

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 21ST DAY OF MARCH, 2017.**

On the 21st day of March, 2017 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
Rocky Thigpen	Councilmember, Ward No. 5
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
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Dorothy Wilson	Planning & Zoning Director
Steve Poskey	Street Department Director
Barbara Thompson	Main Street Director
Dale Allred	Inspection Services Director
Chuck Walker	Solid Waste Director
Kent Havard	Solid Waste Director
Aaron Ramsey	Animal Control Director
Tara Watkins	Lufkin Convention & Visitors Bureau
Nancy Windham	Economic Development Director

being present and;

Sarah Murray	Councilmember, Ward No. 6
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being absent when the following business was transacted.

1. The meeting was opened with prayer by Pastor Joe D. Stanley of First United Pentecostal Church.
2. Mayor Bob F. Brown welcomed visitors present.
3. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 7TH, 2017 - 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. **PRESENTATION OF THE TREE CITY USA CERTIFICATION**

Mayor Bob Brown welcomed the new Executive Director of Angelina Beautiful Clean, Jennifer LaCorte and District Forester Todd Nightingale. Mr. Nightingale and Jennifer LaCorte presented the 27th Annual Tree City USA Certification award to the City of Lufkin.

OLD BUSINESS

5. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS ADOPTING AND ENACTING A NEW CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE AMENDMENT OF SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE – APPROVED**

City Manager Wright stated that Staff was in the process of recodifying the City of Lufkin Ordinances under the Charter provision that allowed for codification of all ordinances that are considered general and permanent. City Manager Wright furthered that a Public Hearing and City Council work session were conducted during the Regular City Council meeting of February 21st, 2017. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve on Second Reading an Ordinance adopting and enacting the City of Lufkin Code of Ordinances.

Mayor Brown opened the Public Hearing at 5:06 p.m. There being no one who wished to speak Mayor Brown closed the Public Hearing and requested comments from City Council. There were none.

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

6. **CERTIFICATION OF UNOPPOSED CANDIDATES AND SECOND READING OF AN ORDINANCE CANCELLING THE MAY 6, 2017 GENERAL ELECTION FOR THE OFFICES OF COUNCILMEMBER WARD NO. 5 AND COUNCILMEMBER WARD NO. 6 – APPROVED**

Staff recommended City Council approve the Second Reading of an Ordinance canceling the May 6, 2017 City of Lufkin General Election to elect a Councilmember for Ward No. 5 and a Councilmember for Ward No. 6 and declare Rocky Thigpen elected as the Councilmember for Ward No. 5 and Sarah Murray elected as the Councilmember for Ward No. 6.

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

NEW BUSINESS

7. **PUBLIC HEARING AND FIRST READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS, CHANGING THE ZONING AND FUTURE LAND USE DESIGNATION TO “COMMERCIAL” ON PROPERTY ADDRESSED AS 1508 AND 1510 ATKINSON DRIVE - APPROVED**

City Manager Wright referred those in attendance to a map and detailed the subject property on the map. City Manager Wright stated that owner Kevin Strickland requested a zone change from “Neighborhood Retail” and “Residential Medium Single Family Dwelling” to “Commercial” for the purpose of leasing an Automobile Sales business and operating a plumbing business. City Manager Wright stated that the subject property at 1510 Atkinson was a former single family dwelling home occupied by Strickland Plumbing. City Manager Wright furthered that the subject property located at 1508 Atkinson Drive was a former retail shop that the owners tenant intended to use as an Automobile Sales business and a Barber Shop. City Manager Wright stated that to the east of the subject properties was Diesel Diagnostics and to the south of the subject properties were single family residences. City Manager Wright detailed the future Automotive Repair Services business on a map. City Manager Wright stated that to the west and north and across Atkinson Drive was an office complex and a wooded lot that served as a buffer between Atkinson Drive and the building supplies

lumberyard. City Manager Wright furthered that the request was unanimously approved during the Planning and Zoning Commission meeting of March 13, 2017. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and consider on First Reading an Ordinance changing the zoning and Future Land Use Map designation to "Commercial" on property located at 1508 and 1510 Atkinson Drive.

Mayor Brown opened the Public Hearing at 5:10 pm. There being no one who wished to speak Mayor Brown closed the Public Hearing and requested comments from City Council. There were none.

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

8. FIRST READING OF AN ORDINANCE AMENDING PENAL ORDINANCE NO. 400 DELETING THE REQUIREMENT FOR A BEHAVIORAL ASSESSMENT TEST IN DECLARED DANGEROUS/POTENTIALLY DANGEROUS DOG CASES BY THE CITY OF LUFKIN ANIMAL CONTROL DEPARTMENT - APPROVED

City Manager Wright stated that the City of Lufkin Ordinance No. 400 regulated ownership of "dangerous" or potentially dangerous dogs. City Manager Wright furthered that the amendment to the Ordinance deleted the requirement of a behavioral assessment by an expert of any declared "dangerous" or "potentially dangerous" dog by Animal Control. City Manager Wright stated that the amendment was proposed at the request of Animal Control, due to the lack of any animal behavioral assessment experts in the area. City Manager Wright furthered that the provision was not a legal necessity and its origination was unknown; however the provision did not exclude an individual from presenting a case to the Municipal Court Judge regarding a dog believed to be "dangerous" or "potentially dangerous". City Manager Wright stated that Animal Control Director Aaron Ramsey was available to answer questions. There were none. City Manager Wright concluded that Staff recommended that City Council consider on First Reading an Ordinance amending Penal Ordinance No. 400 deleting the requirement of a behavioral assessment by an expert of any declared "dangerous" or "potentially dangerous" dog by Animal Control.

