

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 1ST DAY OF AUGUST, 2006**

On the 1st day of August, 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:

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, 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
David Koonce	Human Resource Director
Larry Brazil	Police Chief
Pete Prewitt	Fire Chief
Doug Wood	Finance Director
Dorothy Wilson	Planning Director
Barbara Thompson	Main Street Director
Jim Wehmeier	Economic Development Director
Rhonda McLendon	Municipal Court & Animal Control Director
Randy Innerarity	Fleet Services Director
Belinda Southern	Finance
Linda Parker	Economic Development
Ralph Bean	Lufkin Police Officer
Rodney Moore	
Jimmy Horton	
Rita DeLaFosse	
Floyd Yancy	

being present, when the following business was transacted:

1. The meeting was opened with prayer by Reverend Andy Pittman, Lufkin's First Baptist Church.
2. Mayor Jack Gorden welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting on July 18, 2006 were approved on a motion by Councilmember Rose Faine Boyd, and seconded by Councilmember Lynn Torres. 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, - APPROVED - BY GRANTING A "SPECIAL USE" PERMIT FOR A "STORAGE FACILITY-SELF STORAGE" WITHIN A "LOCAL BUSINESS" ZONING DISTRICT ON CERTAIN TRACTS OR PARCELS OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS LOT 3, BLOCK 1 OF THE SOUTHERN COLONY SHOPPING CENTER 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 Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a "Special Use" Permit for a "Storage Facility- Self Storage" within a "Local Business" Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas, described as Lot 3, Block 1 of the Southern Colony Shopping Center and authorizing the City Planner to make such changes on the Official Map. City Manager Paul Parker reminded the Mayor and Council that due to the owners of more than twenty percent (20%) of the land coverage within a two hundred (200) feet of the subject property having filed a written objection to the zone change, a three-fourths (¾) affirmative vote of a members of the City Council was required to approve the requested application for the "Special Use" Permit. City Manager Parker added that this was a 3.062 acre tract on Whitehouse Drive and was a portion of a larger 8.269 acre tract that the developer intended to use for a self-storage facility. City Manager Parker stated that he would be happy to answer any questions that the Mayor or Council had concerning the item.

Mayor Gorden then opened the Public Hearing at 5:07 p.m. concerning the Ordinance Amendment. Mayor Gorden asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Ordinance Amendment. Speaking on the Zoning Ordinance was:

Jimmy Horton

There was discussion among the City Manager, Mayor and City Council Members concerning the Ordinance. Also speaking on the Zoning Ordinance was:

Rodney Moore
Rita DeLaFosse
Jimmy Horton
Dorothy Wilson, Planning Director

There was discussion among the Mayor and City Council Members concerning the Ordinance.

Mayor Gorden then closed the Public Hearing at 5:22 p.m.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a "Special Use" Permit for a "Storage Facility- Self Storage" within a "Local Business" Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas, described as Lot 3, Block 1 of the Southern Colony Shopping Center and authorizing the City Planner to make such changes on the Official Map. Councilmember Rufus Duncan seconded the motion. A unanimous affirmative vote was recorded.

5. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BEING ORDINANCE NO. 3368, BY CREATING A NEW "ADAPTIVE REUSE OVERLAY DISTRICT" (ARO DISTRICT) AND AMENDING ARTICLE XIX, "SCHEDULE OF PERMITTED USES" TO INCLUDE SPECIFIED USES FOR THE ARO DISTRICT. ADDITIONALLY ARTICLE III "RESIDENTIAL LARGE SINGLE FAMILY DWELLING DISTRICT REGULATIONS" (RL) SHALL BE AMENDED TO INCLUDE ALL ZONING DISTRICTS AND READ "DISTRICTS AND SPECIFIC REQUIREMENTS PERTAINING TO EACH DISTRICT" AND AMENDING THE TABLE OF CONTENTS TO LABEL ARTICLES IV THROUGH ARTICLE XVII AS "RESERVED"; REPEALING CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance No. 3368, by creating a New "Adaptive Reuse Overlay District"

(ARO District) and amending Article XIX, "Schedule of Permitted Uses" to include specified uses for the ARO District. Additionally Article III "Residential Large Single Family Dwelling District Regulations" (RL) shall be amended to include all Zoning Districts and read "Districts and Specific Requirements Pertaining to Each District" and amending the Table of Contents to label Articles IV through Article XVII as "Reserved"; repealing conflicting provisions; and providing an effective date. City Manager Paul Parker stated the Mayor and Council had previously gone through this item in great detail. City Manager Parker added that since the last meeting the word "Memorial" had been removed from the title of the District to allow the Adaptive Reuse Overlay District to be used in any area of the City. City Manager Parker stated that he would answer any questions that the Mayor or Council had concerning the item.

