MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 17th DAY OF JULY, 2018.

On the 17th day of July, 2018 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
Sarah Murray	Councilmember, Ward No. 6
Keith Wright	City Manager
Bruce Green	Deputy City Manager/City Attorney
Jason Arnold	Assistant to the City Manager
Seth Elmore	Assistant City Attorney
Kara Andrepont	City Secretary
David Thomas	Police Chief
Ted Lovett	Fire Chief
Duane Freeman	Asst. Fire Chief
Belinda Melancon	Finance Director
Dorothy Wilson	Planning Director
Kevin Gee	Engineering Services Director
Mike Akridge	Parks & Recreation Director
Barbara Thompson	Main Street Director
Sid Munlin	Information Technology Director
Kent Havard	Solid Waste Director
Bob Samford	Economic Development Director
Taylor Commiato	LCVB Director

being present; and

Rocky Thigpen	Councilmember, Ward No. 5

being absent when the following business was transacted.

1. The meeting was opened with prayer by Pastor W.R. Ricks, First Missionary Baptist Church.

2. Mayor Bob F. Brown welcomed visitors present.

3. **MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 17, 2018 AND THE SPECIAL CALLED ANNUAL BUDGET RETREAT OF JUNE 25, 2018 – 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.

4. **PRESENTATION OF TREE CITY USA CERTIFICATION**

   City Manager Keith Wright accepted the presentation of the Tree City USA Certification from Jennifer LaCorte with Angelina Beautiful Clean and Todd Nightingale with Texas A&M Forest Service.

5. **OATH OF OFFICE – CITY OF LUFKIN FIREFIGHTERS**

   Mayor Bob Brown administered the Oath of Office to new Lufkin Firefighters Cody Drake and Brock Polino.

6. **<u>PUBLIC HEARING AND FIRST 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" FOR PROPERTY ADDRESSED AS 312 SYBIL STREET - APPROVED</u>**

City Manager Wright stated that the applicant, Michael G. Parker had requested the zone change to "Commercial" in order for the owner to enlarge the current business, Earth N Stone and alleviate traffic at the current entrance/exit by using Sybil Street for access. City Manager Wright pointed out the subject area on a map. City Manager Wright stated that the subject property was zoned "Residential Large Single Family Dwelling," property to the East was zoned "Commercial", property to the South and West was zoned "Residential Large Single Family Dwelling" and property to the North was zoned "Commercial." City Manager Wright furthered that the current property was vacant, property to the East was Earth N Stone, property to the South and West was vacant, and property to the North was the newly constructed Perry Hyundai Auto Dealership. City Manager Wright furthered that the request was unanimously approved by the Planning and Zoning Commission during the regular meeting held on July 9, 2018. 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 map designation to "Corridor Commercial" for property located at 312 Sybil Street.

Mayor Brown opened the Public Hearing at 5:09 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City Council. There were none.

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

7. **<u>PUBLIC HEARING AND FIRST 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" FOR PROPERTY ADDRESSED AS 3640 AND 3642 EAST DENMAN AVENUE - APPROVED</u>**

City Manager Wright stated that the owner, Robert Ray, requested the zone change to "Commercial" to allow for the expansion of the existing daycare on the property and construct new warehouse space. City Manager Wright furthered that the current property was zoned "Agricultural." City Manager Wright explained that when new property is first annexed, it is designated as Agricultural and eventually changed to a different zoning. City Manager Wright pointed out the subject area on a map and stated that the subject property had an operating daycare facing East Denman Avenue and an unoccupied office building and vacant land behind the daycare. City Manager Wright stated that the request was unanimously approved by the Planning and Zoning Commission during their regular meeting on July 9, 2018. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and consider on First Reading an Ordinance changing the zoning designation to "Commercial" and the Future Land Use map designation to "Corridor Commercial" on property located at 3640 and 3642 East Denman Avenue.

Mayor Brown opened the Public Hearing at 5:11 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City 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.

