MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 3RD DAY OF JANUARY, 2012

On the 3rd day of January, 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.	Mayor
Don Langston	Mayor Pro-Tem
Victor Travis	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
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
Renee Thompson	City Secretary
Rodney Ivy	Human Resource Director
Scott Marcotte	Police Chief
Gerald Williamson	Asst. Police Chief
Ted Lovett	Interim Fire Chief
Belinda Southern	Finance Director
Steve Floyd	Public Works Director
Steve Poskey	Street Department, Superintendent
Mike Akridge	Parks & Leisure Services Director
Jason Arnold	Parks & Leisure Services Asst. Director
Barbara Thompson	Main Street Director
Dale Allred	Inspection Services Director
Chuck Walker	Public Utilities Director

being present, when the following business was transacted:

1. The meeting was opened with prayer by Bishop Oscar Dixon, Jr., Overcomers Through Faith Ministries.

2. Mayor Jack Gorden welcomed visitors present. Mayor Gorden then acknowledged the Robert Haberle, with Schaumburg and Polk, Inc. who was the former Mayor of Jacksonville, Texas. Mayor Gorden also welcomed Richard Joseph, who served on the City of Lufkin Park's Board and thanked him for all of his work on that Board.

3. **APPROVAL OF MINUTES**

Minutes of the Regular Meeting of December 20, 2011 were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **SECOND READING OF AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BEING ORDINANCE NO. 3693, BY AMENDING SECTION 3.8, ENTITLED “WATER AND WASTEWATER FACILITY DESIGN”, TO ADD SUBSECTION E., CONCERNING ASSISTING DEVELOPERS WITH WATER AND SEWER INFRASTRUCTURE, - APPROVED - REPEALING CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE**

Mayor Jack Gorden stated that the next item for consideration was the Second Reading of an Ordinance amending the Subdivision Ordinance of the City of Lufkin, Texas, being Ordinance No. 3693, by amending Section 3.8, entitled “Water and Wastewater Facility Design”, to add Subsection E., concerning assisting developers with water and sewer infrastructure, repealing conflicting provisions; and providing an effective date. Mayor Gorden stated that the Ordinance was one (1) of three (3) Ordinances that the City Council had worked on to make building within the city limits of Lufkin more attractive in the future. Mayor Gorden then commended the Council and Staff for their work on the Ordinances.

City Manager Paul Parker stated that this was the Second Reading for the Ordinance and highlighted that the Ordinance minimized the cost of development by modifying the present procedure which required the developer to install all utilities including water, sewer and streets to City standards before acceptance. City Manager Parker added that the Ordinance would allow the developer to purchase materials for the water and sewer infrastructure on a new curb and gutter residential subdivision, but that the installation would be completed by City Staff.

Mayor Gorden asked for questions or comments from the Council. There were none.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance amending the Subdivision Ordinance of the City of Lufkin, Texas, being Ordinance No. 3693, by amending Section 3.8, entitled “Water and Wastewater Facility Design”, to add Subsection E., concerning assisting developers with water and sewer infrastructure, repealing conflicting provisions; and providing an effective date. Councilmember Victor Travis seconded the motion. A unanimous affirmative vote was recorded.

5. **SECOND READING OF AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BEING ORDINANCE NO. 3693, BY AMENDING SECTION 3.1, ENTITLED “STREETS”, SUBSECTION M., CONCERNING RURAL TYPE CONSTRUCTION OF ROADS (TYPE “F”), -**

APPROVED - REPEALING CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the Second Reading of an Ordinance amending the Subdivision Ordinance of the City of Lufkin, Texas, being Ordinance No. 3693, by amending Section 3.1, entitled "Streets", Subsection M., concerning rural type construction of roads (Type "F"), repealing conflicting provisions; and providing an effective date.

City Manager Paul Parker stated that Type "F" streets were what the City commonly referred to as estate type streets with open ditches. City Manager Parker added that in the past this was only allowed in subdivisions where there were lots of thirty-six thousand (36,000) square feet in area or larger. City Manager Parker stated that the amendment would allow Type "F" streets in"Residential Large" or "Agricultural" zoning classifications as well, with the approval of the City Engineer and Planning and Zoning Commission.

Mayor Gorden asked for questions or comments from the Council. There were none.

