

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS HELD ON THE 5th DAY OF FEBRUARY, 2013.**

On the 5th day of February, 2013, 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 Brown	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
Rodney Ivy	Human Resources Director
Scott Marcotte	Police Chief
Gerald Williamson	Assistant Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Chuck Walker	Public Utilities Director
Steve Floyd	Public Works Director
Kathryn Edwards	Planning & Zoning Department
Steve Poskey	Street Department Director
Barbara Thompson	Main Street Director
Dale Allred	Inspection Services Director

being present when the following business was transacted.

1. The meeting was opened with prayer by Reverend Robert C. Gipson, Long Chapel Christian Methodist Episcopal Church.
2. Mayor Bob Brown welcomed visitors present.

APPROVAL OF MINUTES

3. Minutes of the Regular Meeting of January 15th, 2013 were approved on a motion by Councilmember Lynn Torres and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded to approve the minutes as presented.
4. **ADMINISTER THE OATH OF OFFICE TO LUFKIN POLICE OFFICERS ANTHONY LACOUNT AND HERBERT FUENTES.**

Mayor Bob Brown administered the Oath of Office to new Lufkin Police Officers Anthony LaCount and Herbert Fuentes. Mayor Brown thanked the Officers families for attending and then recognized Boy Scout Troop 136 and had each member introduce themselves.

NEW BUSINESS:

5. **FIRST PUBLIC HEARING IN CONSIDERATION OF A VOLUNTARY ANNEXATION FROM JIMMY CARNES, ON APPROXIMATELY 2.09 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF OAKWOOD DRIVE AND TOWER LANE AND BEING DESCRIBED AS FULLER SPRINGS FARM ACRES, BLOCK 1, LOT 85.2, 86.4 AND ALSO KNOWN AS 609 TOWER LANE.**

Mayor Bob Brown stated the next item on the agenda was to conduct the First Public Hearing in consideration of a voluntary annexation from Jimmy Carnes, on approximately 2.09 acres of land located at the northeast corner of the intersection of Oakwood Drive and Tower Lane and being described as Fuller Springs Farm Acres, Block 1, Lot 85.2, 86.4 and also known as 609 Tower Lane.

City Manager Paul Parker explained the procedure and timeframe for this type of voluntary annexation which allowed for both required Public Hearings to be conducted during one Council

Meeting to avoid calling a Special Council Meeting for one item. City Manager Parker stated this was the reason for both Public Hearings being on this agenda. City Manager Parker stated the Ordinance would be presented to the Council no less than twenty (20) days from the second Public Hearing. City Manager Parker continued this was a Public Hearing for a voluntary annexation request from Mr. Carnes and the annexation met all the requirements for the expedited process. City Manager Parker explained the owner wished to have the property annexed to receive municipal services, especially sewer. City Manager Parker continued that Staff had reviewed the request and recommended that City Council hold the first required Public Hearing.

Mayor Bob Brown opened the Public Hearing at 5:09 p.m. and asked anyone who wished to speak to please step forward. There being no one, Mayor Brown closed the Public Hearing.

Councilmember Sarah Murray confirmed that this annexation would not cost the City any funding. City Manager Parker stated that the annexation would not cost any City funds.

No action was required for this item.

6. SECOND PUBLIC HEARING IN CONSIDERATION OF A VOLUNTARY ANNEXATION FROM JIMMY CARNES, ON APPROXIMATELY 2.09 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF OAKWOOD DRIVE AND TOWER LANE AND BEING DESCRIBED AS FULLER SPRINGS FARM ACRES, BLOCK 1, LOT 85.2, 86.4 AND ALSO KNOWN AS 609 TOWER LANE.

Mayor Bob Brown stated the next item on the agenda was to conduct the Second Public Hearing in consideration of a voluntary annexation from Jimmy Carnes, on approximately 2.09 acres of land located at the northeast corner of the intersection of Oakwood Drive and Tower Lane and being described as Fuller Springs Farm Acres, Block 1, Lot 85.2, 86.4 and also known as 609 Tower Lane.

Mayor Bob Brown opened the second Public Hearing at 5:11 p.m. and asked anyone who wished to speak to please step forward. There being no one, Mayor Brown closed the Public Hearing.

No action was required for this item.

7. ESTABLISHMENT OF A FORFEITED FUNDS BUDGET FOR FISCAL YEAR 2013-2014 FOR THE LUFKIN POLICE DEPARTMENT – APPROVED.

Mayor Bob Brown stated the next item for consideration was the establishment of a Forfeited Funds Budget for Fiscal Year 2013-2014 for the Lufkin Police Department.

City Manager Paul Parker stated that each year the Police Department receives funds from forfeitures and seizures. City Manager Parker continued that per State Law, the Police Chief must propose a budget for the use of these funds. City Manager Parker stated that Police Chief Scott Marcotte requested a budget of sixty-two thousand dollars (\$62,000), which included twelve thousand dollars (\$12,000) to pay off loans on seized vehicles; forty thousand dollars (\$40,000) for police equipment and ten thousand dollars (\$10,000) for training for police officers. City Manager Parker stated that Staff recommended approval of the budget as proposed.

