

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 21ST DAY OF MAY, 2019

On the 21st day of May, 2019 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
Mark Hicks	Mayor Pro Tem
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	City Attorney
Jason Arnold	Assistant to the City Manager
Kara Andrepont	City Secretary
Rodney Ivy	Human Resource Director
David Thomas	Police Chief
Ted Lovett	Fire Chief
Belinda Melancon	Finance Director
Dorothy Wilson	Asst. Director Planning & Zoning
Kevin Gee	Engineering Services Director
Barbara Thompson	Main Street Director
Brant Lee	Convention Services Director
Albert Duffield	Water & Sewer Director
Jarod Murphy	Asst. Director Water & Sewer
Kent Havard	Solid Waste Director
Bob Samford	Economic Development Director

being present when the following business was transacted.

1. The meeting was opened with prayer by Brother Steve Killam, St. Paul's United Methodist Church.
2. Mayor Bob F. Brown welcomed visitors present.
3. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 7, 2019 – APPROVED**

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

4. **OATH OF OFFICE – LUFKIN FIREFIGHTERS**

Mayor Brown administered the Oath of Office to new Lufkin Firefighters George Castro and William Sallee.

5. **SECOND READING OF AN ORDINANCE PROVIDING FOR THE SALE OF UNDEVELOPED PORTION OF RIGHT-OF-WAY IN THE HOMEWOOD ADDITION AND PROVIDING FOR THE CITY MANAGER TO CONVEY THE CITY'S INTEREST TO THE ABUTTING PROPERTY OWNER - APPROVED**

City Manager Wright stated that Staff recommended City Council approve the Second Reading of an Ordinance providing for the sale of undeveloped portion of right-of-way in the Homewood Addition and providing for the City Manager to convey the city's interest to the abutting property owner.

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

6. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2018 – 2019 OPERATING BUDGET (BUDGET AMENDMENT NO. 19) APPROPRIATING THE FUNDING FROM A GEORGIA PACIFIC FOUNDATION GRANT FOR THE LUFKIN FIRE DEPARTMENT - APPROVED

City Manager Wright stated that Staff recommended City Council accept the grant in the amount of \$8,000 from the Georgia Pacific Foundation and approve the Second Reading of an Ordinance authorizing Budget Amendment No. 19 appropriating the funding.

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

7. 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 SHELTERED CARE FACILITY IN A “COMMERCIAL” ZONING DISTRICT ON PROPERTY ADDRESSED AS 300 NORTH BYNUM STREET – APPROVED

City Manager Wright stated that the agent, Michael Parker, on behalf of Whitney & Associates LLC, owner, was requesting a Special Use Permit for a Sheltered Care Facility. City Manager Wright furthered that the owner had indicated an intention to sell the property to a prospective buyer that proposed to use the facility as a sheltered care facility housing male youth ages seven (7) to seventeen (17). City Manager Wright highlighted the location of the property on the corresponding maps. City Manager Wright stated that the subject property was currently zoned “Commercial” and the Future Land Use Map recommended the subject property for Institutional. City Manager Wright furthered that the subject property was currently a vacant building previously a part of the Parkwood Place Nursing facility with the vacant lot to the north providing parking for the business. City Manager Wright explained that the parking lot was not part of the Sheltered Care Facility site plan. City Manager Wright stated that the agent had provided a site plan that detailed parking, though some adjustments may be needed as the site operations began. City Manager Wright furthered that the prior nursing home use had similar features to the proposed use for a Sheltered Care Facility for boys. City Manager Wright explained that residents of the facility would not have cars or be driving and that a facility bus would provide transportation for the residents. City Manager Wright stated that upon approval, the new owner anticipated accepting residents who would be provided with meals, health care, training, sleeping accommodations and transportation. City Manager Wright furthered that the site is limited at forty-eight (48) spaces for parking, equaling to a maximum resident capacity of one hundred and forty-four (144). City Manager Wright stated that an increase in more than one hundred and forty-four (144) residents would require purchase of additional parking space. City Manager Wright furthered that the agent for the potential owner had indicated a potential maximum number of residents at the shelter would be one hundred (100) boys ranging in age from seven (7) to seventeen (17) years. City Manager Wright furthered that the Special Use Permit request for a Sheltered Care Facility was recommended for approval with a limit of one hundred and forty-four (144) residents and development in accordance with the proposed site plan. City Manager Wright stated that the Special Use Permit request for a Sheltered Care Facility was unanimously recommended for approval by the Planning and Zoning Commission.

City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and consider on First Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas by granting a Special Use Permit for a sheltered care facility in a “Commercial” zoning district on property addressed at 300 North Bynum Street.

Mayor Brown opened the Public Hearing at 5:11 p.m. There being no one who wished to speak the Mayor closed the Public Hearing and moved to comments from the City Council.

Councilmember Sarah Murray expressed concern with the location being used as sheltered care facility for boys and requested more information on the proposed use. Discussion ensued among Staff, City Council and those in attendance representing the property owner.

Councilmember Lynn Torres voted to approve the Ordinance as presented. Councilmember Rocky Thigpen seconded the motion. A vote of five (5) for and two (2) against approval was recorded. Those voting against approval were Councilmember Sarah Murray and Councilmember Guessippina Bonner.

