

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF LUFKIN, TEXAS HELD ON THE 1ST DAY OF NOVEMBER, 2016.**

On the 1st day of November, 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
David Thomas	Assistant 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
Barbara Thompson	Main Street Director
Jason Arnold	Water & Sewer Director
Dale Allred	Inspection Services Director
Chuck Walker	Public Works Director
Kent Havard	Solid Waste Director

being present when the following business was transacted.

1. The meeting was opened with prayer by Reverend Randall K. Green of Christ Congregational Church.
2. Mayor Bob F. Brown welcomed the visitors present.
3. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 18, 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 RESIDENTIAL HEALTHCARE FACILITY AT 615 WEST WHITEHOUSE DRIVE - APPROVED**

City Manager Wright stated that Pinnacle Senior Living of Lufkin had applied for a Special Use Permit (SUP) in a "Commercial" zoning district for a Residential Healthcare Facility. City Manager Wright furthered that the proposed site was six (6) acres and lying south of and adjacent to Whitehouse Drive and addressed as 615 West Whitehouse Drive. City Manager Wright stated that to the north of the site was Whitehouse Drive and the street to the west was College Drive. City Manager Wright furthered that the facility would house eighty-three (83) beds in a one-story building of 60,000 square feet with two (2) court yards. City Manager Wright stated that the subject property was

currently vacant wooded land. City Manager Wright furthered that the Planning and Zoning commission unanimously approved the granting of a Special Use Permit (SUP) during the Planning and Zoning Commission meeting of October 10, 2016. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve the Second Reading of an Ordinance granting a Special Use Permit (SUP) for a Residential Healthcare Facility at 615 West Whitehouse Drive.

Mayor Brown opened the Public Hearing at 5:02 p.m. There being no one who wished to speak, Mayor Brown requested comment from City Council. There was 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.

NEW BUSINESS

5. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING AND THE FUTURE LAND USE MAP DESIGNATION TO “COMMERCIAL” ON PROPERTY ADDRESSED AS 1603 AND 1611 FEAGIN DRIVE – APPROVED

City Manager Wright stated that Carolyn Thompson, owner/applicant, was applying for a zone change to “Commercial” at 1603 Feagin Drive. City Manager Wright detailed the subject property on a map. City Manager Wright furthered that Saint Andrew’s Catholic Church located to the south was included in the zone change request. City Manager Wright stated that consideration of the Thompson Parcel without the Church Parcel acting as an extension of the “Commercial” zone could result in a “Spot Zoning” action for the Thompson parcel. City Manager Wright furthered that the Church was joining the zone change request solely to assist Thompson in the process of rezoning thereby preventing a “Spot Zone” action. City Manager Wright stated that the Church had no intention to make changes to their property based on the zone change; and Churches are a use by right in all districts. City Manager Wright furthered that the subject properties were zoned “Residential Large Single Family Dwelling”. City Manager Wright stated that Special Use Permit (SUP) No. 3017 for a Private School was on a portion of the subject property at 1611 Feagin Drive or Saint Andrew’s Catholic Church. City Manager Wright furthered that the property south of Lane Drive was zoned “Residential Large Single Family Dwelling”. City Manager Wright stated that the property was zoned “Residential Medium Single Family Dwelling” was on the north side of Lane Drive and east of the site and across Lane Drive was zoned “Residential Large Single Family Dwelling” and “Commercial”. City Manager Wright furthered that west of the subject properties and across Feagin Drive and Southwood Drive was “Residential Large Single Family Dwelling”. City Manager Wright stated that the subject property at 1603 Feagin Drive was currently a single family home on a 1.2 acre lot and the property was the proposed site of a Daycare Facility and Gymnasium for after school children. City Manager Wright furthered that the parcels were on a high traffic corridor that was convenient for travelers going north and south. City Manager Wright stated that it was also close to South John Redditt Drive which made the area very desirable for Commercial Activity, such as a Childcare Facility. City Manager Wright furthered that the Planning and Zoning Commission voted unanimously to change both the zoning and the Future Land Use Map designation for the properties to “Commercial”. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve an Ordinance on First Reading changing the zoning and the Future Land Use Map Designation to “Commercial” on properties addressed as 1603 and 1611 Feagin Drive.

