

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 7th DAY OF OCTOBER, 2014.

On the 7th day of October 2014, 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
Rocky Thigpen	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
Belinda Southern	Finance Director
Gerald Williamson	Police Chief
David Thomas	Assistant Police Chief
Ted Lovett	Fire Chief
Duane Freeman	Assistant Fire Chief
Rodney Ivy	Human Resources Director
Steve Floyd	Public Works Director
Steve Poskey	Street Department Director
Dorothy Wilson	Planning & Zoning Director
Mike Akridge	Parks & Recreation Director
Dale Allred	Inspection Services Director
Barbara Thompson	Main Street Director
Thad Chambers	Economic Development Director
Drew Squyres	Utility Collections Director
Brant Lee	Civic Center Director
Debra Cassidy	Water Distribution Director
Sid Munlin	IT Director
Chuck Walker	Public Utilities Director
Ramon Johnson	Water & Sewer Director
Lorraine Simoneau	Library Director
Gorden Henley	Ellen Trout Zoo Director
Aaron Ramsey	Animal Control Director
Tara Watkins	LCVB Director
April Earley	Municipal Court Judge

being present when the following business was transacted.

1. The meeting was opened with prayer by Brother Rodney Foster of Lubbock Church of Christ.
2. Mayor Bob Brown welcomed visitors present.
3. **APPROVAL OF MINUTES-APPROVED**

Minutes of the Special Council Meeting held September 14, 2014, and Regular Council Meeting held September 16, 2014 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.

4. **EXECUTIVE SESSION**

Mayor Brown recessed the Regular Session at 5:03 pm.

Mayor Brown reconvened the Regular Session at 5:26 pm.

5. **CONSIDER APPOINTMENT OF CITY MANAGER-APPROVED**

Mayor Brown stated that Council would now consider the appointment of a new City Manager. Councilmember Torres stated that City Council would offer the position to Keith Wright. Councilmember Robert Shankle furthered that the vote for City Manager would be taken as a roll call vote. The appointment of Keith Wright as City Manager was approved on a motion by Councilmember Torres, and seconded by Councilmember Don Langston. The motion was approved on a 4-3 vote with Councilmembers Lynn Torres, Don Langston, Rocky Thigpen, and Mayor Brown voting to approve Keith Wright as City Manager, and Councilmembers Victor Travis, Robert Shankle, and Sarah Murray voting “nay.”

Lastly, Mayor Brown stated that Keith Wright was the new City Manager and offered Mr. Wright congratulations.

NEW BUSINESS

6. FIRST READING OF AN ORDINANCE ESTABLISHING ASSIGNMENT PAY FOR CERTAIN POSITIONS IN THE LUFKIN FIRE DEPARTMENT-APPROVED

City Manager Parker stated that this assignment pay procedure was determined during the budget process, and would put the secondary attendant or the driver at twenty dollars (\$20) a day, and the person in the box providing care at forty dollars (\$40) a day. City Manager Parker furthered that if Council approved the first reading of this ordinance then he would go ahead and approve assignment pay for the upcoming pay period, assuming Council would approve the second reading, as Staff failed to get this ordinance on the agenda in a timely manner. The first reading of an ordinance establishing assignment pay for certain positions in the Lufkin Fire Department was approved on a motion by Councilmember Victor Travis and seconded by Councilmember Sarah Murray. A unanimous vote to approve was recorded.

7. RESOLUTION DIRECTING STAFF TO PROCEED WITH ANNEXATION AND DEVELOPMENT OF A SERVICE PLAN FOR PROPERTY ADJACENT TO AND INCLUDING JOE C. LANE-APPROVED

City Manager Parker stated that the City was approached by residents in this area had been experiencing sewer problems. City Manager Parker furthered that the larger area in and around Joe C. Lane was polled for a desire to be annexed and many of the residents in the area did not want to be annexed into the City. City Manager Parker stated the City has done its best to try to exclude some of those residents who did not want to be in the City limits. City Manager Parker stated that it was likely that some residents in the proposed area would be opposed to annexation, but that the City was responding to multiple requests on Joe C. Lane for connection to City sewer. Lastly, City Manager Parker stated that Council approval of this resolution would not commit the City to annexation, but would allow the Planning and Zoning Department to proceed with a service plan for the area. The Resolution directing Planning and Zoning staff to proceed with annexation and development of a service plan for property adjacent to and including Joe C. Lane was approved on a motion by Councilmember Victor Travis, and seconded by Councilmember Lynn Torres. A unanimous vote to approve was recorded.

8. RESOLUTION AUTHORIZING PARTICIPATION IN THE ALLIANCE OF CENTERPOINT MUNICIPALITIES (ACM) FOR REPRESENTATION DURING RATE CASE PROCEEDINGS BEFORE THE RAILROAD COMMISSION OF TEXAS-APPROVED

City Manager Parker stated that in the past the City had been a member of an alliance of cities that go before rate cases through the Railroad Commission. City Manager Parker elaborated as it presently stands the gas companies have to pay for all the studies that go with rate cases, but the Railroad Commission was considering a ruling that would require cities to pay all rate expenses incurred while investigating challenges to gas rates. City Manager Parker furthered that this resolution allowed the City to join with the Alliance of Centerpoint Municipalities (ACM) to try to combat this rate case ruling through the railroad commission. The Resolution authorizing participation in the Alliance of Centerpoint Municipalities (ACM) for representation during rate case proceedings before the Railroad Commission of Texas was approved on a motion by Councilmember Don Langston, and seconded by Councilmember Victor Travis. A unanimous vote to approve was recorded.

