

REGULAR MEETING
LINDALE CITY COUNCIL
TUESDAY, SEPTEMBER 20, 2016 6:00 P. M.
CITY HALL, 105 BALLARD DRIVE

THE MEETING WAS CALLED TO ORDER BY MAYOR JEFF DAUGHERTY.

COUNCIL MEMBERS PRESENT: RICK THELEN, CLYDE HARPER, GINGER SIMS, BOB TARDIFF, AND BRYAN SUMMERVILLE.

CHARLES GILMORE SAID THE INVOCATION AND MAYOR DAUGHERTY LED THE PLEDGE OF ALLEGIANCE.

F-1 DISCUSSION AND ACTION TO APPROVE AN ORDINANCE ADOPTING A BUDGET FOR THE PERIOD BEGINNING OCTOBER 1 2016 AND ENDING SEPTEMBER 30, 2017 IN ACCORDANCE WITH ARTICLE 689A 13 R.C.S. OF TEXAS, 1925, AS AMENDED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH. CAROLYN CALDWELL, INTERIM CITY MANAGER. BOB TARDIFF MADE A MOTION TO APPROVE ORDINANCE 09-2016 ADOPTING A BUDGET FOR THE PERIOD BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017 AS AMENDED, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-2 DISCUSSION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE BUDGET, AS REQUIRED BY SECTION 102.007(C) TEXAS LOCAL GOVERNMENT CODE. CAROLYN CALDWELL, INTERIM CITY MANAGER. RICK THELEN MADE A MOTION TO APPROVE ORDINANCE 10-2016 RATIFYING THE PROPERTY TAX INCREASE REFLECTED IN THE 2016-2017 BUDGET. SECOND BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

F-3 DISCUSSION AND POSSIBLE ACTION TO ADOPT AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF LINDALE AND PROVIDING FOR THE INTEREST AND SINKING (I&S) FUND FOR THE YEAR 2016-2017 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE. CAROLYN CALDWELL, INTERIM CITY MANAGER. BOB TARDIFF MADE A MOTION TO APPROVE ORDINANCE 11-2016 LEVYING A TAX RATE OF .472218 FOR THE USE AND SUPPORT OF MUNICIPAL GOVERNMENT OF THE CITY OF LINDALE AND SETTING THE INTEREST AND SINKING (I & S) RATE OF .230925 FOR SUPPORT OF THE INTEREST AND SINKING FUND. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-4 DISCUSSION AND POSSIBLE ACTION TO ADOPT AN ORDINANCE LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF LINDALE AND PROVIDING FOR THE MAINTENANCE AND OPERATING (M/O) FUND FOR THE YEAR 2016-2017 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE. CAROLYN CALDWELL, INTERIM CITY MANAGER. GINGER SIMS MADE A MOTION TO APPROVE ORDINANCE 11-2016 LEVYING A TAX RATE OF .472218 FOR THE USE AND SUPPORT OF MUNICIPAL GOVERNMENT OF THE CITY OF LINDALE AND SETTING THE MAINTENANCE AND OPERATION (M/O) RATE OF .241293 FOR SUPPORT OF THE GENERAL FUND. SECOND BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

F-5 DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION FOR LILLIE RUSSELL MEMORIAL LIBRARY. CAROLYN CALDWELL, INTERIM CITY MANAGER. CARRIE CUSTER, EXECUTIVE DIRECTOR OF LILLIE RUSSELL MEMORIAL LIBRARY STATED IT NOW REQUIRES A CONTRACT WITH THE CITY FOR THE LIBRARY TO BE ACREDITED AND WILL SATISFY THE ATTORNEY GENERAL OFFICE REQUIREMENTS. GINGER SIMS MADE A MOTION TO APPROVE RESOLUTION R14-2016 TO SUPPORT THE LILLIE RUSSELL MEMORIAL LIBRARY IN 2016-2017 BUDGET YEAR. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-6 DISCUSSION AND POSSIBLE ACTION TO APPROVE FUND RAISING FOR THE DOWNTOWN PARK SPLASH PAD. (PARKS BOARD). RON BUNCH, PARKS BOARD MEMBER STATED THE PARKS BOARD RECOMMENDS ADDING DIFFERENT FEATURES FOR DIFFERENT AGE GROUPS. TAMRA VANDIVER OF THE LINDALE MOMS GROUP SPOKE TO COUNCIL REGARDING FUND RAISING. SHE STATED THREE FEATURES SELECTED COULD BE OFF TO THE SIDE AND IN THE OFF SEASON SHUT DOWN. THE LINDALE MOM'S GROUP OVERALL FUND RAISING GOAL IS \$67,860.00. THE MATERIAL CHOSEN WILL NOT BE IN PRIMARY COLORS, BUT RATHER STAINLESS STEEL. THE LINDALE MOM'S WILL BE SELLING PUMPKINS OCTOBER 5TH, 2016 IN THE DOWNTOWN AREA THROUGH THE MONTH OF OCTOBER. TAMRA ALSO SPOKE THAT OTHER FUND RAISERS WOULD BE SET UP IN THE FUTURE. BOB TARDIFF MADE A MOTION TO APPROVE ADDING SPLASH PAD FEATURES TO THE PHASE II PARK DESIGN IF FUNDS ARE REAISED AND BASED UPON THE CITY RECEIVING GRANT FUNDS. SECOND BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