Mayor Brown opened the Public Hearing at 5:06 p.m. There being no one who wished to speak, Mayor Brown requested comment from City Council.

Councilmember Bonner requested clarification regarding the subject property as it was depicted on the map. City Manager Wright responded by explaining the map details.

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

6. 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 210, 214 AND 302 LOFTON STREET – APPROVED

City Manager Wright stated that Gwendolyn Hollins, owner of 210, 214 and 302 Lofton Street, applied for a zone change to "Commercial" to match the surrounding zones and increase property value. City Manager Wright detailed the subject property on a map. City Manager Wright furthered that the change included three (3) lots with frontage on Kurth Drive and Lofton Street. City Manager Wright stated that the subject parcels were zoned "Residential Small Single Family Dwelling" and across Mize Street was zoned "Commercial". City Manager Wright furthered that property to the south and across Lofton Street was zoned "Residential Small Single Family Dwelling"; and property to the west of the subject parcels were zoned "Commercial" and "Residential Small Single Family Dwelling". City Manager Wright stated that the three (3) parcels for the proposed zone change were currently vacant, cleared land. City Manager Wright furthered that the Planning and Zoning Commission unanimously approved the request. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve on First Reading an Ordinance changing the zoning to "Commercial" on property known as 210, 214 and 302 Lofton Street.

Mayor Brow opened the Public Hearing at 5:09 p.m. There being no one who wished to speak Mayor Brown requested comment from City Council.

Mayor Brown requested clarification regarding the map. Planning and Zoning Director Dorothy Wilson responded that the map layers did not overlay properly during production. Planning & Zoning Director Wilson furthered that the misalignment would be corrected.

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

7. RESOLUTION AUTHORIZING AN AMENDMENT TO THE 2016/2017 OPERATING BUDGET (BUDGET AMENDMENT NO. 3), PROVIDING FOR THE SUPPLEMENTAL APPROPRIATION OF FUNDS IN THE GENERAL FUND, THE ELLEN TROUT ZOO BUILDING FUND, AND THE WATER/WASTEWATER FUND, AND PROVIDING AN EFFECTIVE DATE - APPROVED

City Manager Wright stated that each year when the new budget year began on October 1st, there were several projects not completed and purchases that had been ordered but not received. City Manager Wright furthered that the items required a Budget Amendment in order to continue funding for the projects and the purchases due to the previous funding being rolled into the Unfunded Fund Balance on September 30th. City Manager Wright stated that the Budget Amendment simply re-appropriated the projects into the 2016/2017 Fiscal Year Budget. City Manager Wright listed the following:

- a) Building Maintenance requested a carryover of funds for unexpected plumbing repairs in the Police Department.
- b) The Police Department requested the carryover of items and services related to the Temple/Body Camera Grant Project, which was in the final stages and should be completed in early Fiscal Year (FY) 2017.
- c) The Fire Department requested to carry forward the budget to purchase mattresses for two (2) stations and for the completion of the Diboll Tower and generator projects which were started in the Fiscal Year (FY) 2016 but were not completed.

- d) The Emergency Management Department requested a carryover of funds related to communication costs that were not anticipated in the Fiscal Year (FY) 2017.
- e) The Parks and Recreation Department requested a carryover of budget related to the renovations to the Small Animal Building, emergency procedures for the male lion and items purchased, but not received during the Fiscal Year (FY) 2016.
- f) The Water/Wastewater Fund – Wastewater Treatment requested a carryover of funds related to the replacement of doors for the chlorine buildings that were not received by the end of the Fiscal Year (FY) 2016.

