

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 6TH DAY OF SEPTEMBER, 2016.

On the 6th day of September, 2016 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
Sarah Murray	Councilmember, Ward No. 6
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
Mike Akridge	Parks & Recreation Director
Jason Arnold	Water & Sewer Director
Dale Allred	Inspection Services Director
Sid Munlin	Information Technology Director
Chuck Walker	Public Works Director
Kent Havard	Solid Waste Director
Tara Watkins	LCVB Director

being present when the following business was transacted.

1. The meeting was opened with prayer by William Ricks of First Missionary Baptist Church.
2. Mayor Bob F. Brown welcomed visitors present.
3. **MINUTES OF THE REGULAR COUNCIL CITY MEETING HELD AUGUST 16, 2016 - 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.

OLD BUSINESS

4. **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 A COMMUNICATIONS TOWER ON PROPERTY ADDRESSED AS 500 ABNEY AVENUE - APPROVED**

City Manager Keith Wright stated that the applicant, Vertical Bridge Holdings, LLC proposed to construct a one hundred and ninety-five foot (195') Communications Tower with related equipment at 500 Abney Avenue. Planning and Zoning Director, Dorothy Wilson displayed the subject property on a map. City Manager Wright furthered that the applicant expressed that the proposed property was ideally suited for Cellular One to continue its service to North Lufkin residents. City Manager Wright stated that the application for the Special Use Permit was approved by the Planning and Zoning Commission during the meeting of June 27, 2016 and furthered that the item

was withdrawn from the City Council agenda of July 5, 2016. City Manager Wright stated that during the City Council meeting of July 19, 2016 the item was postponed in order for the applicant to provide additional information regarding the necessity of the tower. City Manager Wright furthered that the applicant submitted an informational letter from Cellular One that was included in the Council Packet. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and consider the First Reading of an Ordinance granting a Special Use Permit for a Communications Tower on the property addressed as 500 Abney Avenue.

Mayor Brown opened the Public Hearing at 5:02 p.m. There being no one who wished to speak, Mayor Brown requested comments or questions from City Council. There were none.

Councilmember Lynn Torres moved to approve the Ordinance as presented. Councilmember Sarah Murray seconded the motion. A five (5) to two (2) vote in approval was recorded. Councilmembers Robert Shankle and Guessippina Bonner voted to oppose the Ordinance as presented.

NEW BUSINESS

5. PUBLIC HEARING AND FIRST READING OF AN APPROPRIATIONS ORDINANCE ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 - APPROVED

City Manager Wright stated that City Staff was pleased to present to the City Council the 2016-2017 Annual Fiscal Budget for the City of Lufkin. City Manager Wright stated that the proposed budget included the Effective Tax Rate of 0.529942. City Manager Wright furthered that the significant changes in the 2016-2017 Annual Budget were included in the Staff Packet. City Manager Wright stated that there were not proposed changes to the Water & Sewer rates, however there was a one dollar \$1.00 proposed rate increase for Residential Recycling Service which increased the service to \$15.48 per month. City Manager Wright furthered that the proposed increase was based on the responses of the survey results where 349 Lufkin residents responded. City Manager Wright read the results summary of the 349 respondents. City Manager Wright detailed the survey response results, possible outcomes and the expenditures and revenues that precipitated the proposed increase of recycling collection fees. City Manager Wright requested questions.

Councilmember Lynn Torres questioned the available options for the City of Lufkin employees to cross train in promotion of recycling feasibility. City Manager Wright explained that jobs were delineated and negative issues were probable if job duty assignments and scheduling were assimilated.

Councilmember Hicks questioned narrowing down which households recycled and documenting the out-put of those households that recycled regularly to promote accurate scheduling of service thereby increasing cost effectiveness.

City Manager Wright explained that the Recycling Routes were scheduled to pick up 6,000 plus recycling cans. City Manager Wright stated that complete routes ran at predetermined times however not all of the house holds on the Recycling route chose to utilize the service weekly.

Councilmember Mark Hicks questioned the costs of utilizing the Landfill.

Assistant City Manager Steve Floyd replied that 45,000 tons were currently disposed of at the Landfill and adding the recycling would increase that load by 1,000 tons. Assistant City Manager Floyd stated that the Life of the Landfill would not be significantly affected by an increase of 1,000 tons.

