

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 21st DAY OF NOVEMBER, 2006**

On the 21st day of November, 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
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
Scott Marcotte	Asst. Police Chief
Pete Prewitt	Fire Chief
Doug Wood	Finance Director
Steve Floyd	Solid Waste and Recycling Director
Barbara Thompson	Main Street Director
Dorothy Wilson	Planning Director
Tara Jones	Interim Inspection Services Director
Linda Jones	Pre-Treatment Coordinator, WWTP
Jim Wehmeier	Economic Development Director
Rhonda McLendon	Municipal Court & Animal Control Director
Scott Rayburn	City Planner
Don Hannabus	Parks and Leisure Services Director

being present, and

Lynn Torres	Councilmember, Ward No. 3
-------------	---------------------------

being absent, when the following business was transacted:

1. The meeting was opened with prayer by Randy Brown, Pastor of Calvary Baptist Church.
2. Mayor Jack Gorden introduced Randy Brown, gave information regarding Mr. Brown's professional and personal life and presented him with his badge for being the Chaplain for the Police Department.

Mayor Jack Gorden welcomed visitors present. Mayor Gorden recognized LHS students who were present, satisfying their government class requirement.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting on November 7, 2006 were approved on a motion by Councilmember Rose Faine Boyd, and seconded by R.L. Kuykendall. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **ANNEXATION OF THE AREA DESCRIBED AS "G-7" WITHIN THE FUTURE LAND ANNEXATION PLAN AS ADOPTED IN RESOLUTION 3881 AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARY LIMITS OF THE CITY OF LUFKIN TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY**

LIMITS, AND GRANTING TO ALL INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS BY ALL OF THE ACTS AND ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ADOPTING A SERVICE PLAN AND ESTABLISHING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was to conduct a public hearing and consider approval for the annexation of the area described as "G-7" within the Future Land Annexation Plan as adopted in Resolution 3881 and consider on Second Reading an ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date. City Manager Paul Parker stated that since the effective date had been established as January 2, 2007, as directed by the Council, property taxes would not be collected until the 2008 tax year. City Manager Parker stated that this would allow the property owners to prepare for the added financial burden. City Manager Parker stated that all City services including police, fire and other general services would begin January 2, 2007. City Manager Parker stated that this information was applied to all annexation areas. Mayor Gorden stated that Area G-7 was bounded by Gobbler's Knob Road, and by FM 324 (Southwood Drive).

Mayor Gorden opened the public hearing at 6:13 p.m.

Mitch Gibson approached the podium. Mr. Gibson stated that he believed that the annexation was premature. Mr. Gibson stated that the City would have appropriate time in the future to annex the area. Mr. Gibson explained the area and pointed out certain portions of the area which he stated were heavily wooded and problematic for development. Mr. Gibson asked the Council to amend the annexation to remove his property and the piece of property belonging to Mr. Polk. Mr. Gibson stated that the amendment would be viable since the property could not be developed for at least ten (10) years.

Mayor Gorden closed the public hearing at 6:17 p.m.

Councilmember Phil Medford stated that Mr. Gibson made a good point on the amount of the property being annexed and how long it would take to develop it. Councilmember Medford stated that these issues had been addressed within the annexation plan and had somewhat been mitigated with the Agricultural Zoning. Councilmember Medford stated that if the majority of the concern was for the property taxes to be paid on such a large tract of land, that the Agricultural exemption should minimize the impact of the increase. Councilmember Medford stated that it was hard for the Council to estimate how long it would be before the property would be developed.

Mayor Gorden stated that the Gibson family deserved any consideration that could be given considering that they owned the largest tract of land within the annexation. Mayor Gorden agreed with Councilmember Medford's comments.

Councilmember Rufus Duncan, Jr. moved to approve the annexation of the area described as "G-7" within the Future Land Annexation Plan as adopted in Resolution 3881 and approve the Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date. Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

5. ANNEXATION OF THE AREA DESCRIBED AS "G-6" WITHIN THE FUTURE LAND ANNEXATION PLAN AS ADOPTED IN RESOLUTION 3881 AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER

DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARY LIMITS OF THE CITY OF LUFKIN TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO ALL INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS BY ALL OF THE ACTS AND ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ADOPTING A SERVICE PLAN AND ESTABLISHING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was to conduct a public hearing and consider approval for the annexation of the area described as "G-6" within the Future Land Annexation Plan as adopted in Resolution 3881 and consider on Second Reading an ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date.

Mayor Gorden opened the public hearing at 6:20 p.m.

Mayor Gorden closed the public hearing at 6:21 p.m.

Councilmember Don Langston moved to approve the annexation of the area described as "G-6" within the Future Land Annexation Plan as adopted in Resolution 3881 and approve the Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

6. **ANNEXATION OF THE AREA DESCRIBED AS "G-5" WITHIN THE FUTURE LAND ANNEXATION PLAN AS ADOPTED IN RESOLUTION 3881 AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARY LIMITS OF THE CITY OF LUFKIN TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO ALL INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS BY ALL OF THE ACTS AND ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ADOPTING A SERVICE PLAN AND ESTABLISHING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was to conduct a public hearing and consider approval for the annexation of the area described as "G-5" within the Future Land Annexation Plan as adopted in Resolution 3881 and consider on Second Reading an ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date.

