

REGULAR MEETING  
LINDALE CITY COUNCIL  
TUESDAY, MAY 3, 2016 7:00 P. M.  
CITY HALL, 105 BALLARD DRIVE

THE MEETING WAS CALLED TO ORDER BY MAYOR ROBERT NELSON.

COUNCIL MEMBERS PRESENT: JEFF DAUGHERTY, CLYDE HARPER, GINGER SIMS, BOB TARDIFF AND BRYAN SUMMERVILLE.

MAYOR ROBERT NELSON SAID THE INVOCATION AND LED THE PLEDGE OF ALLEGIANCE.

**F-1 DISCUSSION AND POSSIBLE ACTION TO APPROVE EXPENDITURE FOR PARROT PARK MUSEUM BATHROOM INSURANCE REBUILD. ITEM TABLED.**

**F-2 DISCUSSION AND POSSIBLE ACTION TO APPROVE PURCHASE OF ADDITIONAL EARLY WARNING SIREN FOR THE LINDALE AREA.** CRAIG LINDHOLM, CITY MANAGER, STATED TARGET, LEDC, FEDEX AND THE CITY WERE LOOKING AT A SHARE COST FOR THE SIREN IN THE INDUSTRIAL PARK AND TARGET HAD ALREADY SENT A CHECK FOR THEIR PORTION ON THE SIREN. CRAIG LINDHOLM, CITY MANAGER, STATED THE SIREN COVERAGE ON THE MAPS SHOW THE NEW SENIOR LIVING ON 2710 AND THE HIGH SCHOOL IS NOT IN THE COVERAGE AREA AND WOULD RECOMMEND A SIREN AT THE SCHOOL. MAYOR NELSON ASKED DAN SOMES, CHIEF OF POLICE HOW MANY SIRENS THE CITY HAS. DAN SOMES, CHIEF OF POLICE STATED 3 LARGE AND 3 SMALL. BOB TARDIFF MADE A MOTION TO APPROVE PURCHASE OF 2 SIRENS, ONE TO BE LOCATED AT THE HIGH SCHOOL AND ONE TO BE LOCATED AT THE INDUSTRIAL PARK FOR AN ESTIMATED COST OF 26,000 EACH PAID FROM GENERAL CAPITAL FUND. SECOND BY JEFF DAUGHERTY. ALL VOTED IN FAVOR.

**F-3 DISCUSSION AND POSSIBLE ACTION ON PROPOSED REZONING OF PROPERTY LOCATED AT 301 WALNUT SPRINGS RD, APPROXIMATE 7.273 ACRES, ABST A1118 J SANDERS, TRACT 00031, ALSO KNOWN AS THERMO MANUFACTURING SYSTEMS LLC, 301 WALNUT SPRINGS RD, CONSIDERATION OF A CHANGE OF ZONING CLASSIFICATION FROM "I-1 LIGHT INDUSTRIAL, TRANSPORTATION, AND DISTRIBUTION" TO "MU-1 NEIGHBORHOOD MIXED USE DISTRICT".** STEVEN LLOYD, COMMUNITY DEVELOPMENT DIRECTOR, READ THE FINAL REPORT FROM THE PLANNING AND ZONING. SARAH FAIR STATED SHE HAS OWNED HER HOME SINCE 1997 AND HER KIDS USE TO PLAY IN THE FIELD WHERE THERMO IS NOW LOCATED. SHE STATED THERMO IS A GOOD NEIGHBOR BUT HER CONCERN IS, WHAT COULD COME IN. SHE ASKED THE COUNCIL TO FIND A COMPROMISE. AMY RAI STATED IT WAS SPOT ZONING AND 3 ATTORNEYS HAVE GIVEN 3 DIFFERENT OPINIONS ON THE MATTER. SHE EXPRESSED HER CONCERN FOR THE KIDS, PROPERTY VALUE, AND WHAT MAY BE ALLOWED TO BE BUILT IF THERMO LEAVES OR SALES. SHE THANKED THERMO FOR BEING A GOOD NEIGHBOR BUT IT'S ABOUT WHAT COULD BE BUILT. TERRY EDWARDS, P&Z BOARD MEMBER STATED THE BOARD DID RECOMMEND APPOINTING A COMMITTEE; HE WAS NOT SPEAKING FOR THE BOARD, BUT WOULD LIKE TO SAY THE CITY NEEDS TO CHANGE THE ZONING BACK AND THEN REVISE IT. MAYOR NELSON ASKED THE COUNCIL TO THINK ABOUT THIS AND DO THE RIGHT THING. CAROLYN CALDWELL, CITY SECRETARY STATED AN EXECUTIVE SESSION IS ON THE AGENDA IF COUNCIL NEEDED TO CONSULT WITH THE ATTORNEY.

COUNCIL MOVED TO ITEM G. EXECUTIVE SESSION.

**G EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS OPEN MEETING CONSULTATION WITH ATTORNEY UNDER SECTION §551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE ADVICE ON LEGAL MATTERS NOT RELATED TO LITIGATION OR THE SETTLEMENT OF LITIGATION.** COUNCIL ENTERED INTO EXECUTIVE SESSION AT 7:41 P.M. COUNCIL ENTERED BACK INTO OPEN SESSION AT 8:43.

