

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 21st DAY OF FEBRUARY, 2012**

On the 21st day of February, 2012, 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.
Don Langston
Victor Travis
Robert Shankle
Lynn Torres
Rufus Duncan
Sarah Murray
Paul L. Parker
Keith Wright
Bruce Green
Kara Atwood
Scott Marcotte
Ted Lovett
Belinda Southern
Jim Wehmeier
Dorothy Wilson
Steve Floyd
Chuck Walker
Dale Allred
Barbara Thompson
Tara Watkins
Mike Akridge

Mayor
Mayor Pro-Tem
Councilmember, Ward No. 1
Councilmember, Ward No. 2
Councilmember, Ward No. 3
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
Deputy City Manager
City Attorney
City Secretary
Police Chief
Fire Chief
Finance Director
Economic Development Director
Planning Director
Public Works Director
City Engineer
Director of Inspection Services
Main Street Director
LCVB Director
Parks & Recreation Director

being present when the following business was transacted.

1. The meeting was opened with prayer by Reverend Jeff Murrell, Glad Tidings Assembly of God.
2. Mayor Jack Gorden welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of February 7th, 2012 were approved on a motion by Councilmember Lynn Torres and seconded by Councilmember Robert Shankle. 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, BEING ORDINANCE 3368, BY AMENDING ARTICLE III, "DISTRICTS AND SPECIFIC REQUIREMENTS PERTAINING TO EACH DISTRICT", IN THE "RESIDENTIAL LARGE SINGLE FAMILY DWELLING" ZONING DISTRICT, SECTION 3, "AREA REGULATIONS" WITH THE ADDITION OF "8. GARAGE"; AND PROVIDING FOR AN EFFECTIVE DATE - DENIED.**

Mayor Jack Gorden stated that the next item on the agenda was to conduct a Public Hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance 3368, by amending Article III, "Districts and Specific Requirements Pertaining to Each District", in the "Residential Large Single Family Dwelling" Zoning District, Section 3, "Area Regulations" with the addition of "8. Garage"; and providing for an effective date.

City Manager Paul Parker stated this was the Second Reading of an Ordinance amending the Zoning Ordinance that would require a garage to be built with residences that are constructed in the Zoning District "Residential Large Single Family Dwelling". City Manager Parker continued that Council had discussed the need for this requirement to alleviate inadequate parking in neighborhoods. City Manager Parker furthered that the Planning and Zoning

Commission did not recommend approval of this Ordinance; therefore the item would require a super majority vote of the Council for approval.

Mayor Gorden opened the Public Hearing at 5:11 p.m. Mr. Michael Parker spoke against the item and stated this Ordinance would require additional expense to homeowners and builders. Mr. Parker continued that he did not feel this Ordinance could be enforced to keep residents from parking on the lawn or street and that the Ordinance would also infringe on personal property rights. Mr. Scott Slusher spoke against the item and concurred with Mr. Parker's statements. Mr. Slusher furthered that the Ordinance could not be enforced to address the stated reasons for the Ordinance. Mr. Slusher continued that the Ordinance would affect large areas of the City, not just specific neighborhoods and would impede development in Lufkin.

There being no one further who wished to speak Mayor Gorden closed the Public Hearing at 5:21 p.m.

Mayor Gorden then asked for comments or questions from the Council.

Councilmember Don Langston stated that valid points had been made and that the intent of the Ordinance was to protect existing neighborhoods. Councilmember Langston furthered that he understood the concern of the additional expense. Councilmember Sarah Murray expressed concern that it was an additional expense to homeowners. Councilmember Victor Travis stated that the Ordinance needed to be reviewed in light of the information provided during the Public Hearing. Mayor Gorden stated that it was a matter of how the Council wanted to address the issue. Mayor Gorden continued that the Ordinance was designed to address the issue of homes being built in established neighborhoods without garages. Mayor Gorden furthered that this Ordinance might not be the best way to achieve the objectives of increasing building in the City and protecting the existing neighborhoods. Councilmember Rufus Duncan stated this was an attempt to protect the existing citizens. Further discussion regarding the Ordinance continued among Councilmembers.

Councilmember Rufus Duncan moved to approve the Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, being Ordinance 3368, by amending Article III, "Districts and Specific Requirements Pertaining to Each District", in the "Residential Large Single Family Dwelling" Zoning District, Section 3, "Area Regulations" with the addition of "8. Garage"; and providing for an effective date. Councilmember Lynn Torres seconded the motion. The motion to approve was denied by a five (5) to two (2) vote with Councilmember Rufus Duncan and Councilmember Lynn Torres voting for the motion and Mayor Jack Gorden, Councilmember Don Langston, Councilmember Sarah Murray, Councilmember Robert Shankle and Councilmember Victor Travis voting against the motion. Councilmember Don Langston asked that Staff continue to work on this issue to find a better resolution to the problem.