8. **PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO "RESIDENTIAL MEDIUM SINGLE FAMILY DWELLING" AND FUTURE LAND USE MAP DESIGNATION TO "MEDIUM DENSITY RESIDENTIAL" FOR PROPERTY ADDRESSED 215, 217, AND 219 LANE DRIVE AND 226, 304, 306, 308 AND 310 MOTT DRIVE.**

City Manager Wright pointed out subject area on the map. City Manager Wright stated that the applicant, Michael G. Parker had requested a zone change to "Residential Medium Single Family Dwelling" for eight (8) parcels of land with access on Lane Drive and Mott Drive. City Manager Wright stated that the owner had applied for building permits to build seven (7) single family homes with each having approximately 1000 or more square feet. City Manager Wright furthered that the request was approved by the Planning and Zoning Commission during their regular meeting on July 9, 2018. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and consider on First Reading an Ordinance changing the zoning designation to "Residential Medium Single Family Dwelling" and the Future Land Use map designation to "Medium Density Residential" on property located at Lane Drive and Mott Drive.

Mayor Brown opened the Public Hearing at 5:15 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City Council.

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

9. **FIRST READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS REPEALING PENAL ORDINANCE NO. 44 AND NO. 174A REGARDING THE DISCHARGE OF WEAPONS IN THE CITY OF LUFKIN - APPROVED**

City Manager Wright stated that Penal Ordinance No. 44 and No. 174A currently addressed the discharge of weapons within the City limits. City Manager Wright furthered that both the Lufkin Police Department and the City Attorney recommended that these Ordinances be repealed in order to allow State law to address the same. City Manager Wright stated that Title IX, Chapter 42 of the Texas Penal Code would better serve as the City's authority in the enforcement of disorderly conduct violations and offenses. City Manager Wright concluded that Staff recommended City Council approve the First Reading of an Ordinance repealing Penal Ordinance No. 44 and No. 174A regarding the discharge of weapons in the City of Lufkin.

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

10. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS APPROVING THE ENTERING INTO AN AMENDMENT OF AN EXISTING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO FIX RESPONSIBILITIES OF MAINTENANCE, CONTROL, SUPERVISION AND REGULATION OF STATE HIGHWAYS WITHIN AND THROUGH THE CORPORATE LIMITS OF THE CITY OF LUFKIN - APPROVED**

City Manager Wright stated that the City of Lufkin currently had a maintenance agreement with the Texas Department of Transportation that was periodically updated due to changes that may take place. City Manager Wright furthered that the agreement delineated responsibilities of maintenance, control, supervision and regulation of State Highways within the City limits. City Manager Wright stated that it was now desirable to amend the agreement to allow the City to better maintain and control rights of way that were within the Cities jurisdictional boundaries. City Manager Wright furthered that the proposed agreement would allow the City of Lufkin to implement State Law and improve the City's health, sanitation, public safety and general welfare. City Manager Wright concluded that Staff recommended City Council consider a Resolution approving the entering into an amendment of an existing agreement with the Texas Department of

Transportation to fix responsibilities of maintenance, control, supervision and regulation of state highways within and through the corporate limits of the City of Lufkin.

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

11. **AMENDMENT TO THE PERFORMANCE AGREEMENT BETWEEN THE CITY OF LUFKIN 4B CORPORATION AND ANGELINA COLLEGE REGARDING THE HIGH DEMAND JOB TRAINING PROGRAM - APPROVED**

City Manager Wright stated that during the City Council Meeting held on September 19, 2017, Council approved a Performance Agreement between the City of Lufkin 4B Corporation and Angelina College that provided matching grant funding in the amount of $100,000 for the High Demand Job Training Program. City Manager Wright furthered that the funds would be used to purchase a simulator system, provide classroom training on heavy equipment, certification and community services. City Manager Wright stated that the simulator would include training for bulldozers, excavators, and motor grader equipment. City Manager Wright stated that at the request of Angelina College, a correction had been made to the agreement, removing Angelina College as a grant applicant due to the fact that Workforce Solutions would be the organization applying for the grant. City Manager Wright furthered that the amendment was simply a matter of further clarification concerning the procedure of the grant application and that the initial terms of the agreement remained the same. City Manager Wright noted that Councilmember Guessippina Bonner had requested a modification to the agreement and that various information be added in the reporting requirements on the performance of the program such as nationality, race, and other things related to the student. City Manager Wright furthered that he did not see a problem with this and that it could be added to the report requirements. City Manager Wright concluded that staff recommended City Council approve an amendment to the Performance Agreement between the City of Lufkin and Angelina College regarding the High Demand Job Training Program.

