

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
LUFKIN, TEXAS HELD ON THE 21<sup>st</sup> DAY OF DECEMBER, 2021.**

On the 21<sup>st</sup> day of December, 2021 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:

Mark Hicks	Mayor
Robert Shankle	Mayor Pro Tem
Guessippina Bonner	Councilmember, Ward No. 1
Lynn Torres	Councilmember, Ward No. 3
Wes Suiter	Councilmember, Ward No. 4
Rocky Thigpen	Councilmember, Ward No. 5
Trent Burfine	Councilmember, Ward No. 6
Bruce Green	City Manager
Erika Neill	City Attorney
Kevin Gee	Assistant City Manager
Gerald Williamson	Assistant City Manager
Kara Andrepont	City Secretary
Adriana Thomasee	Human Resources Director
Buddy Cross	Assistant Police Chief
Jesse Moody	Fire Chief
Ryan Watson	Assistant Fire Chief
Jessica Pebsworth	Communications Director
Belinda Melancon	Finance Director
Scott Rayburn	Planning Director
Scott Feaster	IT Director

being present when the following business was transacted.

**INVOCATION** – The meeting was opened with prayer by Reverend Lynn Hargrow, Sr.

**PUBLIC COMMENT** – Mayor Mark Hicks opened the meeting for public comment on any posted agenda item at 4:01 p.m. There being no one who wished to speak; Mayor Hicks closed the public comment period.

**1. WORKSHOP REGARDING REDISTRICTING WITHIN THE CITY OF LUFKIN**

City Manager Bruce Green stated the City of Lufkin was required by law to modify the existing political boundaries. City Manager Green furthered Mr. Eric Magee, with the firm Allison, Bass & Magee was present to provide information regarding the required redistricting within the City of Lufkin. Mr. Magee spoke and explained the procedure as well as the options. Mr. Magee presented the maps along with all the identifying information. Council then directed changes to the map to correct the disparity brought about by the new census figures. Councilmember Trent Burfine asked if the moves made must be by Census Block or if the move could be made by streets. Mr. Magee stated the moves must be made by the Census Block. Council concurred on Proposal 1. Councilmember Guessippina Bonner requested that an additional plan be developed to ensure Ward No. 1 remained in the City center. Discussion and map alterations were conducted resulting in Proposal 1a. Mr. Magee stated that these maps would be finalized and sent to City Council for review in order to continue the redistricting process. Mr. Magee stated that the requiring Public Hearing notice would be published in accordance with the time frame and held at an upcoming City Council meeting. No action was taken.

**CONSENT AGENDA**

- 2. MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF DECEMBER 7, 2021– APPROVED.**
- 3. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2021-2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 5 APPROPRIATING FUNDING FOR PROJECTS TO BE COMPLETED FROM THE PREVIOUS FISCAL YEAR – APPROVED.**
- 4. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2021-2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 6) APPROPRIATING THE FUNDING FOR THE U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL**

**JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$11,906 FOR THE LUFKIN POLICE DEPARTMENT – APPROVED.**

5. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2021-2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 7) APPROPRIATING FUNDING FOR THE PURCHASE OF COMMUNICATIONS EQUIPMENT FOR THE LUFKIN POLICE DEPARTMENT THROUGH THE AMERICAN RESCUE PLAN ACT OF 2021 – APPROVED.**
6. **SECOND READING OF AN ORDINANCE IN SUPPORT OF THE APPLICATION BY THE CHROMIUM CORPORATION FOR A MUNICIPAL SETTING DESIGNATION THROUGH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY – APPROVED.**
7. **PURCHASE OF SIX (6) UTILITY BEDS IN THE AMOUNT OF \$88,443.42 FROM DYNAMIC CUSTOMS FOR VARIOUS CITY OF LUFKIN DEPARTMENT VEHICLES – APPROVED.**

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**

8. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A HEALTH STUDIO ON A PORTION OF PROPERTY ADDRESSED AS 1417 ATKINSON DRIVE – APPROVED.**

City Manager Bruce Green stated the applicant, Abril Wright, on behalf of the owner, Angela Renee Greer Ivy, was requesting a Special Use Permit for a health studio. City Manager Green highlighted the location of the property on corresponding maps and provided information on current zoning of neighboring properties. City Manager Green stated Staff found the proposed Special Use Permit consistent with the zoning and future land use plan as well as the existing uses within the area. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider Second Reading of an Ordinance granting a Special Use Permit for a health studio located at 1417 Atkinson Drive.

