

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 4TH DAY OF APRIL, 2023.

On the 4th day of April, 2023, 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
Brent Watkins	Councilmember, Ward No. 3
Wes Suiter	Councilmember, Ward No. 4
Rocky Thigpen	Councilmember, Ward No. 5
Trent Burfine	Councilmember, Ward No. 6
Kristi Skillern	City Attorney
Kara Andrepont	City Secretary
Adriana Thomasee	Human Resources
Buddy Cross	Assistant Police Chief
Ryan Watson	Assistant Fire Chief
Jessica Pebsworth	Communications Director
Belinda Melancon	Finance Director
Eddie Aguilar	Engineering Services Director
Scott Rayburn	Planning Director
Calvin Toups	Building Official
Dwayne Greenwood	Street Department Director
Buddy Timme	Parks and Recreation Director
Albert Duffield	Utilities Director

being present; and

Kevin Gee	City Manager
Gerald Williamson	Assistant City Manager

being absent when the following business was transacted.

INVOCATION – The meeting was opened with prayer by Street Department Director, Dwayne Greenwood.

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.

CONSENT AGENDA

1. **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 21ST, 2023 - APPROVED.**
2. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2022-2023 OPERATING BUDGET (BUDGET AMENDMENT NO. 8) APPROPRIATING THE FUNDING FROM A DONATION FROM LUFKIN LITTLE LEAGUE TO THE PARKS & RECREATION DEPARTMENT – APPROVED.**
3. **APPROVAL OF A RESOLUTION AUTHORIZING AND SUPPORTING THE DESIGNATION OF A CULTURAL DISTRICT BY THE TEXAS COMMISSION ON THE ARTS IN PARTNERSHIP WITH LUFKIN CREATIVE – APPROVED.**
4. **APPROVAL OF A RESOLUTION SUPPORTING AN APPLICATION FOR FUNDING OF RUNWAY 7-25 AT THE ANGELINA COUNTY AIRPORT– APPROVED.**
5. **APPROVAL OF THE PURCHASE OF VEHICLES FOR VARIOUS CITY DEPARTMENTS – APPROVED.**

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

BUSINESS AGENDA

6. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY AMENDING ARTICLE XIX “SCHEDULE OF PERMITTED USES” TO INCLUDE BRING YOUR OWN BEVERAGE (BYOB) ESTABLISHMENTS THAT ARE NOT LICENSED OR PERMITTED BY THE TEXAS ALCOHOLIC BEVERAGE COMMISSION– APPROVED.

City Attorney Kristi Skillern stated Staff had found it necessary to better regulate establishments that were not previously defined by zoning ordinance. City Attorney Skillern furthered the intent of the ordinance was to better delineate the differences between approved nightclubs, which are regulated under “Indoor Commercial Amusement”, and those that are not licensed or permitted by the Texas Alcoholic Beverage Commission. City Attorney Skillern stated such “bring your own beverage” (BYOB) establishments could negatively impact residential areas during the late evening and early morning hours due to noise and congestion from additional vehicular and pedestrian traffic coming to and from such establishments. City Attorney Skillern furthered the new classification would allow for more consistent enforcement of the Building Code, including fire prevention and protection, for the safety of the patrons. City Attorney Skillern stated the Special Use Permit within limited zoning classifications, would allow the Planning and Zoning Commission and City Council the ability to approve or disapprove this type of use in a more consistent way for the community, due to the required site plan and floorplan review mandated by the special use process. City Attorney Skillern furthered the request was unanimously recommended for approval by the Planning and Zoning Commission.

City Attorney Skillern concluded Staff recommended Council conduct a Public Hearing and consider approval on First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by amending Article XIX “Schedule of Permitted Uses” to include Bring Your Own Beverage (BYOB) Establishments that are not licensed or permitted by the Texas Alcoholic Beverage Commission.

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

Councilmember Trent Burfine asked how many BYOB establishments were currently located within the City of Lufkin. Councilmember Burfine expressed his concern with determining if it was a simple social gathering or a BYOB establishment. City Attorney Skillern addressed the question and discussion ensued. Building Official Calvin Toups and Planning and Zoning Director Scott Rayburn spoke and addressed issues regarding BYOB establishments.

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

7. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY CHANGING THE ZONING TO “APARTMENT” AND THE FUTURE LAND USE MAP DESIGNATION TO “HIGH DENSITY RESIDENTIAL” ON PROPERTY ADDRESSED AS 302 MOTT DRIVE – APPROVED.

City Attorney Skillern stated the applicant, Bruce Love, was requesting a zone change from “Residential Medium” to “Apartment” for 9.216 acres addressed as 302 Mott Drive. City Attorney Skillern furthered the property was currently undeveloped and the intent of the applicant was to allow the development of an age-restrictive apartment complex with 72 units. City Attorney Skillern highlighted the location of the property and surrounding uses. City Attorney Skillern stated the request was recommended for approval by the Planning and Zoning Commission with provisions:

- An eight-foot solid fence will be required between the property and the Rushwood Subdivision.
- Mott Drive would be evaluated for needed road improvements.
- Development would be required to meet the City’s drainage criteria manual.

City Attorney Skillern concluded Staff recommended Council conduct a Public Hearing and consider approval on First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning to “Apartment” and the Future Land Use Map Designation to “High Density Residential” on property addressed as 302 Mott Drive.

Mayor 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 requested 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.

8. 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 1422 SOUTH FIRST STREET -

City Attorney Kristi Skillern stated the applicant, Gary Galloway, was requesting a zone change from “Local Business” and “Commercial” to a single “Commercial” zoning district for 1422 S First Street. City Attorney Skillern furthered the property was currently undeveloped and the intent of the applicant was for the future development of an automotive sales lot. City Attorney Skillern highlighted the location of the property and surrounding uses. City Attorney Skillern stated the request was unanimously recommended for approval by the Planning and Zoning Commission.

