

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS HELD ON THE 3RD DAY OF MAY, 2022.**

On the 3rd day of May, 2022 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
Kevin Gee	Interim City Manager
Erika Neill	City Attorney
Gerald Williamson	Assistant City Manager – Admin/Public Safety
Kara Andrepont	City Secretary
Adriana Thomasee	Human Resources
David Thomas	Police Chief
Buddy Cross	Assistant Police Chief
Jesse Moody	Fire Chief
Jessica Pebsworth	Communications Director
Belinda Melancon	Finance Director
Eddie Aguilar	Engineering Services Director
Scott Rayburn	Planning Director
Brant Lee	Convention Services Director
Albert Duffield	Utilities Director

being present when the following business was transacted.

INVOCATION – The meeting was opened with prayer by Assistant City Manager Gerald Williamson.

Mayor Mark Hicks recognized Councilmember, Ward No. 3, Lynn Torres for her years of service to the City of Lufkin. Mayor Hicks and Council expressed their gratitude and thanked Councilmember Torres for her service.

PUBLIC COMMENT – Mayor Mark Hicks opened the meeting for public comment on any posted agenda item at 5:04 p.m. There being no one who wished to speak; Mayor Hicks closed the public comment period.

PRESENTATIONS – Interim City Manager Kevin Gee stated in the late 1990's, a scholarship fund was established to benefit the children of Lufkin Firefighters. Interim City Manager Gee furthered the scholarships were primarily funded by contributions from active firefighters. Interim City Manager Gee stated since its inception approximately \$51,000 had been awarded to forty-three (43) students. Interim City Manager Gee furthered the recipients would receive scholarships in the amount of \$2,000 each. Interim City Manager Gee stated this year's awards would be presented to Evan Ehrlich, son of Captain Brad Ehrlich, who had served Lufkin Fire for twenty-three (23) years; and Dylan Cole, son of Battalion Chief Keith Cole, who also had twenty-three (23) years of service. Mayor Mark Hicks presented Evan Ehrlich with his scholarship as Dylan Cole was unable to attend.

CONSENT AGENDA

1. **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 19TH, 2022–
APPROVED.**
2. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE
2021 – 2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 15) APPROPRIATING
THE FUNDING FOR SCOREBOARDS AT MORRIS FRANK PARK – APPROVED.**
3. **RESOLUTION AUTHORIZING THE REAPPOINTMENT OF THE MUNICIPAL COURT
JUDGE – MOVED TO BUSINESS AGENDA.**

Councilmember Trent Burfine requested Item No. 3 be moved to the Business Agenda. Mayor Hicks stated Item No. 3 would be moved to the Business Agenda for discussion. Councilmember Lynn Torres

moved to approve all remaining items on the Consent Agenda as presented. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

BUSINESS AGENDA

4. RESOLUTION AUTHORIZING THE REAPPOINTMENT OF THE MUNICIPAL COURT JUDGE - APPROVED.

Interim City Manager Kevin Gee stated Article VII, Section 2 of the City of Lufkin Charter provided that the municipal judge be selected by the City Manager and approved by a majority vote of the City Council. Interim City Manager Gee furthered Texas Government Code § 29.005 stated that “[t]he judge of a municipal court serves for a term of office of two years unless the municipality provides for a longer term. Interim City Manager Gee stated the City of Lufkin had not provided for a longer term and thus the Judge of the Municipal Court in Lufkin was subject to reappointment every two years. Interim City Manager Gee explained the current Judge, April Earley, no longer lived in Angelina County and residence was required by Article VII. Interim City Manager Gee stated the City had been looking for a replacement judge since December of 2020. Interim City Manager furthered the article did permit appointment of a qualified attorney to temporarily act as Judge. Interim City Manager stated no qualified candidate had made application for the position. Interim City Manager Gee stated he was selecting April Earley to serve as the City’s Municipal Judge until a replacement was selected.

Interim City Manager Gee concluded Staff recommended City Council consider approval of a Resolution authorizing the appointment of Municipal Court Judge April Earley.

Councilmember Trent Burfine expressed his concerns with April Earley’s residence not being within Angelina County. Councilmember Burfine proposed the renewal of Ms. Earley’s contract for three (3) months and if a replacement was not found for the position that the item be brought back before Council. Councilmember Guessippina Bonner asked as to why the item was not discussed in Executive Session. Discussion ensued.

