

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 20TH DAY OF JULY, 2021

On the 20th day of July, 2021 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
Guessippina Bonner	Councilmember, Ward No. 1
Robert Shankle	Councilmember, Ward No. 2
Lynn Torres	Councilmember, Ward No. 3
Wes Suiter	Councilmember, Ward No. 4
Rocky Thigpen	Councilmember, Ward No. 5
Trent Burfine	Councilmember, Ward No. 6
Bruce Green	City Manager
Erika Neill	City Attorney
Gerald Williamson	Assistant City Manager
Jason Arnold	Assistant City Manager
Kara Andrepont	City Secretary
Rodney Ivy	Human Resources Director
David Thomas	Police Chief
Buddy Cross	Assistant Police Chief
Jesse Moody	Fire Chief
Jessica Pebsworth	Communications Director
Belinda Melancon	Finance Director
Kevin Gee	Engineering Services Director
Scott Rayburn	Planning Director
Rudy Flores	Parks & Recreation Director
Albert Duffield	Water & Sewer Director
Jarod Murphy	Assistant Water & Sewer Director
Scott Feaster	IT Director
Jessica Leyva	Utility Collections

being present when the following business was transacted.

INVOCATION – The meeting was opened with prayer by Reverend Lynn Hargrow, Long Chapel CME Church.

PUBLIC COMMENT – Mayor Hicks opened the meeting for public comment on any posted agenda item at 5:02 p.m. Mr. Tim Johnson made comments regarding Item No. 24. There being no one else who wished to speak; Mayor Hicks closed the public comment period.

CONSENT AGENDA

- 1. MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING OF JUNE 28, 2021– APPROVED.**
- 2. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 31) APPROPRIATING THE FUNDING FOR THE REMODEL OF CITY HALL TRAINING AND CONFERENCE ROOM AND LIGHTING UPGRADE IN THE EMPLOYEE BREAKROOM - APPROVED**
- 3. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 32) APPROPRIATING THE FUNDING FOR THE PURCHASE OF NEW BODY WORN CAMERAS FOR THE LUFKIN POLICE DEPARTMENT - APPROVED**
- 4. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 33) APPROPRIATING THE FUNDING FOR THE PURCHASE OF AN ADDITIONAL SET OF BUNKER GEAR FOR THE LUFKIN FIRE DEPARTMENT - APPROVED**
- 5. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 34) APPROPRIATING THE FUNDING FOR THE PURCHASE OF ADDITIONAL EQUIPMENT NEEDED FOR**

THE ADDITION OF A RESERVE AMBULANCE TO THE LUFKIN FIRE DEPARTMENT FLEET - APPROVED

6. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 35) APPROPRIATING THE FUNDING FOR THE PURCHASE OF AIR PACKS FOR BACKUP ENGINE UNITS AND SPECIAL OPERATION UNITS FOR THE LUFKIN FIRE DEPARTMENT - APPROVED**
7. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 36) APPROPRIATING THE FUNDING FOR THE PURCHASE OF AN OFF-ROAD UTILITY VEHICLE, TRAILER AND SKID UNIT FOR THE LUFKIN FIRE DEPARTMENT - APPROVED**
8. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 37) APPROPRIATING THE FUNDING FOR THE PURCHASE OF UNINTERRUPTED POWER SERVICE (UPS) BATTERY BACKUP UNITS FOR THE CITY'S COMPUTER SERVERS - APPROVED**
9. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 38) APPROPRIATING THE FUNDING FOR THE PURCHASE OF EQUIPMENT NEEDED TO PROVIDE FOR SPIN CLASSES AT THE PARKS & RECREATION CENTER - APPROVED**
10. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 39) APPROPRIATING THE FUNDING FOR THE PURCHASE OF REPLACEMENT PRINTERS AND SCANNERS FOR THE CITY OF LUFKIN FINANCE DEPARTMENT - APPROVED**
11. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 40) APPROPRIATING THE FUNDING FOR RENOVATIONS TO THE KURTH LAKE LODGE - APPROVED**
12. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 41) APPROPRIATING THE FUNDING FOR THE CREATION OF AN AMORTIZATION FUND FOR THE INFORMATION TECHNOLOGY DEPARTMENT - APPROVED**
13. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 42) APPROPRIATING A TRANSFER OF FUNDING TO THE GENERAL FUND CONSTRUCTION FUND - APPROVED**
14. **SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2020-2021 OPERATING BUDGET (BUDGET AMENDMENT NO. 43) ADOPTING THE CITY OF LUFKIN 2020-2021 REVISED BUDGET - APPROVED**
15. **TAX RESALE AUCTION BID FOR PROPERTY KNOWN AS 710 HOO HOO STREET - APPROVED**
16. **AWARD OF BID TO CORNERSTONE CONCRETE CONTRACTORS IN THE AMOUNT OF \$73,522.32 FOR THE RECONSTRUCTION OF OAK CREST DRIVE - APPROVED**
17. **AWARD OF BID TO CARNEY ROOFING IN THE AMOUNT OF \$187,450 FOR THE LUFKIN CITY HALL AND POLICE DEPARTMENT ROOF REPLACEMENT PROJECT - APPROVED**