Councilmember Rufus Duncan moved to approve the Second Reading of the Ordinance amending the Subdivision Ordinance of the City of Lufkin, Texas, being Ordinance No. 3693, by amending Section 3.1, entitled "Streets", Subsection M., concerning rural type construction of roads (Type "F"), repealing conflicting provisions; and providing an effective date. Councilmember Victor Travis seconded the motion. A unanimous affirmative vote was recorded.

6. SECOND READING OF AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BEING ORDINANCE NO. 3693, BY AMENDING SECTION 2.10, ENTITLED "MINOR PLATS" TO ADD SUBSECTION F., CONCERNING ONE LOT SUBDIVISIONS, - APPROVED - REPEALING CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the Second Reading of an Ordinance amending the Subdivision Ordinance of the City of Lufkin, Texas, being Ordinance No. 3693, by amending Section 2.10, entitled "Minor Plats" to add subsection F., concerning one lot subdivisions, repealing conflicting provisions; and providing an effective date.

City Manager Paul Parker stated that this was also a measure to try to make development easier. City Manager Parker explained that in the past whenever a person had a tract of ten (10) acres or more and wanted to carve out a smaller portion the land had to be surveyed and plat both parcels. City Manager Parker added that the Ordinance would allow the owner to prepare a one (1) lot subdivision plat. City Manager Parker stated that Staff recommended that the City Council approve the Ordinance.

Mayor Gorden asked for questions or comments from the Council. There were none.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance amending the Subdivision Ordinance of the City of Lufkin, Texas, being Ordinance No. 3693, by amending Section 2.10, entitled "Minor Plats" to add subsection F., concerning one lot subdivisions, repealing conflicting provisions; and providing an effective date. Councilmember Victor Travis seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

7. PROPOSED FY 11-12 STREET RECONSTRUCTION LIST- APPROVED

Mayor Jack Gorden stated that the next item for consideration was the proposed FY 11-12 Street Reconstruction List.

City Manager Paul Parker asked Street Department Superintendent Steve Poskey to come to the podium to assist in answering questions. City Manager Parker stated that the City Council had allocated six hundred thousand dollars ($600,000) in the budget for street overlay. City Manager Parker added that the Street Department was also doing approximately two hundred thousand dollars ($200,000) of street overlays due to resurfacing streets once water and sewer installation and repairs were completed. City Manager Parker stated that the Street Department also did additional overlays due to major projects such as the Fuller Springs Street Project, Old Moffett Road Street Project and other Capital Improvement Projects. City Manager Parker explained that this project was the Annual Street Reconstruction Project and not the entire Street Program that the City did each year. City Manager Parker stated that included in the Council packet was a map showing the streets that were included in the Project. City Manager Parker added that Mr. Poskey would outline the streets that were shown in yellow on the map. Mr. Poskey then showed the City of Lufkin Map and the location of the streets included in the Project.

Street Department Superintendent Steve Poskey stated that there were five (5) streets in Ward One (1) included in the Project. Mr. Poskey added that those streets were Barto, Birch, Kimmey, Mize and Ellis Streets. Mr. Poskey stated that the streets included in Ward Two (2) were Davisville, Garvan and Bonita. Mr. Poskey added that included in Ward Three (3) were Shady Pine, Kent and Leslie Lane. Mr. Poskey stated that there was only one (1) street in Ward Four (4), which was Bartmess. Councilmember Don Langston asked about the time table for the street reconstruction on Temple Boulevard up to August Street and beyond in Ward Four (4). Mr. Poskey stated that he didn't remember the PCI for that street but that it seemed like it was fifty-eight (58) or fifty-nine (59). Councilmember Langston stated that the street really needed to be looked at because chunk of asphalt were coming up and that workers had done some patching, but there were other areas where there were additional chunks of asphalt still coming up. Councilmember Langston added that the street had three (3) different colors of asphalt on it and that some of it looked as though it was the original asphalt. Councilmember Langston stated that he had brought this to Staff's attention two (2) years earlier and wanted to keep it on the map. Councilmember Langston added that inlet boxes were also being lost because of asphalt deterioration down the hill and that the job would be rather extensive if it did not have a hard look taken at it. City Manager Parker stated that Staff intended to bring the Capital Improvements Program back to the Council once the financial information on property tax was available. City Manager Parker added that Staff needed to take a closer look at projects of that nature because of the amount of funding that it would take to do those projects. City Manager Parker stated that Staff could very easily look at reconstruction projects in the Capital Improvements Program before the year was over. City Manager Parker added that Staff would make sure that they took a look at the overlay program. City Manager Parker stated that he knew the area that Councilmember Langston was referring to and that it would be a pretty expensive project. City Manager Parker added that it would be more like the Fuller Springs and Sayers Projects. Councilmember Langston stated that the only correction that he would make on the Bartmess Drive Project and the amount of money that it would be was that it was more of a safety issue with the amount of school traffic utilizing that street. Councilmember Langston added that it was not truly an overlay as much as it was an opportunity to correct some safety issues. Mr. Poskey stated that included in Ward Five (5) was Copeland and Scott Streets. Mr. Poskey concluded that included in Ward Six (6) was Raguet Street. Councilmember Lynn Torres asked how far was the proposed reconstruction on Raguet Street from the Forestry Complex that was being built. Mr. Poskey stated that the area on Raguet was near the Kurth Memorial Library. City Manager Parker stated that Staff recommended that the City Council approve the Overlay Program for the current year.

