

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 21ST DAY OF JUNE 2016.**

On the 21st day of June, 2016 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:

Bob F. Brown	Mayor
Mark Hicks	Mayor Pro Tem
Guessippina Bonner	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Sarah Murray	Councilmember, Ward No. 6
Keith Wright	City Manager
Steve Floyd	Assistant City Manager
Bruce Green	City Attorney
Kara Atwood	City Secretary
Rodney Ivy	Human Resource Director
Gerald Williamson	Police Chief
David Thomas	Asst. Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Dorothy Wilson	Planning Director
Steve Poskey	Street Department Director
Barbara Thompson	Main Street Director
Jason Arnold	Water & Sewer Director
Dale Allred	Inspection Services Director
Sid Munlin	Information Technology Director
Chuck Walker	Public Works Director
Kent Havard	Solid Waste Director

being present when the following business was transacted.

1. The meeting was opened with prayer by City Manager Keith Wright.
2. Mayor Bob F. Brown welcomed visitors present.
3. **MINUTES OF THE COUNCIL REGULAR COUNCIL MEETING HELD JUNE 7, 2016 - APPROVED**

Councilmember Lynn Torres moved to approve the minutes of the meetings as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

4. **ADMINISTER OATH OF OFFICE TO NEW LUFKIN FIREFIGHTERS**

Mayor Bob F. Brown administered the Oath of Office to Bryan Vinzant and Oscar Coronado. Mayor, City Council and attending Citizens congratulated the Firefighters.

OLD BUSINESS

5. **SECOND READING OF AN ORDINANCE AMENDING ORDINANCE NO. 4638 OF THE CODE OF ORDINANCES OF THE CITY OF LUFKIN, TEXAS REMOVING THE PROHIBITION OF THE SALE OR DISCHARGE OF FIREWORKS WITHIN THREE HUNDRED FEET (300') OF THE CITY LIMITS; REPEALING ALL ORDINANCES IN CONFLICT THERWITH AND PROVIDING AN EFFECTIVE DATE - APPROVED**

City Manager Wright stated that the current Ordinance No. 4638 prohibited the sale, use, detonation and/or explosion of any type or variety of fireworks within the City of Lufkin

and within three hundred feet (300') of the City limits. City Manager Wright furthered that members of the City Council had expressed concern that such regulation outside the City limits did not pose an equal threat to the health, safety and general welfare of the public as does the sale, use, detonation and/or explosion of any type or variety of the fireworks within the City. City Manager Wright stated that the proposed Ordinance amendment deleted the prohibition within three hundred feet (300') of the City limits. City Manager Wright furthered that the proposed Ordinance would leave in effect the prohibition inside the City limits. City Manager Wright concluded that Staff recommended City Council consider on Second Reading the Ordinance amending Ordinance No. 4638 removing the prohibition of fireworks within three hundred feet (300') of the City limits.

Councilmember Lynn Torres moved to approve the Ordinance as presented. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

NEW BUSINESS

6. **RESOLUTION OF THE CITY OF LUFKIN, TEXAS AUTHORIZING THE LUFKIN POLICE DEPARTMENT TO APPLY FOR A U.S. DEPARTMENT OF JUSTICE FISCAL YEAR 2016 EDWARD BYRNE JUSTICE ASSISTANCE GRANT IN THE AMOUNT (\$13,517) – APPROVED**

City Manager Wright stated that the Police Department respectfully requested to apply for funding from the U.S. Department of Justice, specifically the Edward Byrne Memorial Justice Assistance Grant. City Manager Wright furthered that the Police Department was eligible to receive thirteen thousand five hundred and seventeen dollars (\$13,517) in funding to be distributed between the Lufkin Police Department and the Angelina County Sheriff's Office. City Manager Wright stated that the funds would be used to purchase Taser devices and equipment to be used by the Lufkin Police Department and the Sheriff's Office. City Manager Wright furthered that the national data showed the use of Tasers had significantly prevented the use of lethal force which reduced suspect injuries. City Manager Wright stated that the application process for the grant required City Council to conduct a Public Hearing along with a the approval of a Resolution that expressed the City Council's authorization to seek funding. City Manager Wright concluded that Staff recommended City Council approve the Resolution authorizing Staff to seek funding from the U.S. Department of Justice Programs, Bureau of Justice Assistance, fiscal year 2016, Edward Byrne Justice Assistance Grant Program.

Mayor Bob F. Brown opened the floor to questions. There were none.