Councilmember Lynn Torres 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

18. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “MANUFACTURED DWELLING” ON PROPERTY ADDRESSED AS 2206 NILE STREET - APPROVED

City Manager Bruce Green stated the applicant, Jewitt Thompson III had requested a zone change from “Residential Small” to “Manufactured Dwelling” for 2206 Nile Street. City Manager Green highlighted the location of the property on the corresponding maps and provided information on the current zoning of the neighboring properties. City Manager Green stated the Comprehensive Plan designation for the property was “Low Density Residential”. City Manager Green furthered the purpose of the zone change was to replace the current site-built home with a manufactured home. City Manager Green stated the request was unanimously approved by the Planning and Zoning Commission during the June 14, 2021 meeting. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider approval of the First Reading of an Ordinance changing the zoning to “Manufactured Dwelling” on property addressed as 2206 Nile Street.

Mayor Hicks opened the Public Hearing at 5:05 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and requested comments from City 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.

19. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “RESIDENTIAL LARGE” AND THE FUTURE LAND USE MAP DESIGNATION TO “LOW DENSITY RESIDENTIAL” ON PROPERTY ADDRESSED AS 303 PONDEROSA - APPROVED

City Manager Bruce Green stated the applicants, Ray Gene Brown Jr. and Cheryl Ellen Lee, had requested a zone change from “Commercial” to “Residential Large” for 303 Ponderosa Drive. City Manager Green furthered the item also included a future land use plan map change from “Low Density Residential” and “Corridor Commercial” to a singular “Low Density Residential” classification. City Manager Green highlighted the location of the property on the corresponding maps and provided information on the current zoning of the neighboring properties. City Manager Green furthered the purpose of the zone change and the associated future land use plan map change was to retain the residential aspect and quality of life of the applicant’s single-family residence. City Manager Green stated by changing the property to “Residential Large”, the subject property would be given added protections including requiring solid fencing on neighboring properties for which a non-residential use is permitted. City Manager Green furthered the Planning and Zoning Commission unanimously approved the request during the June 14, 2021 meeting. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider approval of the First Reading of an Ordinance changing the zoning to “Residential Large” and the Future Land Use map designation to “Low Density Residential” on property addressed as 303 Ponderosa.

Mayor Hicks opened the Public Hearing at 5:09 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and requested comments from City Council.

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

20. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “LOCAL BUSINESS” AND THE FUTURE LAND USE MAP DESIGNATION TO “NEIGHBORHOOD COMMERCIAL” ON PROPERTIES ADDRESSED AS 1510 AND 1512 SOUTH CHESTNUT STREET - POSTPONED

City Manager Bruce Green stated the applicant, Ellen Christine Loden Davis, had requested a zone change from “Residential Large” to “Local Business” for 1510 and 1512 South Chestnut Street. City Manager Green furthered the request would also include a Future Land Use Map change from “Medium Density Residential” to a “Neighborhood Commercial” classification. City Manager Green highlighted the location of the property on the corresponding maps and provided information on the current zoning of the neighboring properties. City Manager Green stated the request was unanimously approved by

the Planning and Zoning Commission during the meeting of June 28, 2021. City Manager Green concluded Staff recommended City Council conduct a Public Hearing and consider approval of the First Reading of an Ordinance changing the zoning to “Local Business” and the Future Land Use Map designation to “Neighborhood Commercial” on properties addressed as 1510 and 1512 South Chestnut Street.

Mayor Hicks opened the Public Hearing at 5:12 p.m. Mr. Michael Parker, resident of the neighborhood located behind the property spoke against the requested zone change. Mr. Lee Miller, applicant, and Mrs. Brenda Rhodes, realtor, spoke in support of the proposed zone change. There being no one further who wished to speak, Mayor Hicks closed the Public Hearing and requested comments from City Council.

Councilmember Guessippina Bonner moved to postpone consideration of the Ordinance in order to allow both parties to discuss and come to an agreement. Councilmember Wes Suiter seconded the motion and a unanimous vote to postpone was recorded.

21. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “COMMERCIAL” ON PROPERTIES ADDRESSED AS 4600 SOUTH MEDFORD DRIVE AND 1915 SOUTH FIRST STREET - APPROVED

City Manager Bruce Green stated the applicant, Jeff S. Chance, on behalf of Lufkin GKD Partners LP and Lufkin Investment Partners LLC had requested a zone change from “Residential Large” to ‘Commercial’ on properties commonly known as the Lufkin Mall. City Manager Green stated that the purpose of the zone change was simply to promote the marketing of the Mall.

