

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 16th DAY OF NOVEMBER, 2021.

On the 16th day of November, 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	Mayor
Lynn Torres	Councilmember, Ward No. 3
Wes Suiter	Councilmember, Ward No. 4
Trent Burfine	Councilmember, Ward No. 6
Bruce Green	City Manager
Erika Neill	City Attorney
Kevin Gee	Assistant City Manager
Gerald Williamson	Assistant City Manager
Kara Andrepont	City Secretary
Buddy Cross	Assistant Police Chief
Jesse Moody	Fire Chief
Ryan Watson	Assistant Fire Chief
Jessica Pebsworth	Communications Director
Scott Rayburn	Planning Director
Albert Duffield	Water & Sewer Director
Scott Feaster	IT Director
Jessica Leyva	Utility Collections

being present; and

Robert Shankle	Mayor ProTem
Guessippina Bonner	Councilmember, Ward No. 1
Rocky Thigpen	Councilmember, Ward No. 5

being absent when the following business was transacted.

INVOCATION – The meeting was opened with prayer by City Manager Bruce Green.

PUBLIC COMMENT – Mayor Mark Hicks opened the meeting for public comment on any posted agenda item at 5:02 p.m. Mr. Doyle Bruce came forward to speak regarding Item No. 7 on the agenda. Mayor Hicks stated the item would be postponed as it there were not the required number of City Council members present to achieve the $\frac{3}{4}$ vote of all members of City Council . Mayor Hicks furthered the item would be placed on the agenda for the December 7th City Council meeting. There being no one else who wished to speak; Mayor Hicks closed the public comment period.

CONSENT AGENDA

- 1. MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF NOVEMBER 2, 2021– APPROVED.**
- 2. SECOND READING OF AN ORDINANCE AMENDING THE 2021-2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 1) APPROPRIATING THE FUNDING FOR NEW LUFKIN POLICE DEPARTMENT STEP PAY PROGRAM – APPROVED.**
- 3. RESOLUTION CANCELLING THE JANUARY 4TH, 2022 REGULARLY SCHEDULED CITY COUNCIL MEETING – APPROVED.**
- 4. RESOLUTION AUTHORIZING AN ADDITIONAL COLLECTION PENALTY RELATED TO THE RECOVERY OF DELINQUENT PERSONAL PROPERTY TAXES – APPROVED.**
- 5. RESOLUTION AUTHORIZING THE USE OF AMERICAN RESCUE PLAN ACT OF 2021 CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS (ARPA-CLFRF) FOR VARIOUS PROJECTS AND IMPROVEMENTS – APPROVED.**
- 6. RESOLUTION ADOPTING NECESSARY POLICIES AND PROCEDURES RELATED TO CIVIL RIGHTS IN REGARD TO AMERICAN RESCUE PAN ACT OF 2021 CORONAVIRUS LOCAL FISCAL RECOVERY (ARPA-CLFRF) FUNDS – APPROVED.**

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

BUSINESS AGENDA

7. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR THE PLACEMENT OF A COMMUNICATIONS TOWER ON PROPERTY ADDRESSED AS 808 RICKS ROAD – POSTPONED.

Mayor Mark Hicks stated Item No. 7 would be postponed until the December 7th, 2021 City Council meeting due to the need for a ¾ vote from City Council.

8. PUBLIC HEARING AND RESOLUTION AUTHORIZING THE LUFKIN POLICE DEPARTMENT TO SUBMIT AN APPLICATION FOR THE U.S. DEPARTMENT OF JUSTICE ASSISTANCE FISCAL YEAR 2021 BULLETPROOF VEST PROGRAM GRANT - APPROVED.

City Manager Bruce Green stated the Lufkin Police Department wished to apply for grant funding from the U.S. Department of Justice, Bureau of Justice Assistance for Fiscal Year 2021 BVP (Bulletproof Vest Program) Grant for new and replacement bullet resistant vests. City Manager Green furthered the Department had requested \$31,978 in grant funds and the grant would require a fifty percent (50%) match from the City in the amount of \$15,989. City Manager Green explained the matching funds were available in the patrol uniforms account 101-2005-421-20-04. City Manager Green stated the application required an opportunity for public comment and approval of a Resolution authorizing submission of the application. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and approve a Resolution authorizing submission of a U.S. Department of Justice Assistance Fiscal Year 2021 Bulletproof Vest Program grant.

Mayor Mark Hicks opened the Public Hearing at 5:06 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and moved to comments from the City Council.

