

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 15TH DAY OF FEBRUARY, 2011**

On the 15th day of February, 2011, 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
Lynn Torres	Councilmember, Ward No. 3
Phil Medford	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
Danny Kistner	Fire Chief
Duane Freeman	Asst. Fire Chief
Dorothy Wilson	Planning Director
Steve Floyd	Public Works Director
Steve Poskey	Street Department, Superintendent
Barbara Thompson	Main Street Director
Jim Wehmeier	Economic Development Director
Dale Allred	Inspection Services Director
Chuck Walker	Public Utilities Director
Belinda Southern	Finance Manager
Robbin Crawford	Senior Accountant

being present, and

Robert Shankle	Councilmember, Ward No. 2
Rufus Duncan	Councilmember, Ward No. 5

being absent, when the following business was transacted:

1. The meeting was opened with prayer by Pastor Ty Phillips, Cross Roads Baptist Church.
2. Mayor Jack Gorden welcomed visitors present. Mayor Gorden stated that Councilmember Rufus Duncan was called out of town and that Councilmember Robert Shankle had some health issues to deal with. Mayor Gorden added that both Council Members sent regrets that they were unable to attend the meeting, but would watch the meeting on Channel 15 to keep up with what was done at the meeting.

3. APPROVAL OF MINUTES

Minutes of the Regular Meeting of February 1, 2011, were approved on a motion by Councilmember Lynn Torres, and seconded by Councilmember Victor Travis. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **SECOND READING OF AN ORDINANCE PROVIDING FOR THE CALLING AND ORDERING OF A GENERAL ELECTION FOR THE CITY OF LUFKIN, TEXAS, - APPROVED - TO BE HELD AT TWO (2) POLLING PLACES IN LUFKIN, TEXAS ON MAY 14, 2011, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M. FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR WARD 5, AND**

COUNCILMEMBER FOR WARD 6, FOR THREE (3) YEAR TERMS, AND PROVIDING FOR THE NECESSARY NOTICES AND FIXING THE DATE

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 two (2) polling places in Lufkin, Texas on May 14, 2011, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing a Councilmember for Ward 5, and Councilmember for Ward 6, for three (3) year terms, and providing for the necessary notices and fixing the date. Mayor Gorden asked City Manager Paul Parker and City Secretary Renee Thompson if they had anything to add regarding the item. City Manager Paul Parker and City Secretary Renee Thompson both replied that they had nothing to add to the item.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Don Langston moved to approve the Second Reading of the Ordinance providing for the calling and ordering of a General Election for the City of Lufkin, Texas to be held at two (2) polling places in Lufkin, Texas on May 14, 2011, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing a Councilmember for Ward 5, and Councilmember for Ward 6, for three (3) year terms, and providing for the necessary notices and fixing the date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

5. SECOND READING OF AN ORDINANCE PROHIBITING RACING, EXHIBITIONS OF ACCELERATION, AND UNSAFE MOTOR VEHICLE EXHIBITIONS WITHIN THE CITY OF LUFKIN, - APPROVED - PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, DECLARING A PENALTY, AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the Second Reading of an Ordinance prohibiting racing, exhibitions of acceleration, and unsafe motor vehicle exhibitions within the City of Lufkin, providing for repeal of conflicting Ordinances; providing for severability, declaring a penalty, and providing for an effective date.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the Second Reading of the Ordinance prohibiting racing, exhibitions of acceleration, and unsafe motor vehicle exhibitions within the City of Lufkin, providing for repeal of conflicting Ordinances; providing for severability, declaring a penalty, and providing for an effective date. Councilmember Don Langston seconded the motion. A unanimous affirmative vote was recorded.

NEW BUSINESS:

6. FIRST READING OF AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LUFKIN, TEXAS, - APPROVED - AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said hereinafter described property within the city limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the acts and Ordinances of the said City.

City Manager Paul Parker stated that the item was regarding the annexation of 8.234 acres of land that the City of Lufkin purchased as part of an industrial tract. City Manager Parker

added that the annexation had been before the Council three (3) previous times. City Manager Parker explained that there had been two (2) previous Public Hearings and one (1) item on the agenda to call the Public Hearings. City Manager Parker stated that the area was the balance of the property that the City purchased after the initial parcel had been purchased, and that the City wanted to bring it into the City to be a part of the City's Business Park.