Councilmember Trent Burfine moved to approve the reappointment of the Municipal Court Judge for three (3) months. Councilmember Guessippina Bonner 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 “MANUFACTURED DWELLING” ON PROPERTY ADDRESSED AS 2121 WOOD AVENUE - APPROVED.

Interim City Manager Kevin Gee stated the applicant was requesting a zone change from “Residential Large” to “Manufactured Dwelling” for 2121 Wood Avenue. Interim City Manager Gee furthered the purpose of the zone change was to allow for the placement of a manufactured home.

Interim City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider Second Reading of an Ordinance changing the zoning to “Manufactured Dwelling” on property addressed as 2121 Wood Avenue.

Mayor Mark Hicks opened the Public Hearing at 5:15 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 Wes Suiter 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 “LOCAL BUSINESS” AND THE FUTURE LAND USE MAP DESIGNATION TO “CORRIDOR COMMERCIAL” ON PROPERTY ADDRESSED AS 2902 AND 2906 ATKINSON DRIVE – APPROVED.

Interim City Manager Kevin Gee stated the applicant had requested a zone change to from “Residential Small” to “Local Business” for 2902 and 2906 Atkinson Drive for the purpose of future commercial development. Interim City Manager Gee highlighted the location of the property on corresponding maps and provided information on current zoning of neighboring properties. Interim City Manager Gee furthered the request was unanimously approved by the Planning and Zoning Commission.

Interim City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas by changing the zoning to “Local Business” and the Future Land Use Map designation to “Corridor Commercial” on property addressed as 2902 and 2906 Atkinson Drive.

Mayor Mark Hicks opened the Public Hearing at 5:17 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 Ordinance as presented. Councilmember Lynn Torres seconded the motion and 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 “MANUFACTURED DWELLING” AND THE FUTURE LAND USE MAP DESIGNATION TO “LOW DENSITY RESIDENTIAL” ON PROPERTY ADDRESSED AS 2105 NILE STREET – APPROVED.

Interim City Manager Kevin Gee stated the applicants had requested a zone change to “Manufactured Dwelling” along with a Future Land Use map change to “Low Density Residential” on property addressed as 2105 Nile Street. Interim City Manager Gee furthered the request was to allow for the placement of a new manufactured home that was destroyed in a fire. Interim City Manager Gee highlighted the location of the property on corresponding maps and provided information on current zoning of neighboring properties.

Interim City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas by changing the zoning to “Manufactured Dwelling” and the Future Land Use Map designation to “Low Density Residential” on property addressed as 2105 Nile Street.

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

7. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AUTHORIZING THE CITY OF LUFKIN TO PARTICIPATE IN THE TEXAS ENTERPRISE ZONE PROGRAM AND NOMINATING PINEYWOODS HEALTHCARE SYSTEM, LP DBA WOODLAND HEIGHTS MEDICAL CENTER AS AN ENTERPRISE PROJECT – APPROVED.

Interim City Manager Gee stated the City Council had approved a Resolution in November 2021 in support of the project submitted through the Texas Enterprise Zone Program by Woodland Heights Medical Center but unfortunately, the application was not approved. Interim City Manager Gee furthered the Texas Enterprise Zone Program (EZP) was a State sales and use tax refund program designed to encourage private investment and job creation in economically distressed areas of the state. Interim City Manager Gee stated Piney Woods Health Care System, L.P., dba Woodland Heights Medical Center proposed to make capital expenditures for new equipment and facility renovations in excess of \$5 million, but less than \$150 million. Interim City Manager Gee explained the Ordinance in no way obligated the City to provide any of the listed incentives, but simply stated they may be made available to the applicant.

Interim City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider on Second Reading an Ordinance authorizing the City of Lufkin to participate in the Texas Enterprise Zone Program and nominating Pineywoods Healthcare System, L. P., dba Woodland Heights Medical Center as an Enterprise Project.


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 Council.

Councilmember Guessippina Bonner asked for clarification regarding the list of incentives attached to the proposed Ordinance. Interim City Manager Gee explained they were examples of things the City could do in support of the project but were not obligated to do. Discussion ensued.

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

Mayor Mark Hicks recognized those in attendance with Leadership Lufkin.

There being no further business, Mayor Mark Hicks adjourned the meeting at 5:23 p.m.



Mark Hicks, Mayor

ATTEST:



Kara Andrepont, City Secretary