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

9. APPROVAL OF THE CITY OF LUFKIN POLICE DEPARTMENT POLICE OFFICER REFERRAL BONUS POLICY – APPROVED.

City Manager Bruce Green stated the policy presented would provide incentives to Lufkin Police Department officers for obtaining skills and training through education and certification. City Manager Green outlined the incentive pay scale for higher education, military service, certification and bilingual certification. City Manager Green concluded Staff recommended City Council consider approval of the City of Lufkin Incentive Pay policy and approve First Reading of an Ordinance authorizing Budget Amendment No. 2, which appropriated funding for the Incentive Pay, Certified Police Officer and Police Officer Referral Bonus policies.

Councilmember Lynn Torres asked if the incentive pay would be a part of the police officer's entire compensation plan which would count towards their retirement and thus be taxable wages. City Manager Green stated the incentive pay would be part of their entire compensation pay and received with their twice monthly regular pay. Councilmember Wes Suiter asked if an Associates Degree could be added to the scale for incentive pay. City Manager Green stated the change could be made but the Budget Amendment would also need to be amended. Councilmember Trent Burfine asked that a dollar amount be stated for the new incentive pay scale. Discussion among councilmembers ensued.

Councilmember Wes Suiter moved to amend the policy to include an Associate's Degree in the incentive pay and modify the Budget Amendment to reflect he changes. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

10. AWARD OF BID TO RUSSELL DRILLING COMPANY IN THE AMOUNT OF \$193,436 FOR THE REPAIR OF WATER WELL NO. 3 AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2021-2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 3) APPROPRIATING THE FUNDING FOR THE SAME– APPROVED.

City Manager Green stated in March 2021, water well number three (3) began having issues and after a period of intermittent use, the cell ceased to run. City Manager Green furthered Staff had explored

possible above ground causes but did not find the issue. City Manager Green stated it was then decided the well pump and motor would have to be removed and inspected for repair. City Manager Green explained what the contract brought before Council included and stated Russell Drilling Company of Nacogdoches had the low bid at \$193,436. City Manager Green concluded Staff recommended City Council award a bid to Russell Drilling Company in the amount of \$193,436 for the repair of water well number three (3) and approve First Reading of an Ordinance authorizing Budget Amendment No. 3 appropriating the funding.

Councilmember Wes Suiter moved to approve the award of bid and the Ordinance as presented. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

11. FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2021-2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 4) REAPPROPRIATING FUNDING FOR THE MANHOLE REHABILITATION PROJECT – APPROVED.

City Manager Bruce Green stated City Staff had identified numerous manhole locations on large sanitary sewer mains that needed rehabilitation. City Manager Green furthered most of the manholes were located within pavement and would be expensive to repair. City Manager Green explained the current fiscal year budget included a project for the repainting of the Whitehouse Elevated Storage tank and the tank painting project was eligible to be covered by American Rescue Act plan funding. City Manager Green stated in order to better utilize funding and meet priority needs, Staff requested to fund the elevated storage tank painting with ARPA funds and to reallocated current budgeted funds to the manhole rehabilitation project. City Manager Green noted the project was estimated to cost up to the available funding in the amount of \$685,000. City Manager Green concluded Staff recommended City Council approve the First Reading of an Ordinance authorizing Budget Amendment No. 4 re-appropriating the funding for the manhole rehabilitation project.

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

12. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, AUTHORIZING THE CITY OF LUFKIN TO NOMINATE PINEY WOODS HEALTHCARE SYSTEM, L.P. D/B/A WOODLAND HEIGHTS MEDICAL CENTER AS AN ENTERPRISE PROJECT THROUGH THE OFFICE OF THE GOVERNOR – APPROVED.

City Manager Bruce Green stated the Texas Enterprise Zone Program was a state sale's and use tax refund program designed to encourage private investment and job creation in economically distressed areas of the state. City Manager Green furthered Texas communities must nominate companies in their jurisdiction to receive an Enterprise Zone designation and thus be eligible to receive state sales and use tax refunds on qualified expenditures by submitting and application on the company's behalf. City Manager Green stated companies approved for Enterprise Zone designation were eligible to apply for refunds of the state sales and use tax they had paid during the designation period on qualified expenditures, up to their maximum allowable refund. City Manager Green furthered the application had been made pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code. City Manager Green concluded Staff recommended City Council consider approval of a Resolution nominating Piney Woods Healthcare System, L.P. d/b/a Woodland Heights Medical Center as an Enterprise Project through the Office of the Governor.

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

13. FINANCIAL STATUS REPORT

City Manager Bruce Green offered to answer any questions. There were none.

Mayor Hicks recognized those in attendance with Leadership Lufkin.

There being no further business, Mayor Mark Hicks adjourned the meeting at 5:26 p.m.



Mark Hicks, Mayor

Kara Andrepont, City Secretary