

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 6<sup>th</sup> DAY OF NOVEMBER, 2018**

On the 6<sup>th</sup> day of November, 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
Lynn Torres	Councilmember, Ward No. 3
Rocky Thigpen	Councilmember, Ward No. 5
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
Gerald Williamson	Public Safety Director
David Thomas	Police Chief
Ted Lovett	Fire Chief
Belinda Melancon	Finance Director
Dorothy Wilson	Assistant Director Planning & Zoning
Kevin Gee	Engineering Services Director
Michael Flinn	Parks & Recreation Director
Brant Lee	Convention Services Director
Scott Hamel	Fleet Maintenance Director
Kent Havard	Solid Waste Director
Albert Duffield	Water & Sewer Director
Gordon Henley	Ellen Trout Zoo Director
Bob Samford	Economic Development Director

being present; and

Robert Shankle	Councilmember, Ward No. 2
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being absent when the following business was transacted.

1. The meeting was opened with prayer by Reverend H. P. Anderson, Canaan Missionary Baptist Church.
2. Mayor Bob F. Brown welcomed visitors present and recognized those in attendance from Angelina College as well as Leadership Lufkin. City Manager Keith Wright introduced the new Director of Parks and Recreation, Michael Flinn.

**3. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 16, 2018 – 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.

**4. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE OF THE CITY OF LUFKIN, TEXAS GRANTING A SPECIAL USE PERMIT FOR A BOARDING AND LODGING HOUSE ON PROPERTY ADDRESSED AS 501 MANTOOTH AVENUE - APPROVED**

City Manager Wright stated that the applicant, Judge Bob Inselmann with the Women's Sober House of Lufkin, had requested a Special Use Permit for a Boarding and Lodging House at 501 Mantooth Avenue. City Manager Wright furthered that the applicant intended to use the property as an Oxford House, described as a community-based

approach to addiction treatment by providing an independent, supportive, and sober living environment. City Manager Wright stated that this request was approved by the Planning and Zoning Commission during their meeting on October 8, 2018. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve on Second Reading an Ordinance granting a Special Use Permit for property addressed as 501 Mantooth Avenue.

Mayor Bob Brown opened the Public Hearing at 5:03 p.m. Judge Bob Inselmann spoke and expressed that he believed this was an opportunity for the City. Judge Inselmann continued by giving a detailed summary of how the house would function and the consequences for those that did not abide by the rules. There being no one else who wished to speak, Mayor Brown closed the Public Hearing and moved to comments from the City Council.

Deputy City Manager Bruce Green spoke and clarified that these kind of sober houses could not be restricted based on the kind of house. Deputy City Manager Green furthered that the only thing a city may do is apply their neutral, non-discriminatory planning and zoning principles.

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

**5. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2018-2019 OPERATING BUDGET (BUDGET AMENDMENT NO. 3) APPROPRIATING THE FUNDING FROM THE 2018 U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR THE LUFKIN POLICE DEPARTMENT – APPROVED**

City Manager Wright stated that the grant was in the amount of \$11,033 and that Staff recommended City Council approve on Second Reading an Ordinance authorizing Budget Amendment No. 3 appropriating the funding in the amount of \$11,033.

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

**6. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2018-2019 OPERATING BUDGET (BUDGET AMENDMENT NO. 4) APPROPRIATING THE FUNDING FROM A GRANT FROM THE LUFKIN ROTARY CLUB FOR THE LUFKIN FIRE DEPARTMENT – APPROVED**

City Manager Wright stated that the grant in the amount of \$500 would be used to purchase carbon monoxide detectors for citizen's homes in the community. City Manager Wright concluded that Staff recommended City Council approve on Second Reading an Ordinance authorizing Budget Amendment No. 4 appropriating the funding from the Rotary Club Grant for the Lufkin Fire Department.