Mayor Gorden opened the public hearing at 6:24 p.m.

Mayor Gorden closed the public hearing at 6:25 p.m.

Councilmember Rose Faine Boyd moved to approve the annexation of the area described as "G-5" within the Future Land Annexation Plan as adopted in Resolution 3881 and approve the Ordinance annexing the hereinafter described territory to the City of Lufkin,

Texas and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date. Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

7. **ANNEXATION OF THE AREA DESCRIBED AS "G-4" WITHIN THE FUTURE LAND ANNEXATION PLAN AS ADOPTED IN RESOLUTION 3881 AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARY LIMITS OF THE CITY OF LUFKIN TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO ALL INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS BY ALL OF THE ACTS AND ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ADOPTING A SERVICE PLAN AND ESTABLISHING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was to conduct a public hearing and consider approval for the annexation of the area described as "G-4" within the Future Land Annexation Plan as adopted in Resolution 3881 and consider on Second Reading an Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date.

Mayor Gorden opened the public hearing at 6:26 p.m.

Mayor Gorden closed the public hearing at 6:27 p.m.

Councilmember Phil Medford moved to approve the annexation of the area described as "G-4" within the Future Land Annexation Plan as adopted in Resolution 3881 and approve the Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

8. **ANNEXATION OF THE AREA DESCRIBED AS "G-3" WITHIN THE FUTURE LAND ANNEXATION PLAN AS ADOPTED IN RESOLUTION 3881 AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARY LIMITS OF THE CITY OF LUFKIN TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO ALL INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS BY ALL OF THE ACTS AND ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ADOPTING A SERVICE PLAN AND ESTABLISHING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was to conduct a public hearing and consider approval for the annexation of the area described as "G-3" within the Future Land Annexation Plan as adopted in Resolution 3881 and consider on Second Reading an Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts

and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date.

Mayor Gorden opened the public hearing at 6:28 p.m.

City Manager Paul Parker stated that the Council had received a copy of a letter from Mr. Joseph Pearson regarding this item. Mayor Gorden read the letter. Mayor Gorden stated that Mr. Pearson had been to other meetings regarding the annexation of his property and voiced his concerns. Mayor Gorden stated that the Council would take into consideration those concerns and dually noted his concerns.

Mayor Gorden closed the public hearing at 6:29 p.m.

Councilmember Don Langston. moved to approve the annexation of the area described as "G-3" within the Future Land Annexation Plan as adopted in Resolution 3881 and approve the Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date. Councilmember Rufus Duncan, Jr. seconded the motion. A unanimous affirmative vote was recorded.

9. ANNEXATION OF THE AREA DESCRIBED AS "B" WITHIN THE FUTURE LAND ANNEXATION PLAN AS ADOPTED IN RESOLUTION 3881 AND SECOND READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARY LIMITS OF THE CITY OF LUFKIN TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO ALL INHABITANTS OF THE PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS BY ALL OF THE ACTS AND ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ADOPTING A SERVICE PLAN AND ESTABLISHING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was to conduct a public hearing and consider approval for the annexation of the area described as "B" within the Future Land Annexation Plan as adopted in Resolution 3881 and consider on Second Reading an Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the city; and adopting a service plan and establishing an effective date.

Mayor Gorden opened the public hearing at 6:30 p.m.

Mayor Gorden closed the public hearing at 6:31 p.m.

Councilmember Rose Faine Boyd moved to approve the annexation of the area described as "B" within the Future Land Annexation Plan as adopted in Resolution 3881 and approve the Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas and extending the boundary limits of the City of Lufkin to include the hereinafter described property within the city limits, and granting to all inhabitants of the property all of the rights and privileges of other citizens and binding all inhabitants by all of the acts and ordinances, resolutions, and regulations of the City; and adopting a service plan and establishing an effective date. Councilmember Rufus Duncan, Jr. seconded the motion. A unanimous affirmative vote was recorded.

10. SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN OF THE CITY OF LUFKIN, TEXAS - APPROVED -

BY CHANGING THE ZONING AND FUTURE LAND USE PLAN DESIGNATION ON APPROXIMATELY .18 ACRES OF LAND DESCRIBED AS BLOCK 1, LOT 3.3 OF THE ELLIS ADDITION TO A "NEIGHBORHOOD RETAIL" ZONING DISTRICT AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN TO THE CLASSIFICATION OF "RETAIL"

Mayor Jack Gorden stated that the next item for consideration was to conduct a public hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance and the future land use plan of the 2001 Comprehensive Plan of the City of Lufkin, Texas by changing the Zoning and Future Land Use Plan designation on approximately .18 acres of land described as Block 1, Lot 3.3 of the Ellis Addition to a "Neighborhood Retail" Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of "Retail". City Manager Paul Parker stated that the property was being rezoned for the purpose of building a beauty shop and that the area contained mixed zones. City Manager Parker stated that the Planning Staff recommended approval.

