

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 5<sup>TH</sup> DAY OF NOVEMBER 2024.**

On the 5<sup>th</sup> day of November 2024, 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
Robert Shankle	Mayor Pro Tem
Guessippina Bonner	Councilmember, Ward No. 1
Brent Watkins	Councilmember, Ward No. 3
Kim Ogden	Councilmember, Ward No. 4
Jimmy Ford	Councilmember, Ward No. 5
Kevin Gee	City Manager
Kristi Skillern	City Attorney
Brian W. Bray	Assistant City Manager
Kara Andrepont	City Secretary
Adriana Thomasee	Human Resources
Buddy Cross	Assistant Police Chief
Jessica Pebsworth	Communications Director
Belinda Melancon	Finance Director
Christopher Key	Engineering Services Director
Scott Rayburn	City Planner
Scott Cameron	Street Department Superintendent
Buddy Timme	Parks and Recreation Director
Tara Hendrix	Tourism & Marketing Director
Albert Duffield	Utilities Director
being present; and	
Adam Lowther	Councilmember, Ward No. 6

being absent when the following business was transacted.

**INVOCATION** – The meeting was opened with prayer by Pastor M.E. Lyons.

**PUBLIC COMMENT** - Mayor Mark Hicks opened the public comment period at 5:02 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing.

**PRESENTATION** – Presentation of the 2023 Annual Comprehensive Financial Report.

**CONSENT AGENDA**

- 1. MINUTES OF THE REGULAR CITY COUNCIL MEETING OF OCTOBER 1<sup>ST</sup>, 2024 - APPROVED.**
- 2. RESOLUTION AUTHORIZING THE ACCEPTANCE OF DONATIONS FOR THE TEEN COURT PROGRAM AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2024-2025 OPERATING BUDGET (BUDGET AMENDMENT NO. 1) APPROPRIATING THE FUNDING – APPROVED.**
- 3. RESOLUTION AUTHORIZING THE ACCEPTANCE OF A LOCAL HAZARD MITIGATION PLAN PROGRAM GRANT THROUGH THE TEXAS GENERAL LAND OFFICE FOR THE LUFKIN FIRE DEPARTMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2024-2025 OPERATING BUDGET (BUDGET AMENDMENT NO. 4) APPROPRIATING THE FUNDING – APPROVED.**
- 4. ACCEPTANCE OF GRANT FUNDING FROM THE T. L. L. TEMPLE FOUNDATION FOR THE LUFKIN FIRE DEPARTMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2024 - 2025 OPERATING BUDGET (BUDGET AMENDMENT NO. 5) APPROPRIATING THE FUNDING – APPROVED.**
- 5. FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2024-2025 OPERATING BUDGET (BUDGET AMENDMENT NO. 3) APPROPRIATING**

**FUNDING IN THE SPECIAL RECREATION FUND, ELLEN TROUT ZOO BUILDING FUND, ANIMAL SERVICES – ANIMAL ATTIC FUND, TOURISM & MARKETING FUND, WATER & WASTEWATER FUND, EQUIPMENT ACQUISITION & REPLACEMENT FUND AND THE TECHNOLOGY AMORTIZATION FUND (ROLLOVER BUDGET AMENDMENT) – APPROVED.**

**6. CITY OF LUFKIN INVESTMENT POLICY – APPROVED.**

**7. AGREEMENT WITH VALLEY VIEW CONSULTING, LLC FOR INVESTMENT SERVICES – APPROVED.**

Councilmember Guessippina Bonner moved to approve all items on the Consent Agenda as presented. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

**BUSINESS AGENDA**

**8. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO “COMMERCIAL” AND THE FUTURE LAND USE MAP DESIGNATION TO “CORRIDOR COMMERCIAL” ON PROPERTY ADDRESSED AS 2810 MOFFETT ROAD – APPROVED.**

City Manager Kevin Gee stated the the owner and the developer was requesting a zone change from “Residential Large” and “Residential Medium” to “Commercial” for a 5.414 portion of property located at 2810 Moffett Road. City Manager Gee furthered the purpose of the zone change and future land use map change was to allow for a primarily “Indoor Commercial Recreation and Entertainment” use. City Manager Gee gave information regarding the proposed facility. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee stated Staff found the request consistent with area zoning, current uses, and the proposed “Corridor Commercial” future land use classification. City Manager Gee furthered the request was unanimously recommended for approval by the Planning and Zoning Commission.