5. SECOND READING OF AN ORDINANCE PROVIDING FOR THE CALLING AND ORDERING OF A GENERAL ELECTION FOR THE CITY OF LUFKIN, TEXAS TO BE HELD AT SIX (6) POLLING PLACES IN LUFKIN, TEXAS ON MAY 12, 2012 BETWEEN THE HOURS OF 7:00 A.M.-7:00 P.M. FOR THE PURPOSE OF ELECTING A MAYOR AND A COUNCILMEMBER FOR WARD TWO (2) AND A COUNCILMEMBER FOR WARD FOUR (4), FOR THREE (3) YEAR TERMS, AND PROVIDING FOR THE NECESSARY NOTICES AND FIXING THE DATE - APPROVED.

Mayor Jack Gorden stated that the next item for consideration was the Second Reading of an Ordinance providing for the calling and ordering of a General Election for the City of Lufkin, Texas to be held at six (6) polling places in Lufkin, Texas on May 12, 2012 between the hours of 7:00 a.m.-7:00 p.m. for the purpose of electing a Mayor and a Councilmember for Ward Two (2) and a Councilmember for Ward Four (4), for three (3) year terms, and providing for the necessary notices and fixing the date.

City Manager Paul Parker stated that the item caption explained the item; it was simply the calling of the May 12th, 2012 municipal elections for places of the Mayor, Councilmember Ward 2 and Councilmember Ward 4.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Lynn Torres moved to approve on Second Reading an Ordinance providing for the calling and ordering of a General Election for the City of Lufkin, Texas to be held at six (6) polling places in Lufkin, Texas on May 12, 2012 between hours of 7:00 a.m.-7:00 p.m. for the purpose of electing a Mayor and a Councilmember for Ward Two (2) and a Councilmember for Ward Four (4), for three (3) year terms, and providing for the necessary notices and fixing the date. Councilmember Don Langston seconded the motion. A unanimous vote was recorded.

6. SECOND READING OF AN ORDINANCE AMENDING ORDINANCE NO. 266 REGULATING CONDUCT IN PUBLIC PARKS AND ALL AMENDMENTS THERETO; OF THE CITY OF LUFKIN, TEXAS, REPEALING CONFLICTING AND INCONSISTENT PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE - APPROVED.

Mayor Jack Gorden stated that the next agenda item for consideration was the Second Reading of an Ordinance amending Ordinance No. 266 regulating conduct in public parks and all amendments thereto; of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions; and providing for an effective date.

City Manager Paul Parker stated this was the Second Reading of an Ordinance that prohibited sleeping and camping in City parks and also allowed City sponsored fireworks in City Parks.

Mayor Gorden asked for questions, comments or motions from the Council.

Councilmember Don Langston moved to approve on Second Reading an Ordinance amending Ordinance No. 266 regulating conduct in public parks and all amendments thereto; of the City of Lufkin, Texas, repealing conflicting and inconsistent provisions; and providing for an effective date. Councilmember Victor Travis seconded the motion. A unanimous vote was recorded.

NEW BUSINESS:

7. 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 OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS LOT NO. 1 OF OAK SUBDIVISION, AND LOT NO. 2-A AND 2-B OF OAK SUBDIVISION NO. 2 AND MORE COMMONLY KNOWN AS 1502 SOUTH JOHN REDDITT DRIVE, 1501 HANKS STREET AND 1503 HANKS STREET FOR A TOTAL OF 1.072 ACRES FROM "NEIGHBORHOOD RETAIL" TO "LOCAL BUSINESS" AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP - APPROVED.

Mayor Jack Gorden stated that the next agenda item 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 of land within the corporate limits of the City of Lufkin, Texas, described as Lot No. 1 of Oak Subdivision, and Lot No. 2-A and 2-B of Oak Subdivision No. 2 and more commonly known as 1502 South John Redditt Drive, 1501 Hanks Street and 1503 Hanks Street for a total of 1.072 acres from "Neighborhood Retail" to "Local Business" and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that Orion Properties had requested a change of zoning from "Neighborhood Retail" to "Local Business" on property located on the east side of South John Redditt Drive and south of Hanks Street in order to increase development and leasing opportunities for the site. City Manager Parker continued that each lot currently had a small office building with a parking lot which covered all three parcels. City Manager Parker furthered that Genco Federal Credit Union was located north of the site and south of the site was a large vacant lot surrounded by single family homes. City Manager Parker stated that St. Paul's Methodist Church and State Farm Insurance were located west across the loop. City Manager Parker concluded that the Planning & Zoning Commission along with Planning Staff recommended that City Council approve the proposed zone change from "Neighborhood Retail" to "Local Business" and authorize a change to the Comprehensive Plan Future Land Use Map from "Office" to "Commercial".

Mayor Gorden opened the Public Hearing at 5:38 p.m. and asked anyone who wished to speak on the item to please step forward. There being no one who wished to speak, Mayor Gorden closed the Public Hearing at 5:39 p.m. and asked for comments, questions or motions from the Council.

Councilmember Rufus Duncan moved to approve on First Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas by changing the zoning designation of a certain tract of land within the corporate limits of the City of Lufkin, Texas, described as Lot No. 1 of Oak Subdivision, and Lot No. 2-A and 2-B of Oak Subdivision No. 2 and more commonly known as 1502 South John Redditt Drive, 1501 Hanks Street and 1503 Hanks Street for a total of 1.072 acres from "Neighborhood Retail" to "Local Business" and authorizing the City Planner to make such changes on the Official Map. Councilmember Lynn Torres seconded the motion. A unanimous vote was recorded.