Mayor Gorden then opened the Public Hearing at 5:27 p.m. concerning the Ordinance Amendment. Mayor Gorden asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Ordinance Amendment. Mayor Gorden then closed the Public Hearing at 5:28 p.m.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance No. 3368, by creating a New "Adaptive Reuse Overlay District" (ARO District) and amending Article XIX, "Schedule of Permitted Uses" to include specified uses for the ARO District. Additionally Article III "Residential Large Single Family Dwelling District Regulations" (RL) shall be amended to include all Zoning Districts and read "Districts and Specific Requirements Pertaining to Each District" and amending the Table of Contents to label Articles IV through Article XVII as "Reserved"; repealing conflicting provisions; and providing an effective date. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

6. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE DESIGNATING AN AREA OF ZONING TITLED "ADAPTIVE REUSE OVERLAY DISTRICT" (ARO DISTRICT) - APPROVED - DESCRIBED AS TRACTS 97 AND 100 OF THE J. L. QUINALTY SURVEY ABSTRACT NUMBER 40 LOCATED NEAR SOUTH BYNUM STREET AND NEWSOM AVENUE AND PROVIDING AN EFFECTIVE DATE FOR THE ORDINANCE

Mayor Jack Gorden stated that the next item for consideration was a Public Hearing and Second Reading of an Ordinance designating an area of Zoning titled "Adaptive Reuse Overlay District" (ARO District) described as Tracts 97 and 100 of the J. L. Quinalty Survey Abstract Number 40 located near South Bynum Street and Newsom Avenue and providing an effective date for the Ordinance. City Manager Paul Parker stated that after detailed discussion at the last Council Meeting, the City Council amended the Planning and Zoning Commission's recommendation to limit the ARO District to tracts described as Tract 97 and 100 of the J. L. Quinalty Survey Abstract No. 40.

Mayor Gorden then opened the Public Hearing at 5:30 p.m. concerning the Ordinance. Mayor Gorden asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Ordinance. Mayor Gorden then closed the Public Hearing at 5:31 p.m.

Councilmember R. L. Kuykendall moved to approve the Second Reading of the Ordinance designating an area of Zoning titled "Adaptive Reuse Overlay District" (ARO District) described as Tracts 97 and 100 of the J. L. Quinalty Survey Abstract Number 40 located near South Bynum Street and Newsom Avenue and providing an effective date for the Ordinance. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

7. PRESENTATION OF APPRECIATION TO THE MAYOR AND CITY COUNCIL FROM THE CONCERNED BLACK MEN OF LUFKIN

Mayor Jack Gorden stated that the next item for consideration was a presentation of appreciation to the Mayor and City Council from the Concerned Black Men of Lufkin.

Floyd Yancy, Sr. stated that he was present to represent the Concerned Black Men of Lufkin, Inc. Mr. Yancy added that the Concerned Black Men was a national organization and that the Lufkin Chapter was affiliated with the national organization. Mr. Yancy stated that each summer the Concerned Black Men of Lufkin conduct a youth summer camp. Mr. Yancy added this camp has had as many as one hundred (100) youth attending for five (5) to six (6) weeks during the summer. Mr. Yancy stated that the Concerned Black Men of Lufkin, Inc. wanted to thank the City of Lufkin, the Mayor and City Council for support in helping to promote the summer camp. Mr. Yancy stated that the Concerned Black Men of Lufkin were leaving t-shirts as a gift of appreciation to the Mayor, City Council and City Officials.

Mayor Gorden added that the City, the Council and all involved would be remiss if they did not mention Don Boyd and his work with the organization, and that the summer camp was officially named the Don Boyd Youth Summer Camp.

Mr. Yancy added that Councilmember R. L. Kuykendall was the President of the Concerned Black Men of Lufkin, Inc., Officer Ralph Bean was the Vice-President, and that he was the Treasurer of the Concerned Black Men of Lufkin. Mayor Gorden also acknowledged Councilmember Rose Faine Boyd, wife of the late Don Boyd.

Mayor Gorden thanked the Concerned Black Men of Lufkin, Inc. for the work they do.

8. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE NO. 2084 OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY AMENDING AN EXISTING "SPECIAL USE" PERMIT FOR A PROFESSIONAL OFFICE: DENTAL, MEDICAL, LEGAL WITH THE EXCEPTION OF DVM, ENGINEERING, ARCHITECTURAL AND ACCOUNTING WITHIN A "NEIGHBORHOOD RETAIL" ZONING DISTRICT ON APPROXIMATELY 1.415 ACRES OF LAND DESCRIBED AS LOT 1, BLOCK 1 OF GIBSON ADDITION AND MORE COMMONLY KNOWN AS 107 KERR AVENUE 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 No. 2084 of the City of Lufkin, Texas, by amending an existing "Special Use" Permit for a Professional Office: Dental, Medical, Legal with the exception of DVM, Engineering, Architectural and Accounting within a "Neighborhood Retail" Zoning District on approximately 1.415 acres of land described as Lot 1, Block 1 of Gibson Addition and more commonly known as 107 Kerr Avenue and authorizing the City Planner to make such changes on the Official Map. City Manager Paul Parker stated that the dental office at 107 West Kerr Avenue was originally approved for use in 1980 by the Council, after negotiations with the neighborhood indicated an acceptance of this specific use. City Manager Parker added that the "Special Use" Permit that was previously approved prohibited use for legal offices, veterinarians, engineering, etc. City Manager Parker explained that this amendment would allow the structure to be used as both a legal office and a dentist office.

Mayor Gorden then opened the Public Hearing at 5:38 p.m. concerning the Ordinance Amendment. Mayor Gorden asked those attending the Council Meeting if there was anyone who wanted to speak concerning the Ordinance Amendment. Mayor Gorden then closed the Public Hearing at 5:39 p.m.

Councilmember Rose Faine Boyd moved to approve the First Reading of the Ordinance amending the Zoning Ordinance No. 2084 of the City of Lufkin, Texas, by amending an existing "Special Use" Permit for a Professional Office: Dental, Medical, Legal with the

exception of DVM, Engineering, Architectural and Accounting within a "Neighborhood Retail" Zoning District on approximately 1.415 acres of land described as Lot 1, Block 1 of Gibson Addition and more commonly known as 107 Kerr Avenue 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. PRESENTATION OF FISCAL YEAR 2006/2007 BUDGET DRAFT

Mayor Jack Gorden stated that the next item for consideration a presentation of the Fiscal Year 2006/2007 Budget Draft. City Manager Paul Parker stated he wanted to highlight a few items in the Fiscal Year 2006/2007 Budget Draft and to note a couple of changes since the document was printed. City Manager Parker added that there were refined numbers given to the City Staff by the Appraisal District. City Manager Parker stated that the City of Lufkin received the "Certified Roll" on Friday and that the City dropped slightly in the valuation than what was originally anticipated. City Manager Parker then went through some of the adjustments in the document. City Manager Parker stated that the changes and adjustments would be included in the corrected final copy of the Fiscal Year 2006/2007 Budget. City Manager Parker stated that in the 2006/2007 Budget there was a built in three percent (3%) cost of living adjustment to all departments, with the exception of the Police Department. which had an eight percent (8%) salary adjustment. City Manager Parker reminded the Council that the Police Department had been having trouble recruiting and maintaining officers over the last years and a recent salary survey indicated that the Police Department was well below the average pay for officers in comparable cities of similar size, but outside the metropolitan areas. City Manager Parker added that with this rate increase, the City of Lufkin should be able to recruit and maintain a police force that would be one of the leading police agencies in the area. City Manager Parker stated that also included in the budget numbers was a three percent (3%) increase in water and sewer rates with the possibility of another rate increase forthcoming in the future. City Manager Parker stated that the City of Lufkin anticipates selling bonds in the coming year to complete the Street and Utility Program. City Manager Parker reminded the Mayor and Council that the 2006/2007 fiscal year would be the first (1st) year for the Amortization Program to begin replacing vehicles on an annual basis. as the need arises. City Manager Parker added that the first (1st) year would be the largest year of the program. City Manager Parker stated that some of the significant changes in the Fiscal Year 2006/2007 Budget was a new AS/400 in the Information Technology Department, new software in Animal Control, two (2) added positions in the Street Department, signage and fencing in the Parks and Recreation Department, changes in the Fleet Maintenance Department, and new positions in both the Zoo and Sewer Collections Departments. City Manager Parker added that there would also be a 2.625% increase in landfill charges. City Manager Parker stated that due to reimbursement funds for the Special Needs Shelter at the Lufkin Civic Center, the City would be able to replace one hundred (100) tables with carts, remodel the dressing room area at the rear of the facility to meet ADA specifications, and tint the front windows of the building to reduce energy costs. City Manager Parker stated that there were numerous projects in the Water/Wastewater Depreciation Fund and that he would answer any questions the Council had regarding that fund. City Manager Parker stated that the anticipated increase in electrical rates would have a tremendous impact on the City. City Manager Parker added that the increase in fuel rates would also impact the City tremendously. City Manager Parker then reiterated the overall impact of the upcoming Amortization Program. City Manager Parker stated that the City of Lufkin, in essence, has a balanced budget by using fund reserves and by being very conservative on the projected Sales Tax. City Manager Parker stated that he would answer any questions that the Mayor or Council had concerning the Fiscal Year 2006/2007 Budget.

