through Buy Board from Caldwell County Ford-Chevrolet and that all the equipment up fittings would be conducted by CAP Fleet Outfitters at the dealership. City Manager Wright concluded that Staff recommended City Council approve the purchase of six (6) Tahoe Police Patrol vehicles and associated equipment in the amount of two hundred twenty-three thousand six hundred sixty-nine dollars (\$223,669) from Caldwell County Ford-Chevrolet.

The purchase of six (6) Tahoe Police Patrol vehicles in the amount of \$223,669.66 was approved on a motion by Councilmember Lynn Torres and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded.

9. **CITY MANAGER REPORT**

City Manager Wright highlighted several positive trends in various funds such as the General Fund, Charges for Services including EMS Billing, the Solid Waste Fund, the Economic Development Fund, and the Health Insurance Fund. City Manager Wright noted the negative trend in the Water and Wastewater Services Fund due to timely rain in the past summer. In the case of the Water and Wastewater Services Fund the projected revenues fell short, because City residents did not use as much water as was anticipated by Staff. City Manager Wright stated that the Health Insurance Fund was in positive standing after this year, because the City had had a very good health year with few health issues. Councilmember Don Langston commented that the Health Insurance Fund had seen a tremendous turn around and that it was nice to have some cushion for next year's budget. City Manager Wright concluded the City Manager's Report by stating that he would be glad to answer any other questions that Council may have had, but that he wanted to point out these funds in particular.

10. **EXECUTIVE SESSION**

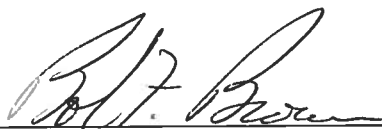
Mayor Brown stated there was no reason to enter into Executive Session.

11. **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 Wright listed upcoming events including the Power Networking Breakfast on Friday November 21st at 8:00 am, the Thanksgiving City Holiday on Thursday November 27th, City Manager lunch with Councilmember Thigpen on Monday December 1st at 11:30 am, the Main Street Parade on Monday December 1st at 6:00 pm, City Manager Breakfast with Councilmember Shankle on Tuesday December 2nd at 8:15 am, City Manager Lunch on Tuesday December 2nd at 12:00 pm, the City Council meeting on Tuesday December 2nd at 5:00 pm, the Lufkin Fire Department Christmas Party on Wednesday December 3rd at 6:00 pm, the City of Lufkin Christmas Banquet on Monday December 8th at 6:30 pm, An Enchanted Broadway Holiday at the Pines Theatre on Tuesday December 9th at 7:00 pm, and the Concerned Black Men's Annual Gala on Saturday December 13th at 6:00 pm.

Councilmember Victor Travis added that Bruce Love coordinated a food drive that needed volunteers on Friday November 21st at the White's Warehouse on Loop 287. Councilmember Travis stated any volunteers to box up food on Friday or deliver food on Saturday would be greatly appreciated.

12. There being no further business to discuss the meeting was adjourned at 5:47 pm.



Bob F. Brown, Mayor



Kara Atwood, City Secretary