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

7. **GRANT TO THE LUFKIN FIRE DEPARTMENT IN THE AMOUNT OF (\$3,368) FROM THE DEEP EAST TEXAS REGIONAL ADVISORY COUNCIL AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2015-2016 OPERATING BUDGET (BUDGET AMENDMENT NO. 18) AND PROVIDING AN EFFECTIVE DATE – APPROVED**

City Manager Wright stated that the Lufkin Fire Department had received grant funding from the Deep East Texas Regional Advisory Council (DETRAC) in the amount of three thousand three-hundred and sixty-eight dollars (\$3,368) for local Fire and EMS activities. City Manager Wright furthered that the funding was a result of the Fire Department's participation in DETRAC which disbursed the state funds to its members. City Manager Wright stated that the grant would be placed in the Fire Services Supply Budget for the reimbursement of EMS supply expenses. City Manager Wright concluded that Staff recommended City Council accept the funding from the Deep East Texas Regional Advisory Council (DETRAC) and approve the Resolution authorizing Budget Amendment No. 18 appropriating the funding.

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

8. APPOINTMENTS TO THE CITY OF LUFKIN, TEXAS BOARDS AND COMMITTEES

City Manager Keith Wright stated that City Council had been provided a packet regarding the vacancies and reappointments for the various City of Lufkin Boards and Committees. City Manager Wright furthered that he understood that there were concerns regarding absentees on the City Council and that City Council might desire to postpone the appointments. City Manager Wright suggested that City Council at least appoint members to the Deep East Texas Council of Governments (DETCOG) Board of Directors due to the fact Councilmember Lynn Torres would be sworn in as the President of the Board on Thursday. City Manager Wright concluded however the appointments were at the pleasure of the City Council.

Councilmember Mark Hicks moved to postpone the appointments until a later meeting date when all City Council was present with the exception of the DETCOG Board and the City Council Committees. Councilmember Lynn Torres seconded the motion. Mayor Brown asked for discussion. Councilmember Robert Shankle stated that prior to the 2015 City Council meeting which addressed board and committee appointments, he requested through the Mayor and City Manager that the item be postponed due to Councilmember Shankle being unable to attend. Councilmember Robert Shankle asked why it was not postponed one year and then requested to postpone the following year. Mayor Brown stated that a complete City Council should be in place to address these appointments.

Mayor Brown stated that a motion and second were on the table to postpone the item as requested by Councilmember Hicks. Mayor Brown, Councilmember Lynn Torres and Councilmember Mark Hicks voted in favor. Councilmember Robert Shankle, Councilmember Guessippina Bonner and Councilmember Sarah Murray voted against. Due to a tie vote, the motion to postpone the item failed.

A. City Council Committees

City Manager Keith Wright listed the four (4) committees and stated there was vacancy on the City Council Finance Committee. Councilmember Lynn Torres moved to appoint Councilmember Guessippina Bonner to replace former Councilmember Victor Travis on the City Council Finance Committee. Councilmember Mark Hicks seconded the motion and a unanimous vote to approve was recorded.

B. Civil Service Commission

City Manager Wright stated that there was one (1) vacancy due to existing member Royce Garrett expressing that he no longer wished to serve. City Manager Wright stated that Attorney Jeremy Crew had expressed interest to serve; however, he had not completed an application. Councilmember Sarah Murray questioned if there were any other applications on file for this position. City Manager Wright stated there were none. Councilmember Lynn Torres moved to postpone this appointment until the application was received. Councilmember Robert Shankle seconded the motion and a unanimous vote to postpone was recorded. Councilmember Guessippina Bonner questioned whether additional applications could be submitted since the item was postponed. City Manager Wright stated that other applications could be submitted.

C. Construction Board of Adjustment and Appeals

City Manager Wright stated the Construction Board of Adjustment and Appeals had four (4) openings; three (3) of which require that the member be of a specific trade which include an engineer, commercial developer and electrical contractor. City

Manager Wright stated there was also a general public position. City Manager Wright stated current member Wayne Stolz (Engineer) and Billy Weisinger (Electrical Contractor) have both agreed to be reappointed which leaves vacancies in the commercial developer and the general public position. City Manager Wright stated that an application from Ryan Moore was received for the commercial developer position and an application from Sloan Maddux was received for the general public position. Councilmember Lynn Torres moved to reappoint Wayne Stolz and Billy Weisinger as well as appoint Ryan Moore and Sloan Maddux to serve on the Construction Board of Adjustment and Appeals. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

Councilmember Guessippina Bonner stated that there was no opportunity for discussion prior to the vote. Mayor Bob Brown asked if there was discussion needed. Councilmember Bonner stated that she was concerned regarding the lack of representation from Ward No. 1 and Ward No. 2, not just on this board, but all of the boards and committees. Councilmember Bonner furthered that she wished to bring this to the attention of the other Councilmembers and that she would be looking for applications from her Ward and she would appreciate the support of the City Council. Councilmember Hicks asked if Councilmember Bonner was aware that the members of this board had to be professionals in their field in order to serve on this board. Councilmember Bonner stated she was aware of the requirement. Councilmember Hicks stated it would be great if she could bring individuals forward that were qualified to serve in that capacity. Mayor Brown apologized for not calling for discussion and called for the vote again; which passed unanimously.