Mayor Mark Hicks opened the Public Hearing at 5:10 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and moved to comments from the Council.

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

9. **PUBLIC HEARING AND FIRST READING OF AN ORDINANCE CHANGING THE ZONING FROM “PLANNED UNIT DEVELOPMENT” TO “COMMERCIAL” ON PROPERTY ADDRESSED AS 3406 COLLEGE DRIVE– APPROVED.**

City Manager Bruce Green stated the applicant, Michael G. Parker, representing the Theresa Ann Alexander Estate, had requested a zone change from “Planned Unit Development (PUD)” to “Commercial” for 3406 College Drive. City Manager Green highlighted the location of the property on corresponding maps and provided information on current zoning of neighboring properties. City Manager Green stated Staff found the proposed zone change consistent with the current area zoning, current existing area uses, as well as the “Institutional” future land use classification. City Manager Green furthered the request was unanimously approved during the Planning and Zoning Commission meeting of December 13, 2021. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider First Reading of an Ordinance changing the zoning from “Planned Unit Development (PUD)” to “Commercial” for property addressed as 3406 College Drive.

Mayor Mark Hicks opened the Public Hearing at 5:12 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and moved to comments from the Council.

Councilmember Guessippina Bonner asked for the current zoning for adjacent properties. Mr. Mike Parker with Everett Griffith Jr. & Associates addressed the question and discussion ensued.

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

**10. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE CHANGING THE ZONING FROM “APARTMENT” TO “RESIDENTIAL SMALL” ON PROPERTY ADDRESSED AS 1701, 1711, AND 1803 CHAMPIONS DRIVE — APPROVED.**

City Manager Bruce Green stated the applicant, Michael G. Parker, representing the Crown Colony Country Club, Inc., had requested a zone change from “Apartment” to “Residential Small” for 1701, 1711, and 1803 Champions Drive. City Manager Green highlighted the location of the property on corresponding maps and provided information on current zoning of neighboring properties. City Manager Green furthered the purpose of the zone change was for single-family residential development and the Comprehensive Plan designation for all three (3) properties was “Medium Density Residential”. City Manager Green stated the request was unanimously approved during the Planning and Zoning Commission meeting of December 13, 2021. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider First Reading of an Ordinance changing the zoning from “Apartment” to “Residential Small” on property addressed as 1701, 1711 and 1803 Champions Drive.

Mayor Mark Hicks asked Michael G. Parker if the Crown Colony deed restrictions required the lots to be wider than the Residential Small zoning requirement of 40 feet. Discussion ensued.

Mayor Mark Hicks opened the Public Hearing at 5:19 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and moved to comments from the Council.

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

**11. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE CHANGING THE ZONING FROM “RESIDENTIAL SMALL” TO “MANUFACTURED DWELLING” ON PROPERTY ADDRESSED AS 2201 CAIRO STREET – APPROVED.**

City Manager Bruce Green stated the applicants, Brian and Jana Bass had requested a zone change from “Residential Small” to “Manufactured Dwelling” for property currently vacant located at 2201 Cairo Street. City Manager Green highlighted the location of the property on corresponding maps and provided information on current zoning of neighboring properties. City Manager Green furthered the purpose of the zone change was to allow for the placement of a manufactured home at the location. City Manager Green stated the request was unanimously approved during the Planning and Zoning Commission meeting of December 13, 2021, however, due to signed opposition of twenty percent (20%) of the area of required notification, a “super majority” vote of at least three-fourths (six out of seven) of all City Council members was required per Chapter 211.006 of the Local Government Code. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider First Reading of an Ordinance changing the zoning to “Manufactured Dwelling” on property addressed as 2201 Cairo Street.

