

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 7<sup>th</sup> DAY OF AUGUST, 2018.**

On the 7<sup>th</sup> day of August, 2018 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
Guessippina Bonner	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Rocky Thigpen	Councilmember, Ward No. 5
Sarah Murray	Councilmember, Ward No. 6
Keith Wright	City Manager
Bruce Green	Deputy City Manager/City Attorney
Jason Arnold	Assistant to the City Manager
Seth Elmore	Assistant City Attorney
Kara Andrepont	City Secretary
David Thomas	Police Chief
Ted Lovett	Fire Chief
Duane Freeman	Asst. Fire Chief
Belinda Melancon	Finance Director
Dorothy Wilson	Planning Director
Kevin Gee	Engineering Services Director
Mike Akridge	Parks & Recreation Director
Barbara Thompson	Main Street Director
Sid Munlin	Information Technology Director
Kent Havard	Solid Waste Director
Bob Samford	Economic Development Director
Taylor Commiato	LCVB Director

being present; and

Mark Hicks

Mayor Pro Tem

being absent when the following business was transacted.

1. The meeting was opened with prayer by Pastor Dan Grenier with Central Church of Christ.
2. Mayor Bob F. Brown welcomed visitors present.
3. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 17, 2018 – APPROVED**

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

4. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO “COMMERCIAL” AND THE FUTURE LAND USE MAP DESIGNATION TO “CORRIDOR COMMERCIAL” FOR PROPERTY ADDRESSED AS 312 SYBIL STREET - APPROVED**

City Manager Wright directed the Council’s attention to the map that showed the location of the property being considered for the zone change. City Manager Wright furthered that the applicant, Michael G. Parker, has requested the zone change in order for the owner to enlarge his existing business, Earth and Stone, as well as alleviate traffic by using Sybil Street for entrance and exit to the business. City Manager Wright continued that the request was unanimously approved by the Planning and Zoning Commission during the meeting of July 9, 2018. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve on Second Reading an Ordinance changing the

zoning to “Commercial” and the Future Land Use designation to “Corridor Commercial” on property known as 312 Sybil Street.

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 moved to comments from the City Council. There were none.

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

**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” AND THE FUTURE LAND USE MAP DESIGNATION TO “CORRIDOR COMMERCIAL” FOR PROPERTY ADDRESSED AS 3640 AND 3642 EAST DENMAN AVENUE - APPROVED**

City Manager Wright explained the location of the property as shown on the map. City Manager Wright continued that the owner, Robert Ray, had requested the zone change to “Commercial” on 4.1 acres of land addressed as 3640 and 3642 East Denman Avenue. City Manager Wright furthered that the request was to allow for expansion of the existing daycare and the construction of new warehouse space. City Manager Wright stated that the request was unanimously approved by the Planning and Zoning Commission during the meeting of July 9, 2018. 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” and the Future Land Use map designation to “Corridor Commercial” for property addressed as 3640 and 3642 East Denman Avenue.

Mayor Brown opened the Public Hearing at 5:06 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City Council.

Councilmember Guessippina Bonner moved to approve the Ordinance as presented. Councilmember Sarah Murray clarified the designation of “Corridor Commercial”. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

**6. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO “RESIDENTIAL MEDIUM SINGLE FAMILY DWELLING” AND FUTURE LAND USE MAP DESIGNATION TO “MEDIUM DENSITY RESIDENTIAL” FOR PROPERTY ADDRESSED 215, 217, AND 219 LANE DRIVE AND 226, 304, 306, 308 AND 310 MOTT DRIVE - APPROVED**

City Manager Wright stated that the properties included were shown on the map and highlighted the lots that would be developed and their surrounding location. City Manager Wright continued that the applicant wished to develop the properties as residential homes. City Manager Wright stated that this request was also unanimously approved by the Planning and Zoning Commission during the July 9, 2018 meeting. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve the Second Reading changing the zoning and Future Land Use Map designation as requested for the subject properties.

Councilmember Guessippina Bonner clarified the intention for one of the large parcels included in the request. Mayor Brown opened the Public Hearing at 5:09 p.m. Mike Parker answered questions regarding the proposed plans for the lots and access to the same. There being no one else who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City Council.

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

**7. SECOND READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS REPEALING PENAL ORDINANCE NO. 44 AND NO. 174A REGARDING THE DISCHARGE OF WEAPONS IN THE CITY OF LUFKIN - APPROVED**

City Manager Wright stated Staff recommended City Council approve the Second Reading of the Ordinance repealing those Ordinances dealing with the discharge of weapons in the City of Lufkin, which would allow for this to be governed by State law.