Mayor Gorden asked for questions or comments from the Council.

Councilmember Phil Medford moved to approve the First Reading of the Ordinance annexing the hereinafter described territory to the City of Lufkin, Texas, and extending the boundaries of said City so as to include said hereinafter described property within the city limits, and granting to said territory and to all future inhabitants of said property all of the rights and privileges of other citizens and binding said future inhabitants by all of the acts and Ordinances of the said City. Councilmember Victor Travis seconded the motion. A unanimous affirmative vote was recorded.

7. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 412, AND ALL AMENDMENTS THERETO, - APPROVED - REGARDING THE REGULATION OF GREASE TRAPS FOR DISCHARGES FROM FOOD SERVICE ESTABLISHMENTS; REPEALING CONFLICTING AND INCONSISTENT PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the First Reading of an Ordinance amending Ordinance 412, and all amendments thereto, regarding the regulation of grease traps for discharges from food service establishments; repealing conflicting and inconsistent provisions; and providing for an effective date.

City Manager Paul Parker stated that there had been issues with the "Grease Trap Ordinance", due to the fact that there had been no definition of "grease traps" and "separator trucks", which made it difficult to enforce. City Manager Parker added that with the exception of penalty revisions and the added definitions, the revised Ordinance was the same as the original Ordinance. City Manager Parker explained that City Attorney Bruce Green had worked on the Ordinance, along with previous Water and Sewer Director Debbie Fitzgerald, and asked City Attorney Green if he had anything to add.

City Attorney Bruce Green stated that the Ordinance had also added, as a part of the administrative appeals process, a little tougher enforcement in the actual fine that was rendered there. City Attorney Green added that the revised Ordinance was basically following the request of the Water and Sewer Utilities Department, and that those were the only changes that were made to the original Ordinance.

There were questions and discussion among the Mayor, Council, City Manager, City Attorney and Staff regarding the Ordinance. Mayor Gorden asked if there were any other questions or comments from the Council. There were none.

Councilmember Don Langston moved to approve the First Reading of the Ordinance amending Ordinance 412, and all amendments thereto, regarding the regulation of grease traps for discharges from food service establishments; repealing conflicting and inconsistent provisions; and providing for an effective date. Councilmember Lynn Torres seconded the motion. A unanimous affirmative vote was recorded.

8. 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 that he would only highlight a few items in his report so that Fire Chief Danny Kistner would have time to bring his presentation to the City Council. City Manager Parker stated that the Council had the Financial Report before them, and that the City of Lufkin had just had another month of positive Sales Tax. City Manager Parker added that the Sales Tax was for the month of December, and that the December Sales Tax was important and should always be steady or positive. City Manager Parker explained that the December 2010 Sales Tax was up a little over three percent (3%+). City Manager Parker stated that the good news was that for the year, the City of Lufkin had a positive Sales Tax. City Manager Parker

added that the City's other revenues were right on target. City Manager Parker stated that the City was early into the fiscal year process and that the City's expenditures were in line in most of the departments. City Manager Parker explained that departments that were above expected expenditures had a good reason for being so. City Manager Parker added that the IT Department had recently purchased some computer equipment that they had to purchase annually. City Manager Parker stated that the Water and Sewer Department's expenditures were up a little, due to the fact that the City booked two and one-half (2 ½) weeks of billing back into the present year. City Manager Parker added that during the winter, when usage was usually down, the City was really on target, and that the Water and Sewer Department would end the year with revenues a little higher than expected. City Manager Parker stated that the Solid Waste Department and the City's other departments were in good condition at the present time.

City Manager Paul Parker stated that he wouldn't go through the complete Project Status Report unless there was a specific project that the Council had interest in. City Manager Parker pointed out that the Zoo Circle Project would be completed in approximately three (3) weeks. City Manager Parker added that the project was going quite well, and that the project should be finished before the school bus tours began in March, April and May. City Manager Parker stated that he would answer any questions that the City Council had regarding any project or financials for the City of Lufkin.