Mayor Mark Hicks opened the Public Hearing at 5:21 p.m. Mr. Brian Bass spoke regarding the item and stated he and his wife wished to place a home on the property. There being no one else who wished to speak; Mayor Hicks closed the Public Hearing and moved to comments from the Council.

Councilmember Lynn Torres stated all the signed oppositions to this item appeared to be from the same individual. City Manager Bruce Green explained this was the same owner of different properties around the location which had triggered the super majority vote.

Councilmember Robert Shankle moved to approve the Ordinance as presented. Councilmember Guessippina Bonner seconded the motion and the following roll call vote was recorded:

- |                                      |     |
|--------------------------------------|-----|
| • Councilmember Lynn Torres -        | Aye |
| • Councilmember Rocky Thigpen -      | Aye |
| • Councilmember Robert Shankle -     | Aye |
| • Mayor Mark Hicks -                 | Aye |
| • Councilmember Guessippina Bonner - | Aye |
| • Councilmember Wes Suiter -         | Aye |
| • Councilmember Trent Burfine -      | Aye |

**12. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE CHANGING THE ZONING FROM “RESIDENTIAL LARGE” AND “COMMERCIAL” TO “COMMERCIAL”**

**AND GRANTING A SPECIAL USE PERMIT FOR A VETERINARY HOSPITAL ON PROPERTY ADDRESSED AS 700 NORTH JOHN REDDITT DRIVE – APPROVED.**

City Manager Bruce Green stated the applicant, Dr. Brian Hafernicks, on behalf of the owner, the Cecil James Haley, Jr and the Sara Haley Berry Trust, had requested a zone change for the property from “Residential Large” and “Commercial” to a single “Commercial” zoning district and had also requested approval for a Special Use Permit for a Veterinary Hospital. City Manager Green highlighted the location of the property on corresponding maps and provided information on current zoning of neighboring properties. City Manager Green furthered the applicant planned to construct an approximately 4,000 square foot clinic catering to small animal care and move his current Pineywoods Veterinary Clinic to the new proposed location. City Manager Green stated both the request for the zone change and Special Use Permit were unanimously approved during the Planning and Zoning Commission meeting of December 13, 2021. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider First Reading of an Ordinance changing the zoning from “Residential Large” and “Commercial” to “Commercial” and granting a Special Use Permit for a Veterinary Hospital on property addressed as 700 North John Redditt Drive.

Mayor Mark Hicks opened the Public Hearing at 5:26 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and moved to comments from the Council.

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

**13. PUBLIC HEARING AND RESOLUTION AUTHORIZING ACCEPTANCE OF THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, FISCAL YEAR BULLETPROOF VEST PARTNERSHIP PROGRAM FUNDING IN THE AMOUNT OF \$15,989 AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2021-2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 8) APPROPRIATING THE FUNDING FOR THE SAME – APPROVED.**

City Manager Bruce Green stated the Lufkin Police Department wished to accept grant funding from the U.S. Department of Justice, Office of Justice Assistance Fiscal Year 2021 Bulletproof Vest Program Grant for thirty-two (32) new and replacement bullet resistant vests. City Manager Green furthered the grant required a fifty percent (50%) match from the City in the amount of \$15,989 and the funds were available in the current Fiscal year Budget. City Manager Green concluded Staff recommended City Council approve a Resolution authorizing acceptance of the grant funding and approve First Reading of an Ordinance authorizing Budget Amendment No. 8 appropriating the funding.

Mayor Mark Hicks opened the Public Hearing at 5:28 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and moved to comments from the Council.