Mayor Gorden opened the public hearing at 6:33 p.m.

Mayor Gorden closed the public hearing at 6:34 p.m.

Councilmember Phil Medford moved to approve the Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of the City of Lufkin, Texas by changing the Zoning and the Future Land Use Plan designation on approximately .18 acres of land described as Block 1, Lot 3.3 of the Ellis Addition to a "Neighborhood Retail" Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the Classification of "Retail". Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

11. SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF LUFKIN, TEXAS BY GRANTING A "SPECIAL USE" PERMIT FOR A "RESTAURANT WITH A PRIVATE CLUB" WITHIN A "COMMERCIAL" ZONING DISTRICT ON CERTAIN TRACTS OR PARCELS OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, - APPROVED - DESCRIBED AS LOT 3, BLOCK 1 OF THE HOME DEPOT SUBDIVISION AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP

Mayor Jack Gorden stated that the next item for consideration was to conduct a public hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of the City of Lufkin, Texas by changing the zoning and Future Land Use Plan designation by granting a "Special Use" Permit for a "Restaurant with a Private Club" within a "Commercial" Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas, described as part of Lot 3, Block 1 of the Home Depot Subdivision and authorizing the City Planner to make such changes on the Official Map. City Manager Paul Parker stated that a Chili's Restaurant would be constructed on the location.

Mayor Gorden opened the public hearing at 6:35 p.m.

Mayor Gorden opened the public hearing at 6:37 p.m.

Councilmember Rufus Duncan moved to approve the Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of the City of Lufkin, Texas by changing the zoning and the Future Land Use Plan designation by granting a "Special Use" Permit for a "Restaurant with a Private Club" within a "Commercial" Zoning District on certain tracts or parcels of land within the corporate limits of the City of Lufkin, Texas described as part of Lot 3, Block 1 of the Home Depot Subdivision and authorizing the City Planner to make such changes on the Official Map. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

12. SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN OF THE CITY OF LUFKIN, TEXAS, - APPROVED - BY CHANGING THE ZONING AND FUTURE LAND USE PLAN DESIGNATION OF LOTS 3 AND 4 AND THE RESTRICTED RESERVE DETENTION OF THE LONE STAR SUBDIVISION TO A "COMMERCIAL" ZONING DISTRICT AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN TO THE CLASSIFICATION OF "COMMERCIAL"

Mayor Gorden stated that the next item for consideration was to conduct a Public Hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of the City of Lufkin, Texas by changing the Zoning and Future Land Use Plan designation of Lots 3 and 4 and the restricted reserve detention of the Lone Star Subdivision to a "Commercial" Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of "Commercial". City Manager Paul Parker stated that because of the protest on this item, that the approval required three-fourths (3/4) of the Council's approval to pass the item and with Mrs. Torres' absence, the vote would have to be unanimous. City Manager Parker clarified that the protest was by twenty percent (20%) of the property owners within two hundred (200) feet of the property.

Mayor Gorden opened the public hearing at 6:38 p.m.

Joe Collmorgen approached the podium. Mr. Collmorgen stated that he owned the property along with Jack Jumper. Mr. Collmorgen stated that he and Mr. Jumper had been working with the concerned property owners to alleviate any issues with privacy by leaving a buffer of trees along the edge of the property. Mr. Collmorgen asked for consideration with the special situation.

Mayor Gorden closed the public hearing at 6:42 p.m.

Councilmember Rufus Duncan move to approve the Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of the City of Lufkin, Texas by changing the Zoning and Future Land Use Plan designation of Lots 3 and 4 and the restricted reserve detention of the Lone Star Subdivision to a "Commercial" Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of "Commercial". Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded with six (6) votes needed and voting yea.

13. SECOND READING OF AN ORDINANCE AMENDING CHAPTER 93.00 (FIRE PREVENTION AND PROTECTION; FIREWORKS) OF THE CODE OF ORDINANCES OF THE CITY OF LUFKIN, TEXAS; - APPROVED - EXEMPTION AND REGULATIONS FOR OPERATING A BUSINESS SELLING FIREWORKS FOLLOWING UNILATERAL ANNEXATION OF AN EXISTING BUSINESS; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE

Mayor Gorden stated that the next item for consideration was to consider on Second Reading an Ordinance amending Chapter 93.00 (Fire Prevention and Protection; Fireworks) of the Code of Ordinances of the City of Lufkin, Texas; creating an exemption and regulations for operating a business selling fireworks following unilateral annexation of an existing business; repealing all Ordinances in conflict therewith; and providing an effective date. Mayor Gorden stated that this Ordinance would allow the fireworks stand within one of the recently annexed areas to stay in business for seven (7) years.