City Manager Wright concluded that Staff recommended City Council approve a Resolution authorizing Budget Amendment No. 3 appropriating the funding.

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

8. PURCHASE OF A 2016 PETERBILT 320 TRUCK WITH A HEIL 28 CUBIC YARD FRONT LOAD COMMERCIAL BODY IN THE AMOUNT OF \$266,878 FROM RUSH TRUCK CENTER THROUGH THE BUYBOARD – APPROVED

City Manager Wright stated that the purchase of a front load commercial refuse truck was included in the 2016-2017 Amortization Fund. City Manager Wright furthered that the vehicle was used for the collection of waste from commercial dumpsters and that the unit would replace a 2011 Peterbilt/Heil refuse truck. City Manager Wright stated that Staff had obtained pricing for the purchase of a 2016 Peterbilt 320 truck with a twenty-eight (28) cubic yard front load commercial body in the amount of \$266,878 from Rush Truck Center through the Buy Board. City Manager Wright furthered that the budgeted amount for the vehicle was \$230,000; however it was expected that the needed \$266,878 would be superseded once the trade in value was included towards the total purchase price. City Manager Wright concluded that Staff recommended City Council approve the purchase of a 2016 Peterbilt 320 truck with a twenty-eight (28) cubic yard front load commercial body in the amount of \$266,878 from Rush Truck Center through the Buy Board.

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

9. RESOLUTIONS, PROCLAMATIONS, POLICIES AND PLANS AS REQUIRED BY THE 2016 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) FLOOD AND DRAINAGE IMPROVEMENTS GRANT WITH THE TEXAS DEPARTMENT OF AGRICULTURE – APPROVED

City Manager Wright stated that in February 2015, the City Council authorized the application for a 2016 Texas Community Development Block Grant (TxCDBG) Flood and Drainage Improvements Grant to fund drainage improvements in the Hurricane Creek Watershed area between Atkinson Drive and Paul Avenue or around the Lone Chapel Church area. City Manager Wright furthered that the City had been awarded grant funding in the amount of \$275,000 for completion of the project and the Grant Administrator, Raymond K. Vann & Associates had requested that City Council approve mandatory documents in order to comply with the requirements set forth by the grant. City Manager Wright stated that of the documents that needed approval the policy regarding the use of excessive force had already been approved; however the following documents needed approval by the City Council: Citizen Participation Plan and Grievance Procedures; Section three (3) Policy; Section 504 Policy and Grievance Procedures; and the Fair Housing Policy. City Manager Wright concluded that Staff recommended City Council approve the documents as presented in order to comply with the requirements of the 2016 Texas Community Development Block Grant.

Councilmember Bonner moved to approve the Resolutions, Proclamations, Policies and Plans required by the 2016 Texas Community Development Block Grant as presented. Councilmember Shankle seconded the motion and a unanimous vote to approve was recorded.

10. APPOINTMENT OF CITY MANAGER KEITH WRIGHT TO THE PINEYWOODS GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS – APPROVED

City Manager Wright stated that Staff recommended City Council appoint City Manager Wright to the Pineywoods Groundwater Conservation Board of Directors.

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

11. EXECUTIVE SESSION

Discussion regarding amendments to the Economic Development Agreement with PID Services in accordance with Texas Government Code Section 551.087 which provided for the discussion of Economic Development negotiations in Executive Session - Cancelled .

PUBLIC HEARING AND CONSIDERATION OF AMENDMENTS TO THE ECONOMIC DEVELOPMENT AGREEMENT WITH PID SERVICES – APPROVED

City Manager Wright stated that attached for Council approval was the proposed amendment that altered portions of the lien requirements. City Manager Wright furthered that Staff recommended City Council conduct a Public Hearing and approve the amendment to the Economic Development Agreement with PID Services.

There was no Public Comment.


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

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

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

13. There being no more business to address the meeting was adjourned at 5:19 p.m.




Bob F. Brown, Mayor

ATTEST:


Kara Atwood, City Secretary