Mayor Gorden asked if there were any questions or comments from the Council. Councilmember Don Langston asked if any of the projects were in trouble at the current time. City Manager Parker stated that none of the projects were in trouble and that all were currently on schedule. City Manager Parker added that the City was waiting for the last easement on the right-of-way from the Railroad on Moffett Road. City Manager Parker explained that the project hadn't started because of one (1) parcel with ANRA. City Manager Parker stated that he and City Attorney Bruce Green had met with representatives with ANRA and their attorneys during the previous week. City Manager added that the City would have to abandon the portion of Moffett Road that was over the railroad. City Manager Parker stated that this was the only thing holding up any project for the City at the current time. City Manager Parker stated that several people were making a trip to look at comparable fire stations and that project would go forth. City Manager Parker added that the Civic Center Project was moving along, and that the project had been turned over to the architects, and was waiting on the architects to complete the design for bids. City Manager Parker stated that hopefully the parking lot would be bid within the next month. City Manager Parker added that the parking lot had to be built before the Civic Center could be renovated.

Deputy City Manager Keith Wright stated that there had been an issue with Sellers Street, and that the subgrade would have to be modified. City Manager Parker stated that Sellers Street was the street in front of Aspen Power, and that whenever the project was started there was quite a bit of fill that did not show up on the bore testing. City Manager Parker explained that there were several voids found in that street, and that there would be an engineering design to bridge those voids and that had been sent to the State for their approval. City Manager Parker added that Staff was waiting on a price from the contractor on the change order. Deputy City Manager Wright stated that the good news was there was quite a bit of money left in that project grant that should cover it. City Manager Parker added that the modifications would be covered by the Texas Capitol Fund Grant. Mayor Jack Gorden stated that the grant was the only Texas Capitol Fund Grant that the Lufkin community had ever received and that the City was proud to get it.

Mayor Gorden asked if there were any other questions or comments from the Council. There were none.

9. PRESENTATION BY FIRE CHIEF DANNY KISTNER

Mayor Jack Gorden stated that the next item for consideration was a presentation by Fire Chief Danny Kistner. Mayor Gorden stated that the last time that Fire Chief Kistner had an item on the City Council Meeting Agenda it was discussed that Chief Kistner should come back with his view of the future of the Lufkin Fire Department. Mayor Gorden added that he hoped that Chief Kistner's view would be the view for all of the Council as well.

City Manager Paul Parker stated that sometimes the Council knew the principal things that a City department did, but may not always know the true work. City Manager Parker added

that often a person thought of fire trucks and ambulances when thinking of a fire department, but that there were many things that the employees in the Fire Department did that were part of the operations, outside of just the fire trucks and ambulance runs. City Manager Parker stated that he thought the Council would enjoy the presentation, and that during the next month Staff planned for the Police Department to do a similar type of presentation and then several other departments would follow after that. City Manager Parker added that the Council would see the videos from Videographer Randy Cadwell during the Fire Chief's presentation. City Manager Parker then turned the meeting over to Fire Chief Danny Kistner.

Fire Chief Danny Kistner thanked the Mayor and Council for the opportunity to do something that he really enjoyed doing, and that was bragging on the Fire Department. Chief Kistner then proceeded to give his vision of the Lufkin Fire Department from the past, present and into the future.

Chief Kistner then went through the Fire Department's objectives, mission statement and overview of the positions in the department. Chief Kistner then explained what the different positions did and the scope of their work. Chief Kistner gave examples of the Lufkin Fire Department's strengths, weaknesses and opportunities for improvements in the future. Chief Kistner then explained the different types of threats that fire department's face. Fire Chief Kistner gave the Fire Department's historical response plan, 2010 response summary and strategic goals. Chief Kistner then had Firefighter Steve Reeves demonstrate the type of gear that the firemen used and what it took to put on the gear. Chief Kistner explained that every Monday the firefighters had to go through a drill where they had to put on all of the gear. Chief Kistner explained that the reason the firefighters did this was because they needed to be trained and ready to be out of the fire station within one (1) minute. Firefighter Steve Reeves then demonstrated and explained the thermal imaging camera used by the firefighters when fighting a fire.

