

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 18TH DAY OF OCTOBER, 2022.

On the 18th day of October, 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
Robert Shankle
Guessippina Bonner
Brent Watkins
Wes Suiter
Rocky Thigpen
Kevin Gee
Kristi Skillern
Gerald Williamson
Kara Andrepont
Adriana Thomasee
David Thomas
Buddy Cross
Jesse Moody
Jessica Pebsworth
Belinda Melancon
Eddie Aguilar
Scott Feaster
Aaron Ramsey
Bob Samford

Mayor
Mayor Pro Tem
Councilmember, Ward No. 1
Councilmember, Ward No. 3
Councilmember, Ward No. 4
Councilmember, Ward No. 5
City Manager
City Attorney
Assistant City Manager
City Secretary
Human Resources
Police Chief
Assistant Police Chief
Fire Chief
Communications Director
Finance Director
Engineering Services Director
IT Director
Animal Control Director
Economic Development Director

being present; and

Trent Burfine

Councilmember, Ward No. 6

being absent when the following business was transacted.

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

PUBLIC COMMENT – Mayor Mark Hicks 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 Hicks closed the public comment period.

Mayor Mark Hicks recognized those in attendance with Leadership Lufkin.

CONSENT AGENDA - APPROVED

1. **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 20TH, 2022.**
2. **ACCEPTANCE OF A DONATION FROM GREATER GOOD CHARITIES TO THE KURTH MEMORIAL ANIMAL SHELTER AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2022-2023 OPERATING BUDGET (BUDGET AMENDMENT NO. 1) APPROPRIATING THE FUNDING – APPROVED.**
3. **ACCEPTANCE OF A GRANT FROM THE T.L.L. TEMPLE FOUNDATION FOR THE LUFKIN ECONOMIC DEVELOPMENT CORPORATION AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2022-2023 OPERATING BUDGET (BUDGET AMENDMENT NO. 2) APPROPRIATING THE FUNDING – APPROVED.**
4. **RESOLUTION AUTHORIZING ACCEPTANCE OF THE FISCAL YEAR 2022 U. S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR THE LUFKIN POLICE DEPARTMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2022-2023 OPERATING BUDGET (BUDGET AMENDMENT NO. 3) APPROPRIATING THE FUNDING – APPROVED.**

5. **RESOLUTION DENYING THE PROPOSED RATE INCREASE BY ONCOR ELECTRIC DELIVERY COMPANY FOR NINETY (90) DAYS – APPROVED.**
6. **APPROVAL OF THE CITY OF LUFKIN INVESTMENT POLICY – APPROVED.**
7. **APPROVAL OF AN AGREEMENT WITH VALLEY VIEW CONSULTING, LLC FOR INVESTMENT SERVICES – APPROVED.**

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

BUSINESS AGENDA

8. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, ALLOWING FOR REVISED BUILDING LINES WITHIN A PLANNED UNIT DEVELOPMENT ON PROPERTY ADDRESSED AS 109 SHIREY LANE – APPROVED.**

City Manager Kevin Gee stated the applicant was requesting to amend the zoning for the property from the existing “Planned Unit Development (PUD)” to allow for revised front building lines on the property located at 109 Shirey Lane. City Manager Gee furthered the purpose of the amendment was to allow the change of the front building lines from the currently required thirty feet (30’) to the proposed twenty feet (20’). City Manager Gee explained all provisions from the original Planned Unit Development would remain the same. City Manager Gee stated Staff found the proposed amendment allowing the modification of the front building lines consistent with the current area zoning, existing area uses, and proposed uses. City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider Second Reading of an Ordinance allowing for revised building lines within a Planned Unit Development on property addressed as 109 Shirey Lane.

Mayor Mark Hicks opened the Public Hearing at 5:03 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and moved to comments from the Council.