Mayor Hicks opened the Public Hearing at 5:34 p.m. Attorney Jeff Chance spoke on behalf of the applicant and stated he would be glad to answer any questions. There being no one further who wished to speak, Mayor Hicks closed the Public Hearing and requested comments from City Council.

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

22. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “COMMERCIAL” ON PROPERTIES ADDRESSED AS 1816 ATKINSON DRIVE AND 411 OLETA STREET - APPROVED

City Manager Green stated that the applicants Jose and Araceli Madera had requested a zone change to “Commercial” for the properties as described and shown on the map for use as an automotive sales location. City Manager Green detailed the surrounding properties and their uses.

Mayor Hicks opened the Public Hearing at 5:37 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and requested comments from City Council.

Discussion ensued regarding the effect of an automotive sales business at the location. Councilmember Burfine asked for clarification on the size of the property. Councilmember Bonner expressed her disagreement with the proposed use of the property.

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

23. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “LOCAL BUSINESS” ON PROPERTY ADDRESSED AS 707 WEST FRANK AVENUE - APPROVED

City Manager Green stated that the applicant, Realtor Angela Williams, on behalf of the owner, Lisa Evans Bullock, had requested a zone change to “Local Business” on the property in order to allow for future development. City Manager Green described the surrounding zoning and businesses in the area adjacent and around the property.

Mayor Hicks opened the Public Hearing at 5:43 p.m. Realtor Angela Williams spoke in favor of the item. There being no one further who wished to speak, Mayor Hicks closed the Public Hearing and

requested comments from City Council. Councilmember Burfine questioned whether the house next door was occupied. City Manager Green stated the house was vacant. Councilmember Bonner spoke in favor of the zone change.

Councilmember Wes Suiter moved to approve the ordinance as presented. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

24. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “COMMERCIAL” AND THE FUTURE LAND USE MAP DESIGNATION TO “REGIONAL RETAIL” ON PROPERTY ADDRESSED AS 122 WHITEHOUSE DRIVE - APPROVED

City Manager Green stated the zone change had been requested to allow the property to be developed for use as a processing warehouse for the Women’s Shelter of East Texas. City Manager Green furthered that this item was spoken for during the public comment section of the meeting. City Manager Green detailed the surrounding properties and uses.

Mayor Hicks opened the Public Hearing at 5:52 p.m. Tim Johnson spoke again and stated he would be glad to answer any questions related to the development. Councilmember Rocky Thigpen recused himself from discussion and voting on the item. Councilmember Trent Burfine clarified retention pond requirements for the property. Mr. Johnson detailed the retention pond area and stated it met all requirements for the property in question. There being no one else who wished to speak, Mayor Hicks closed the Public Hearing and requested comments from City Council.

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

25. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS CHANGING THE ZONING TO “LOCAL BUSINESS” ON PROPERTY ADDRESSED AS 718 WEST FRANK AVENUE - DENIED

City Manager Green stated that the applicant, Angela Williams, on behalf of the owners, Wade Family Management Trust, requested a zone change to “Local Business” for property located 718 West Frank Avenue. City Manager Green highlighted the area and previous zone changes in the vicinity. City Manager Green stated that this zone change was denied by the Planning and Zoning Commission and due to that; City Council would have to pass the item with a super majority vote, or six (6) out of seven (7) members.

Mayor Hicks opened the Public Hearing at 5:58 p.m. Attorney Don Duran spoke in favor of the item as did property owners Jack Wade, III and Barbara Wade. Applicant Angela Williams also spoke in favor of the item. Mantooth area residents Valena Spradley, Vanessa Childers and Ron Byrd spoke against the item. Resident Jesse Howard and Earnest King, spoke in favor of the zone change. Reverend Lynn Hargrow spoke in agreement with those that were against the request. Residents Veronica Smith and Natalie Howard spoke against the request. There being no one further who wished to speak, Mayor Hicks closed the Public Hearing and moved to comments from the City Council.

Lengthy discussion ensued between City Council and members of the audience concerned with the item. At the conclusion, Councilmember Trent Burfine called for a roll call vote and moved to approve the recommendation of the Planning and Zoning Commission, which was to deny the request. More discussion followed regarding the specifics of the motion made by Councilmember Burfine and the options to the applicant. Councilmember Guessippina Bonner seconded the motion. Councilmember Trent Burfine, Councilmember Guessippina Bonner, Councilmember Wes Suiter voted aye to deny the zone change as requested. Councilmember Lynn Torres, Councilmember Rocky Thigpen, Councilmember Robert Shankle and Mayor Mark Hicks voted to approve the zone change.

Due to the super majority vote requirement, the zone change was denied.

