

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
LUFKIN, TEXAS HELD ON THE 18<sup>th</sup> DAY OF MAY, 2021**

On the 18<sup>th</sup> day of May, 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	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Rocky Thigpen	Councilmember, Ward No. 5
Trent Burfine	Councilmember, Ward No. 6
Bruce Green	City Manager
Erika Neill	City Attorney
Jason Arnold	Assistant City Manager – Public Works
Gerald Williamson	Assistant City Manager – Admin/Public Safety
Kara Andrepont	City Secretary
Rodney Ivy	Human Resource Director
David Thomas	Police Chief
Buddy Cross	Assistant Police Chief
Ryan Watson	Assistant Fire Chief
Jessica Pebsworth	Communications Director
Belinda Melancon	Finance Director
Kevin Gee	Engineering Services Director
Scott Rayburn	Planning Director
Rick Smith	Fleet Maintenance Director
Scott Feaster	IT Director
Kent Havard	Solid Waste Director

being present when the following business was transacted.

**INVOCATION** – The meeting was opened with prayer by Salvation Army Captain Jenifer Phillips.

**PUBLIC COMMENT** – Mayor Hicks opened the meeting for Public Comment on any posted agenda item at 5:02 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Comment portion of the meeting.

**CONSENT AGENDA**

1. **MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING HELD APRIL 29, 2021 AND THE REGULAR CALLED CITY COUNCIL MEETING OF MAY 4, 2021– APPROVED.**
2. **FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 12) APPROPRIATING FUNDING FOR THE SOLID WASTE FACILITY FIRE SPRINKLER REPAIR – APPROVED.**
3. **FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020 – 2021 OPERATING BUDGET (BUDGET EMENDMENT NO. 13) APPROPRIATING FUNDING FOR THE INSTALLATION OF A TRANSFER SWITCH FOR THE CONVENTION CENTER GENERATOR – APPROVED.**
4. **FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020 - 2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 14) APPROPRIATING FUNDING FOR REPAIRS TO THE KURTH MEMORIAL LIBRARY ROOF - APPROVED.**
5. **FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020 - 2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 15) APPROPRIATING FUNDING FOR THE LUFKIN FIRE DEPARTMENT FOR FACILITY REPAIRS AND EQUIPMENT/UNIFORM PURCHASES – APPROVED.**
6. **FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020 - 2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 16) APPROPRIATING FUNDING FOR THE LUFKIN POLICE DEPARTMENT FOR THE PURCHASE OF BALLISTIC VEST CARRIERS – APPROVED.**

7. **RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MUTUAL AID AGREEMENT WITH THE CITY OF NACOGDOCHES DURING EMERGENCY SITUATIONS – APPROVED.**
8. **RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF ANGLETON DURING EMERGENCY SITUATIONS – ITEM REMOVED FROM CONSENT AGENDA.**

Councilmember Trent Burfine asked that this item be removed from the consent agenda and placed on the business agenda.

9. **RESOLUTION DENYING THE PROPOSED RATE INCREASE BY ONCOR ELECTRIC DELIVERY COMPANY, LLC – APPROVED.**

Councilmember Lynn Torres moved to approve items number one (1) through seven (7) and item number nine (9) on the consent agenda as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

#### **BUSINESS AGENDA**

8. **RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF ANGLETON DURING EMERGENCY SITUATIONS – APPROVED.**

City Manager Bruce Green stated the proposed Memorandum of Understanding provided for support services to the City of Angleton during a time of disaster. City Manager Green furthered this would especially address weather-related events such as hurricanes or tropical storms. City Manager Green stated if approved the memorandum would be effective June 1<sup>st</sup>, 2021 through June 1<sup>st</sup>, 2022. City Manager Green furthered the City of Angleton had requested temporary space and internet service for a few administrative employees to continue operations of their city during an emergency and they would cover their own expenses. City Manager Green concluded Staff recommended City Council approve a Resolution authorizing the execution of a Memorandum of Understanding with the City of Angleton.

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

10. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY CHANGING THE ZONING TO “RESIDENTIAL LARGE” ON PROPERTY ADDRESSED AS 3905, 3911, 4005 AND 4015 CHAMPIONS DRIVE – APPROVED.**

City Manager Bruce Green stated the applicant, Joe C. Denman III (Trey), on behalf of the VCD/JCD Investments LLC had requested a zone change from “Agricultural District” to “Residential Large” for 3905, 3911, 4005 and 4015 Champions Drive. City Manager Green highlighted the location of the properties on the corresponding maps and provided information on the current zoning of neighboring properties. City Manager Green furthered the request was approved by a unanimous vote of the Planning and Zoning Commission during the meeting of April 26, 2021. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider approval of the Second Reading of an Ordinance changing the zoning to “Residential Large” on property addressed as 3905, 3911, 4005 and 4015 Champions Drive.

Mayor Mark Hicks opened the Public Hearing at 5:09 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and moved to comments from the City Council.

Councilmember Trent Burfine moved to approve the Resolution as presented. Councilmember Robert Shankle 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 GRANTING A SPECIAL USE PERMIT FOR A CRAFT DISTILLERY IN A “CENTRAL BUSINESS” ZONING DISTRICT FOR PROPERTY KNOWN AS 113 NORTH FIRST STREET – APPROVED.**

City Manager Bruce Green highlighted the location of the property on the corresponding maps and provided information on the current zoning of the neighboring properties. City Manager Green stated the applicant, Trey Allen, on behalf of Troy Tiemann with GDT Properties LLC, had requested a Special Use Permit for “Distillation of Liquors, Spirits, Etc. – Craft” for sale of craft beer to be produced on the site. City Manager Green noted the plan included a restaurant and brewery to be known as the Rusty Ax Brewing Company which would produce and serve craft beer as well as brick oven pizza. City Manager Green stated this request was unanimously recommended for approval by the Planning and Zoning Commission. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider approval of the First Reading of an Ordinance granting a Special Use Permit for a Craft Distillery for property addressed as 113 North First Street.

