

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 16th DAY OF MAY, 2006**

On the 16th day of May, 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:

Louis Bronaugh	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
Jack Gorden, 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
Larry Brazil	Police Chief
Scott Marcotte	Asst. Police Chief
Pete Prewitt	Fire Chief
Doug Wood	Finance Director
Beauford Chapman	Inspection Services Director
Nellie Matthews	Civic Center Director
Bill Cameron	City of Lufkin Webmaster
Jim Wehmeier	Economic Development Director
Dorothy Wilson	Planning Director
Mary Jo Gorden	
Len Medford	

being present, when the following business was transacted:

1. The meeting was opened with prayer by Reverend Kathy Barnes, First Christian Church.
2. Mayor Louis Bronaugh 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 on May 2, 2006 were approved on a motion by Councilmember Rose Faine Boyd, and seconded by Councilmember Lynn Torres. A unanimous affirmative vote was recorded.

**4. CANVASS OF 2006 GENERAL ELECTION FOR THE CITY OF LUFKIN AND
CONSIDER A RESOLUTION DECLARING THE RESULTS OF THE CITY OF
LUFKIN GENERAL ELECTION - APPROVED - OF MAY 13, 2006**

Mayor Louis Bronaugh stated that the next item for consideration was to canvass the 2006 General Election for the City of Lufkin and consider a Resolution declaring the results of the City of Lufkin General Election of May 13, 2006. City Manager Paul Parker stated that State Law requires the City Council to canvass the votes of each race in the 2006 General Election before considering the Resolution that was being recommended for approval declaring the results of the City of Lufkin General Election. City Manager Paul Parker then called on City Secretary Renee Thompson to read the results in the Mayor's Race. City Secretary Thompson read the votes as follows:

MAYOR'S RACE

	ALAMO	GORDEN	BRONAUGH
WARD 1	1	42	32
WARD 2	1	41	20
WARD 3	2	64	26
WARD 4	0	147	62
WARD 5	9	268	134
WARD 6	2	91	54
<u>EARLY VOTING</u>	<u>21</u>	<u>900</u>	<u>544</u>
 TOTAL	 36	 1553	 872

City Secretary Renee Thompson stated that the apparent winner of the Mayor's Race was Jack Gorden, Jr. City Manager Parker asked the Council if anyone had any questions concerning the Mayor's Race. There were none.

City Manager Paul Parker then called on City Secretary Renee Thompson to read the results in the Ward No. 2 City Council Member's Race. City Secretary Thompson read the votes as follows:

WARD NO. 2 CITY COUNCIL MEMBER'S RACE

BOYD

WARD 2	26
<u>EARLY VOTING</u>	<u>40</u>

TOTAL 66

City Secretary Renee Thompson stated that the apparent winner of the Ward No. 2 City Council Member's Race was Rose Faine Boyd. City Manager Parker asked the Council if anyone had any questions concerning the Ward No. 2 City Council Member's Race. There were none.

City Manager Paul Parker then called on City Secretary Renee Thompson to read the results in the Ward No. 4 City Council Member's Race. City Secretary Thompson read the votes as follows:

WARD NO. 4 CITY COUNCIL MEMBER'S RACE

LANGSTON

WARD 4	177
<u>EARLY VOTING</u>	<u>274</u>

TOTAL 451

City Secretary Renee Thompson stated that the apparent winner of the Ward No. 4 City Council Member's Don Langston. City Manager Parker asked the Council if anyone had any questions concerning the Ward No. 4 City Council Member's Race. There were none.

City Manager Paul Parker then called on City Secretary Renee Thompson to read the results in the Ward No. 6 City Council Member's Race. City Secretary Thompson read the votes as follows:

WARD NO. 6 CITY COUNCIL MEMBER'S RACE

MEDFORD

WARD 6	72
<u>EARLY VOTING</u>	<u>124</u>

TOTAL	196
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City Secretary Renee Thompson stated that the apparent winner of the Ward No. 6 City Council Member's Race was Phil Medford. City Manager Parker asked the Council if anyone had any questions concerning the Ward No. 6 City Council Member's Race. There were none.

