

REGULAR MEETING
LINDALE CITY COUNCIL
TUESDAY, FEBRUARY 2, 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, AND BOB TARDIFF.

COUNCIL MEMBERS LATE: BRYAN SUMMERVILLE (ENTERED AT 7:29 ITEM 4)

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

F-8 CITIZEN TALK TIME: (TIME LIMIT 5 MINUTES. NO DISCUSSION BUT MAY BE PLACED ON FUTURE AGENDA FOR DISCUSSION OR ACTION). MIKE MCGUIRE ADDRESSED THE COUNCIL REGARDING THE RESTRICTIONS THE CITY HAS PLACED ON HAVING CHICKENS WITHIN THE CITY LIMITS, ASKING THE COUNCIL TO PLEASE RECONSIDER TO ALLOW CHICKENS.

F-1 DISCUSSION AND POSSIBLE ACTION TO AWARD BID FOR THE SIDEWALK TCF DOWNTOWN REVITALIZATION PROGRAM NO. 7214212 AND ALTERNATE BID. CRAIG LINDHOLM, CITY MANAGER STATED THE BASE BID WAS BELOW THE GRANT AMOUNT AND TRAYLOR AND ASSOCIATES FILED FOR A DEDUCTIVE ALTERNATE BID FOR CONDUIT AND PAVERS IF APPROVED IT COULD LOWER THE CITY COST. BOB TARDIFF MADE A MOTION TO APPROVE AWARDED SIDEWALK BID TCF DOWNTOWN REVITALIZATION PROGRAM NO. 7214212 TO C.E. MARLER AND ASSOCIATES, INC. FOR \$127,806.75 AND AWARD ALTERNATE BID FOR UNDERGROUND UTILITIES TO C.E. MARLER AND ASSOCIATES INC. FOR \$19,790 ALTERNATE AMOUNT TO BE PAID FROM GENERAL FUND CAPITAL. SECOND BY JEFF DAUGHERTY. ALL VOTED IN FAVOR.

F-2 DISCUSSION AND ACTION TO APPROVE KSA ENGINEERS, INC. WORK ORDER NO. 59, PROJECT NO. LD 158 FOR \$62,000 FOR WATER DISTRIBUTION MODEL FUNDS TO BE PAID BY LEDC. BOB TARDIFF MADE A MOTION TO APPROVE KSA WORK ORDER 59, PROJECT LD158 FOR \$62,000 FOR WATER DISTRIBUTION MODEL FUNDS TO BE PAID BY LEDC. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-3 DISCUSSION AND ACTION TO APPROVE KSA ENGINEERS, INC. WORK ORDER NO. 60, PROJECT NO. LD 159 FOR \$82,000 FOR WASTEWATER COLLECTION MODEL FUNDS TO BE PAID BY THE LEDC. BOB TARDIFF MADE A MOTION TO APPROVE WORK ORDER 60, PROJECT LD159 FOR \$82,000 FOR WASTEWATER COLLECTION MODEL FUNDS TO BE PAID BY LEDC. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-4 DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE AMENDING ORDINANCE 14-2014 TO ALLOW POSSESSION, SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTIES. CRAIG LINDHOLM, CITY MANAGER STATED THE PROPOSED ORDINANCE WOULD ALLOW ALCOHOL AT SPECIAL EVENTS ON CITY PROPERTY WITH AN EVENT PERMIT.

COUNCIL MEMBER BRYAN SUMMERVILLE ENTERED MEETING 7:29 P.M.

GLEN PATRICK, CITY ATTORNEY, STATED CURRENTLY THE CITY ORDINANCE PROHIBITS ALCOHOL ON CITY PROPERTY. THE PROPOSED ORDINANCE WOULD ALLOW IT WITH A SPECIAL EVENT PERMIT. MAYOR NELSON STATED HE WOULD NOT BE OPPOSED TO ALLOWING IT IN THE DOWNTOWN AREA, BUT WOULD NOT WANT IT ALLOWED IN ALL AREAS. GLEN PATRICK STATED THE CITY COULD RESTRICT IT AT THE PERMIT LEVEL INSTEAD OF THE ORDINANCE LEVEL. JEFF DAUGHERTY STATED HE TOO WOULD BE AGAINST HAVING ALCOHOL AT FAULKNER AND POOL PARK. GINGER SIMS MADE A MOTION TO APPROVE ORDINANCE 02-2016 AMENDING ORDINANCE 14-2014 TO ALLOW POSSESSION, SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGE ON CITY PROPERTIES. SECOND BY CLYDE HARPER. CAROLYN CALDWELL ASKED IF THE MOTION IS FOR HOW THE ORDINANCE READS OR WITH ADDED WORDING RESTRICTING IT TO DOWNTOWN? GINGER SIMS STATED AS IT IS. MAYOR NELSON STATED HE WOULD VETO THE ORDINANCE WITHOUT RESTRICTION OF THE DOWNTOWN AREA ONLY. GINGER SIMS MADE A MOTION TO AMEND HER MOTION TO INCLUDE ADDING WORDING TO THE ORDINANCE RESTRICTING IT TO CITY PROPERTY WITHIN THE TIF ZONE ONLY. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-5 DISCUSSION AND POSSIBLE ACTION TO APPROVE SPECIAL EVENT ALCOHOLIC BEVERAGE PERMIT. CITIZEN MARTY GOSS STATED THE COUNCIL SHOULD CONSIDER THE TRAFFIC PROBLEMS EVENTS IN THE DOWNTOWN PICKERS PAVILION CREATE FOR CITIZENS LIVING IN THE AREA. CRAIG LINDHOLM, CITY MANAGER, STATED THE FEE FOR THE SPECIAL EVENT PERMIT WOULD BE \$150.00 NON REFUNDABLE AND ALL EVENTS WITH ALCOHOL WOULD REQUIRE OFF DUTY LINDALE OFFICER FOR SECURITY. CLYDE HARPER MADE A MOTION TO APPROVE THE PERMIT FEE OF \$150.00 NON REFUNDABLE AND THE USE OF OFF DUTY LINDALE OFFICERS AT A RATE OF \$50.00 PER HOUR. SECOND BY BOB TARDIFF. ALL VOTED IN FAVOR.

