

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 21ST DAY OF MAY 2024.

On the 21st day of May 2024, 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
Kim Ogden	Councilmember, Ward No. 4
Jimmy Ford	Councilmember, Ward No. 5
Adam Lowther	Councilmember, Ward No. 6
Kevin Gee	City Manager
Kristi Skillern	City Attorney
Brian W. Bray	Assistant City Manager
Kara Andrepont	City Secretary
Adriana Thomasee	Human Resources
David Thomas	Police Chief
Buddy Cross	Assistant Police Chief
Jesse Moody	Fire Chief
Belinda Melancon	Finance Director
Christopher Key	Engineering Services Director
Scott Rayburn	City Planner
Buddy Timme	Parks and Recreation Director
Albert Duffield	Utilities Director
Scott Feaster	IT Director

being present when the following business was transacted.

INVOCATION – The meeting was opened with prayer by Mr. Mike Parker.

PUBLIC COMMENT – Mayor Mark Hicks opened the meeting for public comment on any posted agenda item at 5:02 p.m. Ms. Kathy Riley spoke regarding Item No. 6. There being no one else who wished to speak; Mayor Hicks closed the public comment period.

Mayor Mark Hicks presented a proclamation recognizing the Crime Stoppers Band and their commitment to the community.

CONSENT AGENDA

- 1. MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 7TH, 2024 - APPROVED.**
- 2. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023 – 2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 16) APPROPRIATING FUNDING FROM THE TRAUMA SERVICE AREA H (TSAH) REGIONAL ADVISORY COUNCIL FOR THE LUFKIN FIRE DEPARTMENT - APPROVED.**
- 3. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023-2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 17) APPROPRIATING FUNDING FROM THE FISCAL YEAR 2025 CRIMINAL JUSTICE GRANT FOR THE LUFKIN POLICE DEPARTMENT – APPROVED.**
- 4. FUNDING FROM GEORGIA PACIFIC FOR THE LUFKIN FIRE DEPARTMENT AND APPROVAL ON FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023-2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 18) APPROPRIATING THE FUNDING – APPROVED.**
- 5. DONATION OF CISCO PHONE EQUIPMENT FROM AXLEY AND RODE, LLP – APPROVED.**

Councilmember Guessippina Bonner moved to approve all items on the Consent Agenda as presented. Councilmember Adam Lowther 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 CHANGING THE ZONING TO "COMMERCIAL" ON NINE (9) PROPERTIES LOCATED NEAR THE NORTHEAST CORNER OF ATKINSON DRIVE AND NORTH MEDFORD DRIVE – APPROVED.

City Manager Kevin Gee stated Jennifer Lynn Radke, representing James Edward Radke, and the James Edward Radke Living Trust, along with Rebecca Anne Radke were requesting a zoning change for nine (9) properties comprising 8.8 acres located near the northeast corner of Atkinson Drive and N. Medford Drive. City Manager Gee furthered the tracts were currently occupied by multiple small single-family homes and a cellular tower. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee stated the purpose of the zone change was to change the overall properties into a singular "Commercial" zoning classification allowing for increased marketability and future commercial development. City Manager Gee furthered the Comprehensive Plan designation for the property was "Flex Office Warehouse", and the subject property fell within the Transportation and Warehouse District (F) Planning Focus Area. City Manager Gee stated Staff found the proposed zone change consistent with the current existing area uses as well as the current "Flex Office Warehouse" future land use classification. City Manager Gee furthered the request was unanimously recommended for approval by the Planning and Zoning Commission.

City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval on First Reading of an Ordinance changing the zoning for nine (9) properties located near the northeast corner of Atkinson Drive and N. Medford Drive to a single "Commercial" zoning classification.

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 the City Council.

Mayor Hicks asked if the property backed up to residential homes, if all the owners had been notified and if there had been any negative feedback. Councilmember Brent Watkins asked where the cell tower was located on the property. Councilmember Adam Lowther asked if there would be restrictions preventing access from the Atkinson Street side. Discussion ensued.

Councilmember Brent Watkins moved to approve the Ordinance as presented. Councilmember Guessippina Bonner 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 GRANTING A SPECIAL USE PERMIT FOR A HEIGHT INCREASE ON AN EXISTING COMMUNICATION TOWER LOCATED AT 1205 MYRNA STREET – APPROVED.