8. FIRST READING OF AN ORDINANCE PROVIDING FOR THE CLOSURE AND CONVEYANCE OF AN UDEVELOPED ALLEY BOUNDED BY HOMER BOULEVARD AND MONTROSE STREET – APPROVED

City Manager Wright stated that Staff had received a request from Calvary Baptist Church for the purchase of an improved alley being used as parking for the Church. City Manager Wright explained that the alley was a 20 feet x 285 feet (5,700 square foot) section located near Homer Boulevard and Montrose Street and that Calvary Baptist was the sole abutting property owner. City Manager Wright furthered that upon appraisal of the property and payment of fair market value, the City would issue a non-warranty deed for the property to Calvary Baptist Church.

City Manager Wright concluded that Staff recommended City Council approve on First Reading an Ordinance providing for the closure and conveyance of an undeveloped alley bounded by Homer Boulevard and Montrose Street.

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

9. FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2018 – 2019 OPERATING BUDGET (BUDGET AMENDMENT NO. 20) PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL, HOTEL/MOTEL TAX, SPECIAL RECREATION, PINES THEATER SPECIAL EVENTS, ELLEN TROUT ZOO BUILDING, COURT SECURITY/TECHNOLOGY, MAIN STREET/COMMUNITY DEVELOPMENT DOWNTOWN IMPROVEMENTS, ANIMAL SERVICES – KURTH GRANT, ANIMAL SERVICES – ANIMAL ATTIC, ECONOMIC DEVELOPMENT, LUFKIN CONVENTION AND VISITORS BUREAU, GENERAL FUND CONSTRUCTION FUND, SOLID WASTE RENEWAL AND REPLACEMENT, WATER/WASTEWATER, SOLID WASTE AND RECYCLING AND EQUIPMENT ACQUISITION AND REPLACEMENT FUNDS; AND PROVIDING AND EFFECTIVE DATE – APPROVED

City Manager Wright stated that each year during budget review process, Staff evaluated revenues and expenditures for each department to determine needed revenues and estimated expenditures for the remainder of the fiscal year. City Manager Wright furthered that Staff commonly referred to the Budget Amendment as the Mid-Year Budget Amendment.

City Manager Wright concluded that Staff recommended City Council approve the First Reading of an Ordinance authorizing Budget Amendment No. 20, modifying the 2018 – 2019 Annual Budget to provide appropriate funding for each department for the remainder of the fiscal year.

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

10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS DIRECTING THE CITY MANAGER TO PREPARE NECESSARY SERVICE PLANS FOR AREAS IN THE CITY OF LUFKIN EXTRATERRITORIAL JURISDICTION (ETJ) TO BE CONSIDERED FOR ANNEXATION INTO THE CORPORATE LIMITS OF THE CITY OF LUFKIN - APPROVED

City Manager Wright stated that the City of Lufkin City Council had the authority to annex property into the corporate limits of the City of Lufkin in accordance with applicable state law and the City of Lufkin City Charter. City Manager Wright furthered that there was a bill pending before the Texas Legislature – House Bill 347 – that, if enacted into law, would have a significant limiting impact on future annexation by the City of Lufkin. City Manager Wright explained that House Bill 347 contained a transition provision that allowed Texas municipalities to preserve the right to conduct annexation proceedings in accordance with the applicable law as it existed on January 1, 2019 if the governing body of a municipality had adopted a resolution to direct the municipality’s City Manager to prepare a service plan for the area on or before the effective date of House Bill 347, which could be approved any day.

City Manager Wright concluded that Staff recommended City Council approve a Resolution directing the City Manager to prepare the necessary service plans as required by applicable state law for certain areas under consideration for annexation.

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

11. FISCAL YEAR 2019 – 2020 FUNDING RECOMMENDATIONS FROM THE CITY OF LUFKIN HOTEL TAX FUND BOARD–APPROVED

City Manager Wright stated that there had been significant changes in how revenue collected from Hotel/Motel Tax was to be distributed to entities. City Manager Wright furthered that City Council had approved the creation of the Hotel Occupancy Tax (HOT) Fund Board in January 2019 which was charged with reviewing applications for funding and making recommendations to City Council regarding the same. City Manager Wright explained that a total of thirty-six (36) event applications were received from seven (7) entities in the amount of \$322,526.42 and approximately \$275,000 in funding was available for distribution. City Manager Wright stated that applications were reviewed by the Board on May 15th and the Board recommended funding \$267,258.20 to the applicants. City Manager Wright furthered that a spreadsheet had been included in the Council Packet detailing both requested funds and allocations.

City Manager Wright concluded that Staff recommended City Council approve the Fiscal Year 2019 – 2020 Hotel Tax funding as proposed by the Hotel Occupancy Tax Fund Board.

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

12. CITY MANAGER REPORT

City Manager Wright reviewed the major funds and offered to answer any questions regarding the monthly Financial and Project Reports.

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

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

14. EXECUTIVE SESSION

Mayor Bob Brown recessed the Regular Session at 5:46 p.m.

Mayor Bob Brown reconvened the Regular Session at 6:03 p.m.

15. There being no further business for consideration, the meeting adjourned at 6:05 p.m.



Bob F. Brown, Mayor

ATTEST:


Kara Andrepont, City Secretary

