

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 17<sup>TH</sup> DAY OF MAY 2016.**

On the 17<sup>th</sup> day of May, 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	Asst. Police Chief
Ted Lovett	Fire Chief
Belinda Southern	Finance Director
Dorothy Wilson	Planning Director
Steve Poskey	Street Department Director
Barbara Thompson	Main Street Director
Jason Arnold	Water & Sewer Director
Dale Allred	Inspection Services Director
Sid Munlin	IT Director
Chuck Walker	Public Works Director
Kent Havard	Solid Waste Director
April Earley	Municipal Court Judge

being present when the following business was transacted.

1. The meeting was opened with prayer by Reverend Dr. Jerome Brimmage of First United Methodist Church.
2. Mayor Bob F. Brown welcomed visitors present.
3. **MINUTES OF THE COUNCIL REGULAR COUNCIL MEETING HELD MAY 3<sup>RD</sup>, 2016 - APPROVED**

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

4. **CANVASS OF THE 2016 CITY OF LUFKIN MUNICIPAL ELECTION AND RESOLUTION DECLARING THE RESULTS OF THE SAME – APPROVED**

City Manager Wright stated that State Law required the Mayor and City Council canvass the votes of the May 7, 2016 City of Lufkin Election. City Manager Wright furthered that Staff recommended City Council perform the required canvassing of votes of the election and approve a Resolution declaring the results.

City Secretary Kara Atwood stated that the City of Lufkin resolved and ordered that a General Election be held on May 7, 2016, for the purpose of electing a Councilmember for Ward No. 1 and Ward No. 3. City Secretary Atwood read the results as: Ward No. 1 Guessippina Bonner, two-hundred and fifteen (215) votes; Ken Smith, thirty-one (31) votes. Ward No. 3: Lynn Powell Torres, one-hundred and thirty-one (131) votes; Stephen Pinkney, forty-eight (48) votes.

City Manager Wright concluded that Staff recommended City Council canvass the votes of the May 7, 2016 election and approve a Resolution declaring the results of said election.

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

5. **ADMINISTER OATH OF OFFICE TO COUNCILMEMBER WARD NO. 1 AND COUNCILMEMBER WARD NO. 3**

The City of Lufkin's Municipal Court Judge April C. Earley administered the Oath of Office to Councilmember Ward No. 1, Guessippina Bonner.

Angelina County's 159<sup>th</sup> District Court Judge Paul White administered the Oath of Office to Councilmember Ward No. 3, Lynn Powell Torres.

Mayor Bob F. Brown congratulated the Councilmembers.

6. **PRESENTATION OF TINO VILLASANA LUFKIN FIRE DEPARTMENT SCHOLARSHIPS**

City Manager Wright stated that the Tino Villasana Lufkin Fire Department Scholarship Fund provided funds to dependents of active Lufkin Firefighters to continue their education at the college level. City Manager Wright furthered that the dependents must be entering an accredited university, junior or senior college as a first year or freshmen student and be under the age of twenty-four (24) to be eligible for funding and must remain a full time student at an accredited institution. City Manager Wright stated that the scholarships were funded by contributions from current Lufkin Fire Department employees and since 2000, a total of \$30,022 had been awarded to scholarship recipients. City Manager Wright concluded that this year \$2,277 each would be awarded to the following applicants with the request that City Council recognize the applicants: Kaylee Rawls, daughter of Fire Lieutenant John Rawls, twenty-two (22) years of service and Lyndsey Cole, daughter of Captain Kenny Cole, twenty-two (22) years of service.

Fire Chief Ted Lovett presented the Tino Villasana Lufkin Fire Department Scholarships.

Mayor Bob F. Brown, City Council and attending Citizens congratulated the recipients.

7. **PRESENTATION OF FINANCIAL AUDIT REGARDING THE FIREMEN'S RELIEF AND RETIREMENT FUND**

City Manager Wright stated that Justin Matthews, CPA, with Axley & Rode, LLP would present the annual audit report on the City of Lufkin Firemen's Relief and Retirement Fund.

Justin Matthews, CPA reviewed the Audit Report and Financial Statements. Mr. Matthews concluded that the audit was overall positive and solid.