8. 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 OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS DESCRIBED AS LOTS 1-16 OF BLOCK 4 OF THE HERTY SUBDIVISION AND LOTS 9-11 OF BLOCK 3 OF THE HERTY SUBDIVISION AND MORE COMMONLY KNOWN AS THE 3400 BLOCK OF PAUL AVENUE, 3400 BLOCK OF EDWARDS STREET AND 3501, 3503, 3505 EDWARDS STREET FROM "RESIDENTIAL SMALL SINGLE FAMILY DWELLING" DISTRICT TO "COMMERCIAL" AND CHANGING THE 2001 COMPREHENSIVE PLAN FUTURE LAND USE MAP TO "RETAIL" AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP – TABLED.

Mayor Jack Gorden stated that the next item on the agenda 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 of land within the corporate limits of the City of Lufkin, Texas described as Lots 1-16 of Block 4 of the Herty Subdivision and Lots 9-11 of Block 3 of the Herty Subdivision and more commonly known as the 3400 block of Paul Avenue, 3400 block of Edwards Street and 3501, 3503, 3505 Edwards Street from "Residential Small Single Family Dwelling" district to "Commercial" and changing the 2001 Comprehensive Plan Future Land Use Map to "Retail" and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that Eric Rich, agent for Polk Oil, Inc., requested a change of zoning from "Residential Small Single Family Dwelling" to "Commercial" on property located between Paul Avenue and Edwards Street, commonly known as the 3400 block of Paul Avenue, the 3400 block of Edwards Street and 3501, 3503 and 3505 Edwards Street. City Manager Parker continued that properties to the north and south of the site were zoned "Local Business" and properties south and west of the site were zoned "Residential Small Single Family Dwelling", and property east of the site was zoned "Commercial". City Manager Parker stated that this site was undeveloped with a small amount of timber and the Paul Avenue portion of the property was across from the old paper mill known as "Abitibi". City Manager Parker continued that the properties east and west of the site were vacant with some vegetation and a few small homes, and the area north of the site had a small gas station. City Manager Parker stated that south of the site was mainly vacant, although a few scattered homes were in the general area. City Manager Parker concluded that the Planning and Zoning Commission and City Staff recommended approval of the proposed zone change from "Low Density Residential" to "Commercial" and modification of the Lufkin Comprehensive Plan Future Land Use Map from "Low Density Residential" to "Retail".

Mayor Gorden opened the Public Hearing at 5:42 p.m. and asked anyone who wished to speak on the item to please step forward. Mrs. Joreena Hood spoke against the item and stated that she and her neighbors were concerned about what type of business would be located on the property, that traffic would increase and that their property taxes would be affected. There being no one else who wished to speak, Mayor Gorden closed the Public Hearing at 5:44 p.m. and asked for comments from the Council.

Councilmember Victor Travis asked if this could indeed affect the property taxes of surrounding property owners. City Manager Parker stated that it should not have any effect on property taxes, however that was the determination of the Appraisal District. Councilmember Travis asked what kind of business was planned for the location. City

Manager Parker answered that the applicant did not disclose that information and asked Planning Director Dorothy Wilson if she could give more information. Planning Director Wilson stated that the applicant gave an initial indication that a business associated with trucking would be located at the property. Further discussion continued between Council members and staff regarding issues with the request including possible heavy truck traffic, the impact on nearby residents, the exact location of the property and possible entrances and exits to the property. Councilmember Travis asked if the item could be tabled to receive more information to determine what type of business was planned. City Manager Parker stated the item could be tabled should Council wish to have more information on the item.

Councilmember Don Langston moved to approve on First Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of a certain tract of land within the corporate limits of the City of Lufkin, Texas described as Lots 1-16 of Block 4 of the Herty Subdivision and Lots 9-11 of Block 3 of the Herty Subdivision and more commonly known as the 3400 block of Paul Avenue, 3400 block of Edwards Street and 3501, 3503, 3505 Edwards Street from "Residential Small Single Family Dwelling" district to "Commercial" and changing the 2001 Comprehensive Plan Future Land Use Map to "Retail" and authorizing the City Planner to make such changes on the Official Map. The motion died due to a lack of being seconded. Councilmember Rufus Duncan moved to table the First Reading of the Ordinance until more information regarding what type of business would be located on the property could be provided. Councilmember Robert Shankle seconded the motion. A unanimous vote was recorded. City Manager Parker clarified that the item would be brought back to Council once Staff had more information.

