

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 20th DAY OF AUGUST, 2019**

On the 20<sup>th</sup> day of August, 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
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
Bruce Green	City Attorney
Jason Arnold	Assistant to the City Manager
Kara Andrepont	City Secretary
Rodney Ivy	Human Resource Director
Gerald Williamson	Public Safety Director
David Thomas	Police Chief
Duane Freeman	Interim Fire Chief
Belinda Melancon	Finance Director
Dorothy Wilson	Asst. Director Planning & Zoning
Kevin Gee	Engineering Services Director
Michael Flinn	Parks and Recreation Director
Brant Lee	Convention Services Director
Gary Barton	Water Distribution Director
Albert Duffield	Water & Sewer Director
Scott Hamel	Fleet Maintenance Director
Chuck Walker	Street Department Director
Kent Havard	Solid Waste Director
Kelly Young	Utility Collections Director
Aaron Ramsey	Animal Control Director
Bob Samford	Economic Development Director

being present when the following business was transacted.

**INVOCATION** - The meeting was opened with prayer by Pastor Scott Reed, LifePoint Church.

**WELCOME** - Mayor Bob F. Brown welcomed visitors present.

**1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD AUGUST 6, 2019 – APPROVED**

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

**2. SECOND READING OF AN ORDINANCE AUTHORIZING BUDGET AMENDMENT NO. 23 APPROPRIATING THE FUNDING FOR THE PURCHASE OF PROPERTY – APPROVED**

City Manager Wright concluded that Staff recommended City Council conduct a public hearing and approve on Second Reading an Ordinance authorizing Budget Amendment No. 23 appropriating the funding for the purchase of the former Calvary Baptist Life Center for use as the City of Lufkin Parks and Recreation Center.

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

**3. SECOND READING OF AN ORDINANCE AUTHORIZING BUDGET AMENDMENT NO. 24 APPROPRIATING THE FUNDING IN THE AMOUNT OF \$50,000 FROM THE E. L. KURTH, JR. CHARITABLE FOUNDATION FOR THE LUFKIN POLICE DEPARTMENT - APPROVED**

City Manager Wright stated that Staff recommended City Council approve on Second Reading an Ordinance authorizing Budget Amendment No. 24 appropriating the funding in the amount of \$50,000 from the E. L. Kurth, Jr. Charitable Foundation for the Lufkin Police Department.

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

**4. SECOND READING OF AN ORDINANCE AUTHORIZING BUDGET AMENDMENT NO. 25 APPROPRIATING THE FUNDING FOR THE U.S. HIGHWAY 59/LOOP 287 UTILITY RELOCATION PROJECT – APPROVED**

City Manager Wright stated that Staff recommended City Council approve on Second Reading an Ordinance authorizing Budget Amendment No. 25 appropriating the funding for the U.S. Highway 59/Loop 287 Utility Relocation project.

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

**5. PUBLIC HEARING ON THE FISCAL YEAR 2019 – 2020 PROPOSED TAX RATE - NO ACTION TAKEN**

City Manager Wright stated that each year as a part of the budget process, the Tax Assessor Collector calculated the Effective Tax Rate in accordance with the Texas Tax Code Chapter 26.04(1). City Manager Wright furthered that this enabled the public to evaluate the relationship between taxes for the prior year and for the current year, based on a tax rate that would produce the same amount of taxes if applied to the same properties taxed in both years. City Manager Wright stated that the current year's tax rate was \$0.531135 and the effective tax rate calculated for Fiscal Year 2020 was \$0.511697. City Manager Wright furthered that the current tax rate being proposed would raise more property taxes than last year's original budget by \$495,216 (5.10%), and of that amount \$168,047 was tax revenue to be raised from new property added to the tax roll this year. City Manager Wright stated that the \$0.531135 was part of the current tax rate and was included in the 2019-2020 Annual Budget and Staff recommended City Council adopt the current tax rate as proposed.

Mayor Brown opened the Public Hearing at 5:05 p.m. There being no one who wished to speak; Mayor Brown closed the Public Hearing.

