

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 4<sup>TH</sup> DAY OF AUGUST, 2020**

On the 4<sup>th</sup> day of August, 2020 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 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
Sarah Murray	Councilmember, Ward No. 6
Bruce Green	Interim City Manager
Jason Arnold	Assistant City Manager
Kara Andrepont	City Secretary
Rodney Ivy	Human Resource Director
Gerald Williamson	Public Safety Director
David Thomas	Police Chief
Jesse Moody	Fire Chief
Ryan Watson	Assistant Fire Chief
Belinda Melancon	Finance Director
Kevin Gee	Engineering Services Director
Scott Rayburn	Planning Director
Calvin Troups	Building Official
Michael Flinn	Parks and Recreation Director
Albert Duffield	Water & Sewer Director
Jarod Murphy	Assistant Director Water & Sewer
Sid Munlin	IT Director
Kent Havard	Solid Waste Director

being present: and

Bob F. Brown	Mayor
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being absent when the following business was transacted.

**INVOCATION** - The meeting was opened with prayer by Pastor Eric Barton, City Church.

**PUBLIC COMMENT** – Mayor Pro Tem Mark Hicks opened the meeting for Public Comment on any posted agenda item at 5:01 p.m. Angelina County Judge Don Lymbery came forward to speak on Item No. 9 regarding the Interlocal Agreement with Angelina County for Landfill Services. Judge Lymbery expressed his appreciation with the City for considering the agreement with the landfill. Emily Thornton with Angelina Beautiful Clean came forward to voice her concerns regarding the possible elimination of curbside recycling within the City of Lufkin. There being no one else who wished to speak, Mayor Pro Tem Hicks closed the Public Comment portion of the meeting.

**1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JULY 21, 2020 – APPROVED.**

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

**2. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO “LOCAL BUSINESS” ON PROPERTY ADDRESSED AS 2009 TULANE DRIVE – APPROVED.**

Interim City Manager Green stated the applicant, Fortis Investments, LLC, had requested a zone change from “Neighborhood Retail” to “Local Business” for 2009 Tulane Drive. Interim

City Manager Green highlighted the location of property on corresponding maps and provided information on the current zoning of neighboring properties. Interim City Manager Green furthered the request was unanimously approved by the Planning and Zoning Commission during the meeting of July 13<sup>th</sup>.

Interim City Manager Green concluded Staff recommended City Council conduct a Public Hearing and approve the Second Reading of an Ordinance changing the zoning to “Local Business” on property addressed as 2009 Tulane Drive.

Mayor Pro Tem Hicks opened the Public Hearing at 5:07 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 Guessippina Bonner moved to approve the Ordinance as presented. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

**3. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2019-2020 OPERATING BUDGET (BUDGET AMENDMENT NO. 19) APPROPRIATING FUNDING FOR THE 2020 CAPITAL IMPROVEMENT FUND AND PROJECTS – APPROVED.**

Interim City Manager Green stated Budget Amendment No. 19 provided for the revenue and costs of the bond issuance as well as setting up a budget for the 2020 Capital Improvement Program and approved projects.

Interim City Manager Green concluded Staff recommended City Council approve the Second Reading of an Ordinance authorizing Budget Amendment No. 19 appropriating funding for the 2020 Capital Improvement Program.

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

**4. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2019-2020 OPERATING BUDGET (BUDGET AMENDMENT NO. 20) APPROPRIATING CARES ACT FUNDING – APPROVED.**

Interim City Manager Green stated the Budget Amendment appropriated funding received through the CARES Act grant for the “We Love Lufkin” small business grant program and the Paramedicine program which were established to combat the effects of the COVID-19 pandemic. Interim City Manager Green noted that 62 applicants had received grant checks and the review committee would be meeting again to review and address the remaining applications.

Interim City Manager Green concluded Staff recommended City Council approve the Second Reading of an Ordinance authorizing Budget Amendment No. 20 appropriating funding from the CARES Act Grant.

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

**5. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2019-2020 OPERATING BUDGET (BUDGET AMENDMENT NO. 21) APPROPRIATING THE FUNDING FOR THE PURCHASE OF A PUBLIC SAFETY DISPATCH RADIO CONSOLE SYSTEM– APPROVED.**

Interim City Manager Green stated Budget Amendment No. 21 would appropriate the funding for the purchase of a Dispatch Radio Console System for the Lufkin Police Department. Interim City Manager Green furthered the system would be purchased from Telex-Dailey & Wells Communications in the amount of \$69,285.03.

Interim City Manager Green concluded Staff recommended City Council approve the Second Reading of an Ordinance authorizing Budget Amendment No. 21 appropriating the funding for the purchase of the dispatch radio console system for the Lufkin Police Department. Councilmember Robert Shankle moved to approve the Ordinance as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

**6. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2019-2020 OPERATING BUDGET (BUDGET AMENDMENT NO. 22) APPROPRIATING THE FUNDING FROM A GRANT FROM THE DEEP EAST TEXAS REGIONAL ADVISORY COUNCIL (DETRAC) FOR THE LUFKIN FIRE DEPARTMENT – APPROVED.**

Interim City Manager Green stated Staff recommended City Council approve the Second Reading of an Ordinance authorizing Budget Amendment No. 22 appropriating grant funding from the Deep East Texas Regional Advisory Council in the amount of \$3,330.01 for the purchase of automated ventilators for the Lufkin Fire Department.