F-7 DISCUSSION AND UPDATE ON THE WATER TOWER LOCATED AT I-20 AND THE INDUSTRIAL PARK. CHARLES GILMORE, UTILITIES DIRECTOR. CHARLES GILMORE, UTILITIES DIRECTOR STATED THE ISSUES INVOLVED WITH THE WATER TOWER LOCATED AT I-20 AND THE INDUSTRIAL PARK. HE STATED THE TOWER WAS BROUGHT ONLINE IN FEBRUARY 2016 BUT NOT PUMPING CORRECTLY IN HIGH DEMAND/PEAK HOURS. TRACI HICKS FROM KSA ENGINEERING ADDRESSED COUNCIL CONCERNING THEIR EFFORTS AT THIS TIME TO TRY AND FIND THE ISSUE. THEY ARE SEEING WHICH PUMPS COME ON AND WHAT LEVELS THEY ARE WHEN THEY COME ON AND TRY TO FIND WHAT THE TOWERS NEED TO INTERACT WITH EACH OTHER. THEY ARE UNSURE AT THIS TIME IF IT IS WITH THE VALVE AND WILL HAVE IT AND THE BOOSTERS EVALUATED AT NO ADDITIONAL COST TO THE CITY. THEY WILL BE CHECKING AND WORKING AS SOON AS POSSIBLE. KSA ENGINEERING ALONG WITH CHARLES GILMORE, UTILITIES DIRECTOR WILL CONTINUE TO KEEP COUNCIL INFORMED AT EACH MEETING UNTIL THE PROBLEM IS RESOLVED. NO ACTION TAKEN.

