

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 1<sup>ST</sup> DAY OF FEBRUARY, 2022.**

On the 1<sup>st</sup> day of February, 2022 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
Wes Suiter	Councilmember, Ward No. 4
Rocky Thigpen	Councilmember, Ward No. 5
Trent Burfine	Councilmember, Ward No. 6
Kevin Gee	Interim City Manager
Erika Neill	City Attorney
Gerald Williamson	Assistant City Manager
David Thomas	Police Chief
Adriana Thomasee	Human Resources
David Thomas	Police Chief
Buddy Cross	Assistant Police Chief
Jesse Moody	Fire Chief
Ryan Watson	Assistant Fire Chief
Jessica Pebsworth	Communications Director
Belinda Melancon	Finance Director
Eddie Aguilar	Engineering Services Director
Scott Rayburn	Planning Director
Calvin Toups	Building Official
Rudy Flores	Convention Services Director
Scott Feaster	IT Director
Lorraine Simoneau	Library Director
Aaron Ramsey	Animal Control Director
Jessica Leyva	Utility Collections

being present; and

Lynn Torres	Councilmember, Ward No. 3
Kara Andrepont	City Secretary

being absent when the following business was transacted.

**INVOCATION** – The meeting was opened with prayer by Engineering Services Director, Eddie Aguilar.

**PUBLIC COMMENT** – Mayor Mark Hicks opened the meeting for public comment on any posted agenda item at 5:01 p.m. Mr. Roshin Rowjee come forward to speak on Item No. 5 regarding the redistricting but chose to wait until the Public Hearing portion of the item. Mr. Rowjee also asked if there were a reason Lufkin’s wards could not be increased from six (6). There being no one else who wished to speak; Mayor Hicks closed the public comment period.

Mayor Mark Hicks recognized those in attendance from Ms. Wilson’s class at Angelina College as well as members of Leadership Lufkin.

**CONSENT AGENDA**

1. **MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 18<sup>TH</sup>, 2022–APPROVED.**
2. **ACCEPTANCE OF A DONATION FOR THE CITY OF LUFKIN PARKS & RECREATION DEPARTMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2021-2022 OPERATING BUDGET (BUDGET AMENDMENT NO. 10) APPROPRIATING THE FUNDING – APPROVED.**

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

## **BUSINESS AGENDA**

### **3. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE CHANGING THE ZONING FROM “RESIDENTIAL MEDIUM” TO “LOCAL BUSINESS” ON PROPERTY ADDRESSED AS 619 WEST FRANK AVENUE – APPROVED.**

Interim City Manager Kevin Gee stated the owner of the property was requesting a zone change from “Residential Medium” to “Local Business” for 619 West Frank Ave. Interim City Manager Gee furthered the property was currently vacant and the purpose of the zone change was for future commercial development. Interim City Manager Gee highlighted the location of the property on corresponding maps and provided information on current zoning of neighboring properties. Interim City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider on Second Reading an Ordinance changing the zoning from “Residential Medium” to “Local Business” on property addressed as 619 West Frank Avenue.

Mayor Mark 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 moved to comments from the Council.

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

### **4. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE PROHIBITING THE TETHERING OF DOGS; REPEALING ALL INCONSISTENT ORDINANCES; DECLARING A PENALTY AND PROVIDING AN EFFECTIVE DATE – APPROVED.**

Interim City Manager Kevin Gee stated the State of Texas had recently enacted a statute that would go into effect this month limiting how and when a dog can be tethered. Interim City Manager Gee furthered the statute created several exceptions to the prohibition of tethering which would make enforcement of the statute extremely difficult for Animal Control or the Lufkin Police Department. Interim City Manager Gee stated to provide for better enforcement and for the safety of the dogs, an Ordinance prohibiting tethering had been prepared. Interim City Manager Gee furthered the only exception to tethering would be when the animal is in the immediate possession of and accompanied by the owner. Interim City Manager Gee stated the Ordinance was penal and any violation of the Ordinance would be a Class C misdemeanor and punishable by a fine not to exceed five hundred dollars (\$500.00). Interim City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider Second Reading of an Ordinance prohibiting the tethering of dogs within the City of Lufkin.

Mayor Mark Hicks opened the Public Hearing at 5:07 p.m. Kristy Bice, Executive Director of the Winnie Berry Humane Society spoke in support of the Ordinance. There being no one else who wished to speak; Mayor Hicks moved to comments from the Council. Councilmember Guessippina Bonner thanked Ms. Bice for hearing concerns and offering to do the research to help find assistance for citizens that made need help with fencing for their dogs.

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

### **5. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE PROHIBITING THE DRIVING OR RIDING OF LIVESTOCK ON PUBLIC PROPERTY; ALLOWING FOR THE DRIVING OR RIDING OF EQUINES ON UNIMPROVED OR UNPAVED PUBLIC RIGHTS-OF-WAY; DECLARING A PENALTY AND PROVIDING AN EFFECTIVE DATE – APPROVED.**

Interim City Manager Kevin Gee stated there had been an increase in people horseback riding in the city limits of Lufkin. Interim City Manager Gee furthered the use of horses on the roadways created traffic safety issues and the use of horses on the sidewalks and walking paths also created pedestrian safety issues as well as health concerns. Interim City Manager Gee stated to prevent and correct the issues an ordinance had been drafted to limit the riding and driving of equines to only unimproved, unpaved public rights-of-way. Interim City Manager Gee furthered the ordinance was penal, and any violation of the ordinance would be a Class C misdemeanor and punishable by a fine not to exceed five hundred dollars (\$500.00). Interim City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider on Second Reading an Ordinance addressing issues with equines (horses) within the City of Lufkin.

