

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY  
OF LUFKIN, TEXAS HELD ON THE 15<sup>TH</sup> DAY OF MARCH 2016.**

On the 15<sup>th</sup> day of March, 2016 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  
Robert Shankle  
Lynn Torres  
Rocky Thigpen  
Sarah Murray  
Keith Wright  
Steve Floyd  
Bruce Green  
Kara Atwood  
Rodney Ivy  
David Thomas  
Ted Lovett  
Belinda Southern  
Dorothy Wilson  
Steve Poskey  
Barbara Thompson  
Jason Arnold  
Dale Allred  
Sid Munlin  
Chuck Walker  
Kent Havard

Mayor  
Mayor Pro Tem  
Councilmember Ward No. 2  
Councilmember Ward No. 3  
Councilmember, Ward No. 5  
Councilmember, Ward No. 6  
City Manager  
Assistant City Manager  
City Attorney  
City Secretary  
Human Resource Director  
Asst. Police Chief  
Fire Chief  
Finance Director  
Planning Director  
Street Department Director  
Main Street Director  
Water & Sewer Director  
Inspection Services Director  
IT Director  
Public Works Director  
Solid Waste Director

being present; and

Victor Travis

Councilmember, Ward No. 2

being absent when the following business was transacted.

1. The meeting was opened with prayer by Elder Mike Nance of Central Church of Christ.
2. Mayor Bob F. Brown welcomed visitors present.
3. **MINUTES OF THE COUNCIL REGULAR COUNCIL MEETING HELD  
MARCH 1<sup>ST</sup>, 2016 - APPROVED**

Councilmember Lynn Torres moved to approve the minutes of the meeting as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

4. **PRESENTATION OF THE TREE CITY USA CERTIFICATION**

Maegan Prejean, Executive Director of Angelina Beautiful Clean explained the concept of what it meant to be recognized as a Tree City USA community and introduced Todd Nightingale, District Forester for the Texas A & M Forest Service. Todd Nightingale congratulated the City of Lufkin for being recognized the 26<sup>th</sup> consecutive year as a Tree City USA community. Todd Nightingale listed the core values that defined sound urban management and recognized the Tree Board Members present at the Lufkin City Council meeting. Todd Nightingale concluded the award and presented a flag.

**OLD BUSINESS**

5. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE  
AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS  
BY CHANGING THE ZONING TO "COMMERCIAL"; ESTABLISHING A**

**SPECIAL USE PERMIT FOR A VETERINARY HOSPITAL AND CHANGING THE FUTURE LAND USE MAP DESIGNATION TO "COMMERCIAL" FOR 2.947 ACRES OF PROPERTY ADDRESSED AS 612 LARGENT STREET - APPROVED**

City Manager Wright stated the owners, 2007 Timberlands, LTD and representative, Cragg Todd, requested a zone change from "Residential Large Single Family Dwelling" to "Commercial" with a Special Use Permit for a "Veterinary Hospital" for the purpose of building and operating a veterinary clinic at the site. City Manager Wright stated the site was on Largent Street. City Manager Wright furthered that the site currently was forested with a small house that would be demolished prior to construction and approximately one-third of the site would be used for the Veterinary Hospital and the remainder of the site would be available for future development. City Manager Wright stated that the Future Land Use map classified the subject property as "Office" and added that north, south, east and west of the subject property was "Office" while west of the site was "Low Density Residential". City Manager Wright furthered that the current zone did not permit the property to be used for a veterinary hospital without a zone change and a Special Use Permit for the same. City Manager Wright furthered that many of the properties on Largent Street were used for commercial purposes and stated that the area had transitioned away from residential uses. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve the Second Reading of the Ordinance changing the zoning to "Commercial" for 2.947 acres of property addressed as 612 Largent Street, approving the Special Use Permit and changing the Future Land Use Map designation.

Mayor Brown opened the floor to public comment at 5:05 p.m. There was none.