9. **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 OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS A 28.43 ACRE TRACT OF LAND WITHIN THE A.VARILLA SURVEY, ABSTRACT NO. 49, LOCATED WEST OF SELLERS, BROCK AND FORD STREETS AND SOUTH OF KURTH DRIVE AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" OF A DEED OF GIFT RECORDED AS DOCUMENT NUMBER 2010-00266898, RECORDED APRIL 7, 2010, FROM "HEAVY MANUFACTURING" TO "RESIDENTIAL SMALL SINGLE FAMILY DWELLING" DISTRICT AND CHANGING THE 2001 COMPREHENSIVE PLAN FUTURE LAND USE MAP TO "LOW DENSITY RESIDENTIAL" AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP – APPROVED.**

Mayor Gorden stated that the next item on the agenda 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 of land within the corporate limits of the City of Lufkin, Texas, described as a 28.43 acre tract of land within the A.Varilla Survey, Abstract No. 49, located west of Sellers, Brock and Ford Streets and south of Kurth Drive and more particularly described in Exhibit "A" of a Deed of Gift recorded as document number 2010-00266898, recorded April 7, 2010, from "Heavy Manufacturing" to "Residential Small Single Family Dwelling" district and changing the 2001 Comprehensive Plan Future Land Use Map to "Low Density Residential" and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated that the Neighborhood Leadership Council of North Lufkin requested a zone change to allow for development of housing in a "Residential Small Single Family Dwelling" district on property located to the west of Sellers, Brock and Ford Streets and south of Kurth Drive that was currently zoned "Heavy Manufacturing". City Manager Parker continued that property to the north and west of the site was zoned "Heavy Manufacturing", the property directly to the east was zoned "Manufactured Dwelling" and the property to the south of this site was "Residential Small Single Family Dwelling" and "Residential Large Single Family Dwelling". City Manager Parker furthered that the lot, which was vacant, was selected by the owner as a convenient location for housing based on its close proximity to employment and roadways. City Manager Parker continued that the lots in the future development would be a minimum of four thousand square feet (4,000) in size with a width of forty feet (40') and a minimum depth of one hundred feet (100') and the dwellings on the lots would be a minimum of six hundred fifty square feet (650'), exclusive of garages and porches. City Manager Parker stated that the Lufkin Comprehensive Plan Future Land Use Map designated "Industrial" for this property as well as for land to the north and west. City Manager Parker stated that land east and south was designated "Low Density Residential" and a small area northeast of the site was designated "Mixed Use." City

Manager Parker concluded that the Planning & Zoning Commission and Staff recommended approval of the proposed zone change from “Heavy Manufacturing” to “Residential Small Single Family Dwelling” and a change to the Future Land Use Map from “Industrial” to “Low Density Residential”.

Mayor Gorden opened the Public Hearing at 6:02 p.m. and asked that anyone who wished to speak on the item to please step forward. Mr. Robert Proctor spoke in favor of the item and stated this project was a “win-win” for the Lufkin area and would promote home ownership in north Lufkin as well as beautify the area. Mr. Michael Parker spoke in favor of the item and stated that this development would be in an area of the City that had lost homes and residents and this would help move people back into the area. There being no one further who wished to speak, Mayor Gorden closed the Public Hearing at 6:05 p.m. and asked for comments or questions from the Council.

Councilmember Lynn Torres stated that her only concern was the prior use of the property as a landfill and questioned if there were any environmental concerns that could hinder development. Councilmember Robert Shankle stated that part of the property had been used as a dumpsite, but where the houses were proposed to be developed was not used as a dumpsite. Councilmember Torres confirmed that due diligence regarding the history of the property had been completed. Councilmember Victor Travis answered yes, that had been completed.

Councilmember Robert Shankle moved to approve on First Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of a certain tract of land within the corporate limits of the City of Lufkin, Texas, described as a 28.43 acre tract of land within the A.Varilla Survey, Abstract No. 49, located west of Sellers, Brock and Ford Streets and south of Kurth Drive and more particularly described in Exhibit “A” of a Deed of Gift recorded as document number 2010-00266898, recorded April 7, 2010, from “Heavy Manufacturing” to “Residential Small Single Family Dwelling” district and changing the 2001 Comprehensive Plan Future Land Use Map to “Low Density Residential” and authorizing the City Planner to make such changes on the Official Map. Councilmember Sarah Murray seconded the motion. A unanimous vote was recorded.

10. 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 OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF LUFKIN, TEXAS, DESCRIBED AS LOT NO. 1-A OF THE LOGGINS SUBDIVISION NO. 2A, A 5.00 ACRE TRACT OF LAND ON THE SOUTH SIDE OF DENMAN AVENUE AND APPROXIMATELY 500 FEET EAST OF GARRISON, MORE COMMONLY KNOWN AS 3630 EAST DENMAN AVENUE FROM “AGRICULTURAL” TO “COMMERCIAL” AND CHANGING THE 2001 COMPREHENSIVE PLAN FUTURE LAND USE MAP TO “COMMERCIAL” AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES ON THE OFFICIAL MAP – APPROVED.

Mayor Jack Gorden stated that the next agenda item 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 of land within the corporate limits of the City of Lufkin, Texas, described as Lot No. 1-A of the Loggins subdivision No. 2A, a 5.00 acre tract of land on the south side of Denman Avenue and approximately 500 feet east of Garrison, more commonly known as 3630 East Denman Avenue from “Agricultural” to “Commercial” and changing the 2001 Comprehensive Plan Future Land Use Map to “Commercial” and authorizing the City Planner to make such changes on the Official Map.

City Manager Paul Parker stated this property had been previously annexed because the previous owner of the property requested sewer services. City Manager Parker continued that when property was annexed, it was given an initial zoning of “Agricultural”. City Manager Parker furthered that Southwest Securities, FSB, had requested a change of zoning from “Agricultural” to a zoning classification of “Commercial” on property located on the south side of East Denman Avenue, five hundred feet (500’) east of Garrison Drive to increase the development opportunities for this site.

