

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 1<sup>ST</sup> DAY OF JULY, 2014.**

On the 1<sup>ST</sup> day of July 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
Rodney Ivy	Human Resources Director
Steve Floyd	Public Works Director
Steve Poskey	Street Department Director
Chuck Walker	Public Utilities Director
Mike Akridge	Parks & Recreation Director
Dale Allred	Inspection Services Director

being present when the following business was transacted.

1. The meeting was opened with prayer by Pastor Jeff Robinson, Southside Baptist Church.
2. Mayor Bob Brown welcomed visitors present.
3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting held June 17, 2014, and the Council Planning Retreat held June 23, 2014 were approved on a motion by Councilmember Lynn Torres and seconded by Councilmember Rocky Thigpen. A unanimous affirmative vote was recorded to approve the minutes as presented.

4. **PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO “COMMERCIAL” AND AMENDING THE FUTURE LAND USE MAP TO “COMMERCIAL” FOR PROPERTY COMMONLY KNOWN AS 711 LOCKE STREET – APPROVED.**

Mayor Bob Brown stated the next 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 to “Commercial” and amending the Future Land Use Map to “Commercial” for property commonly known as 711 Locke Street.

City Manager Paul Parker stated the applicant requested the change in zoning in order to increase the marketability of the property. City Manager Parker continued that the property met the size requirements for “Commercial” zoning and highlighted the uses of the surrounding properties. City Manager Parker concluded that both Staff and the Planning & Zoning Commission recommended approval of the change in zoning to “Commercial” as well as the change to the Future Land Use Map.

Mayor Brown opened the Public Hearing at 5:03 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and requested comments or motions from City Council.

Councilmember Victor Travis questioned what the intended use of the property was. City Manager Parker stated there was no designated use at the present time.

Councilmember Don Langston moved to approve the First Reading of an Ordinance changing the zoning and Future Land Use Map to "Commercial" for property located at 711 Locke Street. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

5. **FIRST READING OF AN ORDINANCE PROVIDING FOR THE ABANDONMENT, VACATION AND CLOSURE OF AN ALLEY, LOCATED SOUTH OF AND ADJACENT TO 817 KILN STREET (LOT NO. 5, BLOCK NO. 2, HIGH SCHOOL HEIGHTS ADDITION) AND PROVIDING FOR THE CITY MANAGER TO CONVEY SAID ALLEY TO THE ADJOINING PROPERTY OWNER – APPROVED.**

Mayor Brown stated the next item was to consider on First Reading an ordinance providing for the closure and sale of an alley located adjacent to 817 Kiln Street.

City Manager Parker stated that Mr. and Mrs. Ryan Deaton had approached the City and requested to purchase the section of alley as stated. City Manager Parker continued that the property had been appraised in the amount of five hundred fifty-three dollars (\$553) and should City Council approve, the property would be sold for this amount plus appraisal costs. City Manager Parker furthered that the total purchase price was nine hundred eighty-three dollars (\$983) and Staff recommended closure and sale of the alley located near 817 Kiln Street.

Councilmember Robert Shankle moved to approve the closure and sale of the alley as stated. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

6. **AWARD OF BID TO JOHN WRIGHT CONSTRUCTION IN THE AMOUNT OF \$98,760 FOR ROAD BORES IN CONJUNCTION WITH THE 24" WATER LINE PROJECT - APPROVED**

Mayor Brown stated the next item was the consideration of an award of bid to John Wright Construction in the amount of \$98,760 for road bores in conjunction with the 24" Water Line Project.

City Manager Parker stated that as City Council was aware, Staff was currently installing a twenty-four inch (24") water line from State Highway 103 East (old Abitibi site) to US Highway 59 South. City Manager Parker continued that six (6) road bores were necessary for the completion of this project and the location and length of each bore were included in the packet. City Manager Parker stated that the low bidder on this project was John Wright Construction, who has completed satisfactory work for the City in the past. City Manager Parker concluded that Staff recommended City Council award a bid to John Wright Construction in the amount of ninety-eight thousand seven hundred sixty dollars (\$98,760) for the completion of six (6) road bores. Councilmember Don Langston questioned the insurance requirement on the bid. City Engineer Chuck Walker stated that it was not an issue.

