

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 19th DAY OF FEBRUARY, 2019

On the 19th day of February, 2019 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
Guessippinna Bonner	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Rocky Thigpen	Councilmember, Ward No. 5
Sarah Murray	Councilmember, Ward No. 6
Keith Wright	City Manager
Jason Arnold	Assistant to the City Manager
Seth Elmore	Assistant City Attorney
Kara Andrepont	City Secretary
Rodney Ivy	Human Resource Director
David Thomas	Police Chief
Ted Lovett	Fire Chief
Belinda Melancon	Finance Director
Dorothy Wilson	Assistant Director Planning & Zoning
Kevin Gee	Engineering Services Director
Barbara Thompson	Main Street Director
Albert Duffield	Water & Sewer Director
Scott Hamel	Fleet Maintenance Director
Chuck Walker	Street Department Director
Kent Havard	Solid Waste Director
Bob Samford	Economic Development Director

being present; and

Mark Hicks

Mayor Pro Tem

being absent when the following business was transacted.

1. The meeting was opened with prayer by Pastor Mack O. Page, Mt. Calvary Baptist Church.
2. Mayor Bob F. Brown welcomed visitors present and recognized those in attendance from the Lufkin Fire Department.
3. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 5, 2019 – APPROVED**

Councilmember Lynn Torres moved to approve the minutes of the meeting as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

4. OATH OF OFFICE – CITY OF LUFKIN FIREFIGHTERS

Mayor Bob Brown administered the Oath of Office to new Lufkin Firefighters Tyler Williams, Breydon Lyall and Josh Southerland.

5. PRESENTATION OF LUFKIN POLICE DEPARTMENT ANNUAL REPORT

Police Chief David Thomas reviewed the 2018 Lufkin Police Department Annual Report. There being no questions Mayor Brown thanked Chief Thomas for his presentation and the efforts of the Lufkin Police Department.

6. PRESENTATION OF THE ANGELINA COUNTY AND CITIES HEALTH DISTRICT 2018 PUBLIC HEALTH ANNUAL REPORT

Director Sharon Shaw presented the 2018 Public Health Annual Report. There being no questions, Mayor Brown thanked Director Shaw and congratulated her for being recognized as Healthcare Provider of the Year.

7. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY CHANGING THE ZONING TO “RESIDENTIAL SMALL SINGLE FAMILY DWELLING” FOR PROPERTY ADDRESSED AS 202, 204 AND 206 VINCENT STREET – APPROVED

City Manager Wright stated that the owner and applicant, Lisa Lemons with CCLAD, Inc. had requested a zone change to “Residential Small Single Family Dwelling” in order to create additional lots for residential housing. City Manager Wright highlighted the location of the property and neighboring properties as shown on the corresponding maps. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin by changing the Zoning to “Residential Small Single Family Dwelling” for property addressed as 202, 204, and 206 Vincent Street.

Mayor Brown opened the Public Hearing at 5:27 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City Council. There were none.

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

8. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY GRANTING A SPECIAL USE PERMIT FOR AUTOMOBILE REPAIR SERVICES AND CHANGING THE ZONING TO “COMMERCIAL” AND THE FUTURE LAND USE MAP DESIGNATION TO “CORRIDOR COMMERCIAL” FOR PROPERTY ADDRESSED AS 1813, 1819 AND 1821 EAST LUFKIN AVENUE – APPROVED

City Manager Wright stated that the owner, Teresa Jasso, had requested a zone change to “Commercial” with a Special Use Permit for Automobile Repair Services in order to relocate a similar existing business on North Medford Drive that could be affected by land acquisition by the Texas Department of Transportation. City Manager Wright highlighted the property as well as the neighboring properties as shown on the corresponding maps. City Manager Wright concluded that Staff recommended that City Council conduct a Public Hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin by granting a Special Use Permit for automobile repair services and changing the Zoning to “Commercial” and the Future Land Use Map Designation to “Corridor Commercial” for property addressed as 1813, 1819, and 1821 East Lufkin Avenue.

Mayor Brown opened the Public Hearing at 5:28 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City Council. There were none.