City Attorney Skillern concluded Staff recommended Council conduct a Public Hearing and consider approval on First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning to “Commercial” on property address as 1422 South First Street.

Mayor Hicks opened the Public Hearing at 5:14 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

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

9. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY CHANGING THE ZONING TO “COMMERCIAL” AND THE FUTURE LAND USE MAP DESIGNATION TO “NEIGHBORHOOD COMMERCIAL” ON PROPERTY ADDRESSED AS 1800 FORD CHAPEL ROAD RESENTATION AND APPROVAL OF THE MORRIS FRANK PARK MASTER PLAN AND PHASE 1 PROJECT SCOPE – APPROVED.

Councilmember Wes Suiter moved to postpone item number nine (9). Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

10. 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 CELLULAR TOWER ON PROPERTY ADDRESSED AS 111 INDUSTRIAL BOULEVARD – APPROVED.

City Attorney Kristi Skillern stated the applicant, Brandt Dozier with Jacobs Telecommunications and Engineering was proposing to construct a one hundred and forty (140) foot AT&T monopole cellular tower with related equipment. City Attorney Skillern furthered the proposed cellular tower would be located on an approximately 5,625 square foot lease area on a portion of 10.573 acres owned by AWC Family Partnership LTD. City Attorney Skillern highlighted the location of the property and surrounding uses. City Attorney Skillern stated the request was unanimously recommended for approval by the Planning and Zoning Commission and 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 Attorney Skillern concluded Staff recommended Council conduct a Public Hearing and consider approval on First Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for a cellular tower on property addressed as 111 Industrial Boulevard.

Mayor 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 requested comments from the City Council.

Councilmember Guessippina Bonner stated she was apposed to bringing any other cellular structures into the City due to environmental concerns. Councilmember Trent Burfine asked if the zoning would change for the entire property. Discussion ensued.

Councilmember Brent Watkins moved to approve the Ordinance as presented. Councilmember Trent Burfine seconded the motion and a vote of 6-1 was recorded with Councilmember Guessippina Bonner voting against. Motion passed.

11. PRESENTATION AND APPROVAL OF STREET REHABILITATION PROJECTS AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2022-2023 OPERATING BUDGET (BUDGET AMENDMENT NO. 9) APPROPRIATING THE FUNDING – APPROVED.

City Attorney Skillern stated Engineering Staff had performed an evaluation of the thoroughfares and major collector streets throughout the City. City Attorney Skillern furthered the evaluation considered the existing pavement and drainage conditions as well as traffic volumes and Council had been provided a table summarizing the rating and ranking priorities of the streets. City Attorney Skillern stated the top three (3) major streets in need of improvements included S. Angelina Street, Gaslight Boulevard, and Daniel McCall Drive. City Attorney Skillern furthered a portion (Phase 1) of Daniel McCall Dr. was programmed and funded for reconstruction in the current 2020 Capital Improvements Project Bond Funds, while the remaining portion (Phase 2) of Daniel McCall Dr. and all of Gaslight Blvd. were planned as future CIP Bond projects. City Attorney Skillern stated in order to begin the process, Staff recommended utilizing available fund balance in Fund 300, the General Fund Construction Projects, to pay for the design services to develop construction bid documents for these projects. City Attorney Skillern furthered part of the design process would include preparation of a detailed construction cost estimate and Staff proposed bringing the construction cost before Council at the mid-year budget, with proposed funding sources.

City Attorney Skillern concluded Staff recommended Council consider approval of the Street Rehabilitation Projects and consider approval on First Reading of an Ordinance authorizing an amendment to the 2022-2023 Operating Budget (Budget Amendment No. 11) appropriating the funding.

Councilmember Trent Burfine moved to approve the Street Rehabilitation Projects and Ordinance as presented. Councilmember Wes Suiter seconded the motion and a unanimous vote to approve was recorded.

12. 2022 – 2023 STREET OVERLAY PROGRAM – APPROVED.

City Attorney Kristi Skillern stated the proposed 2022-2023 Street Overlay Program was being presented for City Council approval. City Attorney Skillern furthered the City Street Department had identified and selected streets to be overlaid based on the extent of pavement deterioration. City Attorney Skillern stated the new asphalt overlay would not only renew the surface of the streets, but would also seal and protect the pavement subgrade from damaging moisture. City Attorney Skillern furthered the total 2022-2023 Street Overlay Program Budget Amount is \$900,000 which had been allocated among the six (6) wards as followed:

Ward No. 1	\$ 134,500
Ward No. 2	\$ 141,400
Ward No. 3	\$ 144,550
Ward No. 4	\$ 142,200
Ward No. 5	\$ 137,300
Ward No. 6	\$ 142,700
Total	\$ 842,600

City Attorney Skillern stated the estimates were approximate and the actual cost could fluctuate due to unforeseen issues with sub-grade and materials cost. City Attorney Skillern furthered maps of each ward had been included in the Council’s packet for review.

City Attorney Skillern concluded Staff recommended City Council approve the 2022-2023 Street Overlay Program as presented.

Councilmember Guessippina Bonner moved to approve the 2022-2023 Street Overlay Program as presented. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

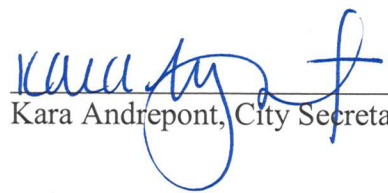
Mayor Hicks recognized the Lufkin Creative group in attendance and thanked City Attorney Kristi Skillern for filling in on Council.

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




Mark Hicks, Mayor

ATTEST:


Kara Andrepont, City Secretary