F-8 DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY AND FINAL RE-SUBDIVISION OF APPROXIMATELY 22 ACRE PARCEL, CREATING 1 LOT EQUALING 2.946 ACRES OUT OF 2.995 ACRES, 0.049 ACRES IS DEDICATED TO THE PUBLIC RIGHT OF WAY. RICHARD WOOD ESTATES, T SPELL SURVEY, A-889, LOCATED 16122 CR 472, CITY OF LINDALE, SMITH COUNTY, TX SUBMITTED BY RICHARD AND DOTTIE WOOD. STEVEN LLOYD, COMMUNITY DEVELOPMENT DIRECTOR STATED PLANNING AND ZONING APPROVED PRELIMINARY AND FINAL PLATS. GINGER SIMS MADE A MOTION TO APPROVE THE FINAL RE-SUBDIVISION OF APPROXIMATELY 22 ACRE PARCEL, CREATING 1 LOT EQUALING 2.946 ACRES OUT OF 2.995 ACRES. 0.049 ACRES IS DEDICATED TO THE PUBLIC RIGHT OF WAY. RICHARD WOOD ESTATES, T SPELL SURVEY, A-889, LOCATED 16122 CR 472, CITY OF LINDALE, SMITH COUNTY, TX SUBMITTED BY RICHARD AND DOTTIE WOOD. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-9 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY AND FINAL RE-SUBDIVISION OF LOT 3-C AND 5-B, PART OF CORRIGAN TRAILS UNIT 5, BLOCK 8, JOHN C. WHITE SURVEY, A-1034, LOCATED ON CORRIGAN TRAILS BLVD & COURTLAND LAND, CITY OF LINDALE, SMITH COUNTY, TX. SUBMITTED BY JERRY ALEXANDER, LINDALE A&A INVESTMENTS, LLC. STEVEN LLOYD, COMMUNITY DEVELOPMENT DIRECTOR STATED PLANNING AND ZONING APPROVED THE PRELIMINARY AND FINAL PLATS. RICK THELEN MADE A MOTION TO APPROVE THE FINAL RE-SUBDIVISION OF LOT 3-C AND 5-B, PART OF CORRIGAN TRAILS UNIT 5, BLOCK 8, JOHN C. WHITE SURVEY, A-1034, LOCATED ON CORRIGAN TRAILS BLVD & COURTLAND LAND, CITY OF LINDALE, SMITH COUNTY, TX. SUBMITTED BY JERRY ALEXANDER, LINDALE A&A INVESTMENTS, LLC. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-10 DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY AND FINAL SUBDIVISION OF 10 ACRE TRACT CREATING 4 LOTS, LOT 1 (3.00 ACRES), LOT 2 (3.00 ACRES), LOT 3 (2.008 ACRES), AND LOT 4 (2.008 ACRES), SYRING SUBDIVISION LOCATED WITHIN THE J.M.W. HALL SURVEY, A-479, LOCATED ON CR 431 (JIM HOGG RD), CITY OF LINDALE, SMITH COUNTY, TX. SUBMITTED BY MARY BETH SYRING. STEVEN LLOYD, COMMUNITY DEVELOPMENT DIRECTOR STATED PLANNING AND ZONING APPROVED PRELIMINARY AND FINAL PLAT. BOB TARDIFF MADE A MOTION TO APPROVE THE FINAL SUBDIVISION OF 10 ACRE TRACT CREATING 4 LOTS, LOT 1 (3.00 ACRES), LOT 2 (3.00 ACRES), LOT 3 (2.008 ACRES), AND LOT 4 (2.008 ACRES), SYRING SUBDIVISION LOCATED WITHIN THE J. M. W. HALL SURVEY, A-479, LOCATED ON CR 431 (JIM HOGG RD), CITY OF LINDALE, SMITH COUNTY, TX. SUBMITTED BY MARY BETH SYRING. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-11 DISCUSSION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER FOR REID CONSTRUCTION FOR THE DRAINAGE POND. BILL ANDREASON, CONSTRUCTION MANAGER SPOKE TO COUNCIL REGARDING THE CHANGE ORDER FOR REID CONSTRUCTION. HE STATED THE RETAINING WALL WILL BE PUT UP AS A BORDER TO MAINTAIN A NICER POND. HOWEVER AS THEY STARTED TO DIG THEY QUICKLY REALIZED THE WALL WAS UNDER ENGINEERED. IT ONLY HAD ABOUT 2' OF WALL WITH 1' OF COMPACTED CLAY WHICH WOULD ALLOW FOR EASY EROSION AND COULD BE A PROBLEM WITH AN ADDITIONAL 1' WOULD ALLOW A 2' COMPACTED CLAY BASE. THE INITIAL COST WAS \$26,450.00, BUT AFTER NEGOTIATING WITH REID CONSTRUCTION I WAS ABLE TO GET IT REDUCED TO \$16,500.00. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE CHANGE ORDER #1 FOR REID CONSTRUCTION FOR CEMENT WALL CHANGE AT A TOTAL COST OF \$16,500.00. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-12 DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE AMENDING THE GARBAGE RATE. CAROLYN CALDWELL, INTERIM CITY MANAGER STATED COUNCIL ALREADY APPROVED THE GARBAGE RATE CHANGE. THIS APPROVES THE ORDINANCE MAKING THE CHANGES. GINGER SIMS MADE A MOTION TO APPROVE ORDINANCE 12-2016 AMENDING THE GARBAGE RATES BY 2%. SECOND BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

F-13 DISCUSSION AND POSSIBLE ACTION TO APPROVE SIGNAGE FOR TOURISM OFFICE. CAROLYN CALDWELL, INTERIM CITY MANAGER. ITEM TABLED.

F-14 DISCUSSION AND POSSIBLE ACTION TO APPROVE NAMING THE STREET BETWEEN THE CANNERY BUILDINGS AND RENAMING COMMERCE STREET TO MATCH. CAROLYN CALDWELL, INTERIM CITY

MANAGER STATED THE DEVELOPERS WANT THE STREET IN THE DEVELOPMENT TO BE NAMED MIRANDA LAMBERT WAY AND REQUESTED THE CITY TO THINK ABOUT RENAMING COMMERCE STREET TO MIRANDA LAMBERT WAY TO MATCH THE DEVELOPMENT. THERE ARE ONLY TWO PROPERTIES ON COMMERCE STREET AND BOTH ARE OWNED BY THE CITY OF LINDALE. (WATER DEPARTMENT AND EMS BUILDING). MOTION BY BRYAN SUMMERVILLE TO APPROVE NAMING THE ROAD THROUGH THE DEVELOPMENT AND COMMERCE STREET TO SOUTH STREET, MIRANDA LAMBERT WAY. NO SECOND. MOTION FAILED. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE NAMING THE ROAD THROUGH THE DEVELOPMENT TO HWY 16, MIRANDA LAMBERT WAY. SECOND BY BOB TARDIFF. ALL VOTED IN FAVOR.