City Manager Paul Parker then called on City Secretary Renee Thompson to read the results in the Ward No. 5 City Council Member's Race. City Secretary Thompson read the votes as follows:

COUNCIL MEMBER WARD NO. 5 RACE

	INGLE	DUNCAN	HICKS	DUNN
WARD 5	27	116	141	120
<u>EARLY VOTING</u>	<u>24</u>	<u>253</u>	<u>151</u>	<u>122</u>
TOTAL	51	369	292	242

City Secretary Renee Thompson stated that there would be a run-off between Rufus Duncan, Jr. and Mark Hicks. City Manager Parker asked the Council if anyone had any questions concerning the Ward No. 5 City Council Member's Race. There were none.

City Manager Paul Parker then recommended that the Council approve the Resolution, the canvass of the votes, and the run-off in Ward No. 5 that would be held on June 10, 2006.

Councilmember Don Langston moved to approve the canvass of the 2006 General Election for the City of Lufkin, the canvass of the votes, and the Resolution declaring the results of the City of Lufkin General Election of May 13, 2006. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

5. OATHS OF OFFICE BY HONORABLE DAVID WILSON, JUDGE 217TH DISTRICT COURT

Mayor Louis Bronaugh stated that the next item for consideration was to administer the Oaths of Office. Mayor Bronaugh then turned the meeting over to the Honorable David Wilson, Judge 217th District Court to administer the oaths of office to the Mayor and Councilmembers elected in the May 13, 2006 General Election.

The Honorable David Wilson, Judge 217th District Court, administered the Oath of Office to Mayor Jack Gorden, Jr. and Councilmembers Rose Faine Boyd, Phil Medford and Don Langston.

Mayor Louis Bronaugh then turned the meeting over to the newly elected Mayor Jack Gorden. Mayor Jack Gorden stated that he wanted to publicly thank Louis Bronaugh for the work he did and all of the years of service, and the dedication that he gave to the City of Lufkin and its citizens. Mayor Gorden added that Louis Bronaugh's devotion and loyalty would not ever be forgotten. Louis Bronaugh then stated that he was leaving Mayor Gorden in good hands with a staff and a Council that was an excellent example of great government. Mayor Gorden then thanked all of the people who supported him and had faith in him and that he would work hard to justify that faith. Mayor Gorden then congratulated the other newly elected members to the City Council and stated that the Council's collective vision in moving the City of Lufkin forward would allow them to do great things for the City. Mayor

Gorden then called on the newly elected Council Members to give a statement. Councilmembers Medford, Boyd, and Langston then thanked their supporters and stated that they all looked forward to the future for the City of Lufkin and pledged to serve the citizens of Lufkin. Mayor Gorden then publicly thanked his wife for her support.

OLD BUSINESS:

6. **SECOND READING OF AN ORDINANCE AMENDING ORDINANCE NO. 3804, A TEMPORARY ORDINANCE THAT AMENDED AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS, (ORDINANCE NO. 3368), - APPROVED - BY PROVIDING FOR THE TEMPORARY PLACEMENT OF TRAVEL TRAILERS IN MOBILE HOME PARKS AND RESIDENTIAL ZONED LOCATIONS AND PROVIDING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was the Second Reading of an Ordinance amending Ordinance No. 3804, a temporary Ordinance that amended an Ordinance of the City of Lufkin, Texas, (Ordinance No. 3368), by providing for the temporary placement of travel trailers in mobile home parks and "Residential Zoned" locations and providing an effective date. City Manager Paul Parker stated that this was the second reading of this Ordinance and pointed out that Council was aware that this Ordinance would assist people that had property damaged during Hurricane Rita and allow them the locate a FEMA trailer on their property for a limited time.

Councilmember Lynn Torres moved to approve the Second Reading of an Ordinance amending Ordinance No. 3804, a temporary Ordinance that amended an Ordinance of the City of Lufkin, Texas, (Ordinance No. 3368), by providing for the temporary placement of travel trailers in mobile home parks and "Residential Zoned" locations and providing an effective date. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

7. **PUBLIC HEARING AND SECOND READING OF AN AMENDMENT TO ARTICLE XXI, (SUPPLEMENTAL DEVELOPMENT REGULATIONS), - TABLED - OF THE ZONING ORDINANCE AS IT RELATES TO SCREENING**

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Amendment to Article XXI, (Supplemental Development Regulations), of the Zoning Ordinance as it relates to screening. City Manager Paul Parker stated that after Council had some questions during the last meeting concerning the Amendment to the Zoning Ordinance Staff began to review the Ordinance again and felt that there were areas that needed to be enhanced and better defined. City Manager Parker added that Staff recommended that this Amendment be referred back to the City Planning and Zoning Commission for further consideration.