Councilmember Don Langston moved to approve the award of bid as stated. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

7. **CONTRACT WITH ALAN PLUMMER ASSOCIATES, INC. IN THE AMOUNT OF \$25,000 FOR COMPLETION OF THE DETERMINATION OF ORGANIC AND SOLIDS LOADING CAPACITY STUDY FOR THE WASTEWATER TREATMENT PLANT AND A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 20 APPROPRIATING THE FUNDING. – APPROVED**

Mayor Brown stated the next item was to consider approval of a contract with Alan Plummer Associates, Inc. in the amount of \$25,000 for completion of the Determination of Organic and Solids Loading Capacity Study for the Wastewater Treatment Plant and approval of a Resolution authorizing Budget Amendment No. 20 appropriating the funding.

City Manager Parker stated that basically the sewer discharge limits charged to industries were based on the Total Suspended Solids (TSS) and the Biological Oxygen Demand (BOD) assigned

to each one. City Manager Parker stated the last study had been completed in the 1980's and recently Staff had been contacted by an engineering firm hired by GE in regard as to why the limits were so low. City Manager Parker stated that Staff had contacted Alan Plummer Associates, Inc. in regard to performing a new study on these limits. City Manager Parker stated the cost of this study would be twenty-five thousand dollars (\$25,000) and funding was available in Fund 380. City Manager Parker concluded that Staff recommended approval of the contract and the corresponding Budget Amendment to provide the funding.

Councilmember Don Langston moved to approve the contract and Budget Amendment No. 20. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

8. **PUBLIC HEARING AND A RESOLUTION AUTHORIZING AN APPLICATION FOR THE 2014 BULLETPROOF VEST PARTNERSHIP GRANT THROUGH THE U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$14,250 FOR THE LUFKIN POLICE DEPARTMENT - APPROVED**

Mayor Brown stated the next item was to conduct a Public Hearing and consider approval of a Resolution authorizing an application for the 2014 Bulletproof Vest Partnership grant through the U.S. Department of Justice in the amount of \$14,250 for the Lufkin Police Department.

City Manager Parker stated the Lufkin Police Department requested to apply for funding through the 2014 Bulletproof Vest Partnership grant through the U.S. Department of Justice in the amount of fourteen thousand two hundred fifty dollars (\$14,250) for the purchase of bulletproof vests for the Department. City Manager Parker concluded that Staff recommended City Council conduct the required Public Hearing and approve a Resolution which authorized the application for this grant.

Mayor Brown opened the Public Hearing at 5:12 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and requested comments and motions from the City Council.

Councilmember Lynn Torres moved to approve Resolution authorizing an application for the 2014 Bulletproof Vest Partnership grant through the U.S. Department of Justice in the amount of \$14,250 for the Lufkin Police Department. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

9. **PUBLIC HEARING AND A RESOLUTION AUTHORIZING AN APPLICATION FOR FUNDING THROUGH THE OFFICE OF JUVENILE AND JUSTICE AND DELINQUENCY PREVENTION IN THE AMOUNT OF \$18,171 FOR THE LUFKIN POLICE DEPARTMENT - APPROVED**

Mayor Brown stated that Item No. 9 was to conduct a Public Hearing and consider approval of a Resolution authorizing an application for funding through the Office of Juvenile and Justice and Delinquency Prevention in the amount of \$18,171 for the Lufkin Police Department.

City Manager Parker stated the Lufkin Police Department requested to apply for a grant in the amount of eighteen thousand one hundred seventy-one dollars (\$18,171) through the Office of Juvenile and Justice and Delinquency Prevention to aid the Department in regard to investigating Internet Crimes Against Children. City Manager Parker stated these funds would be used for equipment purchases, travel and training. City Manager Parker concluded that Staff recommended City Council conduct the required Public Hearing and approve the Resolution for the grant application.

Mayor Brown opened the Public Hearing at 5:14 p.m. There being no one who wished to speak; Mayor Brown closed the Public Hearing and requested a motion from City Council.

Councilmember Rocky Thigpen moved to approve a Resolution authorizing an application for funding through the Office of Juvenile and Justice and Delinquency Prevention in the amount of \$18,171 for the Lufkin Police Department. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**10. AWARD OF BID TO COOK TIRE FOR THE PURCHASE OF TIRES FOR THE CITY OF LUFKIN FLEET – APPROVED**

Mayor Brown stated the next item was consideration of an award of bid to Cook Tire for the purchase of tires and services for the City of Lufkin fleet.