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

9. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY GRANTING A SPECIAL USE PERMIT FOR AN INDOOR COMMERCIAL RECREATION AND ENTERTAINMENT FACILITY IN A “LOCAL BUSINESS” ZONING DISTRICT FOR PROPERTY ADDRESSED AS 600 ELLIS AVENUE – APPROVED

City Manager Wright stated that the applicants had requested a Special Use Permit for an indoor commercial recreation and entertainment facility in the existing building at 600 Ellis Avenue for the purpose of a special events venue. City Manager Wright highlighted the property as well as the neighboring properties as shown on the corresponding maps. City Manager Wright furthered that the Special Use Permit would only apply to the commercial building at 600 Ellis Avenue. City Manager Wright stated should the owner decide to consider alcohol sales or consumption in the future, an additional Special Use Permit would be required to be approved by City Council. City Manager Wright concluded that Staff recommended that City Council conduct a Public Hearing and consider on Second Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for an Indoor Commercial Recreation and Entertainment facility in a "Local Business" zoning district for property addressed as 600 Ellis Avenue.

Mayor Brown opened the Public Hearing at 5:30 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City Council. There were none.

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

10. SECOND READING OF AN ORDINANCE AMENDING ORDINANCE NO. 4522 OF THE CITY OF LUFKIN, TEXAS, TO RETITLE AN EX-OFFICIO MEMBER OF THE BUILDING STANDARDS COMMISSION- APPROVED

City Manager Wright stated that Staff recommended City Council approve on Second Reading an Ordinance amending Ordinance No. 4522 of the City of Lufkin, Texas, changing the title of one ex-officio member from "Director of Inspection Services" to "Chief Building Official".

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

11. SECOND READING OF AN ORDINANCE AUTHORIZING THE ACQUISITION AND ACCEPTANCE OF RIGHT-OF-WAY; LOOP 266 (FIRST STREET) BETWEEN TIMBERLAND DRIVE AND KURTH DRIVE, FROM THE TEXAS DEPARTMENT OF TRANSPORTATION – APPROVED

City Manager Wright stated that Staff recommended City Council approve on Second Reading an Ordinance authorizing the acquisition and acceptance of right-of-way on Loop 266 (First Street) between Timberland Drive and Kurth Drive from the Texas Department of Transportation (TxDOT).

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

12. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2018-2019 OPERATING BUDGET (BUDGET AMENDMENT NO. 14) APPROPRIATING THE FUNDING FOR THE SAME - APPROVED

City Manager Wright stated that Staff recommended that City Council approve on Second Reading an Ordinance authorizing Budget Amendment No. 14 appropriating the funding for the relocation of utilities for the expansion of US Highway 59 South near Burke.

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

13. 2018-2019 STREET OVERLAY PROGRAM – APPROVED

City Manager Wright stated that Street Department Director, Chuck Walker, would give the presentation and that he had worked with each Councilmember and their ward. City Manager Wright furthered that the Street Department had ranked each street within the City of Lufkin based on a pavement condition index (PCI) with a number between 0 and 100, with 0 being the worst and 100 being the best. City Manager Wright stated that the City of Lufkin tried to target streets with a pavement condition index (PCI) of 55 or less. City Manager Wright furthered that the budgeted amount for this program was \$600,000 which would be divided among the six (6) wards. Street Department Director Walker presented the 2018-2019 Street Overlay Program to City Council.

Councilmember Robert Shankle asked if there was ever money left over in the overlay program after all the streets were completed. Director Walker explained that typically in the end if there were funds remaining, the Street Department would look at the funds and determine which additional streets, if any, per ward they could repair.

Councilmember Guessippina Bonner voted to approve the 2018-2019 Street Overlay Program as presented. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

14. RESOLUTION OF THE CITY OF LUFKIN, TEXAS AUTHORIZING THE SUBMISSION OF A 2019-2020 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO THE TEXAS DEPARTMENT OF AGRICULTURE – APPROVED

City Manager Wright stated that City Council had previously approved selection of a Grant Administrator as well as an Engineer for the Texas Community Development Block Grant Program. City Manager Wright furthered that the grant was typically around \$275,000. City Manager Wright stated that the project(s) to be included in the grant application had not been determined and that the City was working with the grant consultant as well as the engineer to find the best project that would meet the criteria. City Manager Wright concluded that Staff recommended that City Council approve a Resolution authorizing the submission of a 2019-2020 Texas Community Development Block Grant Program to the Texas Department of Agriculture.

