

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
LUFKIN, TEXAS HELD ON THE 16TH DAY OF JUNE, 2020**

On the 16th day of June, 2020 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
Bruce Green	Deputy City Manager/City Attorney
Jason Arnold	Assistant City Manager
Kara Andrepont	City Secretary
David Thomas	Police Chief
Ryan Watson	Asst. Fire Chief
Belinda Melancon	Finance Director
Kevin Gee	Engineering Services Director
Scott Rayburn	Planning Director
Calvin Touns	Building Official
Michael Flinn	Parks and Recreation Director
Brant Lee	Convention Services Director
Kent Havard	Solid Waste Director
Bob Samford	Economic Development Director

being present when the following business was transacted.

INVOCATION - The meeting was opened with prayer by Pastor Mark Livingston, Keltys First Baptist Church.

PUBLIC COMMENT – Mayor Brown opened the meeting for Public Comment on any posted agenda item at 5:01 p.m. There being no one who wished to speak, Mayor Brown closed the Public Comment portion of the meeting.

Mayor Brown asked Officer Cody Jackson of the Lufkin Police Department to come forward. Officer Jackson presented City Manager Keith Wright with a plaque from the Lufkin Police Association in recognition of his unwavering support of the Lufkin Police Department. City Manager Keith Wright thanked Officer Jackson and the Lufkin Police Association.

1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD JUNE 2, 2020 – 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.

2. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS AMENDING ARTICLE XXI “SUPPLEMENTAL DEVELOPMENT REGULATIONS” BY ADDING PROVISIONS CONCERNING SINGLE FAMILY RESIDENTIAL HOUSING BUILT WITHIN NON-RESIDENTIALLY ZONED PROPERTY – APPROVED.

City Manager Wright explained after property in the Wallace and Sybil Street area had recently been changed to a Commercial Zone there was concern because under the higher zoning any residential was allowed. City Manager Wright stated the residents worried there would be residential small homes built in the area without any input from the neighborhood. City Manager Wright furthered a condition had been applied to the Ordinance that only residential which matched the adjacent most restrictive residential would be allowed in that area. City Manager Wright stated City Council had requested an amendment to the Zoning Ordinance which would

apply these conditions across the board to prevent manipulation of residential use in those zoning areas such as Commercial. City Manager Wright furthered the amendment to the Zoning Ordinance had been unanimously approved by the Planning and Zoning Commission at their meeting on June 8, 2020.

City Manager Wright concluded Staff recommended City Council conduct a Public Hearing and consider on First Reading an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas amending Article XXI “Supplemental Development Regulations” by adding provisions concerning single family residential housing built within non-residentially zoned property.

Mayor Brown opened the Public Hearing at 5:04 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and requested comments from the Council. There were none.

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

3. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS BY CHANGING THE ZONING TO “MANUFACTURED DWELLING” ON PROPERTY ADDRESSED AS 108 FORD STREET– APPROVED.

City Manager Wright stated the applicant had requested a zone change from “Residential Small” to “Manufactured Dwelling” for 108 Ford Street for the purpose of placing a manufactured home on the property. City Manager Wright highlighted the location of the property on corresponding maps as well as the zoning designation for neighboring properties. City Manager Wright furthered the proposed zone change was consistent with the current area zoning as well as the “Low Density Residential” future land use classification. City Manager Wright stated the Planning and Zoning Commission had unanimously approved the request during the June 8, 2020 meeting.

City Manager Wright concluded Staff recommended City Council conduct a Public Hearing and consider on First Reading an Ordinance changing the zoning to “Manufactured Dwelling” on property addressed as 108 Ford Street.

Mayor Brown opened the Public Hearing at 5:06 p.m. There being no one who wished to speak, Mayor Brown closed the Public Hearing and requested comments from City Council. There were none.

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. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A WATER SUPPLY CONTRACT WITH ANGELINA WATER SUPPLY CORPORATION – APPROVED

City Manager Wright stated in 2013, the City of Lufkin had entered into a water supply contract with Angelina Water Supply Corporation to allow the entity to purchase water. City Manager Wright furthered the contract was renewed in 2016 for an additional three (3) years. City Manager Wright stated Angelina Water Supply had requested to renew the contract and there were two (2) significant changes to the contract. City Manager Wright explained there was a requirement added to the contract which stated the Corporation pay a minimum monthly payment of the base charge, regardless of water usage. City Manager Wright furthered if water was used during a billing cycle, an additional charge would be added based on the City’s wholesale water rate. City Manager Wright stated the term of the contract had also been extended from three (3) years to ten (10) years.

