

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 20TH DAY OF AUGUST 2024.

On the 20th day of August 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
Robert Shankle
Guessippina Bonner
Brent Watkins
Kim Ogden
Jimmy Ford
Adam Lowther
Kevin Gee
Kristi Skillern
Brian W. Bray
David Thomas
Buddy Cross
Jesse Moody
Jessica Pebsworth
Belinda Melancon
Christopher Key
Scott Rayburn
Scott Cameron
Buddy Timme
Tara Hendrix
Albert Duffield
John Smith
Gordon Henley
Morgan Williams
Bob Samford

Mayor
Mayor Pro Tem
Councilmember, Ward No. 1
Councilmember, Ward No. 3
Councilmember, Ward No. 4
Councilmember, Ward No. 5
Councilmember, Ward No. 6
City Manager
City Attorney
Assistant City Manager
Police Chief
Assistant Police Chief
Fire Chief
Communications Director
Finance Director
Engineering Services Director
City Planner
Street Department Superintendent
Parks and Recreation Director
Tourism & Marketing Director
Utilities Director
IT Director
Ellen Trout Zoo Director
Animal Services Manager
Economic Development Director

being present; and

Kara Andrepont

City Secretary

being absent when the following business was transacted.

INVOCATION – The meeting was opened with prayer by Mr. Willie Spikes.

Mayor Mark Hicks recognized those in attendance with Leadership Lufkin as well as the new City of Lufkin Juvenile Case Manager, Nancy Zamarripa.

PUBLIC COMMENT – Mayor Mark Hicks opened the meeting for public comment on any posted agenda item at 5:05 p.m. Kathy Ramsey spoke in opposition to Item No. 15 on the agenda. There being no one else who wished to speak; Mayor Hicks closed the public comment period.

CONSENT AGENDA

1. **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 6TH, 2024 - APPROVED.**
2. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023-2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 21) APPROPRIATING THE FUNDING FOR THE FISCAL YEAR 2024 CAPITAL IMPROVEMENT PROJECTS - APPROVED.**
3. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023-2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 22) APPROPRIATING THE FUNDING FOR THE LUFKIN FIRE DEPARTMENT FROM THE TSAH REGIONAL ADVISORY COUNCIL – APPROVED.**
4. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023-2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 23) APPROPRIATING**

THE FUNDING FOR THE ANIMAL SERVICES DEPARTMENT FROM THE BEST FRIENDS ANIMAL SOCIETY - APPROVED.

5. **FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023-2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 24) APPROPRIATING FUNDING FOR THE PURCHASE OF AN EMERGENCY VEHICLE TECHNICIAN TRUCK FOR THE FIRE DEPARTMENT – APPROVED.**
6. **ACCEPTANCE OF CONTRIBUTIONS FOR TEEN COURT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023-2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 25) APPROPRIATING THE FUNDING – MOVED TO BUSINESS AGENDA.**
7. **ACCEPTANCE OF GRANT FUNDING FOR THE LUFKIN FIRE DEPARTMENT FROM THE TSAH REGIONAL ADVISORY COUNCIL AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023 – 2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 26) APPROPRIATING THE FUNDING – APPROVED.**
8. **RESOLUTION APPROVING THE APPOINTMENT OF CITY OF LUFKIN MUNICIPAL COURT JUDGE– APPROVED.**
9. **RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN EMERGENCY FACILITY USE AGREEMENT WITH THE LUFKIN INDEPENDENT SCHOOL DISTRICT– APPROVED.**
10. **APPROVAL OF THE PURCHASE OF AN ELECTRIC BURDEN HAULER FOR THE ELLEN TROUT ZOO – APPROVED.**
11. **AWARD OF CONTRACT FOR THE LUFKIN CITY HALL EXTERIOR REPAIRS PROJECT – APPROVED.**
12. **AWARD OF CONTRACT FOR THE LED LIGHTING AND CONTROLS AT MORRIS FRANK PARK – APPROVED.**
13. **AWARD OF CONTRACT FOR THE INSPECTION/EVALUATION OF WATER WELLS #7 AND #25 – APPROVED.**
14. **AWARD OF CONTRACT FOR AN UPDATE TO THE PARKS AND TRAILS MASTER PLAN – MOVED TO BUSINESS AGENDA.**

Councilmember Guessippina Bonner requested Item No. 6 and Item No. 14 be moved to the Business Agenda. Councilmember Robert Shankle moved to approve all remaining items on the Consent Agenda as presented. Councilmember Jimmy Ford seconded the motion and a unanimous vote to approve was recorded.