Mayor Jack Gorden thanked the Finance Department, City of Lufkin Staff and City Manager for the hard work on the budget. Mayor Gorden also thanked the City Council for the many hours spent reviewing and giving input into the budget.

10. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2005/2006 OPERATING BUDGET (BUDGET AMENDMENT NO. 29), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN

THE ECONOMIC DEVELOPMENT FUND; AND PROVIDING AN EFFECTIVE DATE AND AUTHORIZING THE LUFKIN 4B ECONOMIC DEVELOPMENT CORPORATION TO PURCHASE APPROXIMATELY 147.687 ACRES OF LAND FOR THE DEVELOPMENT OF AN INDUSTRIAL PARK AND AUTHORIZE THE LUFKIN 4B ECONOMIC DEVELOPMENT CORPORATION TO EXECUTE SUCH NECESSARY DOCUMENTS FOR THE PURCHASE AND FINANCING OF SAID PURCHASES

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing an amendment to the 2005/2006 Operating Budget (Budget Amendment No. 29), providing for the supplemental appropriation of funds in the Economic Development Fund; and providing an effective date and authorizing the Lufkin 4B Economic Development Corporation to purchase approximately 147.687 acres of land for the development of an industrial park and authorize the Lufkin 4B Economic Development Corporation to execute such necessary documents for the purchase and financing of said purchases. City Manager Paul Parker stated that the City of Lufkin had received quotes for the loan and the quotes had gone before the 4-B Economic Development Corporation. City Manager Parker then turned the meeting over to Economic Development Director Jim Wehmeier.

Economic Development Director Jim Wehmeier acknowledged the new members of the 4B Economic Development Board who were Councilmember Lynn Torres, Councilmember Phil Medford and Andra Self. Mr. Wehmeier stated that included in the Council's packet was a map of the property that was proposed for purchase. Mr. Wehmeier added that the property was approximately one hundred fifty (150) acres and was located at Loop 287 and Hwy. 103 East. Mr. Wehmeier explained that the property was a combination of four (4) parcels of land. Mr. Wehmeier stated that the total cost for the property was one million two hundred fifty-four thousand one hundred fifteen dollars (\$1,254,115). Mr. Wehmeier explained that the 4-B Board was recommending to the Council that a majority of the property be purchased from current 4-B assets with the remaining portion of the purchase obtained by securing a loan from a local lending institution for a short term note. Mr. Wehmeier added that the funds would be paid back with 4-B tax revenue and would in no way encumber the City of Lufkin. Mr. Wehmeier stated that there were five (5) bids received from local lending institutions for the loan. Mr. Wehmeier added that the lowest bid was from First Bank and Trust of East Texas for a three (3) year note at 4.3% fixed interest with payments semi-annually. Mr. Wehmeier then asked the Council to approve the Resolution authorizing an amendment to the 2005/2006 Operating Budget (Budget Amendment No. 29), providing for the supplemental appropriation of funds in the Economic Development Fund; and providing an effective date and authorizing the Lufkin 4B Economic Development Corporation to purchase approximately 147.687 acres of land for the development of an industrial park and authorize the Lufkin 4B Economic Development Corporation to execute such necessary documents for the purchase and financing of said purchases from First Bank and Trust of East Texas for the three (3) year note at 4.3% fixed interest.

Mayor Jack Gorden asked to be recused from voting on the item, due to his employment with the lending institution and asked Mayor Pro-Tem Rose Boyd to handle the proceedings for the vote.