Mayor Mark Hicks opened the Public Hearing at 5:14 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and moved to comments from the Council.

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. PUBLIC HEARING AND AN ORDER OF THE CITY OF LUFKIN APPROVING THE REDISTRICTING OF THE CITY'S SINGLE-MEMBER COUNCIL DISTRICTS AND ESTABLISHING NEW DISTRICT BOUNDARY LINES BASED ON THE 2020 CENSUS DATA – APPROVED.**

Interim City Manager Kevin Gee stated during the City Council meeting of December 21<sup>st</sup>, 2021, two proposals were developed for redistricting plans for the City with the assistance of Allison, Bass & Magee. Interim City Manager Gee furthered the two proposals described as Plan 1 and Plan 1a had been distributed to Council at that time. Interim City Manager Gee stated Redistricting required a Public Hearing in order for City Council to receive input regarding the proposed plans. Interim City Manager Gee furthered should City Council decide to alter either of the proposed plans, the Public Hearing and publication process would need to be repeated. Interim City Manager Gee stated Eric Magee, with Allison, Bass & Magee was present for any questions regarding the process and proposed plans. Interim City Manager Gee concluded Staff recommended City Council conduct a Public Hearing and consider approval of the Order for Redistricting.

Eric Magee with Allison, Bass & Magee spoke and explained the redistricting process and proposed plans and offered to answer any questions. Councilmember Robert Shankle asked if one of the boundary lines between Ward No. 1 and Ward No. 2 for Plan 1a could be straightened to follow Timberland Drive. Mr. Magee addressed the question and explained the change would create a deviation above the ten percent (10%) allowance. Councilmember Trent Burfine questioned as to why the census blocks were not of equal size. Mr. Magee explained the census followed boundaries that were easily identifiable, and within the City that would be the roadways. Mr. Magee also stated that within those boundaries the type of housing such as an apartment complex or senior living facility would affect the counts. Councilmember Rocky Thigpen asked for confirmation concerning the boundary change in the area from Pershing Avenue to Reen Drive. Mr. Magee confirmed the change was part of the proposals selected by Council at the December 21<sup>st</sup> meeting.

Mayor Mark Hicks opened the Public Hearing at 5:34 p.m. Mr. Roshin Rowjee spoke and asked Mr. Magee if there was a reason a citizen could not access the links to the census data in order to map out wards and submit to City Council. Mr. Magee stated the census data came to his company as raw data and required a software license to maneuver or manipulate data. There being no one else who wished to speak; Mayor Hicks closed the Public Hearing and moved to comments from the Council.

Councilmember Trent Burfine moved to approve Plan 1 for the Order of Redistricting as submitted. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

**7. APPOINTMENTS TO THE KURTH MEMORIAL LIBRARY BOARD – APPROVED.**

Interim City Manager Kevin Gee stated nominations for appointment to the Kurth Memorial Library Board must originate with the Library Board. Interim City Manager Gee furthered board member April Sebesta's term ended December 2021 and she had requested to be reappointed. Interim City Manager Gee stated there were four (4) other vacancies and the Board recommended City Council consider approving the appointment of Heather Hatton, Dr. Manda Rosser and Rodney Ivy as well as the reappointment of April Sebesta; this would leave one vacancy to be filled. Interim City Manager Gee concluded Staff recommended City Council approve the recommended appointments as stated.

Councilmember Robert Shankle asked for confirmation that only the Kurth Memorial Library Board could recommend members. Interim City Manager Gee confirmed this and stated it was part of the by-laws and agreement. Councilmember Guessippina Bonner expressed concern if the board appointments must be approved by City Council then they should have the opportunity to appoint members to that board. Councilmember Bonner also stated her concern at the lack of diversity with the Board. Board member and Treasurer Lin Lentz spoke and stated the Board had always tried to increase diversity among the board members. Mr. Lentz stated the Board would welcome continued suggestions from Council. Councilmember Bonner asked if there was a certain time of year when the positions would become open for appointment. Mr. Lentz addressed the question and discussion ensued. Councilmember Trent Burfine asked how many years members served and how many

members were on the board. Kurth Memorial Library Director Lorraine Simoneau addressed the question and stated there were eleven (11) positions on the board plus two (2) ex-officio and each position had a term of three (3) years. Director Simoneau explained members could choose to be reappointed for a second term of three (3) years but must sit off for a year if they served two (2) consecutive terms. Councilmember Bonner asked if Council could have a complete list of board members including date of appointment and when the terms expired. Discussion ensued. Board member Linda Smelley came forward and spoke regarding the history of diversity on the Board.

Councilmember Robert Shankle moved to approve the re-appointment of April Sebesta as well as the appointments of Heather Hatton, Dr. Manda Rosser and Rodney Ivy. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

#### **8. PRESENTATION OF KURTH MEMORIAL LIBRARY BOARD ANNUAL REPORT**

Interim City Manager Kevin Gee introduced Kurth Memorial Library Board member and past president April Sebesta to present the Kurth Memorial Library Board Annual Report.

Mayor Mark Hicks congratulated the eight (8) new City of Lufkin Police Officers that were sworn in and thanked the Police Department for their work.

There being no further business, Mayor Mark Hicks adjourned the meeting at 6:00 p.m.



  
Mark Hicks, Mayor

ATTEST:

  
Kara Andrepont, City Secretary