COUNCIL RETURNED TO ITEM F-3:

BOB TARDIFF MADE A MOTION TO SEND THE REQUEST BACK TO P&Z WITH THE FOLLOWING INSTRUCTIONS: AN ADVISORY COMMITTEE SHALL BE APPOINTED CONSISTING OF 2 CITY COUNCIL MEMBERS, 5 CITIZENS APPOINTED BY CITY COUNCIL, 2 P&Z MEMBERS APPOINTED BY P&Z TO ADVISE P&Z WITH RESPECT TO THE CREATION OF A NEW ZONING DISTRICT; THE NEW ZONING DISTRICT SHALL INCLUDE THERMO, MEA NURSERY, AND YORKSHIRE FED AS PERMITTED USES; OTHER PERMITTED USES FOR THE NEW DISTRICT SHALL BE DEFINED WITH SPECIFIC DEFERENCE TO CITIZENS CONCERNS. P&Z SHALL PROPOSE AN ORDINANCE TO THE CITY COUNCIL CREATING THE NEW DISTRICT CONSISTENT WITH THESE REQUIREMENTS; NO ACTION WILL BE TAKEN ON THIS ITEM UNTIL SUCH TIME AS P&Z PROPOSES ITS ORDINANCE FOR A NEW DISTRICT. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

**F-4 DISCUSSION AND POSSIBLE ACTION ON PROPOSED REZONING OF PROPERTY LOCATED AT 812**

**HUBBARD STREET E, APPROXIMATE 2.861 ACRES, ABST A0948 J SANDERS, TRACT 11, ALSO KNOWN AS YFI INVESTMENTS LLC, 812 HUBBARD STREET E, CONSIDERATION OF A CHANGE OF ZONING CLASSIFICATION FROM "I-1 LIGHT INDUSTRIAL, TRANSPORTATION, AND DISTRIBUTION" TO "C-1" CONVENIENCE AND NEIGHBORHOOD COMMERCIAL". JEFF DAUGHERTY MADE A MOTION THIS ITEM (F-4) BE HANDLED SAME AS ITEM F-3 ABOVE. SECOND BY BOB TARDIFF. ALL VOTED IN FAVOR.**

**F-5 DISCUSSION AND POSSIBLE ACTION CONCERNING AMENDMENT TO ZONING ORDINANCE REGARDING NONCONFORMING USES (SECTION 1-43), NONCONFORMING BUILDINGS AND STRUCTURES (SECTION 1-44), PROCEDURES FOR CHANGING A ZONING CLASSIFICATION FOR A LOT (SECTION 1-101) AND PROCEDURES FOR AMENDING THE TEXT OF THE ZONING ORDINANCE (SECTION 1-102). JEFF DAUGHERTY MADE A MOTION TO APPROVE ORDINANCE 05-2016 AMENDING THE ZONING ORDINANCE. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.**

**F-6 DISCUSSION AND POSSIBLE ACTION TO APPROVE HAVING ALL CITY/PUBLIC MEETINGS AUDIO AND OR VIDEO RECORDED. AMY RAI ADDRESSED THE COUNCIL REGARDING HER CONCERNS, I THINK WHAT IS BEING SAID AT THE MEETING IS NOT WHAT THE MINUTES SAY AND I UNDERSTAND THEY ARE ACTION ONLY MINUTES, BUT I THINK WHEN YOU HAVE A 3 HOUR PUBLIC HEARING AND IT IS REDUCED TO LESS THAN ONE PAGE OF MINUTES IT DOESN'T REFLECT THE EMOTIONS. I THINK WE NEED THE MEETINGS RECORDED FOR LEGAL REFERENCES, I ASKED THE P&Z TO COME TO THE MEETING BECAUSE WHAT WAS SAID AT THE P&Z WAS NOT IN THE MINUTES. TONI RAI ADDRESSED THE COUNCIL STATING HE AGREED WITH AMY RAI ADDING HE HAD LOOKED INTO THE LEGALITY FOR US TO RECORD THE MEETING OUR SELF AND AUSTIN SAID LEGALLY ANYONE CAN RECORD THE MEETING IF THEY WANT. MAYOR NELSON STATED THAT NONE OF THE COUNCIL WANT TO ADDRESS THE MATTER. MAYOR NELSON STATED WE SHOULD NOT BE AFRAID OF BEING RECORDED AND IT WOULD GIVE THE PUBLIC MORE ACCESS. NO ACTION.**

**F-7 CITIZEN TALK TIME: (TIME LIMIT 5 MINUTES. NO DISCUSSION BUT MAY BE PLACED ON FUTURE AGENDA FOR DISCUSSION OR ACTION). NONE.**

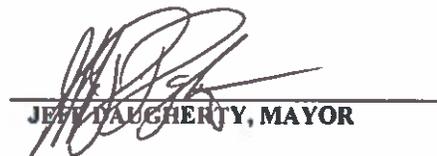
**H EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT-CONSULTATION WITH ATTORNEY UNDER SECTION 5551.071(2) OF THE TEXAS GOVERNMENT CODE TO RECEIVE ADVICE ON LEGAL MATTERS CONCERNING THE DOWNTOWN DEVELOPMENT NOT RELATED TO LITIGATION OR THE SETTLEMENT OF LITIGATION AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS UNDER SECTION 551.087 OF THE TEXAS GOVERNMENT CODE. COUNCIL ENTERED INTO EXECUTIVE SESSION AT 9:05 P.M. COUNCIL ENTERED BACK INTO OPEN SESSION AT 9:59.**

**I DISCUSSION AND POSSIBLE ACTION REGARDING EXECUTIVE SESSION. NO ACTION FROM EXECUTIVE SESSION WAS TAKEN.**

**J REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY). CAROLYN CALDWELL UPDATED COUNCIL ON REMOVING OF OMNI FEE ON COURT TICKETS AND CLOSING SOME OF THE OLD CASES.**

**K ADJOURNMENT: MEETING ADJOURNED AT 10:00 PM.**

  
CAROLYN CALDWELL, CITY SECRETARY

  
JEFF DAUGHERTY, MAYOR