9. **SETTLEMENT AND RELEASE AGREEMENT BETWEEN THE CITY OF LUFKIN AND ONCOR-APPROVED**

City Manager Parker stated a representative of ONCOR brought this matter to the City's attention and that over the normal course of doing business and during the past two hurricanes that incorrect billing for street lights was recorded. City Manager Parker stated that ONCOR has offered the City of Lufkin one hundred thousand and one hundred and ninety-five dollars and forty-six cents (\$100,195.46) in a settlement to correct the past billing oversight. The settlement and release agreement between the City of Lufkin and ONCOR was approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Victor Travis. A unanimous vote to approve was recorded.

10. **ACCEPTANCE OF FUNDING FROM DEEP EAST TEXAS REGIONAL ADVISORY COUNCIL (DETRAC) TO THE LUFKIN FIRE DEPARTMENT IN THE AMOUNT OF \$457.20 AND APPROVAL OF BUDGET AMENDMENT NO. 1 APPROPRIATING THE FUNDING-APPROVED**

City Manager Parker stated the Deep East Texas Regional Advisory Council (DETRAC) donated funding to the Lufkin Fire Department in the amount of four hundred and fifty-seven dollars and twenty cents (\$457.20) for the purchase of emergency medical supplies. The funding from Deep East Texas Regional Advisory Council (DETRAC) to the Lufkin Fire Department in the amount of \$457.20 and Budget Amendment No. 1 appropriating the funding was approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Don Langston. A unanimous vote to approve was recorded.

11. **AWARD OF BID TO COX CONSTRUCTORS, INC. IN THE AMOUNT OF \$678,495.26 FOR THE DENMAN AVENUE DRAINAGE PROJECT-APPROVED**

City Manager Parker stated that this drainage project would be paid for with "Hurricane Ike Round II" money; grant funding and no city match was involved. City Manager Parker stated that this drainage structure would prevent future flooding along Timberland Drive, where there have been significant problems in the past and would be on Denman Avenue close to the former O'Malley Alley Cat Thrift Store. The drainage portion was recently bid on September 9th and the apparent low bidder was Cox Constructors, Inc. The original base bid was in the amount of nine hundred and ninety-two thousand and six hundred ninety-eight dollars and nine cents (\$992,698.09), which was well above the remaining construction budget of seven hundred and ninety-five thousand dollars (\$795,000) and included the installation of box culverts from Timberland Drive to Conn Avenue. The alternate bid, which includes the installation of box culverts from Timberland Drive west to between Finley and Kerr Avenue, was in the amount of six hundred and seventy-eight thousand and four hundred and ninety-five dollars and twenty-six cents (\$678,495.26). The six hundred and seventy-eight thousand and four hundred and ninety-five dollars and twenty-six cents (\$678,495.26) bid for the Denman Avenue drainage project was awarded to Cox Constructors, Inc. on a motion by Councilmember Don Langston, and seconded by Councilmember Lynn Torres. A unanimous vote to approve was recorded.

12. **AWARD OF BID TO TERRY BLACK CONSTRUCTION IN THE AMOUNT OF \$141,607.01 FOR THE SPUR PLAZA SANITARY SEWER EXTENSION PROJECT AND APPROVAL OF BUDGET AMENDMENT NO. 2 APPROPRIATING THE FUNDING**

City Manager Paul Parker stated that the city was approached by Kelby McCall who wished to build a hotel at the intersection of North Timberland and Loop 287. City Manager Parker furthered that as per City policy the City had a responsibility to provide sewer to the area under development, but upon further inspection of the site and the depth of the lines, the size of the sewer, and the two bores under Timberland and under the railroad it was determined that it would be more feasible to bid the project out. City Manager Parker stated that there was only one bidder for this project, and the one hundred and forty-one thousand and six hundred and seven dollars and one cent (\$141,607.01) bid was within the engineering estimate. City Manager Parker stated that money had not been set aside for this capital improvement, but it was available Water/Wastewater Depreciation Fund. The one hundred and forty-one thousand and six hundred and seven dollars and one cent (\$141,607.01) bid for the Spur Plaza sanitary sewer extension project and Budget Amendment No. 2 were approved on a motion by Councilmember Don

Langston, and seconded by Councilmember Lynn Torres. A unanimous vote to approve was recorded.

13. **APPROVAL OF THE PURCHASE OF AN AMBULANCE REMOUNT IN THE AMOUNT OF \$101,250 FROM HGAC-APPROVED**

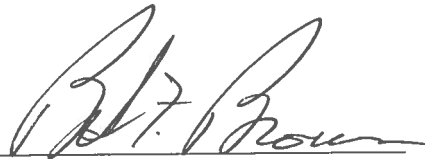
City Manager Parker stated that an ambulance remount was scheduled for the Lufkin Fire Department. City Manager Parker furthered that the total cost of this remount was one hundred and one thousand and two hundred and fifty dollars (\$101,250.00) and that the money for this item was in the Amortization Fund. The purchase of an ambulance remount in the amount of one hundred and one thousand and two hundred and fifty dollars (\$101,250.00) from HGAC was approved on a motion by Councilmember Victor Travis, and seconded by Councilmember Rocky Thigpen. A unanimous vote to approve was recorded.

14. **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 Parker stated that Entertainment in the Park was on Fridays in October at Cotton Square Park with a band and lunch available for purchase. City Manager Parker furthered that on Tuesday, October 14th Branson on the Road was at the Pines Theater.

Deputy City Manager Keith Wright stated that he was grateful to City Manager Parker for his mentorship and offered him thanks.

There being no further business to discuss the meeting was adjourned at 5:46 pm.



Bob F. Brown, Mayor



Kara Atwood, City Secretary

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