City Manager Parker stated that the properties to the immediate north and south of the subject property, commonly known as Club REO, were both outside the City Limits of Lufkin and therefore had no zoning designation and the properties to the east and west of the

site were zoned "Agricultural", as were the parcels northwest of the site. City Manager Parker stated that the Lufkin Comprehensive Plan Future Land Use Map designation was "Agricultural" for this property, the adjacent property to the west and for other recently annexed properties along East Denman. City Manager Parker concluded that the Planning Commission and City Staff recommended Council approved the change of zoning designation from "Agricultural" to "Commercial" and a change to the Future Land Use Map from "Agricultural" to "Commercial".

Mayor Gorden opened the Public Hearing at 6:10 p.m. and asked anyone who wished to speak on the item to please step forward. Mr. Gary Boyd, who resides outside the City Limits, but near the property, spoke in regard to the item and stated he did not want another nightclub to be located at this property due to the problems with the previous club. Mr. Boyd furthered that he did not object to the request for the property to be zoned "Commercial", but did not want to see another club located on the property. Mr. Michael Parker spoke in favor of the zone change and stated that the request would only change the property to the zoning of "Commercial" and make it easier for the property owner to sell the building. Mr. Parker continued that before a nightclub could be opened in the location, a Special Use Permit would have to be obtained. There being no one else who wished to speak, Mayor Gorden closed the Public Hearing at 6:15 p.m. and asked for comments or motions from the Council.

Councilmember Don Langston moved to approve on First Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning designation of a certain tract of land within the corporate limits of the City of Lufkin, Texas, described as Lot No. 1-A of the Loggins subdivision No. 2A, a 5.00 acre tract of land on the south side of Denman Avenue and approximately 500 feet east of Garrison, more commonly known as 3630 East Denman Avenue from "Agricultural" to "Commercial" and changing the 2001 Comprehensive Plan Future Land Use Map to "Commercial" and authorizing the City Planner to make such changes on the Official Map. Councilmember Victor Travis seconded the motion and a unanimous vote was recorded.

11. REQUEST FOR APPROVAL OF THE RESALE AUCTION BID FROM RANDOLPH MORELAND FOR TRUST PROPERTY DESCRIBED AS LOT 12, BLOCK 15 MARTIN WAGON COMPANY ADDITION, AN ADDITION TO THE CITY OF LUFKIN, ANGELINA COUNTY, COMMONLY KNOWN AS 802 NORTH AVENUE, AND FOR TRUST PROPERTY DESCRIBED AS LOT 8, BLOCK 21, WAGON COMPANY'S ADDITION, AN ADDITION TO THE CITY OF LUFKIN, ANGELINA COUNTY, LOCATED ON HOO HOO STREET – APPROVED.

Mayor Jack Gorden stated that the next agenda item was to consider the request for approval of the Resale Auction bid from Randolph Moreland for trust property described as Lot 12, Block 15 Martin Wagon Company Addition, an addition to the City of Lufkin, Angelina County, commonly known as 802 North Avenue, and for trust property described as Lot 8, Block 21, Wagon Company's Addition, an addition to the City of Lufkin, Angelina County, located on Hoo Hoo Street.

City Manager Paul Parker stated that in order for Angelina County to sell the properties below the minimum tax sale bid, all entities involved must approve the sale. City Manager Parker stated that the properties, Lot 12, Block 15 Martin Wagon Company Addition, and Lot 8, Block 21, Wagon Company's Addition were being sold for three hundred dollars (\$300) each and no funds would be received from the sale.

Mayor Gorden then asked for questions, comments or motions from the Council. Councilmember Don Langston stated that hopefully the sale would eventually cause the property to be developed and be placed back on the tax roll.

Councilmember Lynn Torres moved to approve the request for approval of the Resale Auction bid from Randolph Moreland for trust property described as Lot 12, Block 15 Martin Wagon Company Addition, an addition to the City of Lufkin, Angelina County, commonly known as 802 North Avenue, and for trust property described as Lot 8, Block 21, Wagon Company's Addition, an addition to the City of Lufkin, Angelina County, located on Hoo Hoo Street. Councilmember Rufus Duncan seconded the motion and a unanimous vote was recorded.

12. PURCHASE OF A FIFTEEN (15) YARD DUMP TRUCK WITH A PETERBILT 348 CHASSIS AND WARREN DUMP BODY FOR THE WASTE WATER TREATMENT PLANT IN THE AMOUNT OF ONE HUNDRED THIRTEEN THOUSAND EIGHT

HUNDRED NINE DOLLARS (\$113,809) FROM RUSH TRUCK CENTER THROUGH HGAC – APPROVED.

Mayor Jack Gorden stated that the next item for consideration was the purchase of a fifteen (15) yard Dump Truck with a Peterbilt 348 Chassis and Warren dump body for the Waste Water Treatment Plant in the amount of one hundred thirteen thousand eight hundred nine dollars (\$113,809) from Rush Truck Center through HGAC.