D. 4B / Economic Development Board

City Manager Wright stated that the next board was the 4B / Economic Development Board which had three (3) openings that included Councilmember Lynn Torres, Stephen Greak and Councilmember Robert Shankle. City Manager Wright highlighted the other applications on file that included Ben Moore and Reverend Allen. Councilmember Mark Hicks moved to reappoint Councilmember Lynn Torres, Stephen Greak and Councilmember Robert Shankle. Councilmember Lynn Torres seconded the motion. Mayor Brown asked for any discussion regarding the item. Councilmember Guessippina Bonner stated that she knew Councilmember Lynn Torres and Councilmember Robert Shankle very well; however, she did not know Stephen Greak. Councilmember Bonner furthered that she also had asked for attendance records for this board. City Manager Wright stated that Mr. Greak was just appointed a few months ago and had attended the only meeting that had been held since his appointment. Councilmember Bonner stated she was concerned about the entire board. City Manager Wright reviewed the attendance records of the members up for appointment. Councilmember Bonner stated that when she asked for the Ward representation information, she also requested the attendance records of each board. City Manager Wright stated that Staff would provide those records. Mayor Brown proceeded with the vote to reappoint the members, which passed unanimously.

E. DETCOG Board of Directors

City Manager Wright stated that Mayor Bob Brown, Councilmember Robert Shankle and Councilmember Lynn Torres were up for reappointment. City Manager Wright stated that the City was not in charge of this Board so Staff would be unable to provide attendance records. Councilmember Bonner said she understood that and did not need those records. Councilmember Robert Shankle moved to reappoint Mayor Bob Brown, Councilmember Lynn Torres, himself and appoint Councilmember Guessippina Bonner to replace former Councilmember Victor Travis.

F. Firemen's Relief and Retirement Fund Board of Trustees

City Manager Wright stated that there was one (1) vacancy on the board due to the passing of Board Member Stanley New. City Manager Wright stated that the attendance of the board was consistent. Councilmember Lynn Torres moved to

appoint John Thannisch to serve the unexpired term of deceased member Stanley new. Councilmember Robert Shankle seconded the motion. Mayor Brown opened the floor for discussion. There was none. A unanimous vote to approve the appointment was recorded. Mayor Brown requested a letter be sent to Mr. New's wife thanking her for his service.

G. Lufkin Convention and Visitors Board

City Manager Wright stated that there were four (4) positions open due to the current members being ineligible for reappointment. City Manager Wright stated that applications on file included Susan Robertson, Dorothy Chimney, Jenifer Holden, Brett Vance, Michael Simon and Veronica Luce. City Manager Wright stated the requirements for the Board included that *"the Board shall consist of nine (9) voting members who are residents of the City or City business owners/managers who are directly associated with the tourism industry. Members shall be representative of the hospitality industry (i.e. restaurant, retail merchants, historic interests, bed and breakfast establishments and hotel/motel industry) and one (1) City Councilmember."* which serve two (2) year terms. Councilmember Bonner clarified that a person not affiliated with one of the stated examples could not serve on this Board. City Manager Wright stated that those who serve must be related to the hospitality industry as defined in the Ordinance which created the entity. Councilmember Bonner asked when the Ordinance was adopted. Councilmember Lynn Torres stated it was established in 2009. Councilmember Bonner stated that she did not have any of the documents that created the boards and committees and she would like to have them. City Manager Wright stated that Staff would provide them if she requested them. Councilmember Bonner stated that her recommendation was that a document be created regarding all of the requirements for each boards. City Manager Wright stated Staff would compile the information.

Councilmember Mark Hicks moved to approve Susan Robertson, Jenifer Holden, Michael Simon, Veronica Luce to serve on the Lufkin Convention and Visitors Bureau. Councilmember Robert Shankle seconded the motion. Mayor Brown opened the floor for discussion. There was none. A unanimous vote was recorded.