Discussion ensued.

City Manager Wright expressed disappointment regarding the lack of engagement from Lufkin residents concerning the issue as only 2.8% of Lufkin residents polled responded to the survey.

Assistant City Manager Floyd detailed the cost of recycling to the City of Lufkin. Assistant City Manager Floyd stated that recycling cost issues were relevant nation-wide; not specifically to the City of Lufkin Municipality.

Councilmember Guessippina Bonner summarized the overall feelings of the residents represented by Ward No. 1.

Discussion ensued.

Councilmember Hicks requested clarifications. City Manager Wright stated that increasing the services by \$1.00 a month totaled approximately a \$12,000 monthly increase and \$144,000 yearly revenue increase.

Mayor Bob F. Brown opened the Public Hearing at 5:16 p.m.

Antonio Martinez Jr. of Ward No. 3 expressed opposition to ending curbside service due to the fact that his grandmother would have difficulties transporting recycling to a drop off location. Mr. Martinez questioned the parameters for future decisions related to possible increases to continue the Recycling Service.

Robert McGee of Ward No. 1 stated he was willing to pay for the \$1.00 increase as he felt that he would expend that cost in gas to drive to a drop off facility anyway. Mr. McGee thanked Council and stated that, "He was on their side".

Councilmember Hicks proposed scenarios of decreasing Recycling collection schedules. Assistant City Manager Floyd stated that a full evaluation was needed to accurately respond to the feasibility of the proposed recycling collection scenarios.

Discussion ensued.

Councilmember Bonner suggested evaluating further suggestions to solve the Recycling issues. City Manager Wright stated that the job of Staff was to present the data and the job of City Council was to make the decision on how the issues should be responded to based on the data presented. City Manager Wright furthered that per state law a budget had to be determined and advanced by the end of the month.

There being no one else who wished to speak the Public Hearing was closed at 5:24 p.m.

Councilmember Shankle expressed that a burden would be applied to the citizens regardless of what particular decision was made based on the available options. Councilmember Robert Shankle requested that City Council keep in mind what was better for the citizens.

Councilmember Sarah Murray stated that City Council was not a money making organization and that City Council was there to promote a balanced budget rather than make money.

Discussion ensued.

Councilmember Hicks suggested approving the Ordinance and continuing to investigate options that promoted overall harmony.

City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve the First Reading of the Appropriations Ordinance adopting the Budget for the 2016-2017 Fiscal Year.

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

6. FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 3795 OF THE CODE OF ORDINANCES OF THE CITY OF LUFKIN, TEXAS (CODIFIED AS CHAPTER 50, SECTION 50.50 (A) 1 (a): RAISING RESIDENTIAL GARBAGE COLLECTION CHARGES; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE - APPROVED

City Manager Wright stated that per City Council direction, a Cost of Service and Rate Design Study was recently performed to provide the detailed information and options for services and rates for the Solid Waste Department. City Manager Wright furthered that based on the information provided by the study and direction provided by City Council at the Annual Budget Retreat; Staff recommended that the Residential Collection Rate increase by one dollar to \$15.48 per month. City Manager Wright concluded that Staff recommended City Council approve an Ordinance on First Reading increasing the Residential Garbage Collection Rates to \$15.48 per month.

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

Mayor Bob F. Brown restated that moving forward with the Ordinance did not prohibit the City Council from later altering the decision based on information that could be collected at a later date that realized a better way to solve the issue.

7. FIRST READING OF AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF LUFKIN AND PROVIDING FOR THE DEBT SERVICE FUND FOR THE FISCAL YEAR 2017 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE – APPROVED

City Manager Wright stated that the 2016-2017 Budget had been prepared with the Effective Tax Rate of \$0.529942 which would generate approximately \$214,178 more total revenue than last year. City Manager Wright stated that the Tax Rate was divided into two portions: 0.379942 designated for maintenance and operations (M&O); and 0.1500 designated for interest and sinking (I&S) or debt service. City Manager Wright furthered that the Effective Tax Rate was the total tax rate needed to raise the same amount of property tax revenue for the City of Lufkin from the same properties in both the 2015 Tax Year and the 2016 Tax Year. City Manager Wright stated that the amount did not include the new properties or new value added to the Tax Roll for 2016. City Manager Wright furthered that should the Effective Tax Rate be adopted, the statement must be included in the Ordinance: *“This tax rate will raise more taxes for maintenance and operations than last year’s tax rate.”* City Manager Wright stated that the statement was required because the Total Levy would increase due to the new properties and the new values. City Manager Wright concluded that Staff recommended City Council approve the First Reading of the Ordinance levying taxes for the 2017 Fiscal Year.