City Manager Paul Parker stated that the Wastewater/Water Treatment plant was authorized in the 2012 Amortization Schedule to purchase a replacement fifteen (15) yard cubic yard dump truck to replace a 1997 Volvo chassis with dump body. City Manager Parker stated that this equipment had exceeded its useful life and the replacement of this truck had been postponed in the Amortization Schedule for the last two (2) years. City Manager Parker stated the vehicle was low mileage; however, the unit's bed and mounting structure was deteriorated from corrosion due to the sludge and grit being hauled by the truck to the Angelina County Landfill. City Manager Parker continued that once the new unit was received, it would be coated with a bed liner type material to extend the life of the vehicle. City Manager Parker furthered that Staff recommended Council approve the purchase of a fifteen (15) yard Dump Truck with a Peterbilt 348 Chassis and Warren dump body for the Waste Water Treatment Plant in the amount of one hundred thirteen thousand eight hundred nine dollars (\$113,809) from Rush Truck Center through HGAC.

Mayor Gorden then asked for comments or questions from the Council. Councilmember Don Langston asked the reason for the modification of the new truck to a fifteen (15) yard dump truck. Public Works Director Steve Floyd explained that the wheel base of the truck was shortened to the City's specifications due to HGAC only having a chassis in stock that was too long for the dump bed; thus the reason for the modification.

Councilmember Lynn Torres moved to approve the purchase of a fifteen (15) yard Dump Truck with a Peterbilt 348 Chassis and Warren dump body for the Waste Water Treatment Plant in the amount of one hundred thirteen thousand eight hundred nine dollars (\$113,809) from Rush Truck Center through HGAC. Councilmember Robert Shankle seconded the motion and a unanimous vote was recorded.

13. RESOLUTION OF THE CITY OF LUFKIN, TEXAS, DECLARING SUPPORT FOR PINEDALE VILLAGE FOR A SIXTY-FOUR (64) UNIT DEVELOPMENT AT 122 WHITEHOUSE DRIVE, LUFKIN, ANGELINA COUNTY, FOR A JOINT HOUSING TAX CREDIT AND HOME INVESTMENT PARTNERSHIP PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE YEAR 2012 – APPROVED.

Mayor Jack Gorden stated that the next agenda item was to consider a Resolution of the City of Lufkin, Texas, declaring support for Pinedale Village for a sixty-four (64) unit development at 122 Whitehouse Drive, Lufkin, Angelina County, for a Joint Housing Tax Credit and HOME Investment Partnership Program Application to the Texas Department of Housing and Community Affairs for the year 2012.

City Manager Paul Parker stated that Lufkin Pinedale Village, Ltd. requested the City of Lufkin support an application for a Joint Housing Tax Credit and HOME Investment Partnership Program Application to the Texas Department of Housing and Community Affairs. City Manager Parker furthered that Lufkin Pinedale Village, Ltd., proposed to construct a sixty-four (64) unit development on property with frontage on Whitehouse Drive located adjacent to the AAA Storage Units and with a common address of 122 Whitehouse Drive. City Manager Parker continued that the property was presently zoned "Commercial" and apartments were an allowable use within the existing zoning.

City Manager Parker stated that based on previous applications, Staff had inserted language into the Resolution requested by the City Council which would hold the City of Lufkin and Staff harmless from any civil, legal, and/or financial liability that could arise due to any action taken related to the proposed development. City Manager Parker furthered that in essence; the City would lend its support to this application but would not be financially obligated to the application and Staff recommended approval of the Resolution.

Mayor Gorden then asked for comments, questions or motions from the Council. Councilmember Rufus Duncan stated there were a number of organizations who had recently submitted applications for federal housing money and he was glad to see those applications.

Councilmember Rufus Duncan moved to approve a Resolution of the City of Lufkin, Texas, declaring support for Pinedale Village for a sixty-four (64) unit development at 122 Whitehouse Drive, Lufkin, Angelina County, for a Joint Housing Tax Credit and HOME Investment Partnership Program Application to the Texas Department of Housing and Community Affairs for the year 2012. Councilmember Lynn Torres seconded the motion and a unanimous vote was recorded.

14. RESOLUTION OF THE CITY OF LUFKIN, TEXAS, DECLARING SUPPORT FOR PINWOOD PARK APARTMENTS, AT 120 KIRKSEY DRIVE, LUFKIN, ANGELINA COUNTY, FOR A JOINT HOUSING TAX CREDIT AND HOME INVESTMENT PARTNERSHIP PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE YEAR 2012 – APPROVED.

Mayor Jack Gorden stated that the next agenda item was to consider a Resolution of the City of Lufkin, Texas, declaring support for Pinewood Park Apartments, at 120 Kirksey Drive, Lufkin, Angelina County, for a Joint Housing Tax Credit and HOME Investment Partnership Program Application to the Texas Department of Housing and Community Affairs for the year 2012.

City Manager Paul Parker stated that the next two (2) agenda items were similar in nature. City Manager Parker furthered that Lufkin ITPP Housing II, L.P., had proposed to significantly renovate units commonly known as the Pinewood Park Apartments. City Manager Parker stated that the Pinewood Parks apartments were comprised of ninety-four (94) units located at 120 Kirksey Drive and Lufkin ITPP Housing II, L.P. intended to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for the 2012 Joint Housing Tax Credit and HOME Investment Partnership Program. City Manager Parker stated that the Resolution contained the hold harmless language as noted in the previous item and Staff recommended approval of the Resolution.