Chief Kistner then showed a video simulating a structure fire, and what took place from the time the fire was reported until the firefighters leave and seal off the sight for future investigation. Chief Kistner then went through the organizational chart for the Fire Department. Chief Kistner explained some of the changes and improvements that had been recently implemented by the department. Emergency Medical Services (EMS) Coordinator Jimmy Ragsdale then narrated as Emergency Medical Technicians (EMT) performed a CPR demonstration. Chief Kistner then explained the emergency medical services elements of patient care. Chief Kistner then showed slides of the different types of medical equipment that was used by the Fire Department Staff. Chief Kistner explained the different types of transports that were typical of an ambulance run. Chief Kistner went over the response summary for the Fire Department and statistics on fire calls, training hours, public education events, fire marshal plan reviews, fire marshal inspections, fire marshal active fire investigations and EMS responses.

Fire Chief Danny Kistner then showed a video of a hazmat event. Chief Kistner explained the strategic goals for the Fire Department which included a Lufkin Fire Master Plan, City Council Public Safety Committee, Land Development Process, ISO Grading Improvement and Lufkin Fire Professional Development. Chief Kistner then utilized a map to show the City's fire districts, station locations and location of the proposed new fire station. Chief Kistner then stated that he would answer any questions that the Mayor and City Council had regarding the Fire Department and his presentation.

Mayor Gorden complemented Chief Kistner on his presentation and stated that the Council was impressed that Chief Kistner was trying to reach some of the Fire Department's goals by being more cost efficient. Councilmember Don Langston requested that Chief Kistner put some of the requests on paper so that the Council would be able to read and absorb the information and develop questions for the Chief. Councilmember Langston added that the Council wanted to get the vision of the Fire Chief so that the Council could ask questions or tweak the vision as needed. Councilmember Lynn Torres stated that the presentation was excellent and thanked Chief Kistner. Councilmember Torres also thanked Woodland Heights for providing the fire department with the new field monitors that had recently been used on a family member. Mayor Gorden pointed out that there were representatives from Woodland Heights in the audience, and publicly thanked them for the donation and investment in the Lufkin community. Councilmember Phil Medford thanked Chief Kistner for all of the work done on the presentation and added that it was educational and informative. Mayor Gorden

stated that everyone was not aware, but that Fire Chief Kistner was on the Board of International Association of Fire Chiefs Safety, Health and Survival Section.

City Manager Paul Parker also complemented Chief Kistner and the Fire Department on their level of service and professionalism. City Manager Parker added that there were challenges for the department, but that there had been several changes that were helping to improve efficiency, add equipment and adjust salaries and benefits.

10. PURCHASE OF A NEW FIRE RESCUE VEHICLE IN THE AMOUNT OF FOUR HUNDRED EIGHTY THOUSAND SIX HUNDRED DOLLARS (\$480,600), FROM MARTIN APPARATUS, INC., - APPROVED - THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, OR HGAC AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2010/2011 OPERATING BUDGET (BUDGET AMENDMENT NO. 13), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE 2010 CAPITAL IMPROVEMENTS FUND AND THE EQUIPMENT ACQUISITION AND REPLACEMENT FUND; AND PROVIDING AN EFFECTIVE DATE

Mayor Jack Gorden stated that the next item for consideration was the purchase of a new Fire Rescue Vehicle in the amount of four hundred eighty thousand six hundred dollars (\$480,600), from Martin Apparatus, Inc., through the Texas Local Government Purchasing Cooperative, or HGAC and a Resolution authorizing an amendment to the 2010/2011 Operating Budget (Budget Amendment No. 13), providing for the supplemental appropriation of funds in the 2010 Capital Improvements Fund and the Equipment Acquisition and Replacement Fund; and providing an effective date.