Mayor Hicks called for a brief recess at 6:51 p.m. before moving forward with Item No. 26. Mayor Hicks reconvened the meeting at 6:59 p.m.

26. PUBLIC HEARING AND RESOLUTION AUTHORIZING THE LUFKIN POLICE DEPARTMENT TO APPLY FOR A U.S. DEPARTMENT OF JUSTICE FISCAL YEAR 2021

EDWARD BYRNE JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$11,906 - APPROVED

City Manager Green stated that this was a grant request that City Council was familiar with. City Manager Green continued that the Lufkin Police Department and the Angelina County Sherriff's Department was jointly eligible for \$11,906 in funding through this grant program.

City Manager Green concluded that Staff recommended City Council approve the required Resolution and conduct the Public Hearing per the grant regulations.

Mayor Hicks opened the Public Hearing at 7:00 p.m. There being no one who wished to speak, Mayor Hicks closed the Public Hearing and moved to comments from City Council.

Councilmember Wes Suiter moved to approve the Resolution as presented. Councilmember Rocky Thigpen seconded the motion and a unanimous vote was recorded.

27. SUBDIVISION IMPROVEMENT AGREEMENT BETWEEN THE CITY OF LUFKIN AND SHIREY FOREST, LLC - APPROVED

City Manager Green stated that this was a development agreement for a subdivision by the name of Shirey Forest, LLC and the owner, Lamar Clarke, was present as well. City Manager Green continued that the agreement would provide for City assistance with the completion of water and sewer infrastructure for the project, which included sixteen (16) lots.

City Manager Green concluded Staff recommended City Council approve the agreement as presented. Councilmember Guessippina Bonner moved to approve the agreement. Councilmember Trent Burfine seconded the motion and a unanimous vote to approve was recorded.

28. APPOINTMENT OF MAYOR PRO TEM – COUNCILMEMBER ROBERT SHANKLE APPOINTED

Councilmember Lynn Torres moved to appoint Councilmember Robert Shankle as Mayor Pro Tem. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

29. APPOINTMENTS TO CITY OF LUFKIN BOARDS AND COMMITTEES.

City Council moved appoint members to City of Lufkin Boards and Committees as follows:

CITY COUNCIL CONSTRUCTION COMMITTEE

Councilmember Lynn Torres moved to appoint Councilmember Robert Shankle. Councilmember Wes Suiter seconded the motion and a unanimous vote to approve was recorded.

CITY COUNCIL FINANCE COMMITTEE

Councilmember Lynn Torres moved to appoint Mayor Mark Hicks. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

DETCOG BOARD OF DIRECTORS

Councilmember Lynn Torres moved to appoint Councilmember Wes Suiter. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

ANGELINA COUNTY & CITIES HEALTH DISTRICT BOARD OF HEALTH

Councilmember Robert Shankle moved to appoint Fire Chief Jesse Moody. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

ANIMAL CONTROL ADVISORY BOARD

Councilmember Lynn Torres moved to reappoint Dr. Lindsay Syler, Assistant City Manager Gerald Williamson, Animal Control Director Aaron Ramsey and Kristy Bice. Councilmember Wes Suiter seconded the motion and a unanimous vote to approve was recorded.

CONSTRUCTION BOARD OF ADJUSTMENT & APPEALS

Councilmember Lynn Torres moved to reappoint Mark Strong, Brannon Ferrara and Andrew Moore. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

4B/ECONOMIC DEVELOPMENT BOARD

Councilmember Lynn Torres moved to reappoint Phil Medford, Jeff Todd and Andra Self; and appoint Mayor Mark Hicks as well. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

LUFKIN CONVENTION & VISITORS BUREAU

Councilmember Lynn Torres moved to reappoint Andrew Harbuck and appoint Kendall Gay, Melissa Crager and Tim Sprinkle. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

PLANNING & ZONING COMMISSION

Councilmember Lynn Torres moved to reappoint Nathan Gann and appoint Keith Green. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

TAXICAB COMMITTEE

Councilmember Lynn Torres moved to reappoint Timothy Healy. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

ZONING BOARD OF ADJUSTMENT & APPEALS

Councilmember Lynn Torres moved to reappoint Kristy Bice and Wilkins and appoint David Smith. Councilmember Robert Shankle seconded the motion and a unanimous vote to approve was recorded.

REPORTS

30. CITY OF LUFKIN FINANCE COMMITTEE REPORT.

Finance Director Belinda Melancon presented the City of Lufkin Finance Committee Report. There were no comments or questions.

31. FINANCIAL STATUS REPORT

City Manager Green offered to answer any questions regarding the monthly Financial Status Reports. There were none.

There being no further business, Mayor Mark Hicks adjourned the meeting at 7:15 p.m.



ATTEST:



Mark Hicks, Mayor



Kara Andrepont, City Secretary