Mayor Gorden then asked for comments or questions from the Council.

Councilmember Robert Shankle moved to approve a Resolution of the City of Lufkin, Texas, declaring support for Pinewood Park Apartments, at 120 Kirksey Drive, Lufkin, Angelina County, for a Joint Housing Tax Credit and HOME Investment Partnership Program Application to the Texas Department of Housing and Community Affairs for the year 2012. Councilmember Sarah Murray seconded the motion and a unanimous vote was recorded.

15. RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE COMMUNITY REVITALIZATION PLAN FOR THE PINWOOD PARK NEIGHBORHOOD AND ANY AND ALL OTHER ACTION NECESSARY TO CARRY OUT THIS RESOLUTION – APPROVED.

Mayor Jack Gorden stated that the next agenda item was to consider a Resolution authorizing the establishment of the Community Revitalization Plan for the Pinewood Park neighborhood and any and all other action necessary to carry out this Resolution.

City Manager Paul Parker stated that this was in conjunction with the previous item and simply allowed Lufkin ITPP Housing II, L.P., to receive extra points on their application to the Texas Department of Housing and Community Affairs and Staff recommended approval of the Resolution.

Mayor Gorden then asked for questions or comments from the Council.

Councilmember Robert Shankle moved to approve a Resolution authorizing the establishment of the Community Revitalization Plan for the Pinewood Park neighborhood and any and all other action necessary to carry out this Resolution. Councilmember Sarah Murray seconded the motion and a unanimous vote was recorded.

16. RESOLUTION OF THE CITY OF LUFKIN, TEXAS, DECLARING SUPPORT FOR INEZ TIM'S APARTMENTS, AT 800 NORTH CHESTNUT STREET, LUFKIN, ANGELINA COUNTY, FOR A JOINT HOUSING TAX CREDIT AND HOME INVESTMENT PARTNERSHIP PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE YEAR 2012 – APPROVED.

Mayor Jack Gorden stated that the next agenda item was to consider a Resolution of the City of Lufkin, Texas, declaring support for Inez Tim's Apartments, at 800 North Chestnut Street, Lufkin, Angelina County, for a Joint Housing Tax Credit and HOME Investment Partnership Program Application to the Texas Department of Housing and Community Affairs for the year 2012.

City Manager Paul Parker stated this item was an additional Resolution for an application to the Texas Department of Housing and Community Affairs for the renovation of the Inez Tim's Apartments located at 800 North Chestnut. City Manager Parker stated that Staff recommended approval of the Resolution supporting this application.

Mayor Gorden then asked for questions or comments from the Council.

Councilmember Robert Shankle moved to approve a Resolution of the City of Lufkin, Texas, declaring support for Inez Tim's Apartments, at 800 North Chestnut Street, Lufkin, Angelina County, for a Joint Housing Tax Credit and HOME Investment Partnership Program Application to the Texas Department of Housing and Community Affairs for the year 2012. Councilmember Rufus Duncan seconded the motion and a unanimous vote to approve the motion was recorded.

17. RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE COMMUNITY REVITALIZATION PLAN FOR THE INEZ TIM'S NEIGHBORHOOD AND ANY AND ALL OTHER ACTION NECESSARY TO CARRY OUT THIS RESOLUTION – APPROVED.

Mayor Jack Gorden stated that the next agenda item was to consider a Resolution authorizing the establishment of the Community Revitalization Plan for the Inez Tim's neighborhood and any and all other action necessary to carry out this Resolution.

City Manager Paul Parker stated that this was in conjunction with the previous item and simply allowed Lufkin ITPP Housing II, L.P., to receive extra points on their application to the Texas Department of Housing and Community Affairs for the renovation of the Inez Tim's project and Staff recommended approval of the Resolution.

Councilmember Robert Shankle moved to approve a Resolution authorizing the establishment of the Community Revitalization Plan for the Inez Tim's neighborhood and any and all other action necessary to carry out this Resolution. Councilmember Victor Travis seconded the motion. A unanimous vote to approve the motion was recorded.

18. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2011/2012 OPERATING BUDGET (BUDGET AMENDMENT NO. 18), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL AND LUFKIN CONVENTION AND VISITORS BUREAU FUNDS; AND PROVIDING AN EFFECTIVE DATE AND APPROVAL OF THE CREATION OF THE POSITION OF PLANNER (TRAILS COORDINATOR) WITHIN THE CITY OF LUFKIN PLANNING AND ZONING DEPARTMENT – APPROVED.

Mayor Jack Gorden stated that the next agenda item was to consider a Resolution authorizing an Amendment to the 2011/2012 Operating Budget (Budget Amendment No. 18), providing for the supplemental appropriation of funds in the General and Lufkin Convention and Visitors Bureau Funds; and providing an effective date and approval of the creation of the position of Planner (Trails Coordinator) within the City of Lufkin Planning and Zoning Department.