There was discussion among the Mayor and City Council Members concerning the purchase of the property and Councilmember Rufus Duncan thanked First Bank and Trust of East Texas for loaning the funds at almost half of prime and noted the community spirit shown by FBTET.

Councilmember Lynn Torres moved to approve the Resolution authorizing an amendment to the 2005/2006 Operating Budget (Budget Amendment No. 29), providing for the supplemental appropriation of funds in the Economic Development Fund; and providing an effective date and authorizing the Lufkin 4B Economic Development Corporation to purchase approximately 147.687 acres of land for the development of an industrial park and authorize the Lufkin 4B Economic Development Corporation to execute such

necessary documents for the purchase and financing of said purchases. Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

11. AWARD BID TO CARNEY ROOFING FOR PURCHASE AND INSTALLATION OF A SINGLE PLY ROOF MEMBRANE SYSTEM – APPROVED - FOR PARKS AND RECREATION BUILDING, 125 NORTH FIRST STREET, LUFKIN, TX 75901

Mayor Jack Gorden stated that the next item for consideration was awarding the bid to Carney Roofing for purchase and installation of a Single ply Roof Membrane System for Parks and Recreation Building, 125 North First Street, Lufkin, TX 75901. City Manager Paul Parker stated that there were numerous leaks in the roof of the Parks and Recreation Building at 125 North First Street. City Manager Parker added that there was thirty-two thousand five hundred dollars (\$32,500) included in the 2005/2006 Budget for the replacement of the roof. City Manager Parker stated that a base bid of twenty-six thousand three hundred forty-four dollars (\$26,344) and an alternate bid for three thousand five hundred dollars (\$3,500) were received from Carney's Roofing. City Manager Parker explained that the alternate bid was for insulation that would have to be replaced if the insulation came up when removing the current roof. City Manager Parker stated that Staff was recommending that Council approve the total bid of twenty-nine thousand eight hundred forty-four dollars (\$29,844) for the base bid with the alternate.

Councilmember R. L. Kuykendall moved to approve to award the bid to Carney Roofing for purchase and installation of a Single ply Roof Membrane System for Parks and Recreation Building, 125 North First Street, Lufkin, TX 75901. Councilmember Rufus Duncan seconded the motion. A unanimous affirmative vote was recorded.

12. AUTHORIZE PARKS AND RECREATION DEPARTMENT TO APPLY FOR A HURRICANE RELIEF GRANT FOR \$15,000 – APPROVED - TO BE USED FOR PLAYGROUND EQUIPMENT

Mayor Jack Gorden stated that the next item for consideration was to authorize Parks and Recreation Department to apply for a Hurricane Relief Grant for fifteen thousand dollars (\$15,000), to be used for playground equipment. City Manager Paul Parker stated that the last several years the Council had approved thirty thousand dollars (\$30,000) for playground improvements in the Parks system. City Manager Parker added that this year the City of Lufkin had the opportunity to apply for a Hurricane Relief Grant for fifteen thousand dollars (\$15,000) for playground equipment. City Manager Parker stated that this would be a 50/50 matching grant where the City would be required to match the fifteen thousand dollars (\$15,000) and bring the total project funds to thirty thousand dollars (\$30,000). City Manager Parker stated that Staff was asking the Council to authorize the submission of a grant application through Game Time Play Equipment Company for a Hurricane Relief Grant in the amount of fifteen thousand dollars (\$15,000) with the understanding that an additional fifteen thousand dollars (\$15,000) would be available from the City's unobligated fund balance.

There was discussion among the Mayor and City Council Members concerning the park location where the playground equipment would be placed.

Councilmember Rose Faine Boyd moved to approve to authorize Parks and Recreation Department to apply for a Hurricane Relief Grant for fifteen thousand dollars (\$15,000) and allocate an additional fifteen thousand dollars (\$15,000) for the match, to be used for playground equipment. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

13. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2005/2006 OPERATING BUDGET (BUDGET AMENDMENT NO. 30), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE WATER/WASTEWATER RENEWAL AND REPLACEMENT FUND; AND PROVIDING AN EFFECTIVE DATE AND APPROVING THE BID FOR THE