BUSINESS AGENDA

6. **ACCEPTANCE OF CONTRIBUTIONS FOR TEEN COURT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2023-2024 OPERATING BUDGET (BUDGET AMENDMENT NO. 25) APPROPRIATING THE FUNDING – APPROVED.**

City Manager Kevin Gee stated Teen Court was a diversionary sentencing program for teens who are charged with Class C misdemeanors. City Manager Gee furthered the program began in 2023 and provided 9th-12th grade students in Angelina County the opportunity to serve as teen court prosecutors, defense counsel, bailiffs and as jurors on teen court docket nights held once per month in Municipal Court. City Manager Gee stated the Teen Court program was funded by grants, donations, community sponsors and the City of Lufkin budget. City Manager Gee explained a budget amendment was necessary to assist with funding T-shirts, supplies, and food provided for the volunteers at the training in August 2024 and at the first docket night in September, which are prior to the start of the fiscal year.

City Manager Gee concluded Staff recommended City Council accept contributions for Teen Court and consider First Reading of an Ordinance authorizing an amendment to the 2023-2024 Operating Budget (Budget Amendment No. 25) appropriating the funding.

Councilmember Guessippina Bonner asked if the Ordinance was a one-year Ordinance or if the Ordinance would be permanent. City Manager Kevin Gee explained the City of Lufkin budget could only be modified by Ordinance, so this was an amendment to the Fiscal Year 2024 budget modifying it to show the revenue for that year only. Councilmember Guessippina Bonner also asked what the dollar amount was for the contribution. City Manager Gee stated the amount was \$2,040 and would be under the City Attorney/Municipal Court. Councilmember Brent Watkins asked if it would be a line item on the Fiscal Year 2025 Budget. City Manager Gee stated it was included as a line item for revenues and was not funded by tax revenues but was a donation.

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

14. AWARD OF CONTRACT FOR AN UPDATE TO THE PARKS AND TRAILS MASTER PLAN – MOVED TO BUSINESS AGENDA.

City Manager Kevin Gee stated the current Parks and Trails Master Plan was adopted in 2009 and needed to be updated. City Manager Gee furthered the intention was to focus on the current assessment of what the City had and what the community needed through public involvement to develop a plan that would be utilized for future action. City Manager Gee stated Staff had reached out to providers of consultant services for park master plans and selected Kendig Keast Collaborative (KKC) who had provided a bid of \$60,500 to update the existing master plan over an approximate six (6) month period. City Manager Gee furthered KKC would meet with the Parks Board, a special committee made up of key stakeholders, conduct a public open house, and provide a final plan that would provide a realistic action plan for moving forward. City Manager Gee stated the project had been approved in the Fiscal Year 2024 projects during a previous City Council meeting.

City Manager Gee concluded Staff recommended City Council consider award of a contract for a Master Park Plan to Kendig Keast Collaborative.

Councilmember Guessippina Bonner requested that once an agreement had been made, if there were any changes to the final plan, the Parks Board and the committee be called back together to approve the changes. Discussion ensued.

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

15. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “RESIDENTIAL LARGE” ON A PORTION OF PROPERTY ADDRESSED AS 300 LESLIE LANE; CHANGING THE ZONING TO “COMMERCIAL” AND THE FUTURE LAND USE MAP DESIGNATION TO “CORRIDOR COMMERCIAL” ON PROPERTY ADDRESSED AS 2407 AND 2411 EAST DENMAN AVENUE AND A PORTION OF 404 LESLIE LANE – APPROVED.

City Manager Kevin Gee this was a Second Reading of a request for a zone change for properties situated between Denman Avenue and Leslie Lane. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee furthered the request included a zone change from “Commercial” to “Residential Large” for a 0.339 acre portion of 300 Leslie Lane and from “Residential Large” to “Commercial” for a 3.012 acre portion of property including part of 2407 and 2411 East Denman Avenue and the rear of 404 Leslie Lane. City Manager Gee stated 2407 and 2411 East Denman were currently zoned “Commercial” on the front 3.857 acres with the rear of the property being “Residential Large”. City Manager Gee furthered the purpose of the zone change was to allow for future commercial development. City Manager Gee stated the request was unanimously recommended for approval by the Planning and Zoning Commission.