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

**7. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO “COMMERCIAL” ON PROPERTY ADDRESSED AS 1212 E. LUFKIN AVENUE – APPROVED.**

Interim City Manager Green stated the applicant, Amy Padilla, was requesting a zone change from “Residential Small” to “Commercial” for property located at 1212 E. Lufkin Avenue. Interim City Manager Green furthered the purpose of the zone change was to open an “Automotive Sales” and “Automotive Repair” business with no outside work. Interim City Manager Green highlighted the location of property on corresponding maps and provided information on the current zoning of neighboring properties. Interim City Manager Green stated the request was unanimously approved by the Planning and Zoning Commission during the July 27<sup>th</sup> meeting.

Interim City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider the First Reading of an Ordinance changing the zoning to “Commercial” for property addressed as 1212 E. Lufkin Avenue.

Councilmember Robert Shankle asked for clarification concerning no outside work being allowed at this location. Interim City Manager Green explained that this location would be allowed automotive sales and automotive repairs to be conducted inside the business but not outside.

Mayor Pro Tem Hicks opened the Public Hearing at 5:13 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and requested comments from City Council.

Councilmember Guessippina Bonner expressed concern regarding the neighbors opposed to the approval of the request for zoning change at this location. Councilmember Bonner asked that Staff monitor the location to ensure the restrictions for no outside work were followed.

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

**8. RESOLUTION PROVIDING FOR THE CALLING AND ORDERING OF A GENERAL ELECTION FOR THE CITY OF LUFKIN, TEXAS TO BE HELD NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING A COUNCILMEMEBER FOR WARD NO. 6 – APPROVED.**

Interim City Manager Green stated during the April 7, 2020 City Council meeting, a Resolution was passed moving the May 2<sup>nd</sup>, 2020 election for Ward No. 6 to the November 3<sup>rd</sup>, 2020

uniform election date. Interim City Manager Green furthered the Resolution was passed in order to comply with Governor Abbott's order instructing that the election be postponed due to the COVID-19 pandemic. Interim City Manager Green stated the Secretary of State had since determined the election must be called and ordered again due to the change of dates, early voting and election day polling locations. Interim City Manager Green furthered the Resolution included necessary revisions regarding the date of the election, early voting dates/hours and polling locations for the Ward No. 6 election. Interim City Manager Green explained due to the election being moved to the November uniform election date, Angelina County must conduct the City's election, in accordance with Section 42.002 of the Texas Election Code. Interim City Manager Green stated Staff would work closely with Angelina County throughout the entire election process and would assist as needed. Interim City Manager Green furthered a formal election contract would be brought for City Council approval at a later date.

Staff recommends City Council approve a Resolution providing for the calling and ordering of a General Election to be held November 3, 2020 for the purpose of electing a Councilmember for Ward No. 6.

Councilmember Bonner asked for information regarding the dates for early voting. City Secretary Kara Andrepont provided the dates and locations for early voting as well as election day voting.

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

**9. DISCUSSION REGARDING INTERLOCAL AGREEMENT WITH ANGELINA COUNTY FOR LANDFILL SERVICES – NO ACTION.**

Interim City Manager Green stated during the regularly scheduled City Council meeting on June 16, 2020, the City Manager was authorized to negotiate an Interlocal Agreement for the Provision of Landfill Services. City Manager Green furthered a discussion between City and County leadership had resulted in a proposed agreement that Staff considered reasonable. Interim City Manager Green clarified this Item did not address the modification of recycling and that issue would be addressed at a future date. Interim City Manager Green explained the life of the agreement was sixty (60) months with the option to terminate after twenty-four (24) months. Interim City Manager Green stated the term of the agreement would commence on January 1, 2021 and gave the estimated rates the City's payments to the landfill were expected to increase by over the next five (5) years. Interim City Manager Green furthered the increases would be difficult to overcome, but were significantly lower than previous proposals from the County. Interim City Manager Green stated in order to absorb a substantial increase in expenditures, Staff proposed to adopt a modified recycling program that was considerably cheaper than the method currently employed. Interim City Manager Green furthered Staff estimated the elimination of curbside recycling collection would reduce expenditures by approximately \$131,873 during the next fiscal year. Interim City Manager Green concluded the City of Lufkin would continue to collect recycling at designated drop-off locations; one location at the Solid Waste facility in South Lufkin and another at the Public Works facility in North Lufkin.

No Action Required

**10. APPOINTMENTS TO VARIOUS CITY OF LUFKIN BOARDS – APPROVED.**

Interim City Manager Green stated Staff recommended City Council consider appointments to the Parks and Recreation Advisory Board and the Zoning Board of Adjustment and Appeals.

Councilmember Lynn Torres moved to approve Jason Soule for reappointment to the Parks and Recreation Advisory Board and Dorothy Chimney for reappointment as an alternate to the Zoning Board of Adjustment and Appeals. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

Interim City Manager Green added an additional comment in regards to Item No. 9 that Staff had taken steps dedicated to finding a long-term solution to the solid waste dilemma. Interim City Manager Green furthered bids had been solicited from other landfills and third-party


transportation networks to deliver the City's solid waste elsewhere. Interim City Manager Green concluded Staff would employ a consultant in the field to determine the cost effectiveness of reopening the old landfill behind Water Plant No. 1 or building a new landfill and would be reporting those results to Council. Mayor Pro Tem Hicks asked Interim City Manager Green to clarify the proposal for those that may not be aware of the issue.

There being no further business, Mayor Pro Tem Hicks adjourned the meeting at 5:30 p.m.



  
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Bob F. Brown, Mayor

ATTEST:

  
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Kara Andrepont, City Secretary