PURCHASE OF A 2007 FREIGHTLINER 6 YARD DUMP TRUCK FOR THE WATER PRODUCTION DEPARTMENT

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 30), providing for the supplemental appropriation of funds in the Water/Wastewater Renewal and Replacement Fund; and providing an effective date and approving the bid for the purchase of a 2007 Freightliner 6 Yard Dump Truck for the Water Production Department. City Manager Paul Parker stated this item was actually budgeted two (2) years ago in the City's budget and carried forward to the current budget. City Manager Parker added that the original item was under budgeted and since there had been two (2) years since the original request, the amount of the HGAC purchase price was fifty-five thousand five hundred sixty-seven dollars (\$55,567) and would require a budget amendment of fifteen thousand five hundred sixty-seven dollars (\$15,567) from the Water/Wastewater Renewal and Replacement Fund. City Manager Parker recommended that Council approve Budget Amendment No. 30 and authorize the purchase of an M2-106 Dump Truck in the amount of fifty-five thousand five hundred sixty-seven dollars (\$55,567).

There was discussion among the Staff, Mayor and City Council Members concerning the Dump Truck and its options.

Councilmember Phil Medford moved to approve the Resolution authorizing an Amendment to the 2005/2006 Operating Budget (Budget Amendment No. 30), providing for the supplemental appropriation of funds in the Water/Wastewater Renewal and Replacement Fund; and providing an effective date and approving the bid for the purchase of a 2007 Freightliner 6 Yard Dump Truck for the Water Production Department. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

14. CLOSURE OF STREET RIGHT-OF-WAY ON ANN STREET BETWEEN CARROLL AVENUE AND CAROLYN DRIVE – APPROVED - AND SALE OF SAID PROPERTY TO DR. STEVEN ELLIOTT FOR THE APPRAISED VALUE

Mayor Jack Gorden stated that the next item for consideration was closure of Street Right-of-Way on Ann Street between Carroll Avenue and Carolyn Drive and sale of said property to Dr. Steven Elliott for the appraised value. City Manager Paul Parker stated that Dr. Elliott was requesting to purchase the property between Carolyn and Carol Avenue that was between the floodway and flood plain. City Manager Parker explained that the property could be used with the adjoining property to develop two (2) additional lots which would face Carolyn Drive. City Manager Parker added that the property was appraised at six thousand dollars (\$6,000) and added that Staff recommended that Council authorize the sell of the property to Dr. Steven Elliott for six thousand dollars (\$6,000) with the understanding that the City would retain an easement for utilities within this right-of-way.

There was discussion among the Staff, Mayor and City Council Members concerning the property and the re-platting of the lots.

Councilmember Phil Medford moved to approve the closure of Street Right-of-Way on Ann Street between Carroll Avenue and Carolyn Drive and sale of said property to Dr. Steven Elliott for the appraised value of six thousand dollars (\$6,000). Councilmember R. L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

15. Mayor Jack Gorden recessed the Regular Session at 6:15 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 6:55 p.m.

16. CONSIDER APPOINTMENTS – APPROVED - TO LIBRARY BOARD.

Mayor Jack Gorden stated that the next item for consideration was appointments to the Library Board.

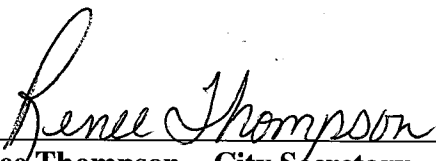
Councilmember Lynn Torres moved to approve the following appointments to the Library Board:

Carlotta Hunt
Tucker Weems
Catherine Roberts

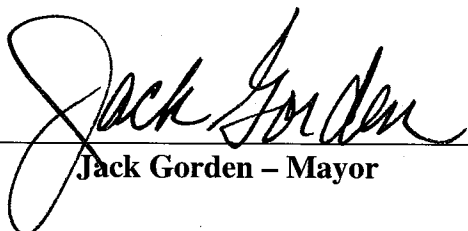
Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

17. City Manager Paul Parker reminded the Council that there was no defined project for the beautification of Kurth Drive and that Staff would bring the item back to the Council in the future, once the project was decided. City Manager Parker added that also included in the budget was an additional request from the Undoing Racism Task Force. City Manager Parker also reminded the Council that Friday, August 4th would be the First Friday Luncheon at Crown Colony and asked the Council to let City Secretary Renee Thompson know if they would be attending. City Manager Parker also reminded Council Members Torres and Langston and Mayor Gorden that there would also be a Construction Committee Meeting on Friday, August 4, 2006 at 2:30 p.m. at City Hall.

18. There being no further business for consideration, the meeting adjourned at 7:01 p.m.



Renee Thompson – City Secretary



Jack Gorden – Mayor