City Manager Wright concluded Staff recommended City Council approve a Resolution authorizing the City Manager to execute a water supply contract with Angelina Water Supply Corporation.

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

5. RESOLUTION AUTHORIZING ACCEPTANCE OF A FISCAL YEAR 2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL GRANT IN THE AMOUNT OF \$32,758 FOR THE LUFKIN POLICE DEPARTMENT AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2019-2020 OPERATING BUDGET (BUDGET AMENDMENT NO. 18) APPROPRIATING THE FUNDING – APPROVED.

City Manager Wright stated on May 19th, City Council approved a Resolution which authorized the Lufkin Police Department to apply for a Fiscal Year 2020 Coronavirus Emergency Supplemental Grant in the amount of \$32,758. City Manager Wright explained this would reimburse the Police Department for expenditures for personal protective equipment. City Manager Wright furthered the Resolution accepted the funding and the corresponding Ordinance authorized Budget Amendment No. 18 appropriating the funding.

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

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

6. SOLID WASTE PRESENTATION AND RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH ANGELINA COUNTY FOR THE PROVISION OF LANDFILL SERVICES – APPROVED.

City Manager Wright stated when the City of Lufkin adjusted rates, such as water and sewer or solid waste, a rate study was completed prior to the adjustment, which reflects the expenses for providing that service, and this in turn aids in determining the rate to charge. City Manager Wright furthered Angelina County had made the decision to change the contract the City currently had with the County regarding landfill services. City Manager Wright stated solid waste rates were based on the amount of revenue needed to overcome expenditures, and landfill charges had been changed which would increase the City's expenses. City Manager Wright stated the City currently paid over \$1.3 million in landfill charges each year. City Manager Wright furthered the Angelina County Commissioners Court had recently voted to terminate the Interlocal Agreement between the City of Lufkin and Angelina County for the provision of landfill services. City Manager Wright clarified that it was unclear whether it was actually voted on or the contract was allowed to expire. City Manager Wright stated a new agreement had been proposed to the City of Lufkin in which all rates had increased substantially. City Manager Wright furthered Staff estimated the new rates would raise annual payments to the landfill to over \$1.6 million. City Manager Wright stated the total estimated increase for 2020 was 16.23% and an additional 3% in 2021 at which time it would go to the 75% of the Consumer Price Index calculated in October of each year. City Manager Wright stated the proposed fee schedule was significantly higher than what was discussed during a meeting with the County Judge and City Administration in October 2019. City Manager Wright furthered a proposal with said terms was sent to the County Judge on November 4, 2019 and subsequently rejected. City Manager Wright stated Staff estimated landfill charges to increase by \$242,000 within the first 12 months and an additional \$46,000 in the second twelve months. City Manager Wright furthered it was impossible to forecast the adjustments the City expected to see based on the Consumer Price Index. City Manager Wright stated in order to absorb the substantial increase in the fees, the City of Lufkin must either raise rates approximately 4% across the board on solid waste customers within the City. City Manager Wright noted all solid waste customers within the City currently paid taxes to the County. City Manager Wright furthered the second option would be to eliminate curb-side recycling and have recycling located at the Solid Waste drop-off point. City Manager Wright stated these were items Council could decide on at the budget retreat. City Manager Wright furthered Staff proposed Council allow for the requests for proposals for an engineer to do a feasibility study on construction of a landfill by the City of Lufkin or a transfer station for transporting waste to a different landfill outside of Angelina County. City Manager Wright stated the cost of the feasibility study would be approximately \$100,000 and would also look at the land that would be purchased to assure the land met the required

qualifications. City Manager Wright furthered it would be a long process but believed it would be something worthwhile for the citizens of Lufkin to consider.

City Manager Wright concluded Staff recommended City Council approve a Resolution authorizing the City Manager to execute the proposed Interlocal Agreement between Angelina County and the City of Lufkin for the Provision of Landfill Services; provide direction for overcoming the fiscal impacts of said agreement by increasing revenues or decreasing expenditures or a combination of both, and approve Staff to identify a consultant to perform a Solid Waste Landfill feasibility study.

Councilmember Mark Hicks stated he felt it was a terrible time for the County to bring this upon the City. Councilmember Hicks furthered if you lived in the City of Lufkin you paid both County and City taxes but if you lived in the County you only paid County taxes yet still used City roads and shopped within the City. Councilmember Hicks stated he felt this was a tax increase upon the City of Lufkin and the City had been more than willing to work with the County on this issue. Councilmember Hicks expressed his disappointment with the County regarding this issue and encouraged City Manager Wright to have another conversation with the County to see if the issue could be resolved.

