

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS HELD ON THE 1st DAY OF DECEMBER, 2020**

On the 1st day of December, 2020 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
Robert Shankle
Lynn Torres
Rocky Thigpen
Trent Burfine
Bruce Green
Erika Neill
Jason Arnold
Gerald Williamson
Kara Andrepont
Rodney Ivy
David Thomas
Buddy Cross
Jesse Moody
Jessica Pebsworth
Belinda Melancon
Kevin Gee
Rudy Flores
Albert Duffield
Rick Smith
Kent Havard

Mayor
Councilmember, Ward No. 2
Councilmember, Ward No. 3
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
Acting City Attorney
Assistant City Manager – Public Works
Assistant City Manager – Admin/Public Safety
City Secretary
Human Resource Director
Police Chief
Assistant Police Chief
Fire Chief
Communications Director
Finance Director
Engineering Services Director
Parks and Recreation Director
Water & Sewer Director
Fleet Maintenance Director
Solid Waste Director

being present: and

Mark Hicks
Guessippina Bonner

Mayor Pro Tem
Councilmember, Ward No. 1

being absent when the following business was transacted.

INVOCATION – The meeting was opened with prayer by Joshua Gentry, Information Technology.

PUBLIC COMMENT – Mayor Brown opened the meeting for Public Comment on any posted agenda item at 5:01 p.m. There being no one who wished to speak, Mayor Brown closed the Public Comment portion of the meeting.

CONSENT AGENDA

1. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 17TH, 2020 – APPROVED.**
2. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 6) APPROPRIATING FUNDING FOR REPAYMENT TO FEMA FOR THE PURCHASE OF A GRAPPLE TRUCK – APPROVED.**
3. **FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020 – 2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 7) APPROPRIATING FUNDING FOR PROJECTS TO BE COMPLETED FROM THE PREVIOUS FISCAL YEAR – APPROVED.**

Mayor Brown stated all consent agenda items were considered routine by City Council and would be enacted by one motion due to their nature of being clerical, ministerial and/or routine. Mayor Brown furthered there would be no separate discussion of the items unless City Council requested an item be removed and considered separately. Mayor Brown stated prior to voting, City Council could add additional items that were listed on the agenda.

Councilmember Lynn Torres moved to approve all items on the Consent Agenda as presented. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

BUSINESS AGENDA

4. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY CHANGING THE ZONING DESIGNATION TO “RESIDENTIAL SMALL” ON PROPERTIES ADDRESSED AS 208, 210, 212 VINCENT STREET AND 807 AND 809 EVERETT STREET – APPROVED.**

City Manager Green stated the applicant, Larry Byrd with Falcon Properties, Inc., had requested a zone change from “Residential Medium” to “Residential Small” for 208, 210, 212 Vincent Street and 807 and 809 Everett Street. City Manager Green furthered the purpose of the zone change was to construct rental units. City Manager Green highlighted the location of the properties on corresponding maps and provided information on the current zoning of neighboring properties. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider on Second Reading an Ordinance changing the zoning designation to “Residential Small” on properties addressed as 208, 210, 212 Vincent Street and 807 and 809 Everett Street. City Manager Green added Mike Parker, representing the applicant, as well as Kevin Gee, Director of Engineering Services were available for any questions concerning the requested zone change.

Mayor Brown opened the Public Hearing at 5:04 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and requested comments from the Council.

Councilmember Trent Burfine asked if there was any way these lots could be subdivided and two houses placed on a single lot. Mr. Mike Parker answered the question and stated there was no further subdivision allowed once the smaller homes were built on the lots.

Councilmember Lynn Torres moved to approve the Ordinance as presented. Councilmember Robert Shankle seconded the motion and the Ordinance passed with a four (4) to one (1) vote with Councilmember Burfine voting against the Ordinance.

5. **FIRST READING OF AN ORDINANCE AMENDING PENAL ORDINANCE NO. 438 REGARDING PROCEDURES AND REGULATIONS FOR PURCHASERS OF SECONDHAND GOODS – APPROVED.**

City Manager Green stated Penal Ordinance No. 438 included pawnbrokers and was adopted in April 2018 in order to address issues with the absence of documentation and access to records being made available to law enforcement during investigations. City Manager Green furthered the Ordinance was designed to discourage a growing business activity of dealing in stolen property with the intent to provide the Police Department with more adequate tools for investigations concerning stolen property within the City limits. City Manager Green stated after further research, the Ordinance was found to be in conflict with the Texas Pawnshop Act, which regulated the activities of pawnbrokers and exempts those already licensed under the Act from additional licensing requirements, such as those in Ordinance No. 438. City Manager Green furthered the proposed Ordinance would remove any reference or licensing requirements of pawnbrokers, but would still apply to other purchasers of secondhand goods, such as those who buy and sell precious metals, video games/consoles, etc. City Manager Green concluded Staff recommended City Council approve the First Reading of an Ordinance amending Penal Ordinance No. 438 regarding procedures and regulations for purchasers of secondhand goods.

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

6. **DISCUSSION ON WAIVING THE MONTHLY FEE FOR THE USE OF BLUE RECYCLING CARTS AS ADDITIONAL GARBAGE CONTAINERS – NO ACTION.**

City Manager Green stated this was not an action item but if Council wished to proceed with the item an Ordinance would be brought before Council at a later date. City Manager Green furthered Council had previously approved the discontinuance of curbside recycling by the City of Lufkin which resulted in approximately 5,000 households still having possession of the blue recycling containers. City Manager Green stated for those residents who wished to continue using the blue container as an extra garbage container, there was currently a \$5.00 per month fee that would be added to their monthly bill. City Manager Green noted the fee is required by City Ordinance under Solid Waste

Service Rates and the fee was not determined by Administration Staff and could not be legally waived by Administration Staff. City Manager Green presented the options that seemed most readily available for Council to consider and a discussion ensued. The determination was made to continue the discussion at a future City Council meeting.

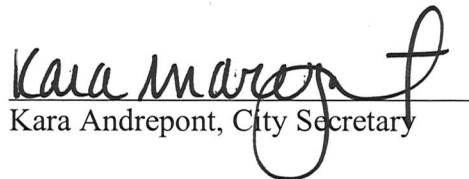
There being no further business, Mayor Bob Brown adjourned the meeting at 5:45 p.m.



ATTEST:



Bob F. Brown, Mayor



Kara Andrepont, City Secretary