Mayor Gorden asked for questions or comments from the Council. There were none.

Councilmember Lynn Torres moved to approve the proposed FY 11-12 Street Reconstruction List. Councilmember Victor Travis seconded the motion. A unanimous affirmative vote was recorded.

8. <u>ADOPTION OF THE FAIR HOUSING ACTION STATEMENT – TEXAS (FHAST) FORM – APPROVED - AS REQUIRED BY THE GENERAL LAND OFFICE FOR HURRICANE IKE ROUND 2.2 FUNDING</u>

Mayor Jack Gorden stated that the next item for consideration was the adoption of the Fair Housing Action Statement – Texas (FHAST) Form as required by the General Land Office for Hurricane Ike Round 2.2 Funding.

City Manager Paul Parker stated that the Fair Housing questions came into play under the six billion five hundred million dollars ($6,500,000,000) set aside for disaster relief and recovery. City Manager Parker added that after the First Round of Ike Funding the City had some involvement from different agencies complaining that the Ike Phase I did not do enough for fair housing. City Manager Parker explained that this required going into a compromise on spending the Ike Funding for Round Two (2). City Manager Parker stated part of it was a creation of a Fair Housing Action Statement – Texas (FHAST) Form for fair housing. City Manager Parker added that a committee was appointed and the Form was completed, submitted and approved by the State and had to come back to be approved by the City Council. City Manager Parker stated that Staff had been notified that City was eligible for two million thirty thousand three hundred nineteen dollars ($2,030,319) in Ike Round

Two (2). City Manager Parker added that it had to be used on a project that they deemed appropriate or was related to the Ike Hurricane. City Manager Parker stated that Staff recommended that the City Council approve the Fair Housing Activity Statement – Texas (FHAST) Form for the Hurricane Ike Round 2.2 Funding.

Mayor Gorden asked for questions or comments from the Council. There was discussion among the Mayor, Council and City Manager regarding the Hurricane Ike Round 2.2 Funding.

Councilmember Lynn Torres moved to approve the adoption of the Fair Housing Action Statement – Texas (FHAST) Form as required by the General Land Office for Hurricane Ike Round 2.2 Funding. Councilmember Victor Travis seconded the motion. A unanimous affirmative vote was recorded.

9. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2011/2012 OPERATING BUDGET (BUDGET AMENDMENT NO. 12), - APPROVED - PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL AND SPECIAL RECREATION FUNDS; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was a Resolution authorizing an Amendment to the 2011/2012 Operating Budget (Budget Amendment No. 12), providing for the supplemental appropriation of funds in the General and Special Recreation Funds; and providing an effective date.

City Manager Paul Parker stated that last summer the City renewed its contract with many youth programs. City Manager Parker added that one of the contract renewals was with Lufkin Youth Baseball Association (LYBA). City Manager Parker stated that on November 21, 2011, the Lufkin Parks and Recreation Department was notified by LYBA that they desired to terminate the lease agreement with the City of Lufkin. City Manager Parker added that the maintenance of the fields and the conditions of the major repairs needed exceeded LYBA's ability to take care of the repairs. City Manager Parker stated that LYBA initially came to the City requesting that the City take over the maintenance of the fields, the scoreboard, batting cages, tournament scheduling, entry fee collection, player and team insurance, player uniforms and equipment and to provide the baseball umpire fees and scheduling and that LYBA would retain the concession stands, baseball signup, game schedules, coach selections and team draft. City Manager Parker explained that whenever City Staff went back and visited with the LYBA and stated that this was not acceptable because the revenues from the concession stand had to go toward the field maintenance and those areas. City Manager Parker stated that City Staff had been meeting with LYBA and LYBA had sold their equipment and started terminating some of their supplies that they had for that area. City Manager Parker added that the Parks and Recreation Department had been visiting with several other communities to ascertain information about the concession operations. City Manager Parker stated that currently at Kit McConnico Park the City had a contractor and that the City was given a percentage of the concession revenue. City Manager Parker added that whenever the City took over the Girls Softball Program the same concessionaire took care of the concessions for it at that same percentage. City Manager