Mayor Gorden then opened the Public Hearing at 5:24 p.m. concerning the Amendment to Article XXI of the Zoning Ordinance. Mayor Gorden asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Amendment. Mayor Gorden then closed the Public Hearing at 5:25 p.m.

There were questions and discussion among the Mayor and City Council Members concerning the Amendment to Article XXI of the Zoning Ordinance as it relates to screening.

Councilmember Phil Medford moved to table the Second Reading of an Amendment to Article XXI, (Supplemental Development Regulations), of the Zoning Ordinance as it relates to screening and refer it back to the City Planning and Zoning Commission for further consideration. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

8. **PUBLIC HEARING AND FIRST 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 TRACT 53.66, 54.66, AND 55 OF THE J. A. LONGORIA SURVEY FROM A "LARGE SINGLE-FAMILY DWELLING" ZONING DISTRICT TO A "SMALL SINGLE-FAMILY" ZONING DISTRICT 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 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 Tract 53.66, 54.66, and 55 of the J. A. Longoria Survey from a "Large Single-Family Dwelling" Zoning District to a "Small Single-Family" Zoning District and authorizing the City Planner to make such changes on the Official Map. City Manager Paul Parker stated that this was a Zone change request from Hart Development LTD on behalf of Rick Ainsworth and also on Henderson Five on behalf of Trey Henderson who was applying for a rezoning of the parcel of land. City Manager Parker explained that the property was approximately 13.952 acres of land and was currently vacant and divided into three (3) parcels. City Manager Parker added that the three (3) parcels are currently undeveloped and largely wooded. City Manager Parker stated that the area is bounded on the west by Saddle Ridge Subdivision and on the north by a large self-storage facility and an animal veterinary clinic. City Manager Parker added that the property on the south is owned by Carpenters Way Baptist Church and is projected to be a future church location. City Manager Parker stated that the Staff and the Planning and Zoning Commission unanimously recommended the City Council approve the Zone Change.

Mayor Gorden then opened the Public Hearing at 5:29 p.m. concerning the Zoning Ordinance. Mayor Gorden asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Zone Change. Mayor Gorden then closed the Public Hearing at 5:30 p.m.

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

Councilmember R. L. Kuykendall moved to approve the First 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 Tract 53.66, 54.66, and 55 of the J. A. Longoria Survey from a "Large Single-Family Dwelling" Zoning District to a "Small Single-Family" Zoning District and authorizing the City Planner to make such changes on the Official Map. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

9. RESOLUTION AUTHORIZING THE TEXAS TRAFFIC SAFETY PROGRAM GRANT APPLICATION AND AGREEMENT FOR THE 2006 "CLICK-IT-OR-TICKET" PROGRAM - APPROVED - FROM THE TEXAS DEPARTMENT OF TRANSPORTATION

Mayor Jack Gorden stated that the next item for consideration was the Resolution authorizing the Texas Traffic Safety Program Grant Application and Agreement for the 2006 "Click-it-or-Ticket" program from the Texas Department of Transportation. City Manager Paul Parker stated that each year the Lufkin Police Department receives a grant from TXDOT for the annual "Click-it-or-Ticket" Program which is where TXDOT pays for the overtime of officers during the Memorial Holiday period which begins on May 22nd and ends on June 4th to enable them to enforce the occupant protection (seatbelts) violations. City Manager Parker added that the 2006 grant was for \$8000 and had no requirement for a match by the City of Lufkin. City Manager Parker stated that Staff recommended that Council approve the annual "Click-it-or-Ticket" Grant for 2006.

Councilmember Lynn Torres stated that this was an excellent program and moved to approve the Resolution authorizing the Texas Traffic Safety Program Grant Application and Agreement for the 2006 "Click-it-or-Ticket" program from the Texas Department of Transportation. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

10. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2005/2006 OPERATING BUDGET (BUDGET AMENDMENT NO. 19), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE SOLID WASTE RENEWAL AND REPLACEMENT FUND; AND PROVIDING AN EFFECTIVE DATE AND AUTHORIZING STAFF TO PURCHASE A 3.722 ACRE TRACT OF LAND IN THE SOUTH PARK INDUSTRIAL SUBDIVISION FOR POSSIBLE EXPANSION OF THE CITY OF LUFKIN'S SOLID WASTE FACILITY