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

**8. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2017-2018 OPERATING BUDGE (BUDGET AMENDMENT NO. 17) APPROPRIATING THE FUNDING - APPROVED**

City Manager Wright stated that the City appreciated the grant for these radios from the Kurth Foundation and recommended City Council approve the Second Reading of an Ordinance authorizing Budget Amendment No. 17 appropriating the funding.

Councilmember Robert Shankle moved to accept the grant and approve the Ordinance as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

**9. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2017-2018 OPERATING BUDGET (BUDGET AMENDMENT NO. 18) APPROPRIATING THE FUNDING - APPROVED**

City Manager Wright stated that Staff recommended that City Council approve the Second Reading of an Ordinance authorizing Budget Amendment No. 18 appropriating the funding.

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

**10. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO "DUPLEX DWELLING" ON PROPERTY ADDRESSED AS 206, 208, 210, 412, 414 AND 416 TROUT STREET - APPROVED**

City Manager Wright highlighted the location of the properties as shown on the corresponding maps as well as the surrounding properties. City Manager Wright continued that the owner requested the change in order to construct residential duplex dwellings. City Manager Wright described the zoning and use of surrounding properties and stated it was a popular area for residential rental units. City Manager Wright stated that the request was approved by the Planning and Zoning Commission during the meeting of July 23, 2018.

Mayor Brown opened the public hearing at 5:16 p.m. Beau Winston answered questions regarding the parking planned for the development posed by Councilmember Sarah Murray. There being no one further who wished to speak, Mayor Brown closed at 5:19 p.m.

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

**11. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO "RESIDENTIAL SMALL SINGLE FAMILY DWELLING" AND THE FUTURE LAND USE MAP DESIGNATION TO "MEDIUM DENSITY RESIDENTIAL" FOR PROPERTY ADDRESSED AS 408 CHURCH STREET - APPROVED**

City Manager Wright explained the location of the property and the uses of the surrounding property. City Manager Wright stated the owner and applicant intended to use the property for residential development. City Manager Wright continued that the Planning and Zoning Commission approved the request during the July 23, 2018 meeting. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve the First Reading of an Ordinance changing the zoning and Future Land Use Map designation as requested for property located at 408 Church Street.

Mayor Brown opened the Public Hearing at 5:21 p.m. There being no one else who wished to speak, Mayor Brown closed the Public Hearing. Councilmember Guessippina Bonner clarified which properties would be affected. Mr. Mike Parker clarified the affected properties and the zoning of the surrounding properties.

Councilmember Lynn Torres moved to approve the First Reading of the Ordinance. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

**12. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY GRANTING A SPECIAL USE PERMIT FOR A VOCATIONAL SCHOOL FOR PROPERTY ADDRESSED AS 3212 COLLEGE DRIVE – APPROVED**

City Manager Wright explained the location of the property and the surrounding properties and uses. City Manager Wright stated that the owner, C Oliver Investments, LLC currently operated a cosmetology school and wished to expand the existing location on the adjacent lot. City Manager Wright furthered that a Special Use Permit for a vocational school had been granted for the existing school in 2016. City Manager Wright stated this request was unanimously approved by the Planning and Zoning Commission on July 23, 2018. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve the First Reading of the Ordinance granting a Special Use Permit for a vocational school for property addressed as 3212 College Drive.

Mayor Brown opened the Public Hearing at 5:24 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and requested comments or questions from City Council.

Councilmember Guessippina Bonner moved to approve the Ordinance granting the Special Use Permit for a vocational school. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

**13. PUBLIC HEARING AND A RESOLUTION AUTHORIZING AN APPLICATION FOR THE 2018 U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT – APPROVED**

City Manager Wright stated that the Lufkin Police Department was once again applying for this grant in conjunction with the Angelina County Sheriff's Department in the amount of \$11,033. City Manager Wright continued the funds would be divided equally between both entities for the purchase of equipment and technology. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve the Resolution authorizing the application of the grant.

Mayor Brown opened the Public Hearing at 5:25 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and requested comments or questions from City Council.

Councilmember Robert Shankle moved to approve the Resolution as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

**14. PUBLIC HEARING AND A RESOLUTION AUTHORIZING AN APPLICATION FOR THE 2019 U.S. DEPARTMENT OF JUSTICE CANNABIS ERADICATION/SUPPRESSION PROGRAM GRANT – APPROVED**

City Manager Wright stated that the Lufkin Police Department requested to submit an application for a U.S. Department of Justice Cannabis Eradication/Suppression grant in the amount of \$32,000. City Manager Wright furthered that this funding would be used to assist with expenses such as travel, protective gear, equipment, training and overtime. City Manager Wright stated the grant required a public comment period and a resolution from City Council. City Manager Wright concluded Staff recommended City Council conduct a Public Hearing and approve the Resolution.