**NEW BUSINESS**

8. **ORDINANCE AMENDING ORDINANCE NO. 4638 OF THE CODE OF ORDINANCES OF THE CITY OF LUFKIN, TEXAS REMOVING THE PROHIBITION OF THE SALE OR DISCHARGE OF FIREWORKS WITHIN THREE HUNDRED FEET (300') OF THE CITY LIMITS; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH AND PROVIDING AN EFFECTIVE DATE – APPROVED**

City Manager Wright stated that the current Ordinance No. 4638 prohibited the sale, use, detonation and/or explosion of any type or variety of fireworks within the City of Lufkin and within three-hundred feet (300') of the City limits. City Manager Wright furthered that members of the City Council had expressed concern that such regulation

outside the City limits did not pose an equal threat to the health, safety and general welfare of the public as does the sale, use, detonation and/or explosion of any type or variety of fireworks within the City. City Manager Wright concluded that Staff recommended City Council consider on First Reading an Ordinance amending Ordinance No. 4638 removing the prohibition of fireworks within three-hundred feet (300') of City limits.

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

**9. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH LINEBARGER GOGGAN BLAIR AND SAMPSON, LLP CONTRACT TO COLLECT DELINQUENT FINES AND FEES FOR THE CITY OF LUFKIN – APPROVED**

City Manager Wright stated that Items No. nine (9) and ten (10) were related to each other and furthered that Article 103.0031 of the Texas Code of Criminal Procedure authorized a municipality to enter into a collection contract with a private firm for the collection of municipal court fines, fees and costs. City Manager Wright stated that the same article also authorized the governing body of the municipality to authorize the addition of 30% on each debt and account receivable, including fines and fees, and on each amount in cases in which the accused had failed to appear, when each was more than sixty (60) days past due and had been referred for collection. City Manager Wright stated that the outstanding fines, fees and costs totaled \$7,403,309.33 City Manager Wright furthered that in order to assist with collection efforts Staff had selected Linebarger Goggan Blair and Sampson, LLC to pursue the unpaid accounts. City Manager Wright concluded that the contract was included in Council packet and that Staff recommended City Council approve a Resolution authorizing the Mayor to enter into a contract with Linebarger Goggan Blair and Sampson, LLP for the collection of delinquent Municipal Court fines, fees and costs.

Mayor Bob. F Brown opened the floor to questions. There were none.

City Manager Wright stated that the actual start date of the proposed contract was contingent on the termination date of the contract with the current contract holder.

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

**10. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH LINEBARGER GOGGAN BLAIR AND SAMPSON, LLP CONTRACT TO COLLECT DELINQUENT FINES AND FEES FOR THE CITY OF LUFKIN – APPROVED**

City Manager Wright stated that the item was parallel to the previous Agenda Item that authorized the Mayor to enter into a similar contract in order to collect delinquent emergency medical service accounts that currently totaled \$3,435,825.65 and remained outstanding. City Manager Wright furthered that as in the previous item, Staff selected Linebarger Goggan Blair and Sampson, LLP for the collection of the accounts. City Manager Wright stated that the firm would be compensated thirty percent (30%) of the total amount collected on all delinquent accounts. City Manager Wright concluded that Staff recommended City Council approve a Resolution authorizing the Mayor to enter into a contract with Linebarger Goggan Blair and Sampson, LLP for the collection of delinquent emergency medical service accounts.

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

**11. CONTRACT WITH GOODWIN-LASITER-STRONG FOR ARCHITECTURAL SERVICES FOR THE CITY HALL RENOVATION PROJECT – APPROVED**

City Manager Wright stated that during the City Council meeting of May 3<sup>rd</sup>, Council approved a budget for City Hall Renovations, improvements to the Atrium and security upgrades. City Manager Wright furthered that attached for Council review was a contract for architectural services with Goodwin-Lasiter-Strong and expounded that the cost for the services would be nine percent (9%) of the construction cost plus reimbursable expenses. City Manager Wright concluded that Staff recommended City Council approve a contract with Goodwin-Lasiter-Strong for architectural services in conjunction with the City Hall renovation project.

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

**12. CITY MANAGER REPORT**

City Manager Wright reviewed funds, highlighted revenues and expenditures and offered to answer questions about any of the reports. There were none.

**13. EXECUTIVE SESSION**

In accordance with the Texas Local Government Code Section 551.071 (2); consultation with the City Attorney regarding pending litigation convened at 5:29 p.m. and recessed at 6:04 p.m.

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

City Manager Wright highlighted upcoming events and meetings.

15. There being no further business to address the meeting was adjourned at 6:08 p.m.



  
Bob F. Brown, Mayor

ATTEST:

  
Kara Atwood, City Secretary