City Manager Kevin Gee stated Gary Howard with Crown Castle Incorporated was requesting approval of an increase in height for the existing tower located at 1205 Myrna Street. City Manager Gee furthered the tower location had been approved by Special Use Permit (Ordinance #3320) in May of 1998 with an approved height of 150 feet. City Manager Gee stated the applicant was requesting that the approved height be increased from 150 feet to 161 feet. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee furthered the subject property was designated on the Future Land Use Map as "Commercial" and fell under the Business 59 Corridor / Timberland Drive (I) Focus Area. City Manager Gee stated the Special Use Permit allowing for an increase in tower height to 161 feet was unanimously recommended for approval by the Planning and Zoning Commission.

City Manager Kevin Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval on First Reading of an Ordinance granting a Special Use Permit allowing for an increase in tower height to 161 feet for an existing Communication Tower located at 1205 Myrna Street.

Mayor Hicks opened the Public Hearing at 5:16 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

Councilmember Adam Lowther moved to approve the Ordinance as presented. Councilmember Jimmy Ford seconded the motion and a unanimous vote to approve was recorded.

8. FIRST READING OF AN ORDINANCE PROVIDING FOR THE ABANDONMENT, VACATION, AND CLOSURE OF POWELL STREET AND ASSOCIATED RIGHT-OF-WAY WITHIN THE JL QUINALTY SURVEY – APPROVED.

City Manager Kevin Gee stated Engineering Services received a request from Paul R. Stringer, II to acquire a portion of the right-of-way associated with Powell Street adjacent to their existing business, Lufkin BBQ. City Manager Gee furthered the stated intent was to construct a new restaurant and other retail spaces. City Manager Gee stated the applicant owned the property on both sides of Powell Street and development utilizing both properties were hindered by the street right-of-way. City Manager Gee furthered Engineering Services had reviewed the request and found closure of the street to provide a public benefit by increasing traffic safety, decreasing city maintenance cost, and fostering economic development. City Manager Gee explained the Powell Street right-of-way was comprised of fee simple ownership, prescriptive easement, and recorded easement right of way with the request for purchase pertaining to the fee simple portion to the south, containing 0.165 acres. City Manager Gee stated there were existing utilities within the right-of-way and a condition of the sale of the south portion was for a replat to be completed, providing easements for existing utilities. City Manager Gee furthered the property had been determined appropriate for sale and all steps required by Chapter 272 of the Local Government Code had been followed. City Manager Gee stated the total cost of \$13,250 included the appraised value of the land, the appraisal, and filing fee. City Manager Gee noted upon approval by Council and payment, the City would issue a deed without warranty.

City Manager Gee concluded Staff recommended City Council consider approval on First Reading of an Ordinance providing for the abandonment, vacation, and closure of Powell Street and associated right of way, and sale of a portion of right-of-way within the JL Quinalty Survey.

Councilmember Robert Shankle asked if the entire street would be closed. Councilmember Jimmy Ford asked who was required to be contacted about the proposed sale. Councilmember Adam Lowther asked if there would be a restriction regarding structures being built over the utilities. Mayor Hicks asked who would maintain the end of the street near Timberland Drive. Discussion ensued.

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

9. PUBLIC HEARING AND A RESOLUTION TO CERTIFY LOCAL FUNDING AND SUPPORT OF CITY OF LUFKIN SIDEWALK IMPROVEMENTS PROJECT THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION 2023 TASA PROGRAM – APPROVED.

City Manager Kevin Gee stated in May of 2023 Council had approved the application for the Transportation Alternative Set Aside (TASA) grant application through the Texas Department of Transportation. City Manager Gee furthered the City had received approval of construction for new sidewalks on Angelina Street from Groesbeck Avenue to Abney Avenue and on Atkinson Drive from Angelina Street to Timberland Drive. City Manager Gee stated to enter into the agreement for the project, the program required a Resolution from the City of Lufkin certifying support of the project. City Manager Gee furthered the project had a total estimated cost of \$1,798,076, of which 80% would be covered by the program and 20% was provided by local match Transportation Development Credits, in lieu of payment. City Manager Gee stated the initial out-of-pocket expense to the City would be zero dollars, but any overruns above the total project estimate would be the responsibility of the City.

City Manager Kevin Gee concluded Staff recommended City Council approve a Resolution to Certify Local Funding and Support for City of Lufkin Sidewalk Improvements Project through the Texas Department of Transportation 2023 TASA Program.

Mayor 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 requested comments from the City Council.

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

10. FINANCIAL STATUS REPORT

City Manager Kevin Gee updated City Council on the financial status of the City. City Manager Gee offered to answer any questions. There were none.

There being no further business, Mayor Mark Hicks adjourned the meeting at 5:27 p.m.



Mark Hicks, Mayor

ATTEST:



Kara Andrepoint, City Secretary