City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval on Second Reading of an Ordinance changing the zoning to “Commercial” and the Future Land Use Map designation to “Corridor Commercial” on property addressed as 2810 Moffett Road.

Mayor Hicks opened the Public Hearing at 5:04 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

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

**9. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE REGULATING NOISE IN PUBLIC PLACES WITHIN THE CITY OF LUFKIN – APPROVED.**

City Manager Kevin Gee stated the city of Lufkin currently utilized State Law regarding breach of peace and disorderly conduct to enforce noise related complaints. City Manager Gee furthered this was limited in scope and made enforcement difficult. City Manager Gee stated the City Attorney, Chief of Police and City Manager had discussed ways to better address excessive noise within the City of Lufkin. City Manager Gee furthered the proposed Ordinance would regulate excessive noise in public places while respecting First Amendment rights. City Manager Gee highlighted the requirements and enforcement actions of the ordinance.

City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval on Second Reading of an Ordinance regulating noise in public places within the City of Lufkin.

Mayor 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 requested comments from the City Council.

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

**10. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING FROM “RESIDENTIAL LARGE” TO “RESIDENTIAL SMALL” ON PROPERTY ADDRESSED AS 2107 AND 2109 HOWARD AVENUE – APPROVED.**

City Manager Kevin Gee stated BFK Ventures, LLC had requested a zone change from “Residential Large” to “Residential Small” for 2107 and 2109 Howard Avenue. City Manager Gee furthered the subject properties were 1.175 acres and currently non-developed, and the intent of the applicant was to build residential homes with approximately one thousand (1,000) square feet of living area. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee stated the request was unanimously recommended for approval by the Planning and Zoning Commission.

City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval on First Reading of an Ordinance changing the zoning from "Residential Large" to "Residential Small" on property addressed as 2107 and 2109 Howard Avenue.

Mayor Hicks opened the Public Hearing at 5:08 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

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

**11. PUBLIC HEARING AND RESOLUTION AUTHORIZING ACCEPTANCE OF THE FISCAL YEAR 2024 BULLETPROOF VEST PROGRAM GRANT THROUGH THE U.S. DEPARTMENT OF JUSTICE FOR THE LUFKIN POLICE DEPARTMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2024-2025 OPERATING BUDGET (BUDGET AMENDMENT NO. 2) APPROPRIATING THE FUNDING – APPROVED.**

City Manager Kevin Gee stated the Lufkin Police Department had received grant funding in the amount of \$16,857.67 from the U.S. Department of Justice, Office of Justice Assistance for Fiscal Year 2024 Bulletproof Vest Program. City Manager Gee furthered the funds would be used for the purchase of new and replacement bullet resistant vests. City Manager Gee stated the grant required a fifty (50%) percent match from the City in the amount of \$16,857.67 for a total of \$33,715.34. City Manager Gee furthered funding for the required match was available in the Patrol Uniforms Account. City Manager Gee stated the grant required an opportunity for public comment and a Resolution authorizing acceptance of the awarded funds.

City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and approve a Resolution accepting funding and First Reading of an Ordinance authorizing an amendment to the 2024-2025 Operating Budget (Budget Amendment No. 2) appropriating the funding.

Mayor Hicks opened the Public Hearing at 5:10 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

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

**12. PUBLIC HEARING AND RESOLUTION AUTHORIZING THE LUFKIN POLICE DEPARTMENT TO SUBMIT AN APPLICATION FOR THE FISCAL YEAR 2024 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT – APPROVED.**

City Manager Kevin Gee stated the Lufkin Police Department was seeking City Council approval of a Resolution authorizing an application for the Fiscal Year 2024 Edward Byrne Memorial Justice Assistance Grant. City Manager Gee furthered the Lufkin Police Department, and the Angelina County Sheriff's Department were jointly eligible for funding in the amount of \$15,520. City Manager Gee stated the funds would be used for law enforcement related needs such as equipment, technology and training. City Manager Gee furthered the grant required an opportunity for public comment and a Resolution authorizing an application for the funding.

City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval of a Resolution authorizing an application for the U.S. Department of Justice Fiscal Year 2024 Edward Byrne Memorial Justice Assistance Grant.