Parker stated that Staff anticipated that the City would operate the three (3) concessions (Adult Softball, Girl's Softball and Baseball). City Manager Parker added that enough revenue would be generated to offset the positions that were being proposed for approval. City Manager Parker stated that last year whenever the City took over Girl's Softball there was a little over two hundred (200) girls in that program. City Manager Parker explained that the Youth Baseball Program had a minimum of approximately seven hundred fifty participants. City Manager Parker explained that the Parks and Recreation Department anticipated changing from the Dizzy Dean League to the Little League Program under the City's operation. City Manager Parker stated that Staff actually anticipated the number of participants to rise in the Youth Baseball League. City Manager Parker added that Staff felt that Little League would be a little more competitive, while allowing more children to get involved in the recreational aspect of baseball and would also allow the City to have more access to tournaments because there would be more cities participating in Little League. City Manager Parker stated that it was difficult to host tournaments because of the limited involvement in the Dizzy Dean Program that the Youth Baseball League had been operating under. City Manager Parker added that Little League required an elected board and that there had been seventeen (17) individuals interested in serving on the ten (10) member board. City Manager Parker stated that several of the individuals were people that had been involved in Lufkin Youth Baseball Association in the past. City Manager Parker stated that there were also other individuals in the community that were excited about looking into the Little League Program. City Manager Parker added that whenever the City took over the Girl's Softball Association last year it stretched City Staff quite a bit because so many of those activities took place at night. City Manager Parker explained that one (1) thing that helped to save the City was that Parks and Recreation Director Mike Akridge had a daughter playing in the League, which had him spending a lot of time at the fields. City Manager Parker pointed out that normally cities didn't have the Park and Recreation Director working all hours during the League games. City Manager Parker stated that Assistant Director of Parks and Recreation Jason Arnold had primarily been the go to person in the recreation area and had a great job, but was spread so thin. City Manager Parker added that in the current budget the City Council had authorized a part-time Recreation Specialist at fourteen thousand five hundred fifty four dollars and eighty cents ($14,554.80). City Manager Parker stated that Staff recommended that this position be upgraded to a full-time position with benefits and an annual total cost of thirty-three thousand nine hundred thirty-nine dollars and sixty-six cents ($33,939.66). City Manager Parker explained that in addition to the upgraded Recreation Specialist the Staff recommended the addition of an Athletic Coordinator to assist Jason Arnold with the scheduling and running the leagues. City Manager Parker added that at the current time the City was running Adult Softball at Kit McConnico and now the Youth Baseball League which required a lot of umpires and scorekeepers to coordinate and teams to schedule and that the list went on and on. City Manager Parker stated that Staff recommended that the Council approve an Athletic Coordinator position at a total cost of thirty-nine thousand nine hundred seventy-six dollars and thirty-one cents ($39,976.31). City Manager Parker added that because of the maintenance requirements of both softball and baseball at Morris Frank Park the Staff recommended a full-time Groundskeeper position in the amount of twenty-seven thousand six hundred sixty-nine and eighty-three cents ($27,669.83) and a part-time groundskeeper position at nine thousand six hundred forty dollars and eighty cents ($9,640.80). City Manager Parker stated that the total additional expenses related to the program would be one hundred eleven thousand two hundred twenty-six dollars and sixty cents ($111,226.60) including benefits. City Manager Parker added that revenue generated from concession sales, as well as revenue from league play and tournaments would more than offset the total expenses for additional staff and operation costs. City Manager Parker explained that with everyone's combined experience in working concessions, as well as information generated from visiting other cities regarding their operations, Staff believed that revenue projections would exceed expenditures by approximately eleven thousand dollars ($11,000). City Manager Parker added that in case the revenue projections were to fall short of the anticipated goal, the Special Recreation Fund had a fund balance of seventy-three thousand six hundred seventy-seven dollars ($73,677) that could be used in case the concession revenues ran short. City Manager Parker explained that Staff believed that the proceeds would exceed the projections, even to the point that the proceeds could be used on future park maintenance and other projects. City Manager Parker stated that Staff recommended that the City Council approve the Budget Amendment, but be aware that the Budget Amendment included the positions as well as the operation costs for the new league and concession operations.