City Manager Paul Parker stated that one of the slides in Fire Chief Kistner's presentation showed the Fire Department's Fire Rescue Vehicle. City Manager Parker added that whenever Staff had first brought the request to Council to replace the vehicle they had inadvertently picked up the wrong mileage on the vehicle. City Manager Parker explained that instead of seventy-five thousand (75,000) miles that had previously been reported as the vehicle's mileage, the vehicle actually had one hundred fifty-five thousand nine hundred (155,900) miles on it. City Manager Parker stated that another consideration regarding the vehicle was the amount of hours that the vehicle actually ran, rather than just the mileage. City Manager Parker stated that Staff recommended that the Council use funding to replace the current Fire Rescue Vehicle with a new Heavy Rescue Vehicle. City Manager Parker added that the old vehicle had pumper capability, and that the new vehicle would not, but would be a true rescue vehicle. City Manager Parker stated that four hundred fifty thousand dollars (\$450,000) was budgeted in the Amortization Fund for the replacement of the unit, and that fifty thousand dollars (\$50,000) was budgeted for a new brush truck. City Manager Parker stated that the City received a Texas Intrastate Fire Mutual Aid System grant for the brush truck, which was on order. City Manager Parker explained that the total amount of funds that had been appropriated for the vehicles was in the amount of five hundred thousand dollars (\$500,000). City Manager Parker added that the purchase of the new Heavy Rescue Vehicle would be in the amount of four hundred eighty thousand six hundred dollars (\$480,600). City Manager Parker stated that Staff recommended that the City Council approve Budget Amendment No. 13, which would combine the funding for the brush truck and the Heavy Rescue Vehicle, which would be more than sufficient for the purchase of Heavy Rescue Vehicle in the amount of four hundred eighty thousand six hundred dollars (\$480,600).

Mayor Gorden asked for questions or comments from the Council. There was some discussion among the Council, City Manager and Staff regarding the Heavy Rescue Vehicle.

Councilmember Lynn Torres moved to approve the purchase of a new Fire Rescue Vehicle in the amount of four hundred eighty thousand six hundred dollars (\$480,600), from Martin Apparatus, Inc., through the Texas Local Government Purchasing Cooperative, or HGAC and a Resolution authorizing an amendment to the 2010/2011 Operating Budget (Budget Amendment No. 13), providing for the supplemental appropriation of funds in the 2010 Capital Improvements Fund and the Equipment Acquisition and Replacement Fund; and providing an effective date. Councilmember Phil Medford seconded the motion. A unanimous affirmative vote was recorded.

11. Mayor Jack Gorden recessed the Regular Session at 6:50 p.m. to enter into Executive Session.

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 reconvened the Regular Session at 7:23 p.m.

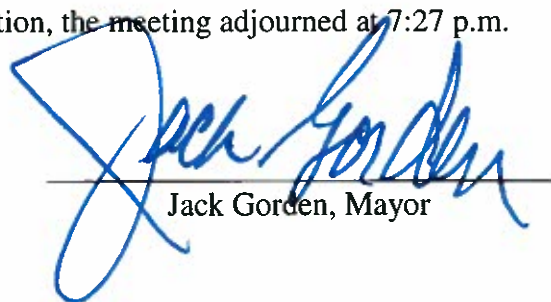
12. **DISCUSSION OF ITEMS OF COMMUNITY INTEREST, INCLUDING EXPRESSIONS OF THANKS, CONGRATULATIONS OR CONDOLENCE; INFORMATION REGARDING HOLIDAY SCHEDULES; HONORARY RECOGNITIONS OF CITY OFFICIALS, EMPLOYEES OR OTHER CITIZENS; REMINDERS ABOUT UPCOMING EVENTS SPONSORED BY THE CITY OR OTHER ENTITY THAT IS 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.

City Manager Parker stated that the First Friday Luncheon, featuring speakers Mayor Jack Gorden and Judge Wes Suiter, had been moved to Friday, March 4, 2011 at Crown Colony. City Manager Parker added that the Mayor and Judge would be bringing the annual "State of the City/County" Addresses at that meeting. City Manager Parker stated that the City Council Meetings for the month of March would be moved to March 8 and March 22, 2011.

13. There being no further business for consideration, the meeting adjourned at 7:27 p.m.


Renee Thompson – City Secretary


Jack Gorden, Mayor