There was no action required for this item.

**6. PRESENTATION OF THE CITY OF LUFKIN 2019-2020 DRAFT BUDGET, PUBLIC HEARING CONCERNING THE PROPOSED BUDGET AND FIRST READING OF AND ORDINANCE ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 - APPROVED**

City Manager Wright stated that Staff was pleased to present to City Council the 2019-2020 Annual Fiscal Budget for the City of Lufkin. City Manager Wright furthered that the proposed budget included the current tax rate of \$0.531135. City Manager Wright stated that Department Heads were available to answer any questions specific to their departments. City Manager Wright furthered that a list of significant proposed changes in the 2019-2020 annual

budget had been included in the Council Packet. City Manager Wright highlighted the significant changes for the 2019-2020 annual budget.

City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve on First Reading an appropriations Ordinance adopting a budget for the 2019-2020 Fiscal Year.

Mayor Brown opened the Public Hearing at 5:13 p.m. There being no one who wished to speak; Mayor Brown closed the Public Hearing.

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

**7. FIRST READING OF AN ORDINANCE ADJUSTING RESIDENTIAL, COMMERCIAL, IRRIGATION, INDUSTRIAL AND WHOLESALE WATER RATES IN THE CITY OF LUFKIN – APPROVED**

City Manager Wright stated that City Council had approved a contract with Freese & Nichols, Inc. in November 2018 for the completion of a Water and Wastewater Rate Study for the City of Lufkin. City Manager Wright furthered that these studies were typically done every five (5) to six (6) years and analyzed historical expenses and income of the City's water and wastewater systems, determined projected revenue requirements and developed recommended water and wastewater rate structures. City Manager Wright stated that based on the analysis, increase to the City's water and sewer rates of two percent (2%) each year for the next three (3) years was recommended. City Manager Wright furthered that the study had initially recommended a one (1) time increase of six percent (6%); however discussions with City Council had determined that the two percent (2%) increase over the next three (3) years would make it easier on citizens. City Manager Wright stated that another increase had been recommended in approximately 2026 and that possibility would be reviewed at that time. City Manager Wright highlighted the average rate increases for both residential and commercial water and sewer customers.

City Manager Wright concluded that Staff recommended City Council approve on First Reading an Ordinance adjusting water rates in the City of Lufkin.

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

**8. FIRST READING OF AN ORDINANCE ADJUSTING SEWER RATES IN THE CITY OF LUFKIN – APPROVED**

City Manager Wright stated that this item was the same as the previous item and would be a two percent (2%) increase in sewer rates.

City Manager Wright concluded that Staff recommended City Council approve on First Reading an Ordinance adjusting sewer rates in the City of Lufkin.

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

**9. FIRST READING OF AN ORDINANCE RAISING RATES FOR SOLID WASTE COMPACTED AND NON-COMPACTED (ROLL-OFF) REFUSE SERVICE – APPROVED**

City Manager Wright stated that Staff had reviewed the roll-off rate fee structure as compared to other cities similar in size to Lufkin and determined that the City of Lufkin was well below the average fee. City Manager Wright furthered that another reason for the increase in rates was because the City of Lufkin was also no longer competitive with their pay for CDL

drivers. City Manager Wright stated that there was an increase in pay for CDL drivers in the proposed 2019-2020 budget.

City Manager Wright concluded that Staff recommended City Council approve on First Reading an Ordinance raising rates for Solid Waste roll-off refuse service.

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

**10. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE CHANGING THE ZONING TO “COMMERCIAL” AND THE FUTURE LAND USE DESIGNATION TO “NEIGHBORHOOD COMMERCIAL” ON PROPERTY LOCATED AT 516 MONTROSE STREET – APPROVED**

City Manager Wright highlighted the location of the property on corresponding maps and noted that part of the property was being purchased by the City of Lufkin. City Manager Wright stated that the owner, Calvary Baptist Church had requested a zone change to “Commercial” to increase opportunities for improvement and possible sale. City Manager Wright furthered that Calvary Baptist Church had relocated to a facility on Ted Trout Drive in Lufkin. City Manager Wright stated that the subject property was currently zoned as “Residential Small Single Family Dwelling” and noted the zoning for surrounding properties. City Manager Wright furthered that the request had been unanimously approved by the Planning and Zoning Commission during their regular meeting held August 12, 2019.