Councilmember Lynn Torres moved to approve the Ordinance as presented. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

**6. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING ORDINANCE NO. 4666 ESTABLISHING POLLING PLACE LOCATIONS FOR THE MAY 7, 2016 CITY OF LUFKIN GENERAL ELECTION - APPROVED**

City Manager Wright stated the Ordinance amended Ordinance No. 4666 which called and ordered the May 7, 2016 City of Lufkin General Election for the purpose of electing councilmembers for Ward No. 1 and Ward No. 3 by designating the Election Day polling places. City Manager Wright furthered that Lufkin City Hall would be the polling place on Election Day for Ward No. 1 and the main lobby of the Lufkin Middle School would serve as the Election Day polling place for Ward No. 3. City Manager Wright concluded that Staff recommended City Council approve the Ordinance designating Election Day polling places for the upcoming City of Lufkin General Election.

Councilmember Rocky Thigpen moved to approve the Ordinance as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

**NEW BUSINESS**

**7. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, ORDERING A CERTIFICATION ELECTION TO DETERMINE WHETHER THE LUFKIN PROFESSIONAL FIREFIGHTERS ASSOCIATION REPRESENTS A MAJORITY OF THE AFFECTED FIREFIGHTERS IN REGARD TO MEET AND CONFER - APPROVED**

City Manager Wright stated that the City received a Petition for Recognition of the Lufkin Professional Firefighters' Association on March 7, 2016. City Manager Wright furthered that the Petition was a request by the City of Lufkin to have its group formally recognized as the sole and exclusive bargaining agent for all the firefighters employed by the City, excluding the head of the fire department and the exempt employees. City Manager Wright stated that action was the normal precursor to any Meet and Confer

agreement that might occur between local firefighters and the City. City Manager Wright furthered that when a city received such a petition, Texas Local Government Code 142.103 required that the City respond not later than the 30th day after the date the governing body received the petition. City manager Wright furthered that the 30<sup>th</sup> day was of March 15, 2016. City Manager Wright stated that according to Texas Local Government Code Chapter 142.103 (a), the City Council could do one of three things: grant recognition of the association as requested in the petition and determine by majority vote of the Council whether the City may meet and confer under Chapter 142 without conducting an election by the voters in the City; defer granting recognition of the association and order an election by the voters in the City regarding whether the City may meet and confer under Chapter 142; or order a certification election under Section 142.104 to determine whether the association represented a majority of the affected firefighters. City Manager Wright stated that the City Council received a similar petition from the Lufkin Police Association in 2008 and the Council at that time certified an election to determine whether the association represented a majority of the police officers. City Manager Wright furthered that a certification confirmed, as a matter of record, that all affected police officers or firefighters had an opportunity to vote for a particular association, did in fact vote, and that a certified majority of the affected officers or firefighters did support the particular association. City Manager Wright stated that if the City Council decided to adopt the attached Resolution, it would follow the same procedure it followed with the Lufkin Police Department in 2008. Under Texas Local Government Code Section 142.104, the proposed association and City administration agreed on procedures for the certification election. City Manager Wright furthered that an election would then be conducted and the results would be certified to the City Council at a future meeting. City Manager Wright stated that the proposed association was liable for expenses of the certification election and if any such expenses incurred. City Manager Wright concluded that Staff recommended City Council consider a Resolution ordering a certification election to determine whether the Lufkin Professional Firefighters Association represented a majority of the affected Firefighters in regard to Meet and Confer.

Councilmember Lynn Torres moved to approve the Resolution as presented. Councilmember Sarah Murray seconded and a unanimous vote to approve was recorded.

**8. RESOLUTION APPROVING AN INTERLOCAL COOPERATION CONTRACT BETWEEN THE CITY OF LUFKN AND THE TEXAS DEPARTMENT OF PUBLIC SAFETY REGARDING THE LEASE OF PROPERTY FOR OFFICE SPACE LOCATED AT 2815 SOUTH JOHN REDDITT DRIVE - APPROVED**

City Manager Wright stated that attached for City Council review was a proposed resolution approving an Interlocal Cooperation Contract between the Texas Department of Public Safety ("DPS") and the City of Lufkin for office space in the old Fire Station located at 2815 South John Redditt. City Manager Wright furthered that the contract granted the DPS the exclusive use of the property to make improvements for use as office space. City Manager Wright stated that DPS was out of such space in its current facilities and needed the extra space at a location in close proximity to its present facilities. City Manager Wright furthered that all costs of renovations would be borne by DPS; and that DPS would pay for its utilities, telephone and internet services, and any janitorial or landscaping services necessary directly to the provider of such services. City Manager Wright stated that DPS would also be responsible for all minor and major maintenance and repairs of the premises during the term of the Contract and that the term was for ten (10) years and could be terminated during that initial term. City Manager Wright furthered that the Interlocal Contract called for no lease payments to the City of Lufkin. City Manager Wright concluded that Staff recommended City Council approve a Resolution approving an Interlocal Cooperation Contract with the Texas Department of Public Safety for the lease and use of the property located at 2815 South John Reddit Drive, that previously housed Fire Station No. 2.