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

**14. CITY OF LUFKIN FIRE DEPARTMENT SENIOR FIREFIGHTER STEP PAY PROGRAM POLICY – APPROVED.**

City Manager Bruce Green stated based on a desire to incentivize the recruitment and retention of police officers and fire fighters, especially senior officers and fire fighters, Staff had proposed two (2) policies for the Lufkin Fire Department that significantly mirrored those adopted for the Lufkin Police Department in November. City Manager Green furthered the policies brought to City Council for discussion and possible approval were:

- A pay raise step program for senior fire fighters; and
- An incentive pay program that provides monthly incentives for 15 current certificates or assignments, and 11 new monthly incentives for certificates, education, and assignments.

City Manager Green stated the Fire Department step program was on a yearly basis made by the Human Resources and Finance Department and would result in significant raises for a number of senior fire fighters. City Manager Green concluded Staff recommended City Council approve the proposed City of Lufkin Fire Department Senior Firefighters STEP pay program policy.



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

**15. CITY OF LUFKIN FIRE DEPARTMENT INCENTIVE PAY POLICY – APPROVED.**

City Manager Bruce Green stated Staff recommended City Council approve the proposed City of Lufkin Fire Department Incentive Pay Policy.

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

Mayor Mark Hicks recognized Fire Chief Jesse Moody for his great leadership within the City of Lufkin Fire Department.

**16. FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2021-2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 9) APPROPRIATING THE FUNDING FOR THE CITY OF LUFKIN FIRE DEPARTMENT STEP PAY PROGRAM AND INCENTIVE PAY POLICIES – APPROVED.**

City Manager Bruce Green stated Staff recommended City Council approve the First Reading of an Ordinance authorizing Budget Amendment No. 9 providing the funding for the Lufkin Fire Department STEP Pay and Incentive Pay Policies.

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

**17. FINANCIAL STATUS REPORT**

City Manager Bruce Green offered to answer any questions. There were none.

**EXECUTIVE SESSION**

Mayor Mark Hicks recessed the Regular Session at 5:35 p.m.

Mayor Mark Hicks reconvened the Regular Session at 5:56 p.m.

**18. RESOLUTION OF THE CITY OF LUFKIN, TEXAS DECLARING AND DETERMINING THE NECESSITY TO ACQUIRE PROPERTY LOCATED AT COTTON SQUARE, DOWNTOWN LUFKIN (COMMONLY KNOWN AS THE THRASH BUILDING) AND INITIATE THE CONDEMNATION PROCEEDINGS, IF NECESSARY, ON THE SAME – APPROVED.**

City Manager Bruce Green stated the proposed Resolution would authorize the City, the City Manager and City Attorney to take whatever legal steps were necessary to acquire property rights to four (4) tracts of land owned by four (4) separate owners, Lillian and Glen Armstrong, Jane A. Johnson Family LLC, KASA Family Limited Partnership and Trust of Dwight Thrash, including, but not limited to, negotiating, giving notices, making written offers to purchase, preparing contracts, retaining and designating a qualified appraiser of the property interests, and, if necessary, to institute proceedings in eminent domain. City Manager Green furthered there existed a public necessity to secure the tracts noted in the proposed Resolution for the purpose of providing free public off street parking to downtown areas, buildings and parks owned by the City of Lufkin. City Manager Green stated the item would require a record vote of City Council and should any Councilmember be in opposition of a single piece of property then each tract must be voted on separately. City Manager Green concluded Staff recommended City Council approve a Resolution declaring and determining the necessity to acquire property located at Cotton Square, Downtown Lufkin (commonly known as the Thrash Building) and initiate condemnation proceedings, if necessary, on the same.

Councilmember Lynn Torres moved that the City Council authorize the use of the power of eminent domain to acquire title to tracts of land described in Exhibits “A” owned by Lillian and Glen Armstrong, “B” owned by Jane A Johnson Family LLC, “C” owned by KASA Family Limited Partnership, and “D” owned by the Trust of Dwight Thrash, to this Resolution, for use as free public parking to access downtown and provide parking for public buildings and parks owned by the City of Lufkin. Councilmember Wes Suiter seconded the motion and a unanimous vote to approve was recorded.

There being no further business, Mayor Mark Hicks adjourned the meeting at 6:00 p.m.



ATTEST:



Mark Hicks, Mayor



Kara Andrepont, City Secretary