F-15 DISCUSSION AND POSSIBLE ACTION TO APPOINT MEMBERS TO THE CHARTER REVIEW COMMITTEE. ITEM TABLED.

F-16 DISCUSSION AND POSSIBLE ACTION TO APPOINT MEMBERS TO THE TIF ZONE 3 BOARD. ITEM TABLED.

F-17 DISCUSSION AND POSSIBLE ACTION TO APPROVE AWARDING THE CITY CEMETERY MOWING BID. CAROLYN CALDWELL, INTERIM CITY MANAGER ADDRESSED COUNCIL THAT THE CITY RECEIVED 4 BIDS FOR THE LINDALE CEMETERY AND THE LOWEST OF THE BIDS WAS \$24,000.00. THE CEMETERY COMMITTEE WAS NOT ABLE TO MEET, HOWEVER A DECISION NEED BE MADE IMMEDIATELY. BOB TARDIFF MADE A MOTION TO APPROVE BID WINNER, ED GENTRY FOR \$24,000.00 PER YEAR TO UPKEEP AND MOW THE CITY CEMETERY. SECOND BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

F-18 DISCUSSION AND POSSIBLE ACTION TO APPROVE ASSET FORFEITURE SHARING AGREEMENT BETWEEN THE CITY OF LINDALE AND SMITH COUNTY DISTRICT ATTORNEY OFFICE. RICK THELEN MADE A MOTION TO APPROVE ASSET FORFEITURE SHARING AGREEMENT BETWEEN THE CITY OF LINDALE AND SMITH COUNTY DISTRICT ATTORNEY'S OFFICE. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-19 DISCUSSION AND POSSIBLE ACTION TO APPOINT MEMBERS TO THE BOARD OF ADJUSTMENTS. BRYAN SUMMERVILLE MADE A MOTION TO APPOINT RICHARD BELLAR TO THE BOARD OF ADJUSTMENTS. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-20 DISCUSSION AND POSSIBLE ACTION TO APPROVE BUDGET AMENDMENTS FOR 2015-2016 BUDGET YEAR. RICK THELEN MADE A MOTION TO APPROVE ORDINANCE 13-2016 AMENDING 2015/2016 BUDGET YEAR. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

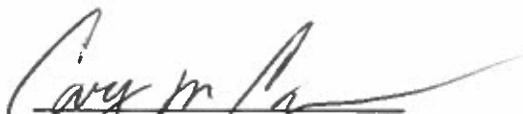
F-21 DISCUSSION AND POSSIBLE ACTION TO APPROVE COUNCIL MINUTES OF AUGUST 2, 2016 REGULAR MEETING, AUGUST 16, 2016 REGULAR MEETING, AND AUGUST 23, 2016 CALLED MEETING. RICK THELEN MADE A MOTION TO APPROVE COUNCIL MINUTES OF AUGUST 2, 2016 REGULAR MEETING, AUGUST 16, 2016 REGULAR MEETING AND AUGUST 23, 2016 CALLED MEETING. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-22 DISCUSSION AND POSSIBLE ACTION TO APPROVE AUGUST 2016 EXPENDITURES AND FINANCIAL REPORTS. CAROLYN CALDWELL, INTERIM CITY MANAGER. BOB TARDIFF MADE A MOTION TO APPROVE AUGUST 2016 EXPENDITURES AND FINANCIAL REPORTS. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-23 CITIZEN TALK TIME: (TIME LIMIT 5 MINUTES. NO DISCUSSION BUT MAY BE PLACED ON FUTURE AGENDA FOR DISCUSSION OR ACTION). NONE

G REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION (UPDATE ONLY). CLYDE HARPER STATED HE WOULD LIKE TO HAVE A COPY OF THE REPORT ON NEW CODE ENFORCEMENT. SEONG MACLAREN, TOURISM DIRECTOR UPDATED COUNCIL ON THE GRAND OPENING OF LOVE & WAR AND PINK PISTOL AND THE FESTIVITIES INVOLVED. ALSO UPDATED US ON THE CHRISTMAS PARADE AND THE CITY'S CHRISTMAS PARTY.

H ADJOURNMENT: MEETING ADJOURNED AT 7:22 P.M.


CAROLYN CALDWELL, CITY SECRETARY


JEFF DAUGHERTY, MAYOR

