

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LUFKIN, TEXAS HELD ON THE 18TH DAY OF APRIL, 2023.

On the 18th day of April, 2023, 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
Robert Shankle	Mayor Pro Tem
Guessippina Bonner	Councilmember, Ward No. 1
Brent Watkins	Councilmember, Ward No. 3
Wes Suiter	Councilmember, Ward No. 4
Rocky Thigpen	Councilmember, Ward No. 5
Trent Burfine	Councilmember, Ward No. 6
Kevin Gee	City Manager
Kristi Skillern	City Attorney
Gerald Williamson	Assistant City Manager
Kara Andrepont	City Secretary
Buddy Cross	Assistant Police Chief
Jesse Moody	Fire Chief
Jessica Pebsworth	Communications Director
Belinda Melancon	Finance Director
Eddie Aguilar	Engineering Services Director
Scott Rayburn	Planning Director
Albert Duffield	Utilities Director
Bob Samford	Economic Development Director

being present when the following business was transacted.

INVOCATION – The meeting was opened with prayer by Raymond Vann.

PUBLIC COMMENT – Mayor Mark Hicks 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 Hicks closed the public comment period.

PRESENTATION – Ray Vann presented information and brochures regarding Affirmatively Furthering Fair Housing (AFFH) and offered to answer any questions. Councilmember Guessippina Bonner asked if the brochures were available to order. Mr. Vann stated the brochures were available for ordering.

CONSENT AGENDA

- 1. MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 4TH, 2023 - APPROVED.**
- 2. SECOND READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2022-2023 OPERATING BUDGET (BUDGET AMENDMENT NO. 9) APPROPRIATING THE FUNDING FOR STREET REHABILITATION PROJECTS – APPROVED.**
- 3. IMPROVEMENTS TO THE LUFKIN BUSINESS PARK AND FIRST READING OF AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE 2022-2023 OPERATING BUDGET (BUDGET AMENDMENT NO. 10) APPROPRIATING THE FUNDING – APPROVED.**
- 4. RESOLUTION APPOINTING ELECTION JUDGES FOR THE 2023 CITY OF LUFKIN GENERAL ELECTION – APPROVED.**
- 5. RESOLUTION AUTHORIZING AN APPLICATION FOR GRANT FUNDING THROUGH THE 2023-2024 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG-CD PROGRAM THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE– APPROVED.**
- 6. APPROVAL OF A RESOLUTION DESIGNATING SIGNATORIES PERTAINING TO THE CITY OF LUFKIN’S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG-CD PROGRAM – APPROVED.**

7. **RESOLUTION AUTHORIZING AN APPLICATION FOR GRANT FUNDING THROUGH THE FISCAL YEAR 2023 COMMUNITY SAFETY GRANT PROGRAM THROUGH THE U.S. DEPARTMENT OF TRANSPORTATION – APPROVED.**
8. **RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT AND EXECUTE A CONTRACT WITH WOODLAWN WATER SUPPLY CORPORATION – APPROVED.**

Councilmember Robert Shankle moved to approve all items on the Consent Agenda as presented. Councilmember Wes Suiter seconded the motion and a unanimous vote to approve was recorded.

BUSINESS AGENDA

9. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY AMENDING ARTICLE XIX “SCHEDULE OF PERMITTED USES” TO INCLUDE BRING YOUR OWN BEVERAGE (BYOB) ESTABLISHMENTS THAT ARE NOT LICENSED OR PERMITTED BY THE TEXAS ALCOHOLIC BEVERAGE COMMISSION– APPROVED.**

City Manager Kevin Gee stated Staff had found it necessary to better regulate establishments that were not previously defined by zoning ordinance. City Manager Gee furthered the intent of the ordinance was to better delineate the differences between approved nightclubs, which are regulated under “Indoor Commercial Amusement”, and those that are not licensed or permitted by the Texas Alcoholic Beverage Commission. City Manager Gee stated such “bring your own beverage” (BYOB) establishments could negatively impact residential areas during the late evening and early morning hours due to noise and congestion from additional vehicular and pedestrian traffic coming to and from such establishments. City Manager Gee furthered the new classification would allow for more consistent enforcement of the Building Code, including fire prevention and protection, for the safety of the patrons. City Manager Gee stated the Special Use Permit within limited zoning classifications, would allow the Planning and Zoning Commission and City Council the ability to approve or disapprove this type of use in a more consistent way for the community, due to the required site plan and floorplan review mandated by the special use process. City Manager Gee furthered the request was unanimously recommended for approval by the Planning and Zoning Commission.

City Manager Gee concluded Staff recommended Council conduct a Public Hearing and consider approval on Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by amending Article XIX “Schedule of Permitted Uses” to include Bring Your Own Beverage (BYOB) Establishments that are not licensed or permitted by the Texas Alcoholic Beverage Commission.

Mayor Hicks opened the Public Hearing at 5:08 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the 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.