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

9. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “LOCAL BUSINESS” ON PROPERTY ADDRESSED AS 1200 SOUTH FIRST STREET – APPROVED.**

City Manager Kevin Gee stated the applicant had requested a zone change from “Neighborhood Retail” to “Local Business” for 1200 South First Street. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee furthered the property was currently occupied by A Stitch In Time and Bravo Hair Salon. City Manager Gee stated the purpose of the zone change was to increase the opportunities for commercial development and to make the property more marketable. City Manager Gee stated the request had been unanimously approved by the Planning and Zoning Commission. City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider Second Reading of an Ordinance changing the zoning to “Local Business” on property addressed as 1200 South First Street.

Mayor Hicks opened the Public Hearing at 5:05 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and requested comments from City Council.

Councilmember Wes Suiter moved to approve the Ordinance 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 CHANGING THE ZONING TO “COMMERCIAL” ON PROPERTY ADDRESSED AS 1600-1608 SOUTH FIRST STREET – APPROVED.**

City Manager Kevin Gee stated the applicant had requested a zone change from “Residential Large” to “Commercial” for 1600-1608 South First Street. City Manager Gee furthered the purpose of the

zone change was to create the most beneficial use of the land. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee stated the request had been unanimously approved by the Planning and Zoning Commission. City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider Second Reading of an Ordinance changing the zoning to “Commercial” on property addressed as 1600-1608 South First Street.

Mayor Hicks opened the Public Hearing at 5:07 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from City Council.

Councilmember Guessippina Bonner moved to approve the Ordinance as presented. Councilmember Brent Watkins 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 DAY CARE ON PROPERTY ADDRESSED AS 301 GOBBLERS KNOB ROAD – APPROVED.

City Manager Kevin Gee stated the applicant had requested approval of a Special Use Permit for a Day Care within the existing “Local Business” zoning classification for 301 Gobblers Knob Road. City Manager Gee furthered the applicant intended to construct the Building Blocks Academy 2 Day Care facility which would have a maximum capacity of 60 children. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee stated Staff found the proposed Special Use Permit consistent with the area zoning and the “Neighborhood Commercial” future land use classification. City Manager Gee furthered Staff had also reviewed the site plan and believed there was not an adverse impact on the surrounding area. City Manager Gee stated the request was unanimously approved by the Planning and Zoning Commission. City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider First Reading of an Ordinance granting a Special Use Permit for a day care on property located at 301 Gobblers Knob Road.

Mayor Hicks opened the Public Hearing at 5:08 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from City 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.

12. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS TO ALLOW FOR AUTOMOBILE SALES WITHIN THE “CENTRAL BUSINESS” DISTRICT BY SPECIAL USE PERMIT – APPROVED.

City Manager Kevin Gee stated Staff had determined the need to modify the zoning ordinance to further restrict the allowance of “Automobile Sales” within the Central Business District. City Manager Gee furthered under the current ordinance “Automobile Sales” were permitted by right within the “Central Business”, “Commercial”, “Light Manufacturing”, and “Heavy Manufacturing” zoning districts and by Special Use Permit within the “Local Business” zoning district. City Manager Gee explained in order to better control the location of automobile sales lots, Staff recommended the zoning ordinance be modified to allow the placement of “Automobile Sales” within the Central Business District only by Special Use Permit. City Manager Gee furthered the use of a Special Use Permit would give Staff the ability to ensure quality development within the District. City Manager Gee stated the change to the Zoning Ordinance was unanimously approved by the Planning and Zoning Commission during the October 10th meeting. City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval on First Reading of an Ordinance adding the requirement of a Special Use permit for automobile sales in a “Central Business” District.

Mayor 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 requested comments from City Council.

Councilmember Guessippina Bonner asked what the boundaries were for the Central Business District. Planning and Zoning Director, Scott Rayburn addressed the question and 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.

13. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS REGARDING GAME ROOMS AND PROVISIONS FOR THE SAME – APPROVED.

