

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS HELD ON THE 21st DAY OF JULY 2015.**

On the 21st day of July 2015, 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
Mark Hicks
Victor Travis
Robert Shankle
Rocky Thigpen
Sarah Murray
Keith Wright
Steve Floyd
Bruce Green
Kara Atwood
Rodney Ivy
David Thomas
Ted Lovett
Belinda Southern
Dorothy Wilson
Steve Poskey
Mike Akridge
Barbara Thompson
Jason Arnold
Dale Allred
Chuck Walker
Thad Chambers
Tara Watkins

Mayor
Mayor Pro Tem
Councilmember, Ward No. 1
Councilmember, Ward No. 2
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
Assistant City Manager
City Attorney
City Secretary
Human Resources Director
Assistant Police Chief
Fire Chief
Finance Director
Planning Director
Street Department Director
Parks & Recreation Director
Main Street Director
Water & Sewer Director
Inspection Services Director
Public Works Director
Economic Development Director
LCVB Director

being present when the following business was transacted,
and;

Lynn Torres

Councilmember, Ward No. 3

being absent.

1. The meeting was opened with prayer by Pastor Mark Wilke, Carpenter's Way Baptist Church.
2. Mayor Bob Brown welcomed visitors present.
3. **MINUTES OF THE REGULAR COUNCIL MEETING HELD JULY 7, 2015-
APPROVED**

Minutes of the Regular Council Meeting on July 7, 2015 were approved on a motion by Councilmember Sarah Murray and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded.

OLD BUSINESS:

4. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE
ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, CHANGING THE
ZONING TO "COMMERCIAL" FOR PROPERTY DESCRIBED AS 418 NORTH
MEDFORD DRIVE-APPROVED**

City Manager Keith Wright stated that during the City Council meeting of February 17, 2015, City Council approved the annexation of 418 North Medford Drive (3.39 acres) into the City limits. City Manager Wright furthered that the purpose of the proposed zone change request was to create one unified zone of "Commercial." City Manager Wright concluded that Staff recommended City Council conduct the Public Hearing and approve the Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas changing the zoning to

“Commercial” for property described as 418 North Medford Drive (5528 Peltier Addition, Block 1, Lot 1).

Mayor Bob Brown opened the Public Hearing at 5:30 pm. There were no comments from the public.

The Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, changing the zoning to “Commercial” for property described as 418 North Medford Drive (5528 Peltier Addition, Block 1, Lot 1) was approved on a motion by Councilmember Robert Shankle and seconded by Councilmember Sarah Murray. A unanimous affirmative vote was recorded.

5. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “COMMERCIAL” FOR PROPERTY DESCRIBED AS 4110 AND 4208 SOUTH FIRST STREET-APPROVED**

City Manager Keith Wright stated that the applicant, Lufkin Travel Plaza, has requested a change of zoning from “Planned Unit Development” to a zoning classification of “Commercial” for this property which is adjacent to South First Street. City Manager Wright concluded that the Planning & Zoning Commission had unanimously recommended approval of this request. City Manager Wright stated that Staff recommended City Council conduct a Public Hearing and approve an Ordinance on Second Reading changing the zoning designation to “Commercial” for property located at 4110 and 4208 South First Street (Blount, L.F., Block 1, Lot 4.2, 5.2, 6.3, and 6.2).

Mayor Bob Brown opened the Public Hearing at 5:05 pm. There were no comments from the public.

The Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, changing the zoning to “Commercial” for property described as 4110 and 4208 South First Street (Blount, L.F., Block 1, Lot 4.2, 5.2, 6.3, and 6.2) was approved on a motion by Councilmember Robert Shankle and seconded by Councilmember Sarah Murray. A unanimous affirmative vote was recorded.

NEW BUSINESS:

6. **AWARD OF BID TO DOCKS UNLIMITED, LLC IN THE AMOUNT OF \$42,767 FOR THE RECONSTRUCTION OF A FISHING PIER AT JONES LAKE-APPROVED**

City Manager Keith Wright stated that during the City Council meeting of April 7, 2015, several Capital Improvement Projects were approved completion, including the fishing pier at Jones Lake. City Manager Wright stated that the original pier was removed due to safety concerns from wear and tear. City Manager Wright continued that Staff determined that an aluminum floating pier would be more suitable than the construction of a fixed pier on pilings and would also be in compliance with the American Disability Act (ADA) standards.

City Manager Wright furthered that only one bid was submitted from Docks Unlimited, LLC in the amount of forty two thousand seven hundred sixty seven dollars (\$42,767). City Manager Wright explained that the amount budgeted for this project was forty thousand dollars (\$40,000), but Docks Unlimited, LLC had agreed to allow City Staff to perform some of the work in order to reduce the cost below the budgeted amount.

City Manager Wright concluded that Staff recommended City Council approve an award of bid to Docks Unlimited, LLC in the amount of \$42,767 for the reconstruction of a fishing pier at Jones Lake.

The award of bid to Docks Unlimited, LLC in the amount of \$42,767 for the reconstruction of a fishing pier at Jones Lake was approved on a motion by Councilmember Robert Shankle and seconded by Councilmember Sarah Murray. A unanimous affirmative vote was recorded.