Councilmember Mark Hicks reiterated that the City of Lufkin did not propose to increase the Tax Rate.

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

8. AWARD OF BID IN THE AMOUNT OF \$915,000 TO LANGSTON CONSTRUCTION, INC. FOR THE CITY HALL RENOVATION PROJECT AND A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 24 APPROPRIATING THE FUNDING - APPROVED

City Manager Wright stated that during the City Council meeting of May 3rd, 2016 City Council approved the City Hall Renovation Project which would include replacing the deteriorated and leaking atrium roof, as well as creating partitions in the atrium for enhanced security features. City Manager Wright furthered that bids were received for the project on August 11th, with three (3) bids received. City Manager Wright stated that the apparent low bidder for the project was Langston Construction, Incorporated in the amount of \$915,000. City Manager Wright stated that Langston Construction provided the Architect and the City Council Construction Committee with several value engineering options to reduce the overall cost to the project. City Manager Wright furthered that the deductions included the revision of the light fixture package and the use of a preferred technology vendor. City Manager Wright stated that in addition, one alternate price was selected to install new flooring in the second level elevator lobby for an additional cost of \$2,500. City Manager Wright furthered that the changes reduced the total cost to \$842,500. City Manager Wright stated that the estimated budget for the project was initially \$725,000, which was well short of the projected cost of \$842,500. City Manager Wright furthered that an additional \$74,842 was available in the Fund 300 and could be allocated towards the project; which would bring the available funds for the project to \$799,482. City Manager Wright stated that a contingency of \$50,000 was built into the bid amount of \$842,500. City Manager Wright furthered that if contingencies were required City Council would have to allocate additional funding from the General Fund, fund balance. City Manager Wright concluded that Staff recommended City Council award a bid in the amount of \$915,500 to Langston Construction, Incorporated for the City Hall Renovation Project.

Councilmember Mark Hicks stated that the price was reduced from the original bid to \$842,500.

Councilmember Hicks moved to approve the bid amount of \$915,500 to Langston Construction for the City Hall Renovation Project. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

9. LETTER OF AGREEMENT WITH BURDITT CONSULTANTS, LLC FOR THE COMPLETION OF THE COMPREHENSIVE PLAN AND A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 27 APPROPRIATING THE FUNDING - APPROVED

City Manager Wright stated that the City of Lufkin had not updated the Comprehensive Plan since 2001. City Manager Wright furthered that the current plan was outdated as many of the recommendations had been applied over the past fourteen (14) years, and furthered that numerous things had changed since that time; including the population, infrastructure, technology, roadway patterns and the economy. City Manager Wright stated that during the City Council meeting of April 19, 2016 City Council approved Staff to move forward with soliciting proposals to select a firm to aid with the preparation of the plan. City Manager Wright furthered that there were two (2) proposals received that were responsive to the request. City Manager Wright stated that after review, the recommended consultant was Burditt Consultants, LLC; and the proposed cost for development of the plan was estimated at \$254,750 which would be developed over a period of twelve (12) months. City Manager Wright pointed out that the proposal was included in the Council Packet. City Manager Wright furthered that the process would include City Council Staff, the consultant and public input from citizens of Lufkin. City Manager Wright stated that goals of the project included developing a plan that would provide a long range foundation and a policy direction for land use, community character, transportation and circulation, economic development, housing and community facilities and services. City Manager Wright furthered that the plan would also direct the placement of infrastructure and utilities, natural resources and historic and cultural resources. City Manager Wright stated that essential to the success of the plan would be the engagement of the public and a community based approach to plan development. City Manager Wright furthered that town hall sessions, community meeting, press releases and the use of social media would be an integral part in the completion of the Comprehensive Plan. City Manager Wright stated that once completed the plan would be updated annually to ensure it remained a viable plan for the future of Lufkin. City Manager Wright concluded that Staff recommended City

Council approve a Letter of Agreement with Burditt Consultants, LLC in the amount of \$254,750 for the development of a Comprehensive Plan for the City of Lufkin.