Councilmember Don Langston moved to approve the Ordinance amending Chapter 93.00 (Fire Prevention and Protection; Fireworks) of the Code of Ordinances of the City of Lufkin, Texas, creating an exemption and regulations for operating a business selling fireworks following unilateral annexation of an existing business; repealing all Ordinances in conflict therewith; and providing an effective date. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

TABLED BUSINESS

14. FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN OF THE CITY OF LUFKIN, TEXAS – APPROVED - BY CHANGING THE ZONING AND FUTURE LAND USE PLAN DESIGNATION ON APPROXIMATELY 1.4 ACRES OF LAND DESCRIBED AS BLOCK 8, LOT 1 OF THE WOODLAND HEIGHTS SUBDIVISION AND BLOCK 5, LOT 4 OF THE E.J. MANTOOTH ADDITION TO A “LOCAL BUSINESS” ZONING DISTRICT AND THE FUTURE LAND USE PLAN OF THE 2001 COMPREHENSIVE PLAN TO THE CLASSIFICATION OF “RETAIL”

Mayor Jack Gorden stated that the next item for consideration was to conduct a public hearing and consider on First Reading an Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of the City of Lufkin, Texas by changing the Zoning and Future Land Use Plan designation on approximately 1.4 acres of land described as Block 8, Lot 1 of the Woodland Heights Subdivision and Block 5, Lot 4 of the E.J. Mantooth Addition to a “Local Business” Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of “Retail”. Mayor Gorden stated that the item was tabled at the last meeting to allow the neighboring property owners to work on some type of agreement. City Manager Paul Parker stated that he was given a letter from Mr. Oglesbee to Mr. Robertson. City Manager Parker read the letter and stated that letter addressed property concerns and agreed not to develop an automobile service station, an exterminating company, or a meat or fish market. City Manager Parker also stated that the parties agreed that the owner of the property would not put a garbage dumpster within twenty-five (25) feet of the adjoining property as well as install such provisions in a deed if the property was sold. City Manager Parker stated the covenant was not enforced by the City, but was a private covenant. Mayor Gorden stated that the enforcement of the agreement would be established by deed restriction.

Mayor Gorden opened the public hearing at 6:44 p.m.

Vance Oglesbee approached the podium. Mr. Oglesbee stated that he and Mr. Robertson had agreed to those provisions mentioned by Mr. Parker. Mr. Oglesbee stated that he understood Mr. Robertson’s concerns. Mr. Oglesbee pointed out the value of the property as a local business and thanked the Council for their consideration.

Dennis Robertson approached the podium. Mr. Robertson stated that he lived behind the subject zone change. Mr. Robertson stated that he had come to an agreement with Mr. Oglesbee. Mr. Robertson stated that he would like to see more restrictive guidelines on the “Local Business” Zone. Mr. Robertson reviewed the items that were agreed to not be built on the subject property and his reasoning for each type of business. Mr. Robertson stated that he agreed to drop the opposition, but that he still had concerns with the value of his property, depending on the type of business that could be put on the subject property. Mr. Robertson stated that he believed that the City had an obligation to develop business areas in a more attractive manner. Mr. Robertson stated that his main concern with the piece of property was traffic. Mr. Robertson explained the average traffic situation and the problems on the through streets to North Raguet Street. Mr. Robertson stated that based on the issues already reviewed, that there needed to be standards on business development.

Mayor Gorden opened the public hearing at 6:51p.m.

City Manager Paul Parker asked Assistant City Manager/City Engineer Keith Wright to contact TXDOT to address the issues concerning the intersection of North Raguet Street and Frank Street.

Councilmember Don Langston stated that since he was the one who tabled the item at the previous meeting, that he appreciated the efforts of the property owners.

Councilmember Don Langston moved to approve the Ordinance amending the Zoning Ordinance and the Future Land Use Plan of the 2001 Comprehensive Plan of the City of

Lufkin, Texas by changing the Zoning and Future Land Use Plan designation on approximately 1.4 acres of land described as Block 8, Lot 1 of the Woodland Heights Subdivision and Block 5, Lot 4 of the E.J. Mantooth Addition to a "Local Business" Zoning District and the Future Land Use Plan of the 2001 Comprehensive Plan to the classification of "Retail". Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS

15. 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 335 OF THE J.A. BONTON SURVEY, ABSTRACT NO. 5 AND A .618 ACRE WESTERLY PORTION OF TRACT 339 OF THE J.A. BONTON SURVEY, ABSTRACT NO. 5 FROM THE ZONING CLASSIFICATION OF "RESIDENTIAL LARGE SINGLE FAMILY DWELLING" TO A "RESIDENTIAL SMALL SINGLE FAMILY DWELLING" 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 to conduct a public hearing and consider on First Reading 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 335 of the J.A. Bonton Survey, Abstract No. 5 and a .618 acre westerly portion of Tract 339 of the J.A. Bonton Survey, Abstract No. 5 from the zoning classification of "Residential Large Single Family Dwelling" to a "Residential Small Single Family Dwelling" Zoning District and authorizing the City Planner to make such changes on the Official Map. City Manager Paul Parker stated that this was a request by Herman Bate on .978 acres of land facing Schuller Street and Camp Street. City Manager Paul Parker stated that the .978 acre section of land was currently part of a 2.77 acre tract and contained five (5) small frame homes. City Manager Parker stated that Mr. Bate intended to subdivide the property to allow these homes to exist on individual lots and that the area was a mix of "Apartment" and "Residential Large" zoning and described the existing structures on the property. City Manager Parker stated that the Planning Staff recommended approval and that there was no opposition to the rezoning.