7. **AWARD OF BID TO PERMA-LINER INDUSTRIES, LLC IN THE AMOUNT OF \$215,200.72 FOR THE MARTIN LUTHER KING, JR. BOULEVARD DRAINAGE CULVERT RECONSTRUCTION PROJECT-APPROVED**

City Manager Wright stated that culverts on Martin Luther King Jr. Blvd near the Brookshire Brother's Warehouse were rusted through on the bottom. City Manager Wright explained that recent innovations in cured-in-place piping would be more efficient than closing the street in order to remove the road and culverts for replacement.

City Manager Wright continued that only one bid was received from Perma-Liner Industries, LLC in the amount of two hundred fifteen thousand two hundred dollars and seventy two cents (\$215,200.72). City Manager Wright stated that this bid was below the project budget of two hundred sixteen thousand seven hundred dollars (\$216,700). City Manager concluded that Staff recommended City Council award a bid in the amount of \$215,200.72 to Perma-Liner Industries, LLC for the reconstruction of the drainage culverts on Martin Luther King, Jr. Boulevard.

Councilmember Victor Travis asked what the life expectancy of the product was and if this product had been used in other projects. City Manager Wright responded that cured-in-place piping would outlast traditional culvert materials and that this product had been used in water and sewer lines. Councilmember Sarah Murray asked how long the material would last. Public Works Director Chuck Walker responded that the material would last for one hundred years (100) and Perma-Liner Industries, LLC had a guarantee for fifty years (50).

The award of a bid in the amount of \$215,200.72 to Perma-Liner Industries, LLC for the reconstruction of the drainage culverts on Martin Luther King, Jr. Boulevard was approved on a motion by Councilmember Sarah Murray and seconded by Councilmember Robert Shankle. A unanimous affirmative vote was recorded.

8. **APPOINTMENT TO THE PARKS & RECREATION ADVISORY BOARD-APPROVED**

City Manager Wright stated that Parks Advisory Board member Jeff Todd recently resigned from his position on the board due to being appointed to the 4B/Economic Development Board. City Manager Wright showed Council the lone applicant for the position, Don Schultheis.

Don Schultheis was appointed to the Parks and Recreation Advisory Board on a motion by Councilmember Mark Hicks and seconded by Councilmember Victor Travis. A unanimous affirmative vote was recorded.

9. **CITY MANAGER'S REPORT**

City Manager Keith Wright highlighted trends and issues in the General Fund, Water & Sewer Fund, and Solid Waste Fund. City Manager Wright discussed projections for the funds this year. City Manager Wright touched on the Capital Improvement Project Status Report and stated that Staff would return more Capital Improvement Project requests to City Council in the near future for Fund 314.

Councilmember Sarah Murray questioned when the street overlay program would reach the streets in Ward No. 6. City Manager Wright responded that the Street Department was finishing up other streets in the City and would be in Ward No. 6 before the end of summer. Councilmember Mark Hicks asked if Lufkin Avenue from the Downtown Post Office to the Downtown Fire Station area would ever be overlaid. City Manager Wright responded that there was a unique storm drain under that street that would need to be address before a street overlay.

10. **REVIEW AND DISCUSSION OF PROPOSED ORDINANCE REGULATING VENDORS AND SOLICITORS WITHIN THE CITY OF LUFKIN**

City Manager Keith Wright stated this proposed Ordinance would be an update to the current policy, and this revised Ordinance would treat Vendors and Solicitors differently. City Manager Wright elaborated that Vendors are in a fixed location and customers come to them, whereas Solicitors go door-to-door to residences and businesses for their sales, and therefore more restrictions are needed for Solicitation. City Manager Wright continued that other issues would be cleaned up through this Ordinance, including the issue of Interstate Commerce and Vendors for City events would be exempted from permit requirements. City Manager Wright noted that

the fees associated with the Vendor and Solicitor Permit would not change, but that this Ordinance would aim to treat Vendors and Solicitors differently.

Councilmember Sarah Murray asked what category the puppy salespeople were in. City Secretary Kara Atwood responded that the animal salespeople were considered Vendors in this Ordinance, because they normally set up for business in one temporary location and the animals were considered a good. Councilmember Murray furthered that the animal vendors do not pay sales tax. City Secretary Atwood added that this Ordinance would remedy that, because it would require proof of a Sales Tax ID in order to gain a City Solicitor's Permit.

Councilmember Robert Shankle questioned the hours of operation for Vendors and Solicitors. City Secretary Atwood confirmed the hours of operation for both parties.

Mayor Bob Brown asked if this Ordinance would be advertised in the Lufkin Daily News. City Secretary Atwood responded that since it was a Penal Ordinance it would not go into effect until ten (10) days after the date of publication.

City Manager Wright stated that tonight this Ordinance was only up for discussion and suggestions from City Council. The proposed Ordinance would be included for a First Reading and Public Hearing at the next Council meeting if Councilmembers agreed to move forward.

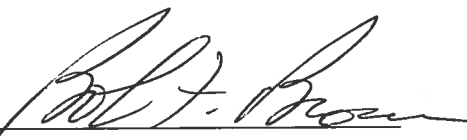
11. **ITEMS OF COMMUNITY INTEREST FROM MAYOR, CITY COUNCILMEMBERS, AND STAFF**

City Manager Keith Wright highlighted various upcoming City and community events including the City Council Budget Retreat on July 28th at Kurth Lake Lodge.

Councilmember Robert Shankle thanked everyone who participated in the July 20th Town Hall Meeting.

Mayor Bob Brown wished Councilmember Rocky Thigpen a Happy Birthday.

12. There being no further business to discuss the meeting was adjourned at 5:25 pm.


Bob F. Brown, Mayor


Kara Atwood, City Secretary