F-6 DISCUSSION AND POSSIBLE ACTION TO APPROVE HOSTING THE PINEY WOODS WINE FESTIVAL AT PICKERS PAVILION THIRD WEEK IN MAY 2016. CRAIG LINDHOLM, CITY MANAGER STATED BACKGROUND INFORMATION FOR THE PINEY WOODS WINE FESTIVAL WAS SENT OUT. THE PINEY WOODS WINE FESTIVAL WAS HELD AT THE CITY OF MT VERNON AND WOULD LIKE TO MOVE THIS YEAR TO THE CITY OF LINDALE. CRAIG STATED THE ATTENDANCE OF THE EVENT SHOULD BE 1,400 TO 2,000 VISITORS. THE COST OF THE EVENT WOULD BE \$15,000 PAID FROM HOTEL/MOTEL WITH INCOME SPLIT 60% PINEY WOOD, 40% CITY ON THE EVENT. THIS EVENT WILL BE HELD AT THE SAME TIME AS THE LINDALE RODEO, AND EVENTS AT THE TYLER HORSE PARK.

BEV LAMBERT SPOKE IN SUPPORT OF THE EVENT.

WILLIE BANE ADDRESSED THE COUNCIL REGARDING THE PINEY WOOD WINE FESTIVAL AND HOW THE EVENT WAS HELD IN PREVIOUS YEARS IN MT VERNON, STATING THE BOARD HAD UNANIMOUSLY VOTED TO MOVE THE EVENT TO LINDALE. HE HOPES THE COUNCIL WILL VOTE TO BRING IT TO LINDALE. TABC STATED THEY HAVE NEVER HAD ANY INCIDENTS AT ANY OF THE WINE FESTIVALS. MAYOR NELSON SPOKE IN SUPPORT OF BRINGING THE EVENT TO LINDALE. SEONG MACLAREN, TOURIST DIRECTOR STATED SHE IS FOR BRINGING THE EVENT TO LINDALE. GINGER SIMS MADE A MOTION TO APPROVE HOSTING THE PINEY WOODS WINE FESTIVAL IN LINDALE WITH A \$20,000 BUDGET FROM HOTEL/MOTEL FUND. SECOND BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

F-7 DISCUSSION AND POSSIBLE ACTION ITEM ON DOWNTOWN DEVELOPMENT BUDGET/EXPENDITURES, PROJECT UPDATES, TIF REVENUE PROJECTIONS, AND PROJECT DESIGN. CRAIG LINDHOLM, CITY MANAGER ADDRESSED THE TIF PROJECTIONS, AND LINDALE MANAGING THEIR OWN TIF ZONE 3. BILL ANDREASON, CONSTRUCTION MANAGER, UPDATED COUNCIL ON BUDGET, EXPENDITURE, PROJECTION OF COMPLETION DATES, CHANGE ORDERS FOR GRAVEL UNDER THE CULVERTS AS REQUESTED BY CHARLES GILMORE.

G DISCUSSION ITEM ONLY:

- 1. UPDATE ON DOWNTOWN DEVELOPMENT:** UPDATE ON DOWNTOWN, CRAIG LINDHOLM, CITY MANAGER STATED "WE HAVE A DREAM TEAM AND THEY ARE GREAT TO WORK WITH" CHAD MICHELLE PRESENTED A CUTTING BOARD GIFT TO CRAIG AND STATED IT HAS BEEN GREAT WORKING WITH CRAIG AND THE COUNCIL.
- 2. UPDATE FROM TOURISM DEPARTMENT:** UPDATE ON FARMERS MARKET, EVENTS AT THE PICKERS.

H EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS LAW TO DELIBERATE THE EVALUATION, APPOINTMENT, EMPLOYMENT, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE (CITY MANAGER) AS AUTHORIZED BY SECTION 551.074 OF THE TEXAS GOVERNMENT CODE. COUNCIL ENTERED INTO EXECUTIVE SESSION AT 9:02 PM, COUNCIL ENTERED BACK INTO OPEN SESSION AT 9:46 PM.

I EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT 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. ITEM TABLED.

J DISCUSSION AND POSSIBLE ACTION ON EXECUTIVE SESSION ITEM. NO ACTION.

K REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY) CRAIG LINDHOLM, UPDATED ON TX DOT HWY 16 PROJECT. MAYOR NELSON RECOGNIZED CAROLYN CALDWELL FOR CITY SECRETARY RECERTIFICATION.

L ADJOURNMENT: MEETING ADJOURNED AT 9:49 P.M.


CAROLYN CALDWELL, CITY SECRETARY


ROBERT NELSON, MAYOR