

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 7th DAY OF SEPTEMBER, 2021.

On the 7th day of September, 2021 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
Lynn Torres
Wes Suiter
Rocky Thigpen
Trent Burfine
Bruce Green
Erika Neill
Jason Arnold
Kara Andrepont
Rodney Ivy
Jesse Moody
Belinda Melancon
Kevin Gee
Scott Rayburn
Brant Lee
Scott Feaster
Kent Havard
Jessica Leyva

Mayor
Mayor ProTem
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
City Secretary
Human Resource Director
Fire Chief
Finance Director
Engineering Services Director
Planning Director
Convention Services Director
IT Director
Solid Waste Director
Utility Collections

being present when the following business was transacted.

INVOCATION – The meeting was opened with prayer by Councilmember Robert Shankle.

PUBLIC COMMENT – Mayor 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 CALLED CITY COUNCIL MEETING OF AUGUST 17, 2021– APPROVED.**
2. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMMENDMENT NO. 44) APPROPRIATING THE FUNDING FOR THE FISCAL YEAR 2020 BULLETPROOF VEST PARTNERSHIP GRANT- APPROVED**

Councilmember Lynn Torres moved to approve all items on the consent agenda as presented. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

BUSINESS AGENDA

3. **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 105 SHIREY LANE – APPROVED**

City Manager Bruce Green stated the applicant, Michael G. Parker, representing Lamar Clark with Shirey Forest, LLC was requesting a zone change from “Planned Unit Development (PUD” to “Commercial” for 105 Shirey Lane. City Manager Green highlighted the location of the property on the corresponding maps and provided information on the current zoning of neighboring properties. City Manager Green furthered the request was unanimously recommended for approval by the Planning and Zoning Commission during the August 19, 2021 meeting. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider approval of the Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas changing the zoning to “Commercial” on property addressed as 105 Shirey Lane.

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

4. **PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “LOCAL BUSINESS” AND THE FUTURE LAND USE MAP DESIGNATION TO “NEIGHBORHOOD COMMERCIAL” ON PROPERTIES ADDRESSED AS 1510 AND 1512 SOUTH CHESTNUT STREET**

Mayor Mark Hicks stated this item was initially heard during the Council Meeting of July 20, 2021. Mayor Hicks furthered due to issues between property owners City Council had approved the postponing of the item to allow for resolution of the issues. Mayor Hicks explained this had not occurred and neither party could see an amicable solution, therefore Staff had placed the item on the agenda for City Council consideration. Mayor Hicks stated the applicant, Ellen Christine Loden Davis, had requested a zone change from “Residential Large” to “Local Business” for 1510 and 1512 South Chestnut Street. Mayor Hicks highlighted the location of the property on the corresponding maps and provided information on the current zoning of neighboring properties. Mayor Hicks furthered the request was unanimously approved by the Planning and Zoning Commission during the meeting of June 28, 2021. City Manager Bruce Green stated the Engineering Services Department had received signed protests to the proposed change by the owners of at least twenty percent (20%) of the properties of either the areas of the lots of land covered by the proposed change, or the areas of the lots of land immediately adjoining the area covered by the proposed change and extending within 200 feet. City Manager Green furthered this triggered Local Government Code Section 211.006d which required super majority vote of at least $\frac{3}{4}$ of all members of the governing body. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider approval of the First Reading of an Ordinance changing the zoning to “Local Business” and the Future Land Use Map designation to “Neighborhood Commercial” on properties addressed as 1510 and 1512 South Chestnut Street.

Mayor Hicks opened the Public Hearing at 5:07 p.m. Mrs. Brenda Rhodes, realtor, spoke in support of the proposed zone change. Mr. Michael Parker, resident of the neighborhood located behind the property spoke against the requested zone change. Councilmember Trent Burfine questioned as to whether “Local Business” was the proper zoning definition for the proposed development. Mayor Mark Hicks asked if the developer put in a green zone would the residents consider that a solution to the problem. Councilmember Guessippina Bonner asked if a more restrictive zoning had been considered for the property. Discussion ensued.

Councilmember Lynn Torres moved to approve the Ordinance as presented. The motion died for lack of a second, therefore the Ordinance was denied.

5. **PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY ADDING PROVISIONS CONCERNING RECREATIONAL VEHICLE PARKS – APPROVED.**

Mayor Mark Hicks stated it had become necessary to amend the Zoning Ordinance as it related to recreational vehicle (RV) parks as the Ordinance was currently limited in terms of regulations pertaining to recreational vehicle parks. Mayor Hicks furthered other than defining “Recreational Vehicle Park” and limiting recreational vehicles to no more than thirty (30) consecutive days at a site, there were no regulations. Mayor Hicks explained the purpose of the amendment was to promote high quality recreational vehicle parks by adding development requirements as well as restrictions. Mayor Hicks stated the proposed amendment would also remove the current time limit of thirty (30) consecutive days and increase the time limit to ninety (90) days for an occupant. Mayor Hicks furthered Staff believed the proposed amendment would increase the number of high-quality parks and prevent recreational vehicles from becoming permanent living units. City Manager Bruce Green concluded Staff recommended City Council conduct a Public Hearing and consider the First Reading of an Ordinance adding provisions concerning Recreational Vehicle Parks.

