

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 19th, DAY OF NOVEMBER, 2013.

On the 19th day of November, 2013, the City Council of the City of Lufkin, Texas convened in a Regular Meeting in the Council Chambers of City Hall with the following members, thereof to wit:

Bob F. Brown	Mayor
Lynn Torres	Mayor Pro-Tem
Victor Travis	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Don Langston	Councilmember, Ward No. 4
Rufus Duncan	Councilmember, Ward No. 5
Sarah Murray	Councilmember, Ward No. 6
Paul L. Parker	City Manager
Keith Wright	Deputy City Manager
Bruce Green	City Attorney
Kara Atwood	City Secretary
Rodney Ivy	Human Resources Director
Scott Marcotte	Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Steve Floyd	Public Works Director
Steve Poskey	Street Department Director
Chuck Walker	Public Utilities Director
Dorothy Wilson	Planning & Zoning Director
Mike Akrige	Parks & Recreation Director
Barbara Thompson	Main Street Director
Dale Allred	Inspection Services Director

being present when the following business was transacted.

1. The meeting was opened with prayer by Bro. Steve Killam, St. Paul's United Methodist Church.
2. Mayor Bob Brown welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting held November 5th, were approved on a motion by Councilmember Lynn Torres and seconded by Councilmember Sarah Murray. A unanimous affirmative vote was recorded to approve the minutes as presented.

OLD BUSINESS:

4. **CONDUCT A PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY GRANTING A SPECIAL USE PERMIT FOR SELF-SERVICE STORAGE FACILITY WITHIN A “LOCAL BUSINESS” ZONING DISTRICT FOR A 3.499 ACRE AREA PROPERTY COMMONLY KNOWN AS 804 CROOKED CREEK DRIVE – APPROVED.**

Mayor Bob Brown stated that the first item under old business was to conduct a Public Hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for self-service storage facility within a “Local Business” zoning district for a 3.499 acre area property commonly known as 804 Crooked Creek Drive.

City Manager Paul Parker stated this was a second reading of the request by the applicant, Mr. Michael Hineman, for a Special Use Permit for 804 Crooked Creek Drive for a self-service storage facility. City Manager Parker furthered that the applicant intended to leave a

seventy-five foot (75') drainage easement in addition to a green, undisturbed area of twenty-five feet (25') for a buffer between the facility and residential area. City Manager Parker continued that there was no protest received in regard to the request and both Staff and the Planning & Zoning Commission recommended approval of the request.

Mayor Brown opened the Public Hearing at 5:04 p.m. and asked anyone who wished to speak to please step forward. There being no one who wished to speak, Mayor Brown closed the Public Hearing and asked for questions or comments from the City Council.

Councilmember Don Langston moved to approve on Second Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for self-service storage facility within a "Local Business" zoning district for a 3.499 acre area property commonly known as 804 Crooked Creek Drive. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

5. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE NO. 3368, BY CHANGING THE ZONING FROM AN "AGRICULTURAL" DISTRICT TO A "COMMERCIAL" DISTRICT FOR LAWN APPEAL SUBDIVISION AND CHANGING THE 2001 COMPREHENSIVE PLAN FUTURE LAND USE MAP TO "COMMERCIAL" AND AUTHORIZING THE CITY PLANNER TO MAKE SUCH CHANGES – APPROVED.

Mayor Bob Brown stated the next item was to conduct a Public Hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance No. 3368, by changing the zoning from an "Agricultural" district to a "Commercial" district for Lawn Appeal Subdivision and changing the 2001 Comprehensive Plan Future Land Use Map to "Commercial" and authorizing the City Planner to make such changes.

City Manager Paul Parker stated this was the second reading of a request by the owner, Joe Denman, for a change from "Agricultural" to "Commercial" on this property. City Manager Parker furthered that this property was part of a recent large annexation, and the annexed property was initially designated "Agricultural", which is the practice with annexed areas. City Manager Parker stated there had been no opposition to this request and both Staff and Planning & Zoning Commission recommended approval of the request.

Mayor Brown opened the Public Hearing at 5:06 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 Brown closed the Public Hearing and asked for comments or motions from City Council.

Councilmember Rufus Duncan moved to approve the Second Reading of an Ordinance amending the Zoning Ordinance No. 3368, by changing the zoning from an "Agricultural" district to a "Commercial" district for Lawn Appeal Subdivision and changing the 2001 Comprehensive Plan Future Land Use Map to "Commercial" and authorizing the City Planner to make such changes. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

NEW BUSINESS:

6. REAPPOINTMENT OF MUNICIPAL COURT JUDGE APRIL EARLEY TO AN ADDITIONAL TWO (2) YEAR TERM – APPROVED.

Mayor Bob Brown stated the next item was to consider approval of the reappointment of Municipal Court Judge April Earley for an additional two (2) year term.