H. Parks and Recreation Advisory Board

City Manager Wright stated that there was only one position open and current member Roy Reyes had agreed to continue to serve. Councilmember Sarah Murray stated that she was a member of the Board and Roy Reyes was vital to the board and direct link to the Hispanic community. Councilmember Murray continued that Mr. Reyes headed up the Cinco de Mayo celebration and moved to reappoint him to the Board. Councilmember Bonner seconded the motion and a unanimous vote to approve was recorded.

I. Planning & Zoning Commission

City Manager Wright stated that there were two (2) positions on the Commission up for appointment which were currently held by Malcolm Deason and Josh Zelesky. City Manager Wright stated attendance records were included in the packet and there were also three additional applications on file. Councilmember Guessippina Bonner moved to approve the reappointment of Malcolm Deason and Josh Zelesky. Councilmember Mark Hicks seconded the motion and requested that an absenteeism policy be developed for all boards and committees. Councilmember Hicks furthered that if citizens are appointed they should be held accountable to represent the City. City Attorney Bruce Green stated that a policy could be drafted to address those boards whose attendance was not addressed by ordinance or bylaws. There being no further discussion, Mayor Brown called for the vote on the motion, which passed unanimously.

J. Taxi Cab Committee

City Manager Wright stated that all three (3) positions were up for appointment; member Ronald Davis agreed to be reappointed; however member Bennie Moye and Bill Philmon no longer wished to serve. City Manager Wright concluded that there were two (2) applications on file. Councilmember Lynn Torres moved to reappoint member Ronald Davis and appoint Brenda Thompson and Timothy Healy to the Taxi Cab Committee.

K. Tree Board

City Manager Wright stated that there were five (5) positions up for appointment: Joe Pase, John Courtenay, Janie Slack, Janet Clarke and former Councilmember Victor Travis. All members have expressed interest in reappointment except for Councilmember Victor Travis. Discussion ensued as to which Councilmember wished to replace Councilmember Victor Travis. Mayor Bob Brown stated he would be glad to fill the position. Councilmember Lynn Torres moved to reappoint Joe Pase, John Courtenay, Janie Slack, and Janet Clarke as well as appoint Mayor Bob Brown to fill the position previously held by Councilmember Victor Travis. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve the appointments was recorded.

L. Zoning Board of Adjustment and Appeals

City Manager Wright stated that there were five (5) positions open: Andrew Moore, Constance Shepherd, Michael G. Parker, Martha Maldonado and Jeff Buchanan. City Manager Wright furthered that all wished to continue to serve except for Martha Maldonado. Councilmember Lynn Torres moved to reappoint Andrew Moore, Constance Shepherd, Michael G. Parker, and Jeff Buchanan as well as appoint Dorothy Chimney. Councilmember Mark Hicks seconded the motion and a unanimous vote to approve the appointments was recorded.

9. CITY MANAGER REPORT

City Manager Keith Wright detailed the Financial Report and highlighted revenues and expenditures for the previous month. City Manager Wright stated he would be glad to answer any questions regarding the monthly reports.

Councilmember Mark Hicks stated that he was currently serving on the Health Insurance Committee and would be glad to relinquish that position to Councilmember Guessippina Bonner. Councilmember Bonner thanked him for the opportunity.

8. APPOINTMENTS TO CITY OF LUFKIN BOARDS AND COMMITTEES

A. City Council Committees – Health Insurance Committee

Councilmember Mark Hicks moved to place Councilmember Guessippina Bonner on the City Council Health Insurance Committee in his place. Councilmember Robert Shankle seconded the motion. Mayor Brown opened the floor for discussion. There was none. A unanimous vote was recorded.

Mayor Brown stated that pictures were no longer required to be submitted on board applications. Mayor Brown then asked the students in attendance from Angelina College to stand and introduce themselves. Mayor Brown welcomed them and thanked them for their attendance.

10. ITEMS OF COMMUNITY INTEREST FROM MAYOR, CITY COUNCILMEMBERS AND STAFF

City Manager Wright detailed the various upcoming City sponsored and community events. Councilmember Bonner thanked City Manager Wright for allowing her to take him on a tour of her Ward. Councilmember Robert Shankle thanked City Staff for attending the Town Hall meeting in his Ward. Mayor Brown stated that PID had introduced their new pumping unit to the community and thanked Scott Slusher and his

company for their efforts. Councilmember Lynn Torres stated that the Farm to Feast event was fabulous and well attended and thanked LCVB Director Tara Watkins for her efforts.

11. There being no more business to address the meeting was adjourned at 5:44 p.m.

Bob F. Brown, Mayor

ATTEST:

Kara Atwood, City Secretary