Councilmember Mark Hicks expressed excitement over the upcoming project as the entire community had the opportunity to decide the direction of the community.

Councilmember Guessippina Bonner expressed excitement over attracting younger generations to the City of Lufkin.

Councilmember Hicks moved to approve the Letter of Agreement with Burditt Consultants, LLC for the completion of a Comprehensive Plan and a Resolution authorizing Budget Amendment No. 27 appropriating the funding. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

10. PROPOSED PROJECTS FROM RESIDUAL BOND FUNDS AND A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 28 APPROPRIATING THE FUNDING – APPROVED

City Manager Wright stated that Staff identified several projects in order to expend the funding that remained in several previous bond issues due to projects being completed under budget. City Manager Wright furthered that the projects and estimated costs were listed as: Police Department parking lot fence \$26,980; Brandon Park restroom construction \$50,000; Lufkin Avenue improvements \$120,000; Leach Street improvements \$275,000; Skate Park – Kiwanis Park \$175,000; Kurth Lake boat ramp repair \$15,000; Kurth Lake dam repair \$15,200; Kurth Lake pier and boat ramp \$16,000 and a Kurth Lake pier and lodge \$42,800. City Manager Wright furthered that detailed information regarding each project was attached to the Council Packet. City Manager Wright concluded that Staff recommended City Council consider approval of the projects to be completed from Residual Bond Funding.

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

11. GRANT TO THE LUFKIN FIRE DEPARTMENT FROM THE DEEP EAST TEXAS REGIONAL ADVISORY COUNCIL, (DETRAC) IN THE AMOUNT OF \$807.96 AND APPROVAL OF A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 25 APPROPRIATING THE FUNDING – APPROVED

City Manager Wright stated that the Lufkin Fire Department recently received grant funding from the Deep East Texas Regional Advisory Council (DETRAC) in the amount of \$807.96. City Manager Wright furthered that the funding would be placed in the Fire Services Supply Budget to reimburse for EMS supply expenditures. City Manager Wright concluded that Staff recommended City Council accept the grant funding in the amount of \$807.96 from DETRAC and approve Budget Amendment No. 25 appropriating the funding.

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

12. DONATION TO THE LUFKIN PARKS AND RECREATION DEPARTMENT FROM PELTIER CHEVROLET-CADILLAC IN THE AMOUNT OF \$1,000 AND APPROVE A RESOLUTION AUTHORIZING BUDGET AMENDMENT NO. 26 APPROPRIATING THE FUNDING – APPROVED

City Manager Wright stated that Peltier Chevrolet-Cadillac recently donated funding in the amount of \$1,000 to the Parks and Recreation Department. City Manager Wright furthered that the funding would be used to purchase much needed equipment for Morris Frank Park which included bases and protective pitching screens for the batting cages. City Manager Wright concluded that Staff recommended City Council accept

the donation in the amount of \$1,000 from Peltier Chevrolet-Cadillac and approve Budget Amendment No. 26 appropriating the funding.

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

13. APPOINTMENT TO THE PARKS AND RECREATION ADVISORY BOARD – APPROVED

City Manager Wright stated that City Council consider an appointment to the Parks and Recreation Advisory Board to fill the vacancy due to the resignation of board member Don Schultheis. City Manager Wright furthered that only one (1) application was on file from Jason Soules. City Manager Wright concluded that Staff recommended Jason Soules to be appointed to the Parks & Recreation Advisory Board.

Councilmember Guessippina Bonner questioned if the appointment would be for three (3) years or the remainder of the term. City Manager Wright clarified that the appointment would be for the remainder of the vacancy.

Councilmember Robert Shankle moved to approve Jason Soule for the remainder of the term. Councilmember Sarah Murray seconded the motion and a unanimous vote to approve was recorded.

14. EXECUTIVE SESSION:

Evaluation of City Manager in accordance with Texas Government Code Section 551.0741 which provides for the discussion of personnel matters in Executive Session.

Executive Session convened at 5:50 p.m. and reconvened at 6:28 p.m.

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

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

16. There being no more business to address the meeting was adjourned at 6:30 p.m.

Bob F. Brown, Mayor

ATTEST:

Kara Atwood, City Secretary