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

**7. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2018-2019 OPERATING BUDGET (BUDGET AMENDMENT NO. 5) APPROPRIATING THE FUNDING FOR THE ESTABLISHMENT OF A PART-TIME ZOO KEEPER FOR THE ELLEN TROUT ZOO LOUISIANA PINE SNAKE COLLECTION– APPROVED**

City Manager Wright stated that the grant was in the amount of \$27,483 for the part-time position. City Manager Wright furthered that Staff recommended City Council approve on Second Reading an Ordinance authorizing Budget Amendment No. 5

appropriating the funding for the establishment of a part-time zoo keeper for the Ellen Trout Zoo Louisiana Pine Snake collection.

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

**8. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 257 OF THE CITY OF LUFKIN, TEXAS, REVISING MOBILE HOME PARK REQUIREMENTS– APPROVED**

City Manager Wright stated that it recently came to Staff's attention that a 1972 Ordinance for mobile home parks was restrictive in what it allowed. City Manager Wright explained that the existing Ordinance required 150 square feet per mobile home in a common area for storage of boats or vehicles unlike residential property. City Manager Wright furthered that the proposed Ordinance would reduce the common parking area to one (1) 150 square foot space provided per four (4) mobile home spaces. City Manager Wright stated that the second item required a recreation area. City Manager Wright furthered that the amended Ordinance would modify that so a recreation area was not required. City Manager Wright furthered that the existing Ordinance required 5% of the gross site area be devoted to recreational facilities. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and consider on First Reading an Ordinance amending Ordinance No. 257 regarding the regulation of mobile home parks in the City of Lufkin.

Mayor Brown opened the Public Hearing at 5:17 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 Guessippina Bonner questioned as to whether the amended Ordinance would apply to all mobile home parks within the City of Lufkin. City Manager Wright explained that the amended Ordinance would apply for that type of zoning on future developments. Councilmember Sarah Murray questioned as to whether the mobile home sites would be owned by the individuals or whether they would be rental spaces. City Manager Wright clarified that the spaces would be rental sites but the mobile homes would be owned by the individual. Councilmember Murray furthered that the existing Inverness Mobile Home Park was very well maintained and questioned as to whether those tenants had been contacted for feedback. Councilmember Murray also asked the difference in the size of the lots at Inverness and the new mobile home park. Dorothy Wilson, Assistant Director of Planning and Zoning, stated that the tenants at Inverness had commented that they wanted the new development to be similar to the existing. Assistant Director Wilson explained that the design of the mobile home park was almost identical to what was in the current districts. City Manager Wright furthered that the City had met with the owner of the future development and that he had these types of developments in other locations and they seemed to be very nice. Councilmember Murray remarked that this development was in her Ward and she did not want to see an influx of rental homes in that area. City Manager Wright explained that the mobile homes would be owned, but the lots would be rented which is the same as the existing Inverness Mobile Home Park. Deputy City Manager Green noted that this particular Ordinance made no other changes outside of the two mentioned. Councilmember Murray asked for clarification on the access to the new development. Kevin Gee, Engineering Services Director, confirmed that the preliminary layout showed there would be only one access to Lotus Lane, but no confirmation on the number of mobile homes. Councilmember Murray asked for clarification that there would be no parking on Lotus Lane and Director Gee confirmed that it would be all off-street parking which is required by the existing Ordinance.

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

**9. PUBLIC HEARING AND A RESOLUTION AUTHORIZING ACCEPTANCE OF FISCAL YEAR 2018 BULLETPROOF VEST PARTNERSHIP FUNDING THROUGH THE U.S. DEPARTMENT OF JUSTICE FOR THE LUFKIN POLICE DEPARTMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2018-2019 OPERATING BUDGET (BUDGET AMENDMENT NO. 6) APPROPRIATING THE FUNDING – APPROVED**

City Manager Wright stated that the Lufkin Police Department had been awarded a grant from the U.S. Department of Justice, Office of Justice Assistance, Bulletproof Vest Program in the amount of \$15,200. City Manager Wright furthered that the grant required a fifty percent (50%) match which would come from the uniform budget for the patrol division. City Manager Wright concluded that Staff recommended City Council conduct a Public Hearing and approve the Resolution accepting the funding and the First Reading of an Ordinance authorizing Budget Amendment No. 6.