Mayor Jack Gorden stated that the next item for consideration was the Resolution authorizing an amendment to the 2005/2006 Operating Budget (Budget Amendment No. 19), providing for the supplemental appropriation of funds in the Solid Waste Renewal and Replacement Fund; and providing an effective date and authorizing Staff to purchase a 3.722 acre tract of land in the South Park Industrial Subdivision for possible expansion of the City of Lufkin's Solid Waste Facility. City Manager Paul Parker stated that Mayor Gorden and the Council were aware that Mayor Gorden and Councilmembers Langston and Torres sit on the Construction Board that had been reviewing the Service Center Project and the City Garage operations. City Manager Parker added that the Committee brought forth the concept of combining the Garage operations with the one at the Solid Waste Facility so there would be one (1) Garage Facility, one (1) leadership, and one (1) supervision of all operations and mechanics. City Manager Parker explained that this would be done instead of building a new Garage Facility at the new Service Center. City Manager Parker stated that to be able to accomplish that goal the first step would be to purchase additional property to allow not only the Solid Waste and Fleet Operations but would allow the possibility of bulk fuel storage in the future. City Manager Parker added that Staff recommended that Council approve Budget Amendment No. 19 to purchase 3.722 acres of land from the Angelina Chamber of Commerce Foundation in the amount of forty-four thousand six hundred sixty-four dollars (\$44,664).

Councilmember Rose Faine Boyd moved to the Resolution authorizing an amendment to the 2005/2006 Operating Budget (Budget Amendment No. 19), providing for the supplemental appropriation of funds in the Solid Waste Renewal and Replacement Fund; and providing an effective date and authorizing Staff to purchase a 3.722 acre tract of land in the South Park Industrial Subdivision for possible expansion of the City of Lufkin's Solid Waste Facility. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

11. Mayor Jack Gorden stated that the next item for consideration was a report from Paul Parker, City Manager. City Manager Paul Parker stated that he wanted to bring the Council's attention to the Financial Report. City Manager Parker pointed out that the good news is the revenue stream is on target or above the estimated revenue as the sales tax continues to exceed the budget estimates. City Manager Parker stated that the General Fund's expenditures are being held in line. City Manager Parker added that the General Fund was in very good condition at that time. City Manager Parker stated that the Water/Wastewater Accounts are on target and the summer months are usually heavier percentage of the revenue and expenditure due to the heavy usage. City Manager Parker stated that Water and Sewer looks to be in good shape based on the budget estimates. City Manager Parker added that the Solid Waste Fund was doing quite well overall and that the revenues are exceeding the budget estimates and the expenditures were slightly below the budget estimates at that time. City Manager Parker stated that the Hotel/Motel Fund was actually up from a revenue standpoint but was still a fund that was closely watched due to the revenue being divided between several entities and that some are fronted at seventy-five percent (75%). City Manager Parker stated that the Recreation Fund was basically a "pass through" fund for the Recreation Department that was seasonal and was having no problems at that time. City Manager Parker added that the Zoo Fund was around fifty percent (50%) of the estimate and was about to hit the peak usage. City Manager Parker explained that Zoo Director Gorden Henley stated that it appeared that the Zoo may have a "peak year" if the usage continues as it had been. City Manager Parker added that the City hoped to continue to work to make the Zoo a better facility as the new educational and office complex are added. City Manager Parker also highlighted the Economic Development Fund that correlated with the Sales Tax and that the fund was doing quite well from a revenue standpoint and below on the overall expenditures.

Mayor Gorden commented that the City of Lufkin was honored that the TLL Temple Foundation approved a five hundred thousand dollar (\$500,000) grant to build an Education Center and Office Complex.

City Manager Parker stated that that the Council also had the Project Status Report and that instead of going through the entire report that he would answer any specific questions that the City Council had on any project. City Manager Parker highlighted the Whitehouse Phase III Project by stating that the City was still waiting on a permit from the Corp of Engineers and that the last estimation the City had on a time schedule for the permit was four (4) to six (6) weeks. City Manager Parker asked the Assistant City Manager/Public Works/City Engineer Keith Wright to bring the Council up to date on the Kelty's odor problem and the testing being done by the City of Lufkin. Mr. Wright stated that the chemical has been injected and the City had been monitoring the effects on the hydrogen sulfide levels. Mr. Wright added that Staff saw significant reduction levels after an adjustment in the feed rate. Mr. Wright stated that Staff was waiting on some more of the chemical as the City had exceeded their capacity of the chemical. Mr. Wright stated that as soon as the chemical arrived the Staff would begin feeding the chemical again. Mr. Wright added that in the mean time, Staff would continue to test the levels of hydrogen sulfide, looking at the effects as the chemical is absent, as well as when the chemical is present. Mr. Wright stated that there had been positive results and that Staff is fine-tuning the chemical feed rate. Mayor Gorden added that the chemical was a concentrated form of Milk of Magnesia. City Manager Parker stated that the Bob and Mize Street Drainage Project was near completion. Mr. Wright stated that some overlay work was being completed on Bob Street but the project was basically completed and acceptable to the community.