City Manager Gee stated due to signed opposition of more than twenty percent (20%) of the area of required notification, a “super majority” vote of at least three-fourths (3/4), or six (6) out of seven (7) City Council members was required per Chapter 211.006 of the Local Government Code. City Manager Gee noted there were two (2) requests for approval and two (2) requests for denial that were

submitted along with a signed petition from residents of Normandy Estates requesting denial of the zone change. City Manager Gee furthered the item was postponed during the City Council meeting of April 16th, 2024, to allow the applicant and adjoining property owners to resolve the conflicting issues. City Manager Gee stated the item was postponed again during the June 18th, 2024, City Council meeting due to all City Councilmembers not being present. City Manager Gee noted the request being presented was the same as before with no changes or additions.

City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval on Second Reading of an Ordinance changing the zoning to “Residential Large” on a portion of 300 Leslie Lane as well as a zone change to “Commercial” and a Future Land Use designation of “Corridor Commercial” on 2407 and 2411 East Denman and the rear portion of 404 Leslie Lane.

Mayor Hicks opened the Public Hearing at 5:19 p.m. Speaking in opposition to the proposed Ordinance were Kathy Ramsey and James Slack. Speaking on behalf of the applicant and in favor of the Ordinance was Michael Parker. Janie Slack spoke in favor of the proposed Ordinance but expressed concerns regarding traffic safety in the neighborhood if multiple small homes were built in the area. There being no one else 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 Guessippina Bonner seconded the motion, and the motion passed with a six (6) to one (1) vote; Councilmember Kim Ogden opposed the approval.

16. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE CHANGING THE ZONING TO “APARTMENT” AND GRANTING A SPECIAL USE PERMIT FOR A SHELTERED CARE FACILITY FOR 704 PERSHING AVENUE – APPROVED.

City Manager Kevin Gee stated the request was for a zone change from “Residential Small” to “Apartment” for 704 Pershing Avenue. City Manager Gee furthered the applicant, Carla Clark Kegler was also requesting a Special Use Permit for a Sheltered Care Facility. City Manager Gee stated the definition of a Sheltered Care Facility and noted the proposed facility would be limited to four persons with special needs of at least sixty years of age. City Manager Gee furthered a letter from the applicant along with a floor plan of the home had been included in the Council’s packet. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee stated the request had been 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 changing the zoning to “Apartment” and granting a Special Use Permit for a Sheltered Care Facility for 704 Pershing Avenue.

Mayor Hicks opened the Public Hearing at 5:30 p.m. Karen Hadnot spoke in favor of the proposed Ordinance and Special Use Permit. There being no one else who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

Councilmember Robert Shankle moved to approve the Ordinance and granting the Special Use Permit as presented. Councilmember Adam Lowther seconded the motion and a unanimous vote to approve was recorded.

17. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE PROVIDING FOR THE SALE OF A PORTION OF ALLEY WITHIN BLOCK 49 OF THE TOWN OF LUFKIN SURVEY NEAR WILLIAMS STREET – APPROVED.

Mayor Mark Hicks recused himself from discussion and voting on this item.

City Manager Kevin Gee stated Engineering Services had received a request from Pinedale Manor, LLC and CMA Hicks LLC to purchase a portion of alley. City Manager Gee highlighted the location of the alley and stated the alley was twenty feet (20’) wide by one hundred fifty feet (150’) long and approximately 3,000 square feet, with no City utilities. City Manager Gee furthered after the sale of the alley, a replat would be required to combine the alley with the adjoining property. City Manager Gee stated the sale of the portion of the alley complies with Chapter 272 of the Local Government Code. City Manager Gee furthered Engineering Services found the sale to be of public benefit, citing reduced City maintenance costs and fostering development. City Manager Gee stated following Council approval, and upon payment, the City would issue a deed without warranty to Mark Hicks with Pinedale Manor LLC.

City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval on First Reading of an Ordinance providing for the sale of a portion of alley within Block 49 of the Town of Lufkin Survey near Williams Street.

Mayor Pro-Tem Robert Shankle opened the Public Hearing at 5:34 p.m. There being no one who wished to speak; Mayor Pro-Tem Shankle closed the Public Hearing and requested comments from the City Council.

Councilmember Jimmy Ford asked if all neighbors could be given notification when property was to be sold. Discussion ensued.

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

18. RESOLUTION AUTHORIZING THE LUFKIN ECONOMIC DEVELOPMENT DIRECTOR TO ENTER INTO A LEASE AGREEMENT FOR PROPERTY AT ANGELINA COUNTY AIRPORT FOR THE CONSTRUCTION OF AN AIRPORT HANGAR – APPROVED.

City Manager Kevin Gee stated the Lufkin Economic Development Corporation was proposing to enter into a lease agreement with Angelina County for property at the Angelina County Airport described as Block 201 to construct an aircraft hangar. City Manager Gee furthered the lease would be for a period of fifty (50) years commencing with the signing of the agreement.