Councilmember Guessippina Bonner stated she felt the residents of Ward No. 1 and possibly Ward No. 2 were at a disadvantage regarding the use of the landfill because they were not allowed to put heavy items on the curb even if the City was willing to pick up the items. Councilmember Bonner furthered this was because the landfill refused to take items such as heavy appliances and television sets from the City of Lufkin's solid waste trucks. Councilmember Bonner concluded she agreed with Councilmember Hicks and felt the increase was unfair to the City and would vote against the agreement, but felt the need to move forward so a final decision could be made.

City Manager Wright stated the City of Lufkin was also not satisfied with the cooperation they received from the landfill operation and the landfill would not work with the City on scheduling.

Councilmember Mark Hicks stated he would also like to see the City look at any agreements they had with the County to determine if those could be increased by the same amount proposed by the County.

City Manager Wright explained Staff requested Council vote affirmative on the Resolution and authorize the City to seek requests for a proposal for a feasibility study.

Councilmember Mark Hicks asked for clarification by voting on the contract this would allow the City to negotiate further. City Manager Wright confirmed this would allow the City to negotiate and give the City Manager authority to execute the contract.

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

7. AWARD OF BID IN THE AMOUNT OF \$1,386,846.30 TO DOUGHTIE CONSTRUCTION CO., FOR THE NORTHEAST LOOP 287 UTILITY RELOCATION PROJECT – APPROVED.

City Manager Wright stated the Texas Department of Transportation had scheduled an expansion of U.S. Highway 59/Loop 287 from State Highway 103 to Moffett Road. City Manager Wright furthered the project would increase the footprint of the highway due to the State acquiring additional rights-of-way. City Manager Wright stated the construction would impact City of Lufkin utility lines and required them to be relocated. City Manager Wright noted approximately \$1 million of the cost would be reimbursed to the City by the Texas Department of Transportation as they would have to pay to move lines were in private easements. City Manager Wright furthered the City had received bids for the project on June 10th, 2020, with a total of six (6) bids being received. City Manager Wright stated the apparent low bid was received from Doughtie Construction in the amount of \$1,386,846.30. City Manager Wright noted the bid tabulation had been included in the Council packet for review and the construction budget for this project was \$1,412,000.

Staff recommended City Council award a bid in the amount of \$1,386,846.30 to Doughtie Construction Co., for the Northeast Loop 287 Utility Relocation project.

Councilmember Mark Hicks moved to approve the award of bid as presented. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

8. APPOINTMENTS TO THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS (DETCOG) BOARD – APPROVED.

City Manager Wright stated the City of Lufkin had four members on the Deep East Texas Council of Governments (DETCOG) Board. City Manager Wright furthered the current Board Members included Mayor Bob Brown, Councilmember Guessippina Bonner, Councilmember Robert Shankle and Councilmember Lynn Torres. City Manager Wright stated members served a one (1) year term ending on June 30th of each year.

City Manager Wright concluded Staff recommended City Council consider appointments to the Deep East Texas Council of Governments (DETCOG) Board.

Councilmember Mark Hicks moved to reappoint Mayor Bob Brown, Councilmember Guessippina Bonner, Councilmember Robert Shankle and Councilmember Lynn Torres to the Deep East Texas Council of Governments Board. Councilmember Rocky Thigpen seconded the motion and a unanimous vote to approve was recorded.

9. FINANCIAL STATUS REPORT

City Manager Wright offered to answer any questions. There were none.

10. EXECUTIVE SESSION

Mayor Bob Brown recessed the Regular Session at 5:24 p.m.

Mayor Bob Brown reconvened the Regular Session at 6:13 p.m.

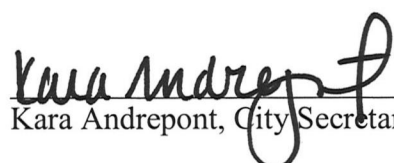
11. APPOINTMENT OF INTERIM CITY MANAGER – APPROVED

Councilmember Lynn Torres moved to approve Bruce Green as the interim City Manager. Councilmember Guessippina Bonner seconded the motion and a unanimous vote to approve was recorded.

There being no further business, Mayor Bob Brown adjourned the meeting at 5:40 p.m.



ATTEST:


Kara Andrepont, City Secretary


Bob F. Brown, Mayor