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

15. RESOLUTION OF THE CITY OF LUFKIN, TEXAS, IN SUPPORT OF AN APPLICATION BY VILLAS CEDAR GROVE, LTD. FOR THE DEVELOPMENT OF AN AFFORDABLE MULTI-FAMILY DWELLING PROJECT - APPROVED

City Manager Wright stated that Realtex Development Corp had applied for Housing Tax Credits through the Texas Department of Housing and Community Affairs (TDHCA) for construction of an affordable senior (55+) rental housing development. City Manager Wright furthered that the proposed development was to be located on a tract of land between Sandyland Drive and South John Redditt on the east side of Lane Drive.

City Manager stated that the proposed sixty-eight (68) unit development would consist of two residential buildings that were three stories each that would be elevator served. City Manager Wright furthered that the property would also have a sizable clubhouse attached to one building, mail kiosk, along with a resort style pool, various gazebos and BBQ areas, a dog park, walking area, covered parking options and fully fenced with gated access.

City Manager Wright stated that because of traffic concerns at the location, Staff had instructed the developer that improvements to South John Redditt and Sandyland Drive would be required for access to the site. City Manager Wright furthered that the improvements would include upgrading Sandyland Drive and construction of an auxiliary lane on South John Redditt.

City Manager Wright stated that the tax credit application required City support for the endeavor in the form of a Resolution of Support and a minimum of two hundred fifty dollars (\$250.00) in incentives or fee waivers. City Manager Wright suggested that the City provide a discount of two hundred fifty dollars (\$250.00) on the permit fee. City Manager Wright concluded that Staff recommended City Council approve a Resolution in support of an application by Villas Cedar Grove, Ltd. for the development of an affordable multi-family dwelling project. City Manager Wright highlighted the location of the property as well as neighboring properties on the corresponding maps.

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

16. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, IN OPPOSITION TO A REVENUE CAP AND INTERFERENCE WITH LOCAL SERVICES– APPROVED

City Manager Wright stated that cities in Texas had the ability to increase tax rates up to eight (8) percent and at that point a roll back election could be called. City Manager Wright furthered that the State was proposing a cap on cities abilities to raise revenue so that the cities would be restricted to a maximum of two and one half (2 ½) percent. City Manager Wright stated that if that was exceeded then there would be an automatic roll back election which would not leave cities with much flexibility if there were a crisis or disaster. City Manager Wright explained that the majority of cities revenue came from sales tax and that a two and one half (2 ½) percent tax increase would only raise about \$269,000 within the City. City Manager Wright furthered that the 2008 economic crisis and the loss of sales tax revenue in 2010 gave the City an approximate 4.7 percent decrease in sales tax revenue which would be equivalent to about \$600,000 today. City Manager Wright stated that the City could not overcome that especially if the City faced a crisis that lasted multiple years and it would be hard to continue to provide City services. City Manager Wright furthered that the City of Lufkin's current tax rate was lower than it was in 2010. City Manager Wright concluded that Staff recommended City Council approve a Resolution opposing legislation that would implement a revenue cap and interfere with local government.

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

17. AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO AN OIL AND GAS LEASE AGREEMENT WITH BP AMERICA PRODUCTION COMPANY ON 14.985 ACRES OF LAND LOCATED NEAR KURTH LAKE - APPROVED

City Manager Wright stated that the City had leased property in the past to BP America Production which had generated approximately \$100,000 in revenue. City Manager Wright highlighted the proposed property to be leased on the corresponding maps. City Manager Wright stated that the proposed lease would be \$800 an acre with a twenty percent (20%) royalty once a well was developed. City Manager Wright concluded that Staff recommended that City Council authorize the City Manager to enter into an oil and gas lease agreement with BP America Production Company on 14.985 acres of property located near Kurth Lake.

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

18. CITY MANAGER REPORT

City Manager Wright reviewed the major funds and offered to answer any questions regarding the monthly Financial and Project Reports. There were none.

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

Mayor Bob Brown wished Councilmember Lynn Torres a Happy Birthday.

20. There being no further business, Mayor Bob Brown adjourned the meeting at 5:51 p.m.




Bob F. Brown, Mayor

ATTEST:


Kara Andrepont, City Secretary