Mayor Brown opened the Public Hearing at 5:24 p.m. There being no one who wished to speak the Mayor closed the Public Hearing and moved to comments from the Council.

Councilmember Guessippina Bonner moved to approve the Resolution accepting the funding and approve the Ordinance 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 CITY OF LUFKIN TO NOMINATE WOODLAND HEIGHTS MEDICAL CENTER, LLC AS AN ENTERPRISE PROJECT THROUGH THE OFFICE OF THE GOVERNOR – APPROVED**

City Manager Wright stated that Woodland Heights Medical Center, LLC had submitted a request to the State for designation as an Enterprise Project by the City of Lufkin. City Manager Wright furthered that Woodland Heights Medical Center, LLC proposed to make capital expenditures for new equipment, tooling and machinery in excess of \$5 million, but less than \$150 million. City Manager Wright explained that this was a designation the City had done before and there was an Ordinance that allowed for the process. City Manager Wright furthered that the Enterprise Project designation was a State level incentive program that provided for up to \$2,500 in sales and use tax rebates from the State's 6.25%. City Manager Wright explained that the rebate would come back from the State's portion of the sales tax and not the City's. City Manager Wright furthered that they would get that amount per qualified job retained up to a maximum of 500 jobs or a maximum of \$1.25 million dollars over the term of the designation. City Manager Wright concluded that Staff recommended City Council approve the Resolution nominating Woodland Heights Medical Center, LLC as an Enterprise Project through the Office of the Governor.

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

**11. ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LUFKIN ECONOMIC DEVELOPMENT CORPORATION AND 2011 ANGELINA MANUFACTURING, LLC – APPROVED**

City Manager Wright stated that Angelina Tank and Manufacturing built tanks primarily for the oil industry and now also built tanks for many different types of applications. City Manager Wright furthered that the company manufactured carbon steel, stainless steel and fiberglass tanks. City Manager Wright stated that the proposed incentive package included a one-time incentive payment of \$100,000 in exchange for a capital investment of one million dollars, as well as the creation of twenty-five (25) new full-time jobs. City Manager Wright furthered that this agreement was unanimously approved by the 4B Board during the November 1<sup>st</sup> meeting. City Manager Wright concluded that Staff recommended City Council approve the Economic Development Agreement with Angelina Manufacturing, LLC.

Councilmember Bonner asked for clarification as to the period of time for the creation of the new jobs. Councilmember Hicks asked for the length of time required for the new full-time jobs. Deputy City Manager Bruce Green explained that the new jobs added could not be counted or reported until the employee had been working at least ninety (90) days. Councilmember Hicks asked how long the new jobs had to be maintained. Deputy City Manager Green clarified that if there was a second year to a contract then they needed to maintain the jobs, but if there is only a requirement that they have a certain number before an actual grant is given then they would simply have to have them for the ninety (90) days in order to evidence that. Deputy City Manager Green furthered that the agreement presented required them to reach the required twenty-five (25) jobs, maintain them for ninety (90) days, invest one million dollars, and then they would receive the grant. Economic Development Director Bob Samford expanded on that by stating that by the end of 2020 they would have to meet the proposed requirements.

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

## **12. ANGELINA COUNTY APPRAISAL DISTRICT 2019 BUDGET – APPROVED**

City Manager Wright stated that each year the Board of Directors approved the proposed budget for the Angelina County Appraisal District for the collection of taxes. City Manager Wright furthered that the proposed budget for Fiscal Year 2019 was \$1,685,781 of which the City's share would be \$201,179.34. City Manager Wright stated that this was a 6.4% increase from Fiscal Year 2018's budget and in contrast the City's Fiscal Year 2019 budget included only a 2.20% increase. City Manager Wright furthered that the City needed to maintain a budget and that the Appraisal District needed to maintain one as well. City Manager Wright concluded that Staff recommended City Council approve the proposed 2019 budget for the Angelina County Appraisal District in the amount of \$1,685,781.