Mayor Jack Gorden opened the public hearing at 6:56 p.m.

Mayor Jack Gorden closed the public hearing at 6:57 p.m.

Councilmember Rose Faine Boyd moved to approve the 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 335 of the J.A. Bonton Survey, Abstract No. 5 and a .618 acre westerly portion of Tract 339 of the J.A. Bonton Survey, Abstract No. 5 from the zoning classification of "Residential Large Single Family Dwelling" to a "Residential Small Single Family Dwelling" Zoning District and authorizing the City Planner to make such changes on the Official Map. Councilmember Rufus Duncan, Jr. seconded the motion. A unanimous affirmative vote was recorded.

16. REQUEST FOR 4B FUNDING - APPROVED - FOR VISION 20/20.

Mayor Jack Gorden stated that the next item for consideration was to consider a request for 4B Funding for Vision 20/20. City Manager Paul Parker stated that this was a request from the 4B Corporation to assist with the funding of the second year of the Vision 20/20 Strategic Plan. City Manager Parker stated that year one (1) of the program was paid for primarily through private investment, which was approximately one hundred ten thousand dollars (\$110,000), with the second year's anticipated expense being approximately fifty-five thousand dollars (\$55,000). City Manager Parker stated that this program was designed to be funded for three (3) years and a subsequent fifty-five thousand dollars

(\$55,000) need would exist next year. City Manager Parker stated that presently the Chamber of Commerce was dedicating ten thousand dollars (\$10,000), the Partnership was anticipated to dedicate fifteen thousand dollars (\$15,000) at its next meeting, and fifteen thousand dollars (\$15,000) was anticipated to be raised from the community, and the request from the 4B Corporation was for twenty thousand dollars (\$20,000). City Manager Parker stated that on November 6, the 4B unanimously approved the request for funds at their board meeting.

Mayor Gorden asked for comments from the floor.

Jane Ainsworth approached the podium. Ms. Ainsworth stated that she was the Chairperson for Vision 20/20. Ms. Ainsworth stated that a request was being made for the second year of funding. Ms. Ainsworth stated that the board was now in the process of implementing the positions created by their strategic plan. Ms. Ainsworth explained each position and stated that in March 2007 a report would be published on the status of those positions.

Councilmember Rose Faine Boyd asked why the City of Lufkin was being asked for a larger contribution than the other entities. Jim Wehmeier stated that the amount being requested was estimated by Chairman Shands. Ms. Ainsworth stated that initially the monies were collected in the beginning from private sectors. Mayor Gorden stated that with the creation of the 4B Corporation there was some discussion of the corporation being sustainable. Mayor Gorden stated that the 4B Corporation was created to help the community as well as the City. Councilmember Rose Faine Boyd asked if the funds was being requested from the City of Lufkin or from the 4B Corporation. Ms. Ainsworth stated that the money was being requested from the 4B Corporation. Discussion was had about the involvement of various City staff in the Vision 20/20 project, as well as the project's health and commitment to the community.

Councilmember Rufus Duncan, Jr. moved to approve the request for 4B Funding for Vision 20/20. Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

17. PRESENTATION BY MARK HAMMER WITH TRAFFI-PAX CONCERNING THE POTENTIAL INSTALLATION OF TRAFFIC SIGNAL ENFORCEMENT DEVICES

Mayor Jack Gorden stated that the next item was a presentation by Mark Hammer with Traffi-pax concerning the potential installation of traffic signal enforcement devices. City Manager Paul Parker stated that he and several of the Council members had the opportunity to meet Mr. Hammer at the Texas Municipal League Conference. City Manager Parker stated that Traffi-pax was more commonly known as "red light cameras". City Manager Parker gave some statistics on traffic accidents related to running red lights. City Manager Parker stated that nine (9) cities in the state had adopted Ordinances after new legislation. City Manager Parker stated that the Police Department recommended the Council hear the program from Traffi-pax.

Mark Hammer gave his presentation.

City Manager Parker stated that an Ordinance would be needed to be passed to make a civil violation. City Manager Parker asked for clarification of how the system would issue a violation to the owner. Mr. Hammer clarified the steps to install the Traffi-pax system. Mr. Hammer confirmed that an Ordinance would need to be passed and stated that the violation would go to the owner of the vehicle instead of the driver. City Manager Parker asked Mr. Hammer how the Traffi-Pax company would work with the City to determine which intersections would need attention. Mr. Hammer explained the steps to determining those intersections and installing the system. Discussion was had about how the system worked and Mr. Hammer gave some specific examples and answered questions about ticketing, enforcement, and return on investment.

Police Chief Larry Brazil approached the podium. Chief Brazil stated that he believed that the Traffi-Pax was good program and he recommended the program to the Council.

City Manager Paul Parker stated that the Council was not being asked to pass an Ordinance at that time, but that the purpose was to present the idea to the Council.