City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and consider on First Reading an Ordinance changing the zoning to “Commercial” and the Future Land Use designation to “Neighborhood Commercial” on property located at 516 Montrose Street.

Mayor Brown opened the Public Hearing at 5:20 p.m. There being no one who wished to speak; Mayor Brown closed the Public Hearing.

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

**11. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE SALE OF CITY PROPERTY LOCATED AT 210 EAST LUFKIN AVENUE AND FIRST READING OF AN ORDINANCE AUTHORIZING BUDGET AMENDMENT NO. 26 – APPROVED**

City Manager Wright stated this was the former location of Lufkin’s city hall and had recently been occupied by the Angelina Neches River Authority. City Manager Wright furthered that an appraisal had been performed and the value of the building as well as the minimum required bid determined to be \$150,000. City Manager Wright stated that one (1) bid had been received from Brian Mesenberg and his wife, Jennifer Kalmer, in the amount of \$152,599 which covered the appraised value, appraisal fees, advertisements and filing fees. City Manager Wright furthered that Staff requested that the proceeds from the sale of the property be used to offset the purchase of the Calvary Baptist Family Life Center.

City Manager Wright concluded that Staff recommended City Council approve a Resolution authorizing the City Manager to execute the sale of the property at 210 E. Lufkin Avenue and approve on First Reading of an Ordinance authorizing Budget Amendment No. 26 appropriating the proceeds of the sale to the purchase of the new Parks and Recreation Center.

Councilmember Robert Shankle moved to approve the Ordinance as presented. Councilmember Guessippina Bonner 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 A U.S. DEPARTMENT OF JUSTICE FISCAL YEAR 2019 EDWARD BYRNE JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$10,167**

City Manager Wright stated that each year the Lufkin Police Department applied for this grant in conjunction with the Angelina County Sheriff's Department. City Manager Wright furthered that this year the amount requested was \$10,167 and would be distributed between both agencies to be used for law enforcement related needs such as equipment, technology and training.

City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve a Resolution authorizing the Lufkin Police Department to apply for U.S. Department of Justice Fiscal Year 2019 Edward Byrne Justice Assistance Grant in the amount of \$10,167.

Mayor Brown opened the Public Hearing at 5:24 p.m. There being no one who wished to speak; Mayor Brown closed the Public Hearing.

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

**13. FISCAL YEAR 2019 LUFKIN POLICE DEPARTMENT ANNUAL FORFEITURE BUDGET – APPROVED**

City Manager Wright stated that each year the forfeiture budget was submitted by the Police Chief and required City Council's approval. City Manager Wright furthered that the recommended budget of \$51,672 in forfeiture funds included \$26,000 to purchase handheld radios compatible with new area wide public safety radio systems, \$20,000 to upgrade, equip and maintain training facilities and \$5,000 for unbudgeted equipment, software and maintenance needs.

City Manager Wright concluded that Staff recommended City Council approve the proposed Police forfeiture fund budget for the Fiscal Year 2019

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

**14. FINANCIAL STATUS REPORT**

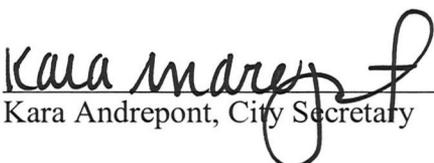
City Manager Wright reviewed the Financial Status Report and offered to answer any questions. There were none.

Mayor Bob Brown recognized those in attendance with the Boy Scouts of America as well as Animal Control Director, Aaron Ramsey. There being no further business, Mayor Bob Brown adjourned the meeting at 5:28 p.m.



  
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Bob F. Brown, Mayor

ATTEST:

  
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Kara Andrepont, City Secretary