Councilmember Hicks asked for clarification on the difference in the budget increase between the Angelina County Appraisal District and the City. City Manager Wright explained the difference in the budgets over the last three (3) fiscal years. Councilmember Torres explained that the Angelina County Appraisal District's budget dealt with less money and a discussion ensued.

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

## **13. CONTRACT WITH FREESE AND NICHOLS, INC. IN THE AMOUNT OF \$50,000 FOR A WATER AND SEWER RATE STUDY – APPROVED**

City Manager Wright stated that during the June 2018 budget retreat the City had requested that funds be placed in the budget for the water and sewer rate study. City Manager Wright furthered that the City had negotiated a contract with Freese and Nichols, Inc., which had done two (2) previous studies for the City on water and sewer rates. City Manager Wright explained that the studies are done to insure that the rates and rate structures for the water and sewer utilities are adequate to provide service, to secure ongoing financial stability and viability of the systems and to ensure the costs of operating and maintaining the system are allocated equitably among the various classes of users. City Manager Wright concluded that Staff recommended City Council approve the contract with Freese and Nichols, Inc. in the amount of \$50,000 for a water and sewer rate study. Discussion ensued regarding the cost and the need for the study.

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

**14. PURCHASE OF A 2019 FORD F350/FRAZER AMBULANCE IN THE AMOUNT OF \$210,862.33 FROM AL MEYER FORD/FRAZER AMBULANCE FOR THE LUFKIN FIRE DEPARTMENT – APPROVED**

City Manager Wright stated that item number fourteen (14) on the agenda as well as the following three (3) agenda items were equipment that would be purchased locally with the exception of the Chevrolet Tahoe Patrol Vehicles for the patrol division of the Police Department. City Manager Wright furthered that the purchase of the new Med Unit for the Lufkin Fire Department had been included in the 2018–2019 Amortization Schedule. City Manager Wright stated that pricing had been secured through HGAC from Frazer for one (1) Type I 12' generator powered module in the amount of \$125,181. City Manager Wright furthered that the ambulance had two (2) components, the box and the chassis. City Manager Wright explained that the chassis would be purchased from Al Meyer Ford in the amount of \$41,006.10 and the box would come from Frazer in the amount of \$125,181. City Manager Wright stated that there would also be a Stryker Power Load stretcher purchased in the amount of \$38,835.24 and electronic equipment for \$5,839 which would bring the total price for the Med Unit to \$210,862.33. City Manager Wright concluded that Staff recommended City Council approve the purchase of the 2019 Ford F350/Frazer Ambulance in the amount of \$210,862.33 from Al Meyer Ford/Frazer Ambulance for the Lufkin Fire Department.

Councilmember Bonner requested a pie chart showing what part of the budget was allocated for the purchase of the requested items. City Manager Wright explained that the funds would come from the Amortization Schedule which was part of the budget process and each amount had been named in the individual department budgets. City Manager Wright summarized the history of the Amortization Fund and a discussion ensued. Councilmember Sarah Murray stated how pleased she was with the contract being given to a local business.