City Manager Paul Parker stated that over the past year, The Conservation Fund in conjunction with the Lufkin Convention and Visitors Bureau (LCVB) employed a Trails Coordinator whose primary function was to map the majority of the walking/scenic/biking/canoeing trails in the Lufkin/Angelina County area. City Manager Parker continued that the individual in this position, Aaron Friar, had done an outstanding job and had mapped the majority of these trails. City Manager Parker furthered that The Conservation Fund did not have funding to continue the program, but had solicited grant opportunities and acquired local funding in the amount of ten thousand dollars (\$10,000) to assist with continuing the Trails Coordinator position. City Manager Parker stated that the City of Beaumont had also indicated their desire to jointly fund the position in the amount of thirty thousand dollars (\$30,000) to allow the individual to map trails in the Beaumont area.

City Manager Parker stated that as this endeavor was underway, the City of Lufkin Planning Department, in conjunction with the Angelina County and Cities Health District, worked together and received a grant to promote healthy life activities which included biking, hiking and other activities. City Manager Parker stated that the grant through the Angelina County and Cities Health District was renewable for four (4) years and primarily aimed at developing physical activity in Lufkin to reduce the instances of high blood pressure, high cholesterol and diabetes. City Manager Parker stated that all entities approached the City to combine these functions under one position which would be a Planner/Trails Coordinator position in the Planning and Zoning Department. City Manager Parker stated that Aaron Friar would fill this position and continue his existing duties, assist the City of Beaumont with their trail mapping, as well as perform the functions of the grant through the Angelina County and Cities Health District. City Manager Parker concluded that the position would be funded solely through these entities and Staff recommended Council approve both the Budget Amendment and creation of the position. Councilmember Don Langston clarified that no City funds would be used and that this was not a permanent position. City Manager Parker answered that no City funds would be used and Mr. Friar was aware that this position was not permanent, and was solely funded through grant proceeds.

Mayor Gorden then asked for questions or comments from the Council.

Councilmember Robert Shankle moved to approve a Resolution authorizing an Amendment to the 2011/2012 Operating Budget (Budget Amendment No. 18), providing for the supplemental appropriation of funds in the General and Lufkin Convention and Visitors Bureau Funds; and providing an effective date and approval of the creation of the position of Planner (Trails Coordinator) within the City of Lufkin Planning and Zoning Department. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

19. CITY MANAGER'S REPORT

Mayor Jack Gorden stated the next item on the Agenda was the City Manager's Report. City Manager Parker highlighted portions of the report including sales tax and water/sewer revenue and stated that the City was doing well financially.

City Manager Paul Parker stated unless Council had specific questions regarding the report, he would not go into detail and that all projects were moving forward as scheduled. City Manager Parker then asked Police Chief Scott Marcotte to distribute the Annual Racial Profiling report to Council. Chief Marcotte stated that the report was similar to previous year's reports and that he would be glad to answer any questions Council may have in regard to the report. City Manager Parker stated that there were no issues or complaints in the report.

- 20. 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, demolition of buildings, or appointments to boards and personnel may be discussed.

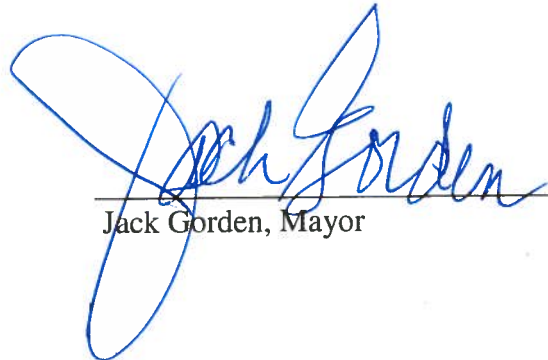
Mayor Jack Gorden stated it was not necessary for Council to recess into Executive Session and moved to the next agenda item.

- 21. DISCUSSION OF ITEMS OF COMMUNITY INTEREST, INCLUDING EXPRESSIONS OF THANKS, CONGRATULATIONS OR CONDOLENCE; INFORMATION REGARDING HOLIDAY SCHEDULES; HONORARY RECOGNITIONS OF CITY OFFICIALS, EMPLOYEES OR OTHER CITIZENS; REMINDERS ABOUT UPCOMING EVENTS SPONSORED BY THE CITY OR OTHER ENTITY THAT IS SCHEDULED TO BE ATTENDED BY CITY OFFICIALS OR EMPLOYEES; AND ANNOUNCEMENTS INVOLVING IMMINENT THREATS TO THE PUBLIC HEALTH AND SAFETY OF THE CITY.**

Mayor Gorden stated that the next item for consideration was the discussion of items of community interest, including expressions of thanks, congratulations or condolence; information regarding holiday schedules; honorary recognitions of City officials, employees or other citizens; reminders about upcoming events sponsored by the City or other entity that is scheduled to be attended by City officials or employees; and announcements involving imminent threats to the public health and safety of the City.

City Manager Paul Parker stated that a new staff directory had been distributed for Council that included office and cell phone numbers for staff. City Manager Parker also reminded Council of the upcoming DETCOG Board Meeting, Chamber Breakfast, NAACP Freedom Fund Scholarship Banquet, Lufkin Day, Firemen's Pension Board meeting and the Chamber First Friday Luncheon.

22. There being no further business for consideration, the meeting adjourned at 6:45 p.m.



Jack Gorden, Mayor



Kara Atwood, City Secretary