Councilmember Lynn Torres moved to approve the Resolution as presented. Councilmember Rocky Thigpen seconded and a unanimous vote to approve was recorded.

**9. TEXAS LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION (LEOSE) GRANT TO THE LUFKIN FIRE DEPARTMENT IN THE AMOUNT OF \$909.74 AND APPROVAL OF A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 8 APPROPRIATING THE FUNDING – APPROVED**

City Manager Wright stated that the Lufkin Fire Department had received grant funding in the amount of \$909.74 from the Texas Law Enforcement Officer Standards and Education (LEOSE) grant program. City Manager Wright further stated the funds would be used for educational training opportunities. City Manager Wright concluded that Staff recommended City Council accept the funding and approve a Resolution authorizing Budget Amendment No. 8, appropriating the funding in the Fire Prevention Training Budget.

Lynn Torres moved to approve the Resolution as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

**10. AWARD OF BID TO OTIS ELEVATOR IN THE AMOUNT OF \$99,750 FOR THE REPLACEMENT OF THE CITY HALL ELEVATORS – APPROVED**

City Manager Wright stated that the City Hall elevators were installed in the mid 1980's and had become unreliable over the last several years, causing much down time and in a few cases entrapping riders in the cars. City Manager Wright furthered that due to the age of the equipment it had become more difficult to find service parts to keep the equipment running efficiently without interruption of service. City Manager Wright stated that the elevators also generated a significant amount of noise, especially in Council Chambers when in service due to the hydraulic lines being located directly above Council Chambers. City Manager Wright furthered that Staff had received bids for the replacement or modification of the elevators on March 3, 2016, with two (2) bids being received and that the apparent low bidder was Otis Elevator in the amount of \$99,750. City Manager Wright stated that the bid was \$6,000 over the amount estimated; however, the funding was available and that the bid included the rerouting of the lines to reduce the noise as well as bring the elevators into compliance with Texas Accessibility Standards. City Manager Wright concluded that Staff recommended City Council award a bid to Otis Elevator in the amount of \$99,750 for the replacement of the City Hall elevators.

Councilmember Rocky Thigpen moved to approve the bid as presented. Councilmember Mark Hicks seconded the motion and a unanimous vote to approve was recorded.

**11. PURCHASE OF A SIDE-BOOM MOWER IN THE AMOUNT OF \$98, 673.03 FOR THE STREET DEPARTMENT – APPROVED**

City Manager Wright stated that the 2015-16 Amortization Schedule had a side-boom mower scheduled for replacement for the Street Department. City Manager Wright furthered that the tractor would replace a 2001 model that was used for mowing and maintaining steep grades and ditches that could not be reached with a traditional brush hog type mower. City Manager Wright stated that pricing had been secured through the Texas Association of School Boards (TASB) from Fish & Still of Lufkin for the tractor at a cost of \$46,967.03 and the mower attachment pricing had been secured through Buy Board from Triple Blade and Steel of Forney, Texas, for \$51,706, for a combined total of \$98,673.03. City Manager Wright stated that the price included all fees associated with the various State contracts and Funding was available in the Amortization Schedule for the purchase. City Manager Wright furthered that Staff recommended City Council approve the purchase of one (1) John Deere 6105D tractor from Fish & Still Lufkin for the amount of \$46,967.03 and one (1) mower attachment from Triple Blade and Steel for the amount of \$51,706. City Manager Wright concluded that upon receipt of the new unit the existing mower would be sold through the auction process.

Councilmember Mark Hicks moved to approve the purchase as presented. Councilmember Rocky Thigpen seconded and a unanimous vote to approve was recorded.

**12. CITY MANAGER REPORT**


City Manager Wright reviewed funds and offered to answer questions about the report. There were none.

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

City Manager Wright highlighted upcoming events and meetings.

14. There being no more business to address the meeting was adjourned at 5:26 p.m.



  
Mark Hicks, Mayor Pro Tem

ATTEST:

  
Kara Atwood, City Secretary