Mayor Hicks opened the Public Hearing at 5:12 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

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

**13. FIRST READING OF AN ORDINANCE PROVIDING FOR THE ABANDONMENT, VACATION, CLOSURE AND SALE OF KIMMEY STREET AND ASSOCIATED RIGHT-OF-WAY – APPROVED.**

City Manager Kevin Gee stated the Engineering Services Department had received a request from Brannon Ferrara to purchase the 0.102-acre right-of-way that included Kimmey Street. City Manager Gee furthered the intent of the applicant was to combine the right-of-way with the properties on both sides of Kimmey Street, which were both owned by the applicant, to allow for future commercial development. City Manager Gee stated there were existing City and private utilities within the section of right-of-way; however, the existing City water and sewer utilities did not serve any connections and would be abandoned. City Manager Gee furthered a replat would be required with an easement to accommodate existing private utilities. City Manager Gee stated the right-of-way in question had been determined appropriate for sale. City Manager Gee explained since the applicant owned the property on both sides of Kimmey Street, no notifications or additional requirements were necessary in accordance with Chapter 272.001 (b and c) of the Local Government Code. City Manager Gee stated the total cost to the applicant would be eleven-thousand six-hundred and fifty dollars (\$11,650) which included an \$11,000 appraised value of the right-of-way, as determined by William J. Lyon & Associates, Inc., an appraisal cost of \$600.00, and a filing fee of \$50.00. City Manager Gee furthered upon approval and completion of the transaction; the City would issue a deed without warranty to the applicant.

City Manager Gee concluded Staff recommended City Council consider approval on First Reading of an Ordinance providing for the abandonment, vacation, closure and sale of Kimmey Street and associated right-of-way within the Kimmey addition.

Councilmember Brent Watkins moved to approve the Ordinance as presented. Councilmember Kim Ogden seconded the motion, and the motion passed with a six (6) to one (1) vote; Councilmember Jimmy Ford opposed the approval.

**14. INTERLOCAL AGREEMENT WITH ANGELINA COUNTY FOR THE PROVISION OF PUBLIC PARKING – APPROVED.**

City Manager Kevin Gee stated the proposed interlocal agreement between Angelina County and the City of Lufkin was focused on providing public parking in the downtown area. City Manager Gee furthered key components of the agreement involved an exchange of property along with a requirement for the City to construct and maintain public parking. City Manager Gee stated specifically, Angelina County would transfer ownership of the old jail property at 113 North Second Street to the City. City Manager Gee furthered in return, the City would convey a portion of Block 15 of the Town of Lufkin, which included the parking and driving lanes surrounding the courthouse. City Manager Gee stated the agreement had been included in the Council packet for review. City Manager Gee explained the agreement was conditioned on the City constructing and maintaining public parking for a minimum of thirty (30) years and included a specified cure period for any alleged violations of the agreement. City Manager Gee stated the estimated cost to the City for demolition of the existing structure and construction of parking was \$480,000.

City Manager Gee concluded Staff recommended City Council consider approval of this Interlocal Agreement with Angelina County for the transfer of property and provision of public parking.

Councilmember Robert Shankle moved to approve the agreement as presented. Councilmember Jimmy Ford seconded the motion and a unanimous vote to approve was recorded.

**15. AWARD OF CONTRACT FOR THE GRADING AND SURVEY OF CITY OF LUFKIN STREETS – APPROVED.**

City Manager Kevin Gee stated the City of Lufkin had approximately two hundred fourteen (214) miles of streets to be maintained and repaired. City Manager Gee furthered grading of the streets provided data on the condition of the roadway and allowed comparison for decision making. City Manager Gee stated the City's streets had not been graded in several years. City Manager Gee

furthered this item was a proposal with Nexco Highway Solutions to perform a detailed grading analysis of all streets as well as a projection of future deterioration. City Manager Gee stated the total cost of the survey would be \$55,530.09, which was included in the 2024-2025 Fiscal Year Budget.

City Manager Gee concluded Staff recommended City Council award a contract to Nexco Highway Solutions for the completion of a Road Grading survey for City of Lufkin Streets.

Councilmember Kim Ogden asked when the last time a grading survey had been done. Discussion ensued.

Councilmember Kim Ogden moved to approve the award of contract as presented. Councilmember Brent Watkins seconded the motion and a unanimous vote to approve was recorded.

#### **16. CITY OF LUFKIN FINANCE COMMITTEE REPORT**

Finance Director Belinda Melancon presented the City of Lufkin Quarterly Finance Committee Report.

There being no further business, Mayor Mark Hicks adjourned the meeting at 5:21 p.m.



ATTEST:

Mark Hicks, Mayor

Kara Andrepont, City Secretary