City Manager Paul Parker stated that it had been two (2) years since the appointment of April Earley to the position of Municipal Court Judge. City Manager Parker continued that Judge Earley had done an outstanding job for the City. City Manager Parker stated this position was unique in that State Law required the position to be appointed by Council every two (2) years and the City Charter stated the position was to be appointed by the City Manager and then approved by City Council. City Manager Parker concluded that it was his recommendation that Judge Earley be reappointed for an additional two (2) year term.

Councilmember Robert Shankle moved to approve the reappointment of Judge Earley for an additional term. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

7. **PURCHASE OF A 2014 PETERBILT DUMP TRUCK FOR THE WASTEWATER TREATMENT PLANT IN THE AMOUNT OF ONE HUNDRED THIRTEEN THOUSAND FIVE HUNDRED EIGHTY DOLLARS (\$113,580) THROUGH THE BUY BOARD – APPROVED.**

Mayor Bob Brown stated the next item was to consider approval of the purchase of a 2014 Peterbilt Dump Truck for the Wastewater Treatment Plant in the amount of one hundred thirteen thousand five hundred eighty dollars (\$113,580) through the Buy Board.

City Manager Paul Parker stated this purchase was included in this year's amortization schedule. City Manager Parker stated this truck was used to haul sludge from the Wastewater Treatment Plant to the landfill for disposal. City Manager Parker continued that the truck had an upgraded dump body due to the sludge being very corrosive to the bed of the truck. City Manager Parker stated that one hundred three thousand two hundred fifty-nine dollars (\$103,259) had been budgeted for this purchase; however, Staff felt confident that the deficit in funding would be made up when the existing truck was sold through the auction process. City Manager Parker concluded that Staff recommended City Council approve the purchase of the truck for the Wastewater Treatment Plant.

Councilmember Victor Travis moved to approve the purchase of the Dump Truck as stated. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

8. **AWARD OF BID TO ANGELINA EXCAVATING IN THE AMOUNT OF ONE HUNDRED EIGHTY-NINE THOUSAND ONE HUNDRED FORTY-FOUR DOLLARS (\$189,144) FOR THE LUBBOCK STREET IMPROVEMENT PROJECT – APPROVED.**

Mayor Bob Brown stated the next item was to consider an award of bid to Angelina Excavating in the amount of one hundred eighty-nine thousand one hundred forty-four dollars (\$189,144) for the Lubbock Street Improvement Project.

City Manager Paul Parker stated as City Council would recall, the City received a Community Development Block Grant for two hundred seventy-five thousand dollars (\$275,000) several years ago for this project. City Manager Parker continued there was no match required by the City for this grant and that the funding was now available. City Manager Parker stated the grant included funding for Engineering in the amount of thirty-seven thousand four hundred dollars (\$37,400) and funding for grant administration in the amount of thirty-one thousand five hundred ninety dollars (\$31,590). City Manager Parker stated that funding for the construction portion was budgeted at two hundred six thousand ten dollars (\$206,010). City Manager Parker furthered that the low bidder on the project was Angelina Excavating in the amount of one hundred eighty-nine thousand one hundred forty-four dollars (\$189,144). City Manager Parker continued that the project consisted of milling, base repairs, and installation of a six inch (6") limestone road base with asphalt pavement on Lubbock Street. City Manager Parker concluded that Staff recommended City Council award the bid to Angelina Excavating for this project.

Councilmember Robert Shankle moved to approve the award of bid to Angelina Excavating for the Lubbock Street Improvement Project. Councilmember Victor Travis seconded the motion and a unanimous vote to approve was recorded.

9. **CITY MANAGER REPORT**

Mayor Bob Brown stated that Item No. 9 was the City Manager's Report.

City Manager Paul Parker stated that the City was at the beginning of the fiscal year and the included financials were for the end of the fiscal year. City Manager Parker stated that the General Fund ended the year well over the estimated amount. City Manager Parker stated

that the first sales tax receipts were down; however, this was due to an audit difference. City Manager Parker stated the remainder of the funds were doing well. City Manager Parker then highlighted the Brentwood Drive project and asked that Council decide whether they wished to open the street or hold a ribbon cutting prior to the opening. City Manager Parker then updated City Council on the Municipal Court construction and new Fire Station. City Council concurred to just open Brentwood Drive without a ribbon cutting.

10. EXECUTIVE SESSION

Mayor Bob Brown recessed the Regular Session at 5:15 p.m. to enter into Executive Session.

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

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

City Manager Paul Parker highlighted upcoming events and meetings on the calendar including the ADAC groundbreaking, the Main Street Christmas Parade, Employee Christmas Banquet and upcoming City Holidays. City Manager Parker also reminded City Council of the Concerned Black Men's Annual Gala, the grand opening of the Woodland Heights NICU and Lufkin Pro Day.

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



Bob F. Brown, Mayor



Kara Atwood

Kara Atwood, City Secretary



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