City Manager Gee concluded Staff recommended City Council consider approval of a Resolution authorizing the Lufkin Economic Development Director to enter into a lease agreement for property at Angelina County Airport for the construction of an airport hangar.

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

19. RESOLUTION AUTHORIZING THE LUFKIN ECONOMIC DEVELOPMENT DIRECTOR TO ENTER INTO AN ECONOMIC DEVELOPMENT AND LEASE AGREEMENT WITH HCH AVIATION, LLC – APPROVED.

City Manager Kevin Gee stated the Lufkin Economic Development Corporation proposed to lease the LEDC hangar to HCH Aviation, LLC for general aircraft repair and services as well as a professional flight school. City Manager Gee furthered HCH Aviation currently operated a professional pilot training program where students could earn their four (4) year degree in aviation sciences at Stephen F. Austin State University. City Manager Gee stated HCH would expand the collegiate program to the Angelina County Airport and Angelina College. City Manager Gee furthered HCH planned to train 100 -150 students to include avionics maintenance, interiors and paint for aircraft at a later date. City Manager Gee stated conditions of the agreement included HCH making a minimum investment of six (6) million dollars in improvements and equipment and hiring a minimum of twenty (20) full-time employees over a three (3) year period. City Manager Gee furthered the term of the agreement was for fifteen (15) years with monthly rental payments of \$2,200 starting in year two (2) and increasing two percent (2%) each year.

City Manager Gee concluded Staff recommended City Council consider approval of a Resolution authorizing the Lufkin Economic Development Director to enter into an Economic Development and Lease Agreement with HCH Aviation, LLC.

Mayor Hicks recognized the willingness of the City of Lufkin and Angelina County to work together to realize the benefits of this project. Mayor Hicks commended LEDC Director Bob Samford in on his work regarding the project.

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

20. RESOLUTION AUTHORIZING THE LUFKIN ECONOMIC DEVELOPMENT DIRECTOR TO ENTER INTO AN ECONOMIC DEVELOPMENT AGREEMENT WITH CLEAN CARBON DEVELOPMENT PARTNERS, LLC – APPROVED.

City Manager Kevin Gee stated the Lufkin Economic Development Corporation (LEDC) proposed to enter an Economic Development agreement with Clean Carbon Development Partners, LLC.

(CCDP). City Manager Gee furthered CCDP was an infrastructure development company focused on designing, building, owning, operating, and maintaining state-of-the-art production plants that generate renewable energy and biocarbon used as an aggregate by metal manufacturers in the US and Europe. City Manager Gee stated the project would be located on approximately eleven (11) acres in the Lufkin Business Park and would incorporate the use of horizontal gasification unit designed to thermally convert wood chip residuals into high-fixed carbon biochar. City Manager Gee furthered there was a minimum capital investment of seventy-five (75) million dollars and a minimum of twenty (20) full-time employees. City Manager Gee stated the agreement included a \$25,000 deposit or option on the property with a November 1st, 2025, deadline for start of construction.

City Manager Gee concluded Staff recommended City Council consider approval of a Resolution authorizing the Lufkin Economic Development Director to enter into a Development Agreement with Clean Carbon Development Partners, LLC.

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

21. MEET AND CONFER AGREEMENT BETWEEN THE CITY OF LUFKIN AND THE LUFKIN POLICE DEPARTMENT – APPROVED.

City Manager Kevin Gee stated the Texas Meet and Confer law permitted police and fire groups to meet with designated management teams to discuss employment matters such as wages, benefits, and working conditions. City Manager Gee furthered the City of Lufkin and the Lufkin Police Association were currently under a Meet and Confer Agreement running from October 1, 2022 through September 30, 2024. City Manager Gee stated the proposed Meet and Confer Agreement had been negotiated between the City Manager and the Lufkin Police Association representatives and passed by the members in their recent vote. City Manager Gee furthered the agreement included the Lufkin Police Association relinquishing the referral bonus program and added shift differential pay for night shift at one hundred dollars (\$100) per month.

City Manager Gee concluded Staff recommended City Council approve a Meet and Confer Agreement between the City of Lufkin and the Lufkin Police Association.

Councilmember Robert Shankle moved to approve the agreement as presented. Councilmember Kim Ogden seconded the motion and a unanimous vote to approve was recorded.

22. 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 being no further business, Mayor Mark Hicks adjourned the meeting at 5:45 p.m.



ATTEST:


Mark Hicks, Mayor


Kara Andrepont, City Secretary