10. **PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY CHANGING THE ZONING TO “APARTMENT” AND THE FUTURE LAND USE MAP DESIGNATION TO “HIGH DENSITY RESIDENTIAL” ON PROPERTY ADDRESSED AS 302 MOTT DRIVE – APPROVED.**

City Manager Kevin Gee stated the applicant, Bruce Love, was requesting a zone change from “Residential Medium” to “Apartment” for 9.216 acres addressed as 302 Mott Drive. City Manager Gee furthered the property was currently undeveloped and the intent of the applicant was to allow the development of an age-restrictive apartment complex with 72 units. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee stated the request was recommended for approval by the Planning and Zoning Commission with provisions:

- An eight-foot solid fence will be required between the property and the Rushwood Subdivision.
- Mott Drive would be evaluated for access and needed road improvements.
- Development would be required to meet the City’s drainage criteria manual.

City Manager Gee concluded Staff recommended Council conduct a Public Hearing and consider approval on Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning to “Apartment” and the Future Land Use Map Designation to “High Density Residential” on property addressed as 302 Mott Drive.

Mayor Hicks opened the Public Hearing at 5:11 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the 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.

11. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY CHANGING THE ZONING TO “COMMERCIAL” ON PROPERTY ADDRESSED AS 1422 SOUTH FIRST STREET – APPROVED.

City Manager Kevin Gee stated the applicant, Gary Galloway, was requesting a zone change from “Local Business” and “Commercial” to a single “Commercial” zoning district for 1422 S First Street. City Manager Gee furthered the property was currently undeveloped and the intent of the applicant was for the future development of an automotive sales lot. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee stated the request was unanimously recommended for approval by the Planning and Zoning Commission.

City Manager Gee concluded Staff recommended Council conduct a Public Hearing and consider approval on Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by changing the zoning to “Commercial” on property address as 1422 South First Street.

Mayor Hicks opened the Public Hearing at 5:12 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

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

12. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LUFKIN, TEXAS, BY GRANTING A SPECIAL USE PERMIT FOR A CELLULAR TOWER ON PROPERTY ADDRESSED AS 111 INDUSTRIAL BOULEVARD – APPROVED.

City Manager Kevin Gee stated the applicant, Brandt Dozier with Jacobs Telecommunications and Engineering was proposing to construct a one hundred and forty (140) foot AT&T monopole cellular tower with related equipment. City Manager Gee furthered the proposed cellular tower would be located on an approximately 5,625 square foot lease area on a portion of 10.573 acres owned by AWC Family Partnership LTD. City Manager Gee highlighted the location of the property and surrounding uses. City Manager Gee stated the request was unanimously recommended for approval by the Planning and Zoning Commission and Staff found the proposed Special Use Permit consistent with the zoning and future land use plan as well as the existing uses within the area.

City Manager Gee concluded Staff recommended Council conduct a Public Hearing and consider approval on Second Reading of an Ordinance amending the Zoning Ordinance of the City of Lufkin, Texas, by granting a Special Use Permit for a cellular tower on property addressed as 111 Industrial Boulevard.

Mayor Hicks opened the Public Hearing at 5:14 p.m. There being no one who wished to speak; Mayor Hicks closed the Public Hearing and requested comments from the City Council.

Councilmember Brent Watkins moved to approve the Ordinance as presented. Councilmember Trent Burfine seconded the motion and a unanimous vote to approve was recorded.

13. LUFKIN FORWARD PROJECT – APPROVED.

City Manager Kevin Gee stated in August 2021, City Council approved the Lufkin Forward Project with a budget of \$2.4 million dollars. City Manager Gee furthered Staff had recently received bids for the project, which included the reconstruction of First Street and improvements to Cotton Square Park.

City Manager Gee stated only one (1) sealed bid was received from Timberline Constructors in the amount of \$4,022,534, which was significantly over budget. City Manager Gee furthered the Lufkin Economic Development/4B Board met on April 11th, and unanimously voted to reject the bid submitted for this project. City Manager Gee stated the Board also recommended that the Lufkin Forward project scope be reevaluated.

City Manager Gee concluded Staff recommended City Council reject the submitted bid for the Lufkin Forward project to allow for further evaluation and revamping of the project.

Councilmember Robert Shankle moved to reject the submitted bid to allow for further evaluation and revamping of the project. Councilmember Brent Watkins seconded the motion and a unanimous vote to reject was recorded.

EXECUTIVE SESSION

Mayor Mark Hicks recessed the Regular Session at 5:17 p.m.

Mayor Mark Hicks reconvened the Regular Session at 5:27 p.m.

14. ECONOMIC DEVELOPMENT INCENTIVES FOR PROJECT WHITE OAK – APPROVED.

Councilmember Guessippina Bonner moved to approve the incentives as presented. Councilmember Wes Suiter seconded the motion and a unanimous vote to approve was recorded.

15. PRESENTATION OF THE CITY OF LUFKIN FINANCE COMMITTEE REPORT.

Finance Director Belinda Melancon presented the City of Lufkin Quarterly Finance Committee Report and offered to answer any questions. There were none.

16. FINANCIAL STATUS REPORT

Finance Director Belinda Melancon updated City Council on the financial status of the City and offered to answer any questions. There were none.

There being no further business, Mayor Mark Hicks adjourned the meeting at 5:29 p.m.

A blue ink signature of Mark Hicks, Mayor, written over a horizontal line.
Mark Hicks, Mayor

ATTEST:

A black ink signature of Kara Andrepont, City Secretary, written over a horizontal line.
Kara Andrepont, City Secretary