City Manager Parker stated two (2) years ago that the City of Lufkin contracted with Cook Tire to provide tires and services for the City Fleet and recently Staff requested bids for the same. City Manager Parker highlighted the specifications of the bid and stated that Cook Tire was the only distributor to submit a qualified proposal. City Manager Parker concluded that Staff recommended City Council approve a five (5) year contract with Cook Tire to provide tires and services as stated.

Councilmember Victor Travis moved to approve the contract with Cook Tire for tires and services. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**11. DISCUSSION OF PROPOSED ORDINANCE REGARDING ELECTRIFIED FENCES IN THE CITY OF LUFKIN.**

Mayor Brown stated that Item No. 11 was a discussion of a proposed Ordinance regarding the use of electrical fencing in the City of Lufkin.

City Manager Parker stated that City Attorney Bruce Green would explain the Ordinance and reasoning for the request. City Attorney Green stated that the City was contacted an electrical fence company utilized by Fed Ex in regard to the use of electrical fences. City Attorney Green continued that currently electrical fences were prohibited in the City and Fed Ex requested the ordinance be amended to allow electrical fencing at their locations for security reasons. City Attorney Green explained the ordinance and highlighted the regulations, permitting and inspection requirements. City Attorney Green concluded that should City Council wish, the Ordinance would be brought back for consideration on First Reading at the next meeting.

Councilmember Don Langston stated his concerns regarding the appeals process and recommended that the appeals process be handled by the Construction Board of Adjustment and Appeals. Councilmember Lynn Torres noted corrections to be made regarding the section numbering.

City Attorney Green stated he would make the corrections to the Ordinance and submit for City Council consideration at the next meeting. No action was taken on this item.

**12. EXECUTIVE SESSION**

Mayor Bob Brown recessed the Regular Session at 5:15 p.m.

Mayor Brown reconvened Regular Session at 6:35 p.m.

**13. APPOINTMENTS TO VARIOUS CITY OF LUFKIN BOARDS AND COMMITTEES**

Councilmember Lynn Torres moved to approve the following appointments:

**A. Civil Service Commission**

Jule Fenley – reappointed for a three (3) year term

**B. Construction Board of Adjustment and Appeals**

Mark Hicks – appointed for a three (3) year term

Howard Griffin - reappointed for a three (3) year term

Mike Hineman - reappointed for a three (3) year term

**C. DETCOG Board**

Mayor Bob Brown

Councilmember Lynn Torres

Councilmember Robert Shankle

Councilmember Victor Travis

**D. 4B/Economic Development Board**

Councilmember Lynn Torres – reappointed for a two (2) year term  
Councilmember Robert Shankle – reappointed for a two (2) year term  
Jack Sweeny – reappointed for a two (2) year term  
Casey Robertson – appointed to replace Jim Watkins for the remainder of his term

**E. City Council Health Insurance Committee**

Councilmember Rocky Thigpen – appointed to replace former Councilmember Duncan

**F. Lufkin Convention & Visitors Bureau Board**

Lin Lentz – reappointed for a two (2) year term  
Tami Koonce – Jones – reappointed for a two (2) year term  
Victor Patel – appointed for a two (2) year term  
Jim Watkins – appointed for a two (2) year term

**G. Parks & Recreation Board**

Vickey Booker - reappointed for a three (3) year term  
Jeff Todd - reappointed for a three (3) year term

**H. Planning & Zoning Commission**

Jeff Portwood – reappointed for a three (3) year term  
Ronnie Robinson - reappointed for a three (3) year term  
Jeff Taylor - appointed for a three (3) year term

**I. Taxi Cab Committee**

Bill Philmon - reappointed for a three (3) year term

**J. Tree Board**

Councilmember Lynn Torres - reappointed for a three (3) year term  
Councilmember Victor Travis - reappointed for a three (3) year term  
Councilmember Sarah Murray - reappointed for a three (3) year term

**K. Zoning Board of Adjustments and Appeals**

Andrew Moore - reappointed for a three (3) year term  
Constance Shepherd - reappointed for a three (3) year term  
Michael Parker - reappointed for a three (3) year term  
Jeff Buchanan (Alternate) - reappointed for a three (3) year term  
Lacey Chimney (Alternate) - reappointed for a three (3) year term

Councilmember Robert Shankle seconded the motion and 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 Paul Parker stated that the calendar of upcoming events had been distributed and he would be glad to answer any questions regarding the same.

15. There being no further business for consideration, the meeting adjourned at 6:05 p.m.

  
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Bob F. Brown, Mayor

*Kara Atwood*

Kara Atwood, City Secretary

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