Councilmember Sarah Murray moved to approve the purchase of the ambulance as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

**15. PURCHASE OF SIX (6) 2019 CHEVROLET TAHOE PATROL VEHICLES IN THE AMOUNT OF \$323,982 FROM CALDWELL COUNTRY CHEVROLET AND FOUR (4) 2019 FORD TAURUS SEDANS IN THE AMOUNT OF \$94,766.72 FROM AL MEYER FORD FOR THE LUFKIN POLICE DEPARTMENT – APPROVED**

City Manager Wright stated that the purchase of these vehicles was also funded through the Amortization Fund. City Manager Wright furthered that there was an issue with purchasing the Police Interceptors locally due to the packages that were required for those vehicles. City Manager Wright stated that the City received a price from the Buy Board from Caldwell Country Chevrolet for six (6) 2019 Chevrolet Tahoe Police packages in the amount of \$323,982 or \$53,997 per vehicle. City Manager Wright furthered that there were four (4) detective vehicles that needed to be replaced and those would be purchased locally from Al Meyer Ford. City Manager Wright stated that those vehicles were 2019 Ford Taurus Sedans with a total purchase price of \$94,766.72 and an individual price of \$23,691.68. City Manager Wright recognized Fleet Maintenance Director, Scott Hamel, for his efforts on obtaining the bids. City Manager Wright concluded that Staff recommended City Council approve the purchase of six (6) 2019 Chevrolet Tahoe Patrol Vehicles in the amount of \$323,982 from Caldwell Country Chevrolet and four (4) 2019 Ford Taurus Sedans in the amount of \$94,766.72 from Al Meyer Ford for the Lufkin Police Department.

Discussion ensued concerning the need to see all bids for items being purchased. Council requested that in the future all bids received be attached within the Council packets.

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

**16. PURCHASE OF THREE (3) 2019 PETERBILT/HEIL RESIDENTIAL REFUSE TRUCKS IN THE AMOUNT OF \$920,043 AND ONE (1) 2019 PETERBILT/HEIL COMMERCIAL REFUSE TRUCK IN THE AMOUNT OF \$286,011 FROM RUSH PETERBILT OF LUFKIN – APPROVED**

City Manager Wright mentioned that the chassis for the trucks was made by Peterbilt and the box placed on the chassis would come from Heil. City Manager Wright stated that the three (3) residential trucks would be purchased locally from Rush Peterbilt in Lufkin with a total cost of \$920,043 and an individual cost of \$306,681 each. City Manager Wright furthered that the one (1) commercial refuse truck would also be purchased locally from Rush Peterbilt in the amount of \$286,011. City Manager Wright noted that bids were also received from Performance Truck of Lufkin for all units. City Manager Wright concluded that Staff recommended City Council approve the purchase of three (3) 2019 Peterbilt/Heil Residential Refuse Trucks in the amount of \$920,043 and one (1) 2019 Peterbilt/Heil Commercial Refuse Truck in the amount of \$286,011.

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

**17. PURCHASE OF TWO (2) 2019 KENWORTH T370 DUMP TRUCKS IN THE AMOUNT OF \$234,000 FROM PERFORMANCE TRUCK OF LUFKIN AND A 2019 SULLAIR 445 DIESEL AIR COMPRESSOR IN THE AMOUNT OF \$52,693.20 FROM UNITED RENTALS OF LUFKIN FOR THE PUBLIC WORKS DEPARTMENT – APPROVED**

City Manager Wright stated that the two (2) dump trucks would be purchased for the Street Department and the air compressor would be used by the Water/Sewer Department. City Manager Wright furthered that pricing for the dump trucks had been secured through Performance Truck, a local dealer, in the amount of \$234,000. City Manager Wright noted that bids had also been received from Rush Peterbilt of Lufkin. City Manager Wright stated the cost of the Sullair 445 Diesel Air Compressor would be \$52,693.20 and detailed how the air compressor would be used by the Water/Sewer Department. City Manager Wright concluded that Staff recommended City Council approve the purchase of two (2) 2019 Kenworth T370 Dump Trucks in the amount of \$234,000 from Performance Truck of Lufkin and a 2019 Sullair 445 diesel air compressor in the amount of \$52,693.20 from United Rentals of Lufkin for the Public Works Department.


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

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

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

19. There be no further business, Mayor adjourned the meeting at 6:01 p.m.



  
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Bob F. Brown, Mayor

  
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Kara Andrepont, City Secretary