18. RESOLUTION ADOPTING A PERMIT FEE EQUAL TO ONE HALF (1/2) OF THAT ALLOWED BY THE STATE FOR THE CITY TO CHARGE; AND THE CITY OF LUFKIN HEREBY ADOPT AN APPLICATION AND PROCESSING FEE OF \$200 PER APPLICATION - APPROVED - WHICH FEE WILL BE PAID UPON PRESENTATION OF THE APPLICATION TO THE CITY BY THE APPLICANT AND AN ANNUAL LICENSE FEE OF \$100.

Mayor Jack Gorden stated that the next item for consideration was to consider a Resolution adopting a permit fee equal to one half (1/2) of that allowed by the State for the City to charge; and the City of Lufkin hereby adopt an application and processing fee of \$200 per application which fee will be paid upon presentation of the application to the City by the applicant and an annual license fee of \$100. City Manager Paul Parker stated that since the passage of the beer and wine sales in Angelina County that the City would soon be receiving applications for beer and wine sales. City Manager Parker explained the licensing fees.

Steve Parks, Director of Missions, Unity Baptist Association, approached the podium. Mr. Parks stated that he hoped that the City would not grant any permits until all signage issues were resolved. Mr. Parks referred to a statement made by the Vision 20/20 task force about the beautification of Lufkin. Mr. Parks stated that he would recommend that permits not be made before an Ordinance, not allowing outdoor signage for alcohol, could be put into place. Mr. Parks stated that he recommended that the Council and staff would use the strictest provisions possible with regard to zoning and placement of businesses. Mr. Parks advised that the annual license fee be changed from \$100 to \$1500 dollars to be used for alcohol prevention and counseling.

Councilmember Rufus Duncan, Jr. asked what the requirements were for distance between certain types of establishments and a business selling alcohol. City Manager Parker stated that there was an Ordinance in place requiring Private Clubs and Restaurants to be at least three hundred (300) feet away from a church or a school front door to front door on the normal passageway. City Manager Parker stated that now with the beer and wine sales, private clubs now change under TABC regulations with fifty percent (50%) or more alcohol sales. City Manager Parker stated that the Ordinance would probably need to be amended. Councilmember Duncan asked if there would be any restrictions on a convenience store selling beer. City Manager Parker stated that there wouldn't be any restrictions.

Councilmember Rose Faine Boyd asked about the State required distance for such establishments. City Manager Parker stated that the state had a maximum distance of three hundred (300) feet if the City adopted it.

Councilmember Don Langston moved to approve the Resolution adopting a permit fee equal to one half (1/2) of that allowed by the State for the City to charge; and the City of Lufkin hereby adopt an application and processing fee of \$200 per application which fee will be paid upon presentation of the application to the City by the applicant and an annual license fee of \$100. Councilmember Rufus Duncan, Jr. seconded the motion. A unanimous affirmative vote was recorded.

19. FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LUFKIN - APPROVED - BY DESIGNATING CERTAIN NEWLY ANNEXED AREAS INTO SPECIFIC WARDS AND ESTABLISHING AN EFFECTIVE DATE.

Mayor Jack Gorden stated that the next item for consideration was to consider on First Reading an Ordinance amending the Code of Ordinances of the City of Lufkin by designating certain newly annexed areas into specific wards and establishing an effective date. City Manager Paul Parker stated that this item was a result of the annexation passed earlier in the meeting. City Manager Parker stated that Staff recommended Area B be

assigned to Ward 2, Areas G-3, G-4, and G-5 be assigned to Ward 4 and G-6 and G-7 will be assigned to Ward 5. Mayor Gorden asked about the re-division of the Wards and studying them as required by law. City Manager Parker confirmed that Ward lines were to be redrawn every ten (10) years and that the last study was done in 2000. City Manager Parker stated that the new numbers would be available in 2011 and that the Wards would be revaluated under the one (1) man one (1) vote rule. City Manager Parker stated that the Department of Justice would give the City preclearance to ensure no dilution of minority Wards.

Councilmember Rufus Duncan, Jr. moved to approve on First Reading the Ordinance amending the Code of Ordinances of the City of Lufkin by designating certain newly annexed areas into specific wards and establishing an effective date. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

20. FIRST READING OF AN ORDINANCE REVISING THE BUILDING REGULATIONS IN THE CODE OF ORDINANCES SECTION 150.036 AND SECTION 150.005 FOR THE CITY OF LUFKIN, - APPROVED - REPEALING ALL ORDINANCES AND PROVISIONS IN CONFLICT THEREWITH AND ESTABLISHING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for approval was to consider on First Reading an Ordinance revising the building regulations in the Code of Ordinances Section 150.036 and Section 150.005 for the City of Lufkin, repealing all Ordinances and provisions in conflict therewith and establishing an effective date. City Manager Paul Parker stated that the Ordinance affected two (2) items within the Building Code. City Manager Parker stated that the first item was an amendment to the current Ordinance which required all commercial structures more than one thousand two hundred (1,200) square feet of floor area to be wired in raceways to allow existing structures over one thousand two hundred (1,200) square feet to remain in romex or not in raceways. City Manager Parker stated that the second item would clarify the existing practice of the City of not charging a plan-checking fee for single-family residential structures. City Manager Parker stated that the Ordinance currently stated that the fee applied to all structures exceeding one hundred thousand dollars (\$100,000).