Councilmember Langston stated that he noted that Abney Street was over budget estimates and asked if the Whitehouse Project was still appearing to be coming in under budget estimates. Mr. Wright stated that the Whitehouse Project was still coming in under budget estimates and added that on the Abney Street Project there was more concrete removal than was anticipated in the bid. Councilmember Langston asked Mr. Wright if the City would be able to make up the difference in the Abney Street Project budget overages by the Whitehouse Project coming in under budget estimates. Mr. Wright added that he had been working with Finance Director Doug Wood in completing some projections and that he was showing the City to be barely above the breaking even mark. Councilmember Langston then asked if the Service Center Complex budget could be updated and revised.

Councilmember Lynn Torres asked Mr. Wright when the City anticipated beginning the Home Street Bridge reconstruction. Mr. Wright stated that the Pershing Street Bridge Project had just been completed and added that the Council should go and see the bridge. Mr. Wright added that the survey had been done for the Home Street Bridge Project and that the design should be done and the project should begin by late July 2006. Councilmember Torres stated that her reason for asking was when going to vote in the recent election she noticed that it was the entrance for the buses for Herty School and needs to be completed as soon as possible.

City Manager Parker stated that the May 16, 2006 Council Meeting would be the first City Council Meeting that would be broadcasted on channel 15 along with the City Hall Updates. City Manager Parker added that soon the Council Meetings and the City Hall Updates would move to the City's own channel that would be channel 21.


Councilmember Langston then commented that whoever worked on the Council Chambers and City Hall Projects did a superb job and were to be commended. City Manager Parker stated that Inspection Director Beauford Chapman and City Secretary Renee Thompson were responsible for the remodeling projects as well as the upcoming Police Department Project.

12. Mayor Jack Gorden recessed the Regular Session at 5:50 p.m. to enter into Executive Session.

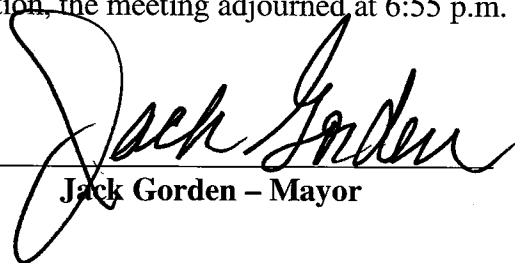
EXECUTIVE SESSION: In accordance with the Texas Government Code Section 551.071 (2) Consultation with City Attorney on any Regular Session Agenda item requiring confidential, attorney/client advices necessitated by the deliberation or discussion of said items (as needed), and real estate, appointment to boards and personnel may be discussed.

Mayor Jack Gorden reconvened the Regular Session at 6:52 p.m.

13. City Manager Parker added that Council had their Calendar of Events. Paul Parker reminded Council that the Expo Party would be held on Wednesday, May 17, 2006. City Manager Parker added that the City of Lufkin Annual Employee Picnic would be held on Saturday, May 20, 2006 from 10:00 a.m. to 2:00 p.m. at the Ellen Trout Zoo and invited the Mayor and Council to attend. City Manager Parker also reminded Councilmembers Kuykendall and Langston of the upcoming Insurance Committee Meeting that would be held on Wednesday, May 24, 2006 at 2:00 p.m. at the City Hall OCR Meeting Room and that Early Voting for the upcoming Run-off Election would begin May 30th and continue through June 6th at the City Hall Atrium. City Manager Parker stated that May 31st, 2006 would be the day the voting would begin at 7:00 a.m. and end at 7:00 p.m.
14. There being no further business for consideration, the meeting adjourned at 6:55 p.m.



Renee Thompson – City Secretary



Jack Gorden – Mayor