City Manager Kevin Gee stated cities and counties throughout Texas had a substantial increase in game rooms in the last few years. City Manager Gee furthered along with the increase came an increase in crime and citizen complaints. City Manager Gee stated there had been a fine line between the use of game rooms strictly for recreation and the use of game rooms for gambling. City Manager Gee furthered the City of Lufkin had been inundated with requests for the operation of these game rooms and it had become necessary to define and restrict the use and location of game rooms. City Manager Gee stated the City did not currently have an ordinance that provided for the permitting and operation of game rooms. City Manager Gee explained it was important to differentiate the current definition within the zoning ordinance of “Indoor Commercial Amusement” from the proposed more restrictive definition of a “Game Room”. City Manager Gee stated Staff found that a “Game Room,” as defined within the proposed amendment, may have a detrimental effect on both the existing businesses around them and the surrounding residential areas adjacent to them. City Manager Gee furthered according to the Lufkin Police Department, officers had responded 132 times to drug activity, assaults, and theft related to Lufkin gaming locations. City Manager Gee stated Staff believed that by limiting their use and location within the City and requiring a Special Use Permit, they would be better be able to prevent many of the adverse effects. City Manager Gee furthered the Planning and Zoning Commission approved the amendment during the October 10th meeting. City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval of the First Reading of an Ordinance regarding Game Rooms within the City of Lufkin.

Mayor 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 requested comments from City Council.

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

14. FIRST READING OF AN ORDINANCE AMENDING THE FLOODPLAIN ORDINANCE OF THE CITY OF LUFKIN; ADDING DEFINITIONS AND FLOOD HAZARD REDUCTION PROVISIONS– APPROVED.

City Manager Gee stated since May 13, 2022, the Texas Water Development Board (TWDB) had been conducting a Community Assistance Visit (CAV) with the City of Lufkin. City Manager Gee explained the purpose of the visit was to evaluate the local floodplain management program to determine its effectiveness and compliance with the FEMA’s National Flood Insurance Program. City Manager Gee furthered the visit also included a review of the flood damage prevention ordinance and recommended actions to amend the current Flood Prevention and Mitigation Ordinance No. 4294. City Manager Gee stated there were two recommendations to the ordinance which included adding the definition for Base Flood Elevation (BFE) and an additional provision concerning encroachments within the regulated floodway. City Manager Gee noted the Ordinance had been included in Council’s packet for review. City Manager Gee concluded Staff recommended City Council approve the First Reading of an Ordinance amending the Floodplain Ordinance of the City of Lufkin.

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

15. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE ESTABLISHING COMPREHENSIVE REGULATIONS REGARDING ANIMALS IN THE CITY OF LUFKIN – APPROVED.

City Manager Gee stated Staff had been working for numerous months updating the Ordinance regarding animals in the City of Lufkin. City Manager Gee explained the existing Ordinance was outdated and in conflict with current State law. City Manager Gee furthered the proposed Ordinance addressed animal issues within the City in a clear and concise manner and provided regulations for animals that would reduce the shelter populations and further increase public safety. City Manager Gee stated the fee schedule has also been updated to accurately reflect increasing costs. City Manager Gee furthered a detailed summary of changes and the complete ordinance had been included in Council’s packet for review. City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval of the First Reading of an Ordinance establishing comprehensive regulations regarding animals in the City of Lufkin.

Mayor Hicks opened the Public Hearing at 5:18 p.m. Luke Owens spoke regarding the setback requirements for chickens in a residential area. Molly James spoke in favor of the proposed ordinance. There being no one else who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from City Council.

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

16. APPOINTMENT THE ANIMAL CONTROL ADVISORY BOARD – APPROVED.

City Manager Kevin Gee stated the Animal Control Advisory Board was established in 2014 per State Law requirements and must consist of a licensed veterinarian, a municipal official, an individual charged with the operation of an animal shelter and a representative from an animal welfare organization. City Manager Gee furthered Kristy Bice, the representative position from an animal welfare organization, had recently resigned due to relocation. City Manager Gee stated Bridgett Briley with Blue Collar Mutts Rescue had been recommended to fill this board position. City Manager Gee concluded Staff recommended City Council consider an appointment to the Animal Control Advisory Board.

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

17. PRESENTATION OF CITY OF LUFKIN FINANCE COMMITTEE REPORT

Finance Director Belinda Melancon presented the City of Lufkin Quarterly Finance Committee Report.

There being no further business, Mayor Mark Hicks adjourned the meeting at 5:26 p.m.



Mark Hicks, Mayor

ATTEST:

Kara Andrepont, City Secretary