Councilmember Don Langston asked for clarification on the Ordinance with regard to commercial structures and wiring. City Manager Parker stated that the Amendment would apply to new construction, but not to existing. Bryant McCollum, Senior Building Inspector explained the types of buildings required to have raceway wiring. Discussion was had about rewiring and remodeling of buildings under the proposed amendment.

Councilmember Don Langston moved to approve on First Reading the Ordinance revising the Building Regulations in the Code of Ordinances Section 150.036 and Section 150.005 for the City of Lufkin, repealing all Ordinances and provisions in conflict therewith and establishing an effective date. Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

21. PROPOSED CONTRACT WITH FREESE AND NICHOLS, INC. (FNI) TO PERFORM A WATER/WASTEWATER RATE STUDY - APPROVED FOR THE CITY OF LUFKIN

Mayor Jack Gorden stated that the next item for consideration was to consider approval of proposed contract with Freese and Nichols, Inc. (FNI) to perform a Water/Wastewater Rate Study for the City of Lufkin. City Manager Paul Parker stated that as a part of the budget process for the 2006/2007 City of Lufkin Fiscal Budget, the Council increased water and wastewater fees by three percent (3%) to help offset the rising cost in electricity and fuel. City Manager Parker added that the City developed a request for proposal and received interest from two (2) firms, Freese and Nicholds, Inc. and R. W. Beck. City Manager Parker stated that Staff interviewed both firms and recommended a contract be awarded to Freese and Nichols, Inc. in an amount not to exceed forty-nine thousand six hundred dollars (\$49,600) to complete a Water and Wastewater Rate Study for the City of Lufkin.

There were questions and discussion from the Mayor, Staff, and Council concerning the Water/Wastewater Rate Study.

Councilmember Rose Faine Boyd moved to approve the proposed contract with Freese and Nichols, Inc. (FNI) to perform a Water/Wastewater Rate Study for the City of Lufkin. Councilmember R.L. Kuykendall seconded the motion. A unanimous affirmative vote was recorded.

22. INTERLOCAL AGREEMENT WITH TARRANT COUNTY FOR THE PURCHASE OF NINE 2007 FORD CROWN VIC PATROL CARS AND AUTHORIZE THE CITY MANAGER TO ACT AS DESIGNATED OFFICAL REPRESENTATIVE – APPROVED - RELATING TO THE AGREEMENT.

Mayor Jack Gorden stated that the next item for consideration was to consider approval of Interlocal Agreement with Tarrant County for the Purchase of Nine 2007 Ford Crown Vic Patrol Cars and authorize the City Manager to act as designated official representative relating to this Agreement. City Manager Paul Parker stated that the City of Lufkin recently bid the purchase of nine (9) 2007 Ford Crown Victoria patrol cars which are fully equipped for police functions including light bar, radar detection, cage, etc. City Manager Parker stated that the original plans for the purchase of the vehicles from Tarrant County had changed and the City of Lufkin would be purchasing the vehicles directly from Philpott Motors through the Buyboard. City Manager Parker explained that the cost of the vehicles would then be twenty-seven thousand two hundred seventy-eight dollars and forty-four cents (\$27,278.44) per vehicle for a total of two hundred forty-five thousand five hundred six dollars (\$245,506). City Manager Parker stated that the agreement was a different from the past purchases as they were fully equipped and would be white vehicles as Chief Larry Brazil anticipated the resale being easier if they were white. City Manager Parker stated that Staff recommended the approval of the Interlocal Agreement with Tarrant County and purchase of the nine (9) 2007 Ford Crown Vic Patrol Cars for a total cost of two hundred forty-five thousand five hundred six dollars (\$245,506).

There was some discussion among the Council, Mayor and Staff concerning the purchase of patrol cars for the Police Department.

Councilmember Rose Faine Boyd moved to approve the Interlocal Agreement with Tarrant County for the Purchase of Nine 2007 Ford Crown Vic Patrol Cars and authorize the City Manager to act as designated official representative relating to this Agreement. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

23. CONSIDER A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FO THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM.

Mayor Jack Gorden stated that the next item for approval was to consider a Resolution of the City Council of the City of Lufkin, Texas, authorizing the submission of a Texas Community Development Program application to the Office of Rural Community Affairs for the Community Development Fund; and authorizing the Mayor to act as the City's Executive Officer and authorized representative in all matters pertaining to the City's participation in the Community Development Program. City Manager Paul Parker stated that the project consisted of improvements to the sewer systems in two (2) neighborhoods. City Manager Parker stated that if approved, the Martin Luther King neighborhood would receive replacement of its dilapidated orangeburg and the Raguet Street neighborhood would receive replacement of its clay tile sewer. City Manager Parker stated that the request was for permission for application for the 2007 – 2008 Texas Community Development Program and if approved, the staff would come back for matching funds and that no funds would be needed at this time.

Mayor Gorden asked who would facilitate the application process. Assistant City Manager/City Engineer Keith Wright stated that Jim Vann, Raymond K. Vann and Associates was present and would be the grant consultant.