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 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.

6. **PRESENTATION OF THE CITY OF LUFKIN 2021-2022 DRAFT BUDGET, PUBLIC HEARING CONCERNING THE PROPOSED BUDGET AND FIRST READING OF AN**

APPROPRIATIONS ORDINANCE ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 – APPROVED.

City Manager Bruce Green stated City Staff was pleased to present to City Council the 2021-2022 Annual Fiscal Budget for the City of Lufkin. City Manager Green highlighted the significant changes and stated the complete list was included in the Council packet for review. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and approve the First Reading of an appropriations Ordinance adopting a budget for the 2021-2022 Fiscal Year.

Mayor Hicks opened the Public Hearing at 5:28 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and requested comments from City Council. Councilmember Trent Burfine spoke and asked that some items be moved from the funds budgeted for City Council to another more recognizable fund to give more transparency. Discussion ensued.

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

7. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPORT OF MUNICIPAL GOVERNMENT OF THE CITY OF LUFKIN AND PROVIDING FOR THE DEBT SERVICE FUND FOR THE FISCAL YEAR 2021-2022 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE – APPROVED.

City Manager Bruce Green stated each year as part of the budget process, the Tax Assessor Collector calculated the No-New-Revenue Tax Rate in accordance with Texas Tax Code Chapter 26.04. City Manager Green furthered the current year's tax rate was \$0.531135 and the no-new-revenue tax rate calculated for Fiscal Year 2021-2022 was \$0.507780. City Manager Green stated the current tax rate would raise more total property taxes than the last year's budget by \$541,944 (5.33%), and of that amount \$130,851 was tax revenue to be raised from new property added to the tax roll this year. City Manager Green concluded Staff recommended City Council approve the First Reading of an Ordinance levying taxes for the 2021-2022 Fiscal Year.

Mayor Hicks opened the Public Hearing at 5:34 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 that the property tax rate be increased by the adoption of a tax rate of 0.531135, which is effectively a 4.60 percent increase in the tax rate. Councilmember Trent Burfine seconded the motion. The following roll call vote was recorded:

- Councilmember Lynn Torres Aye
- Councilmember Rocky Thigpen Aye
- Councilmember Robert Shankle Aye
- Mayor Mark Hicks Aye
- Councilmember Guessippina Bonner Aye
- Councilmember Wes Suiter Aye
- Councilmember Trent Burfine Aye

The motion passed unanimously.

8. FIRST READING OF AN ORDINANCE ADJUSTING RESIDENTIAL, COMMERCIAL, IRRIGATION, INDUSTRIAL AND WHOLESALE WATER RATES IN THE CITY OF LUFKIN – APPROVED.

City Manager Bruce Green stated a water and wastewater rate study for the City of Lufkin was completed by Freese & Nichols in 2019. City Manager Green furthered that based on the analysis, an increase in water and sewer rates of two percent (2%) for three years was recommended. City Manager Green explained this would be the third and final two percent (2%) increase. City Manager Green highlighted the average total bill amounts for both water and sewer increases. City Manager Green concluded Staff recommended City Council approve the First Reading of an Ordinance adjusting water rates in the City of Lufkin.

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

9. **FIRST READING OF AN ORDINANCE ADJUSTING SEWER RATES IN THE CITY OF LUFKIN – APPROVED.**

City Manager Bruce Green stated Staff recommended City Council approve the First Reading of an Ordinance adjusting sewer rates in the City of Lufkin.

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

10. **FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 45) APPROPRIATING THE FUNDING FOR THE INSTALLATION OF GENERATOR COVERINGS FOR CITY WATER WELLS – APPROVED.**

City Manager Bruce Green stated during the after-action meetings following the winter storm, Staff determined that a major contributor to the failure of generators located at the City’s well fields was due to exposure to the harsh cold and elements. City Manager Green furthered the estimated cost of the project was \$27,055 and would provide coverings for generators located at water wells number 12, 13, 14, and 15. City Manager Green concluded Staff recommended City Council approve the First Reading of an Ordinance authorizing Budget Amendment No. 45 providing funding for the installation of generator coverings for City Water Wells.

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

Mayor Mark Hicks wished Councilmember Guessippina Bonner a Happy Birthday.

There being no further business, Mayor Mark Hicks adjourned the meeting at 5:41 p.m.



ATTEST:

A handwritten signature in black ink, appearing to read "Mark Hicks", is written over a horizontal line.

Mark Hicks, Mayor

A handwritten signature in blue ink, appearing to read "Kara Andrepont", is written over a horizontal line.

Kara Andrepont, City Secretary