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 City Council.

Councilmember Guessippina Bonner had a question regarding an existing brewery in downtown Lufkin and whether previous Special Use Permits covered an entire section. City Manager Green responded and a discussion ensued. Councilmember Trent Burfine asked whether this request would change the zoning for this location or simply issue a Special Use Permit and whether the Special Use Permit was transferable to a future brewery that may occupy the location. City Manager Green asked Planning Director Scott Rayburn to explain and a discussion ensued.

Councilmember Guessippina Bonner moved to approve the Ordinance as presented. Councilmember Rocky Thigpen 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 CHANGING THE ZONING TO “COMMERCIAL” ON PROPERTY ADDRESSED AS 2015 CULVERHOUSE STREET – APPROVED.**

City Manager Bruce Green stated the applicant, Duneva Branson, had requested a zone change from “Residential Small” to “Commercial” for 2015 Culverhouse Street. City Manager Green highlighted the location of the property on corresponding maps and provided information on the current zoning of neighboring properties. City Manager Green noted the property was currently vacant and the zone change would be for future business development. City Manager Green stated the request was unanimously recommended for approval by the Planning and Zoning Commission. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider approval of the First Reading of an Ordinance changing the zoning to “Commercial” on property located at 2015 Culverhouse Street.

Mayor Mark Hicks opened the Public Hearing at 5:18 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and moved to comments from the City Council.

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

**13. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO “RESIDENTIAL LARGE” ON PROPERTY ADDRESSED AS 4707 DANIEL MCCALL DRIVE – APPROVED.**

City Manager Bruce Green stated the applicant, Michael G. Parker, representing Lamar Clark with Shirey Forest, LLC, was requesting a zone change from “Planned Unit Development (PUD)” to “Residential Large” for 4707 Daniel McCall Drive. City Manager Green highlighted the location of the property on corresponding maps and provided information regarding the current zoning of neighboring properties. City Manager Green stated Staff found the proposed zone change to be consistent with the current existing area uses as well as the proposed “Low Density Residential” future land use classification. City Manager Green furthered the request was recommended for approval by the Planning and Zoning Commission. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider approval of the First Reading of an Ordinance changing the zoning to “Residential Large” on property addressed as 4707 Daniel McCall Drive.

Mayor Mark Hicks opened the Public Hearing at 5:21 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and moved to comments from the City Council.



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

**14. FIRST READING OF AN ORDINANCE PROVIDING FOR THE CLOSURE AND CONVEYANCE OF AN ALLEY, BLOCK 2 AND 5, THE JORDAN DAVIS ADDITION, BOUNDED BY ELSIE STREET TO THE SALVATION ARMY -APPROVED.**

City Manager Bruce Green stated Engineering Services had received a request from Robert Flournoy representing the Lufkin Salvation Army for the purchase of non-developed, surplus alley. City Manager Green highlighted the location of the property on corresponding maps and stated there were no existing City utilities within the alley. City Manager Green furthered Staff was requesting approval to convey an approximately 20 feet x 160 feet (3,200 square feet) section of non-developed alley near Elsie Street within the Jordan and Davis Addition for the total sum of \$4,780 which included the value of the alley as well as the appraisal cost and filing fee. City Manager Green noted per Chapter 272 of the Local Government Code abutting property owners in the same subdivision were required to be notified and given the opportunity to purchase corresponding parts of the non-developed alley but The Salvation Army currently owned all abutting property. City Manager Green concluded Staff recommended City Council approve the First Reading of an Ordinance closing and conveying an alley to the Salvation Army for the sum of \$4,780.

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

**15. FIRST READING OF AN ORDINANCE PROVIDING FOR THE CLOSURE AND CONVEYANCE OF PROPERTY BEING A 60' X 452' SECTION OF UNDEVELOPED ROADWAY, LUFKIN LAND AND LUMBER COMPANY NO. 2 ADDITION – APPROVED.**

City Manager Bruce Green stated Engineering Services had received a request from an adjacent landowner for the purchase of a non-improved street right-of-way shown on the amended plat of Lufkin Land & Lumber Company's Second Subdivision on J.L. Quinalty League, as amended in 1924. City Manager Green highlighted the location of the property on corresponding maps and stated there were non-existing city utilities within the properties. City Manager Green explained all steps required by Chapter 272 of the Local Government Code had been followed and upon payment, the City would issue a non-warranty deed for the property. City Manager Green furthered Staff was requesting Council approval to convey the property for the sum of \$8,680 which included the appraised value of the land as well as the appraisal cost and filing fee. City Manager Green noted abutting property owners in the same subdivision were notified and given the opportunity to purchase. City Manager Green stated a letter from Mr. Robert E. Ray agreeing to purchase the property for the sum of \$8,680 was included with Council packet. City Manager Green concluded Staff recommended City Council approve the First Reading of an Ordinance closing and conveying property as described to Robert E. Ray for the sum of \$8,680.

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

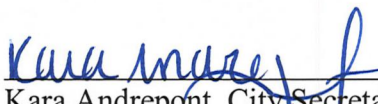
**16. FINANCIAL STATUS REPORT**

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

There being no further business, Mayor Mark Hicks adjourned the meeting at 5:28 p.m.



  
Mark Hicks, Mayor

  
Kara Andrepont, City Secretary