Mayor Brown opened the Public Hearing at 5:27 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing.

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

**15. ESTABLISHING AUGUST 21<sup>ST</sup>, SEPTEMBER 11<sup>TH</sup> AND SEPTEMBER 18<sup>TH</sup> AS CITY COUNCIL MEETING DATES TO CONDUCT PUBLIC HEARINGS, ESTABLISH A TAX RATE AND CONSIDER APPROVAL OF THE 2018-2019 FISCAL YEAR BUDGET FOR THE CITY OF LUFKIN – APPROVED**

City Manager Wright stated that per State law the City Council must establish these dates regarding the 2018-2019 Fiscal Year budget process. City Manager Wright concluded that Staff recommended City Council approve setting the dates as stated.

Councilmember Robert Shankle moved to approve the establishment of the dates regarding the adoption of the tax rate and 2018-2019 Fiscal Year budget. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

**16. RESOLUTION OF THE CITY OF LUFKIN, TEXAS CANCELLING THE SEPTEMBER 4, 2018 REGULARLY SCHEDULED CITY COUNCIL MEETING – APPROVED**

City Manager Wright stated that due to the City Council meeting of September 4<sup>th</sup>, 2018 falling the day after the Labor Day City holiday, Staff recommended City Council approve a Resolution cancelling the regular City Council meeting of September 4<sup>th</sup>, 2018.

Councilmember Guessippina Bonner moved to approve the Resolution. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

**17. RESOLUTION OF THE CITY OF LUFKIN, TEXAS APPROVING A REDUCTION OF RATES BY CENTERPOINT ENERGY – APPROVED**

City Manager Wright explained the reasoning for the reduction in rates and the proposed reduction amounts for customers. City Manager Wright concluded that Staff recommended City Council approve a Resolution approving the reduction of rates by Centerpoint Energy.

Councilmember Sarah Murray moved to approve the Resolution regarding the reduction of rates by Centerpoint Energy. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**18. AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO AN OIL AND GAS LEASE AGREEMENT WITH BP AMERICA PRODUCTION COMPANY ON 13.13 ACRES OF PROPERTY LOCATED BETWEEN KIT MCCONNICO PARK AND KURTH LAKE – APPROVED**

City Manager Wright stated that Item No. 18 and 19 were similar and were proposals from BP America Production requesting to lease the mineral rights on the property described. City Manager Wright continued that the Texas Local Government allowed for this action and that similar leases had been in place in the past. City Manager Wright concluded that Staff recommended City Council approve authorizing the City Manager to enter into an Oil and Gas Lease as presented.

Councilmember Guessippina Bonner moved to approve the authorization as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

**19. AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO AN OIL AND GAS LEASE AGREEMENT WITH BP AMERICA PRODUCTION COMPANY ON 296.7106 ACRES OF LAND LOCATED AT KIT MCCONNICO PARK – APPROVED**

City Manager Wright stated that this property had been leased for this use twice before and part of the lease included a seismic survey. City Manager Wright concluded that Staff recommended City Council approve the authorization to enter into a lease on this property as well.

Councilmember Guessippina Bonner moved to approve this authorization as well. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**20. APPROVAL OF A TAX RESALE AUCTION BID FOR PROPERTY KNOWN AS 409 AND 411 RATCLIFF AVENUE (LOT 5 & 6, BLOCK 8, HENDERSON-JORDAN ADDITION) - APPROVED**

City Manager Wright stated this property had been approved in the past; however, the bidder did not follow through with payment. City Manager Wright continued that Mr. Gerard Ibarra had now submitted a bid for \$851.00; however, the City would not receive funding but the property would be returned to the tax roll. City Manager Wright concluded that Staff recommended approval of the bid as presented.

Councilmember Guessippina Bonner moved to approve the bid for the purchase of 409 and 411 Ratcliff Avenue. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

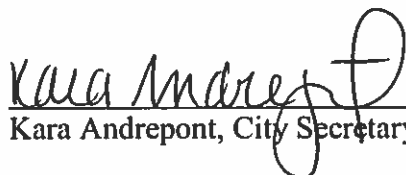
**21. ITEMS OF COMMUNITY INTEREST FROM MAYOR, CITY COUNCILMEMBERS AND STAFF**


City Manager Wright highlighted events and upcoming meetings on the Calendar.

22. There being no further business, Mayor Bob Brown adjourned the meeting at 5:37 p.m.



ATTEST:

  
Kara Andrepont, City Secretary

  
Bob F. Brown, Mayor