Mayor Gorden asked for questions or comments from the Council. There was discussion among the City Council, Mayor, City Manager and Staff regarding youth baseball and concession operations for youth leagues at Morris Frank Park and Kit McConnico Park.

Councilmember Lynn Torres moved to approve the Resolution authorizing an Amendment to the 2011/2012 Operating Budget (Budget Amendment No. 12), providing for the supplemental appropriation of funds in the General and Special Recreation Funds; and providing an effective date. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

10. CITY MANAGER'S REPORT

Mayor Jack Gorden stated that the next item for consideration was a report from City Manager Paul Parker.

City Manager Paul Parker stated the City revenue looked favorable and that Sales Taxes were up. City Manager Parker added that all of the other areas were also doing very well. City Manager Parker stated that he wouldn't go into any more detail unless there was a specific area that the City Council wanted to discuss or had a question about.

City Manager Parker stated that Staff was happy to report that projects were also proceeding very well. City Manager Parker added that if everything went right the overlay would be done one (1) day that week on the Sayers Street Project. City Manager Parker stated that the Sayers Street Project would be nearly complete by the end of the week. City Manager Parker added that there would still be some minor review and touch ups and citizens would probably see a lot of activity while the City completed the final overlay on Sayers Street. City Manager Parker stated that work continued on the Fuller Springs Project and was progressing well. City Manager Parker added that the City was about to break ground on the new fire station and that work should begin on the Pines Theater within the next two (2) to three (3) weeks. City Manager Parker furthered that most of the City's Capital Improvement Projects (CIP) that the City Council approved would be underway, with the exception of the Carol Street Bridge, which was currently being designed. City Manager Parker explained that before Staff brought another Capital Improvements Program (CIP) back to the City Council all of the projects for the previous CIP would either be underway or completed. City Manager Parker stated that the final stages of the Industrial Park was in full swing, but that there had been some problems with the drainage area that needed to be corrected, but once that was resolved the project was nearly completed. City Manager Parker added that the contractors were putting in the final curb and gutter, along with some other improvements. City Manager Parker stated that Staff would answer any questions that the City Council had regarding any projects.

Councilmember Don Langston stated that hopefully the City would need the new T-Ball field. City Manager Parker stated that work on the field was being done "in house" and that Staff was moving a lot of dirt and that there were a lot of materials ordered and that it was the City's goal to have it completed by the upcoming season.

11. Mayor Jack Gorden stated that there was no need for an Executive Session that evening.

12. 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.

Councilmember Lynn Torres stated that everyone should all attend the First Friday Event as Mayor Gorden gave the "State of the City" address on Friday, January 6, 2012, at 12:00 noon at Crown Colony. City Manager Parker asked the Council to let City Secretary Renee Thompson know if they planned to attend. City Manager Parker stated that on Sunday, January 15, 2012, there would be a "Sunday's Best" Talent Show at the Hope Center at 6:00 p.m. City Manager Parker added that some of the City Council would be recognized at that event and urged everyone to attend. City Manager Parker added that the Council should let City Secretary Thompson know if they planned to attend that event also. City Manager Parker stated that Monday, January 16, 2012, was the Martin Luther King Day Holiday. City Manager Parker added that there would be the traditional parade and the event at Dunbar. City Manager Parker stated that the Chamber of Commerce Banquet would be held on Tuesday, January 24, 2012, at 6:30 p.m. at the Lufkin Pitser Garrison Civic Center. City Manager Parker stated that the Lufkin Convention and Visitors Bureau would be hosting the "Corks and Forks" Event on Saturday, February 4, 2012, at 7:00 p.m. at Abram's.

Mayor Gorden stated that City Secretary Renee Thompson had tendered her resignation after thirty-four (34) years and four (4) months with the City of Lufkin. Mayor Gorden added that Ms. Thompson would be missed and thanked her for her service and dedication. Councilmember Don Langston pointed out that Ms. Thompson had a diverse background with the City of Lufkin. Councilmember Langston added that he had listened to a presentation that Ms. Thompson did after the Columbia Disaster and that Ms. Thompson did a outstanding job. Mayor Gorden added that this was part of the history of the City of Lufkin.

17. There being no further business for consideration, the meeting adjourned at 5:46 p.m.

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Jack Gorden, Mayor

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Renee Thompson – City Secretary