Councilmember Mark Hicks moved to approve the Amendment as presented. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

12. **ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE LUFKIN ECONOMIC DEVELOPMENT CORPORATION AND OVERSEAS HARDWOODS, INC. - APPROVED**

City Manager Wright stated that an agreement for this had been approved, but changes had occurred that moved the project outside the City limits of Lufkin. City Manager Wright gave the background and some history of Overseas Hardwood, Inc. City Manager Wright stated that the proposed incentive package included a $50,000 one-time payment and $4,000 per job up to 45 jobs. City Manager Wright furthered that in return Overseas Hardwood, Inc. committed to the following:

- a minimum of a one million dollars ($1,000,000.00) investment into the facility,
- the construction of the project facilities would be substantially completed on or before December 31, 2019,
- pursuant to the agreement they would provide 30 full-time employees at the facilities and can go up to 45 employees.

City Manager Wright concluded that the Lufkin 4B Board unanimously approved this agreement during the July 10, 2018 and Staff recommended City Council approve the Economic Development Agreement between the City of Lufkin and Overseas Hardwood, Inc.

Councilmember Lynn Torres moved to approve the Agreement as presented. Councilmember Robert Shankle seconded the motion. City Manager Wright stated that Councilmember Guessippina Bonner had requested that language be added to this agreement as in previous agreements regarding minorities. Deputy City Manager Bruce Green explained the addition was a requirement that anyone entering into these agreements would use their best efforts to hire minority applicants. Deputy City Manager Green stated that it would take some time to make sure the language was uniform on all the agreements.

A unanimous vote to approve was recorded.

13. **ACCEPTANCE OF A GRANT FROM THE E.L. KURTH, JR. CHARITABLE FOUNDATION FOR THE LUFKIN FIRE DEPARTMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2017-2018 OPERATING BUDGE (BUDGET AMENDMENT NO. 17) APPROPRIATING THE FUNDING - APPROVED**

City Manager Wright thanked the E.L. Kurth Charitable Foundation for the donation and explained the Fire Department's need for this funding. City Manager Wright stated that the Fire Department was awarded a grant for UHF compatible handheld mobile radios in the amount of $284,687 paid in three installments over a three year period with the first amount being $100,000.00.

City Manager Wright concluded that staff recommended that City Council accept the grant and approve the First Reading of an Ordinance authorizing Budget Amendment No. 17 appropriating the funding.

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

14. **RESOLUTION AUTHORIZING ACCEPTANCE OF A U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR THE LUFKIN POLICE DEPARTMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2017-2018 OPERATING BUDGET (BUDGET AMENDMENT NO. 18) APPROPRIATING THE FUNDING - APPROVED**

City Manager Wright stated that the grant had been received on multiple occasions from the Justice Department. City Manager Wright furthered that the grant was in the amount of $10,936.00 and would be distributed evenly between the City of Lufkin and the Angelina County Sheriff's Department for equipment purchases related to technology and training.

City Manager Wright concluded that Staff recommended that City Council accept the grant and approve the First Reading of an Ordinance authorizing Budget Amendment No. 18 appropriating the funding.

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

15. **APPOINTMENTS TO VARIOUS CITY OF LUFKIN BOARDS**

(a) City Manager Wright stated that Dr. Lindsay Syler and Mickey Dupre had both agreed to once again serve on the Animal Control Advisory Board and that there were no other applications. City Manager Wright furthered that staff would recommend that both individuals be approved.

Councilmember Lynn Torres moved that Dr. Lindsay Syler and Mickey Dupre be reappointed to the Animal Control Advisory Board. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

(b) City Manager Wright stated that Jim Myers was up for replacement on the Civil Service Commission and that an application had been received from Mr. Myers along with a Ms. Jurlene Sparks. City Manager Wright furthered that this was a very technical board dealing with police, fire and civil service commission issues and that there were a lot of laws associated with this. Deputy City Manager Green stated that this Commission typically met two to three times a year and required more effort and involvement than most of the other boards.

Councilmember Lynn Torres moved to reappoint Jim Myers to the Civil Service Commission. Councilmember Mark Hicks seconded the motion and a unanimous vote was recorded.

(c) City Manager Wright stated that Mark Strong, Brandon Ferrara and Andrew Moore had each agreed to continue serving on the Construction Board of Adjustment & Appeals. City Manager Wright furthered that there were no other applicants for these positions.