Councilmember Robert Shankle moved to approve the establishment of a Forfeited Funds Budget for Fiscal Year 2013-2014 for the Lufkin Police Department. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

8. FIRST READING OF AN ORDINANCE PROVIDING FOR THE CALLING AND ORDERING OF A GENERAL ELECTION FOR THE CITY OF LUFKIN, TEXAS TO BE HELD AT TWO POLLING PLACES IN LUFKIN, TEXAS ON MAY 11, 2013 BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M. FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR WARD NO. 1 AND COUNCILMEMBER FOR WARD NO. 3; FOR THREE (3) YEARS TERMS; AND PROVIDING FOR THE NECESSARY NOTICES AND FIXING THE DATE – APPROVED.

Mayor Bob Brown stated the next item for consideration was the First Reading of an Ordinance providing for the calling and ordering of a General Election for the City of Lufkin, Texas to be held at two polling places in Lufkin, Texas on May 11, 2013 between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing a Councilmember for Ward No. 1 and Councilmember for Ward No. 3; for three (3) years terms; and providing for the necessary notices and fixing the date.

City Manager Paul Parker stated this Ordinance simply called for the City of Lufkin to hold the election for Councilmembers Ward No. 1 and Ward No. 3. City Manager Parker stated that the only

change from the previous year was that the polling place for Ward No. 3 would be moved from Herty Primary to the old Armory building. City Manager Parker continued the Armory would provide a more accessible voting location than the elementary school. City Manager Parker continued that City Secretary Kara Atwood would submit the proposed change in the Election Day polling place location to the Department of Justice for clearance once the Ordinance was passed. City Manager Parker concluded that Staff recommended approval of the Ordinance calling the Election for Ward No. 1 and Ward No. 3 for May 11, 2013.

Councilmember Robert Shankle moved to approve the First Reading of an Ordinance providing for the calling and ordering of a General Election for the City of Lufkin, Texas to be held at two polling places in Lufkin, Texas on May 11, 2013 between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing a Councilmember for Ward No. 1 and Councilmember for Ward No. 3; for three (3) years terms; and providing for the necessary notices and fixing the date. Councilmember Don Langston seconded the motion and a unanimous vote to approve was recorded.

9. RESOLUTION THAT THE CITY OF LUFKIN, TEXAS ("CITY") ELECTS TO BE ELIGIBLE TO PARTICIPATE IN TAX ABATEMENT AS AUTHORIZED BY CHAPTER 312 OF THE TEXAS TAX CODE – APPROVED.

Mayor Bob Brown stated that the next item was consideration of a Resolution that the City of Lufkin, Texas ("City") elects to be eligible to participate in tax abatement as authorized by Chapter 312 of the Texas Tax Code.

City Manager Paul Parker stated as Staff reviewed the existing tax abatements and laws, Staff determined that the Resolution for the City to participate in tax abatements must be renewed every two (2) years. City Manager Parker concluded this was required by State Law and Staff recommended approval of the Resolution. Councilmember Rufus Duncan confirmed that this would not change any existing policy or abatement. City Manager Parker stated it would not.

Councilmember Rufus Duncan moved to approve a Resolution that the City of Lufkin, Texas ("City") elects to be eligible to participate in tax abatement as authorized by Chapter 312 of the Texas Tax Code. Councilmember Don Langston seconded the motion and a unanimous vote to approve was recorded.

10. RESOLUTION OF THE CITY OF LUFKIN, TEXAS ("CITY") ADOPTING TAX ABATEMENT GUIDELINES GOVERNING TAX ABATEMENT AGREEMENTS FOR PROPERTIES LOCATED IN THE CITY'S ENTERPRISE ZONE - TABLED

Mayor Bob Brown stated the next item was to consider a Resolution of the City of Lufkin, Texas ("City") adopting tax abatement guidelines governing tax abatement agreements for properties located in the City's Enterprise Zone.

City Manager Paul Parker stated that the existing and proposed set of tax abatement guidelines had been distributed to City Council. City Manager Parker continued that due to the guidelines being delivered at this meeting, Staff recommended City Council table this item to allow City Council ample time to review and compare the existing and proposed guidelines. City Manager Parker stated the new guidelines were a much cleaner version and would allow City Council to determine the amount and length of abatements. City Manager Parker concluded that Staff recommended City Council table this Resolution to allow for ample review time of the new guidelines.

Councilmember Lynn Torres moved to table a Resolution of the City of Lufkin, Texas ("City") adopting tax abatement guidelines governing tax abatement agreements for properties located in the City's Enterprise Zone. Councilmember Robert Shankle seconded the motion and a unanimous vote to table was recorded.

Mayor Bob Brown recessed the Regular Session at 5:17 p.m.

11. EXECUTIVE SESSION: The City Council of the City of Lufkin, Texas may adjourn into Executive Session in accordance with the Texas Government Code, Section 551.071, consultation with City Attorney; and/or Section 551.086, economic development on any Regular Session Agenda item requiring confidential, attorney/client advices necessitated by the deliberation or discussion of said items as needed.

Mayor Bob Brown reconvened the Regular Session at 5:40 p.m.

12. MODIFICATION TO ABATEMENT AND INCENTIVE OFFER FOR PROJECT DOLPHIN – APPROVED.

Councilmember Lynn Torres moved to approve the modification to the abatement and incentive offer for Project Dolphin as discussed in Executive Session. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

13. 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 highlighted upcoming events on the calendar including Lufkin Day, Corks & Forks and the Lufkin Landscape Task Force annual gala.

14. There being no further business for consideration, the meeting adjourned at 5:45 p.m.



Bob F. Brown, Mayor



Kara Atwood, City Secretary

SEAL