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

9. RESOLUTION OF THE CITY OF LUFKIN, TEXAS, ADOPTING TAX ABATEMENT AGREEMENTS FOR PROPERTIES LOCATED IN THE CITY'S ENTERPRISE, REVITALIZATION AND REINVESTMENT ZONES - APPROVED

City Manager Wright stated that the proposed Resolution re-established the guidelines and criteria governing tax abatement agreements offered by the City of Lufkin. City Manager Wright furthered that the guidelines and criteria were required by State law and must be approved every two (2) years. City Manager Wright stated that minor changes to the guidelines were noted in red and included basic reinvestment zone verbiage. City Manager Wright furthered that during an upcoming City Council meeting Staff would present a revised enterprise zone map that expanded the enterprise area based on the State allowed criteria. City Manager Wright offered to answer questions. There were none.

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

10. MODIFICATIONS TO THE LUFKIN POLICE DEPARTMENT MEET AND CONFER AGREEMENT – APPROVED

City Manager Wright stated that the Texas Meet and Confer law permitted police and fire groups to meet with designated management teams to discuss employment matters, wages, benefits, working conditions and the hiring process. City Manager Wright furthered that it came to the attention of Staff that the Assessment Center provision required clarification. City Manager Wright stated that the Lufkin Police Association and the City agreed to limit the number of officers eligible to advance to the Assessment Center evaluation to the top eight (8) following a passing written exam grade. City Manager Wright furthered that the Lufkin Police Association members voted on and approved the prospective amendment with a vote of fifty-three (53) in favor and six (6) against the amendment. City Manager Wright stated that the proposed amendment was included in the Council Packets and highlighted in red the only change to the current Meet and Confer Agreement. City Manager Wright concluded that Staff recommended City Council approve the modification to the Lufkin Police Department Meet and Confer Agreement.

Councilmember Torres moved to approve the modification as presented. Councilmember Thigpen seconded the motion and a unanimous vote to approve was recorded.

11. RESOLUTION OF THE CITY OF LUFKIN, TEXAS IN OPPOSITION TO A REVENUE CAP AND LEGISLATIVE INTERFERENCE WITH LOCAL SERVICES - APPROVED

City Manager Wright stated that Senator Paul Bettencourt submitted Senate Bill 2 (SB2), which imposed a four percent (4%) property tax revenue cap on all City budgets. City Manager Wright furthered that currently the City of Lufkin carried an eight percent (8%) cap. City Manager Wright stated that the change could have damaging effects on municipalities and the services provided to the citizens as the reduction decreased the City's flexibility to respond to the economic needs and services of the citizens. City Manager Wright furthered that little authority was given to Cities to govern revenue tax, sales tax, franchise tax and fees. City Manager Wright stated that although property tax was a small component of the City's revenue; the proposed bill could possibly lead to damaging situations such as Cities implementing multiple small tax increases due to possible budget issues. City Manager Wright furthered that many of the cities in the district were in agreement to the attached Resolution provided by the Texas Municipal League that stated the City of Lufkin was in opposition of Senate Bill 2. City Manager Wright concluded that Staff recommended City Council approve the Resolution opposing Senate Bill 2.

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

12. REPAIR OF WATER WELL NO. 6 IN THE AMOUNT OF \$128,410 AND A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2016/2017 OPERATING BUDGET (BUDGET AMENDMENT NO. 15) APPROPRIATING THE FUNDING – APPROVED

City Manager Wright stated that the time of year when water usage dramatically increased was approaching. City Manager Wright furthered that Water Well No. 6 which was heavily used was malfunctioning. City Manager Wright stated that upon inspection of Water Well No. 6; it was determined that the beginning suction bearing failed causing a break in the suction line and excessive wear to the impellers and bowls. City Manager Wright furthered that an estimate for repair was quoted at \$128,410. City Manager Wright stated that the 380 Fund was set aside specifically for the proposed repair. City Manager Wright concluded that Staff recommended City Council approve the repair for Water Well No. 6 and a Resolution authorizing Budget Amendment No. 16 appropriating the funding. City Manager Wright offered to answer questions. There were none.

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

13. DONATION TO THE KURTH MEMORIAL ANIMAL SHELTER IN THE AMOUNT OF \$5,478 AND APPROVAL OF A RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2016/2017 OPERATING BUDGET (BUDGET AMENDMENT NO. 16) APPROPRIATING THE FUNDING – APPROVED

City Manager Wright stated that Animal Control recently received a donation in the amount of \$5,478 from Molly James who conducted the “Boots, Best Buddies and BBQ” fundraiser at the Lufkin Convention Center on March 11, 2017. City Manager Wright furthered that Mrs. James was a tireless supporter of the Animal Shelter and the recent fundraiser was the third annual fundraiser she had organized. City Manager Wright stated that the funding would be appropriated to the Shelter’s fund for veterinarian services to treat homeless animals with injuries or medical conditions. City Manager Wright concluded that Staff requested City Council accept the funding in the amount of \$5,478 and approve a Resolution authorizing Budget Amendment No. 16 appropriating the funding. City Manager Wright added that Staff requested that City Council recognize Molly James for her efforts to help the Kurth Memorial Animal Shelter.

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

14. CITY MANAGER REPORT

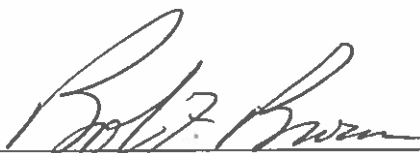
City Manager Wright highlighted revenues and expenditures. City Manager Wright offered to answer questions. There were none.

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

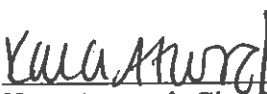
City Manager Wright detailed various upcoming City sponsored and community events.

16. There being no more business to address the meeting was adjourned at 5:25 p.m.




Bob F. Brown, Mayor

ATTEST:


Kara Atwood, City Secretary