Councilmember Lynn Torres moved to reappoint Mark Strong, Brandon Ferrara and Andrew Moore to the Construction Board of Adjustment & Appeals. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

(d) City Manager Wright stated that for the 4B Economic Development Board, Lynn Torres, Stephen Greak and Robert Shankle had each agreed to once again serve. City Manager Wright furthered that there was one additional application submitted by Brent Brookshire.

Councilmember Mark Hicks moved to reappoint Lynn Torres, Stephen Greak and Robert Shankle to the 4B Economic Development Board. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

(e) City Manager Wright stated that there was one opening for the Firemen's Relief & Retirement Fund Board of Trustees and that Hilary Haglund Walker had agreed to once again serve and that there were no other applications.

Councilmember Mark Hicks moved to reappoint Hilary Haglund Walker to the Firemen's Relief & Retirement Fund Board of Trustees. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

(f) City Manager Wright stated that there were four openings on the Lufkin Convention & Visitor's Bureau Board. City Manager Wright furthered that Susan Robertson, Burt Hairgrove and Veronica Luce had agreed to once again serve and that Michael Simon had declined to serve. City Manager stated that there were three applications submitted for consideration for the position vacated by Michael Simon by Steve Hudman, Anne Brookshire and Brent Brookshire.

Councilmember Lynn Torres moved to reappoint Susan Robertson, Burt Hairgrove and Veronica Luce and extend an invitation to Steve Hudman to fill the position vacated by Michael Simon. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

(g) City Manager Wright stated that the Parks and Recreation Advisory Board had Richard Joseph, Councilmember Sarah Murray and Lela Simmons submitting for reappointment with Cathy Todd declining to serve. City Manager Wright furthered that there were two applications submitted for consideration by Jurlene Sparks and Brent Brookshire.

Councilmember Guessippina Bonner moved to reappoint Richard Joseph, Councilmember Sarah Murray and Lela Simmons and to appoint Jurlene Sparks in the position vacated by Cathy Todd. Councilmember Robert Shankle seconded the motion. Councilmember Sarah Murray recused herself from the vote. There being no one opposed a unanimous vote to approve was recorded.

(h) City Manager Wright stated that there were two openings on the Planning & Zoning Commission and Dale Green and Nathan Gann both had agreed to serve again. City Manager Wright furthered that there were two applications submitted by Rev. Robert Baily Jr. and Brent Brookshire.

Councilmember Mark Hicks moved to reappoint Dale Green and Nathan Gann to the Planning and Zoning Commission. Councilmember Lynn Torres seconded the motion and a unanimous vote to approve was recorded.

(i) City Manager Wright stated that there were two openings on the Taxi Cab Committee with Tim Healy agreeing to serve again and Brenda Thompson resigning. City Manager Wright furthered that only one application had been received from Rev. Robert Bailey Jr.

Councilmember Guessippina Bonner moved to reappoint Tim Healy and appoint Rev. Robert Bailey Jr. to the Taxi Cab Committee. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

(j) City Manager Wright stated that there was one vacancy on the Tree Board due to the passing of John Courtenay and that no applications had been received.

(k) City Manager Wright stated that there were six openings on the Zoning Board of Adjustment & Appeals and that Andrew Moore, Constance Shepherd, Michael Parker, Dorothy Chimney and Jeff Buchanan had agreed to once again serve. City Manager Wright furthered that four applications had been submitted for the remaining vacant position by Caleb Stacey, Jurlene Sparks, Rev. Robert Bailey and Brent Brookshire. Councilmember Mark Hicks moved to reappoint Andrew Moore, Constance Shepherd, Michael Parker, Dorothy Chimney and Jeff Buchanan and to appoint Brent Brookshire to the Zoning Board of Adjustment & Appeals. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

16. PRESENTATION OF CITY OF LUFKIN FINANCE COMMITTEE REPORT

Finance Director Belinda Melancon updated City Council on the City of Lufkin Quarterly Finance Committee Report.

17. CITY MANAGER REPORT

City Manager Wright reviewed the Financial Status Report, and General Fund Revenues. City Manager Wright highlighted the major funds. City Manager offered to answer questions. There were none.

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

City Manager Wright highlighted events and upcoming meetings on the Calendar.

19. There being no further business, Mayor Bob Brown adjourned the meeting at 5:43 p.m.

THE CITY OF LUFKIN TEXAS

Bob F. Brown, Mayor

ATTEST:

Kara Andrepont, City Secretary