Jim Vann approached the podium. Mr. Vann stated that one of the requirements was to have a public hearing and that was advertised in the Lufkin Daily News and took place on November 20, 2006 to inform the public and get any input. Mr. Vann stated that there was no input from the public. Mr. Vann stated that the Resolution must be passed to proceed with the application process. Mr. Vann explained that the minimum required match was twenty percent (20%) of the project and that the City staff was proposing to commit thirty percent (30%) which would give the City a better chance at getting the grant. Mr. Vann stated that the application was due on December 15, 2006.

Mayor Gorden asked if the approval process included a committee with DETCOG. Mr. Vann confirmed that DETCOG was a part of the approval process and explained their approval process.

Councilmember Phil Medford moved to approve a Resolution of the City Council of the City of Lufkin, Texas, authorizing the submission of a Texas Community Development Program application to the Office of Rural Community Affairs for the Community Development Fund; and authorizing the Mayor to act as the City's Executive Officer and authorized representative in all matters pertaining to the City's participation in the Community Development Program. Councilmember Rose Faine Boyd seconded the motion. A unanimous affirmative vote was recorded.

24. Mayor Jack Gorden stated that the next item for consideration was a report from Paul Parker, City Manager. City Manager Paul Parker indicated that the end of the year financials was in the report and that the City was in good financial status. City Manager Parker further explained that the Report also contained the first revised status of the year with the start of this year's new projects. City Manager Parker added that concerning the Whitehouse Phase III extension, the City had received the Corps of Engineer mitigation permit, though there were modifications to it. Assistant City Manager/City Engineer Keith Wright explained that due to the funding changes, the Anderson mitigation site could not be used for mitigation and that he would be asking TXDOT to reconsider the limitation or allow for a buy-in to another mitigation site. Mr. Wright added that this would require further funds for the buy-in but would not affect the permit. City Manager Parker indicated that it was an issue of funding source limitations, but the permit would not be held up and hoped the design would be finished in January and bid in February and possibly be started before the Highway 59 reconstruction. City Manager Parker asked Mr. Wright for an update on Whitehouse Phase II. Mr. Wright indicated that Whitehouse Phase II was almost finished with clean-up, minor curb and sidewalk repairs, seeding, stripping and painting. City Manager Parker asked Mr. Wright for the status of Lotus Lane. Mr. Wright updated the information on the project of Lotus Lane, which would bid November 27, 2006. Mr. Wright stated that at that time the final Bond Street program would be known and they would take bids. Mr. Wright added that this project would be the same type as Whitehouse and would have options.

Councilmember Don Langston asked what system was used for street selection. Mr. Wright indicated that the City used a Citizen's Committee who were appointed by the Council. Councilmember Langston asked if the street had more developable property. Mr. Wright indicated that the street was selected in part for the access to other lands. Mayor Gorden indicated the properties that were undeveloped.

City Manager Parker concluded his report.

25. Mayor Jack Gorden recessed the Regular Session at 7:25 p.m. to enter into Executive Session.

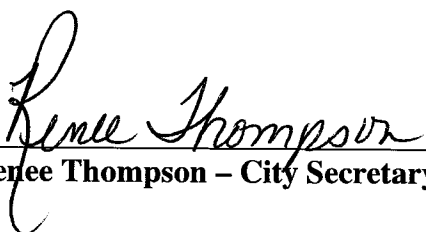
EXECUTIVE SESSION: In accordance with the Texas Government Code Section 551.071 (2) Consultation with City Attorney on any Regular Session Agenda item requiring confidential, attorney/client advices necessitated by the deliberation or

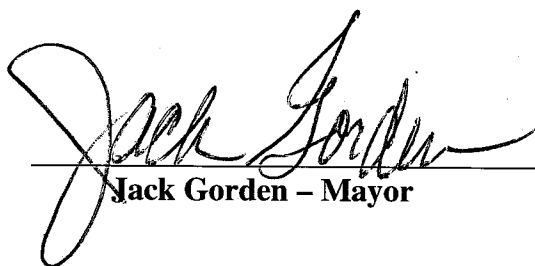
discussion of said items (as needed), and real estate, appointment to boards and personnel may be discussed.

Mayor Jack Gorden reconvened the Regular Session at 9:15 p.m.

26. Calendar notations from Mayor, Council Members, and City Manager. Council was reminded that the Main Street Lighted Christmas Parade would be held on Tuesday, November 28, 2006 at 6:00 p.m. and that the Council would be riding on one of the fire trucks. Council was also reminded that Mayor Jack Gorden would be the speaker at the First Friday Luncheon on Friday, December 1, 2006 and asked to RSVP to City Secretary Renee Thompson. Council was also reminded that the "HOT" Committee would meet on Wednesday, December 13, 2006 at the Lufkin City Hall Room 202 from 11:00 a.m. to 2:00 p.m. and that the Undoing Racism Task Force Christmas Party would be held on Monday, December 18, 2006 at 6:00 p.m. at Manhattan's Restaurant.

27. There being no further business for consideration, the meeting adjourned at 9:20 p.m.


Renee Thompson – City Secretary


Jack Gorden – Mayor