

REGULAR MEETING
LINDALE CITY COUNCIL
TUESDAY, MAY 17, 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.

E PRESENTATIONS AND RECOGNITIONS: MAYOR NELSON PRESENTED SUPER RIDE EXECUTIVE DIRECTOR GARY BONNER WITH A SPONSORSHIP CHECK FOR THE 2016 SUPER RIDE EVENT.

F-25 CITIZEN TALK TIME: (TIME LIMIT 5 MINUTES. NO DISCUSSION BUT MAY BE PLACED ON FUTURE AGENDA FOR DISCUSSION OR ACTION) BILLY JEAN HARPER WANTED TO THANK THE MAYOR AND COUNCIL FOR THE WORK IN THE DOWNTOWN AREA AND FOR ALL THE WORK BEING DONE IN THE CITY.

F-1 CANVASS OF VOTES OF THE MAY 7, 2016 CITY OF LINDALE GENERAL ELECTION FOR MAYOR, COUNCIL PLACE 2 AND COUNCIL PLACE 3. CAROLYN CALDWELL, CITY SECRETARY READ OUT THE ELECTION VOTE COUNTS FOR THE MAY 7, 2016 GENERAL ELECTION. BOB TARDIFF MADE A MOTION TO APPROVE RESOLUTION 08-2016 CANVASSING THE RETURNS OF THE MAY 7, 2016 GENERAL ELECTION AND DECLARING THE RESULTS OF THE CITY OFFICERS ELECTED. 340 TOTAL VALID AND LEGAL BALLOTS, MAYOR PLACE: ROBERT NELSON 109 VOTES, JEFF DAUGHERTY 231 VOTES, COUNCIL PLACE 2: CLYDE HARPER 234 VOTES, COUNCIL PLACE 3: GINGER SIMS 219 VOTES. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-2 ACTION TO APPROVE RESULTS AND DECLARE WINNERS OF THE MAY 7, 2016 CITY OF LINDALE GENERAL ELECTION FOR MAYOR, COUNCIL PLACE 2 AND COUNCIL PLACE 3. BOB TARDIFF MADE A MOTION TO APPROVE THE RESULTS OF MAY 7, 2016 CITY OF LINDALE GENERAL ELECTION AND DECLARE JEFF DAUGHERTY AS WINNER OF MAYOR, CLYDE HARPER AS WINNER OF COUNCIL PLACE 2, AND GINGER SIMS AS WINNER OF COUNCIL PLACE 3. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-3 PRESENTATION OF PLAQUE FOR OUTGOING MEMBERS. CRAIG LINDHOLM, CITY MANAGER, STATED HE WOULD LIKE TO THANK MAYOR ROBERT NELSON FOR ALL HIS YEARS OF SERVICE AND FOR HIS LOVE FOR THE CITY. CRAIG LINDHOLM, CITY MANAGER PRESENTED OUTGOING MAYOR ROBERT NELSON WITH YEAR OF SERVICE PLAQUE. FOR SERVING AS COUNCIL PLACE 4 2007-2012 AND AS MAYOR 2012-2016. MAYOR ROBERT NELSON STATED IT HAD BEEN A HONOR WORKING WITH CRAIG LINDHOLM AND PRAYED THE CITY WOULD KEEP HIM AROUND AND THANKED THE STAFF.

F-4 DISCUSSION AND ACTION TO ACCEPT THE RESIGNATION OF JEFF DAUGHERTY FROM COUNCIL PLACE 1. CAROLYN CALDWELL, CITY SECRETARY STATED JEFF DAUGHERTY TENDERED HIS RESIGNATION IN ORDER TO ACCEPT THE POSITION OF MAYOR. GINGER SIMS MADE A MOTION TO ACCEPT JEFF DAUGHERTY RESIGNATION FROM COUNCIL PLACE 1. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-5 SWEARING IN OF NEW COUNCIL MEMBERS AND MAYOR. CAROLYN CALDWELL, CITY SECRETARY ADMINISTERED THE OATH OF OFFICE TO JEFF DAUGHERTY, GINGER SIMS, AND CLYDE HARPER.

COUNCIL TOOK A 15 MINUTE BREAK.

F-6 DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF COUNCIL MEMBER TO SERVE AS MAYOR PRO TEM. BOB TARDIFF MADE A MOTION TO APPOINT GINGER SIMS AS MAYOR PRO TEM. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-7 PRESENTATION BY SUSAN GILL, LEDC PRESIDENT AND WILLIAM SPENCER OF MHS PLANNING ON PROPOSED FC DALLAS SOCCER COMPLEX IN LEDC BUSINESS PARK. SUSAN GILL, LEDC PRESIDENT GAVE A BRIEF OVERVIEW OF THE PROPOSED FC DALLAS SOCCER COMPLEX TO BE LOCATED ON THE NORTH SIDE OF I-20 IN THE BUSINESS PARK. THE LEDC WOULD BE BUILDING A ROAD AND INSTALLING INFRASTRUCTURE FOR THE DEVELOPMENT. JEREMY BERNARD, FC DALLAS EAST TEXAS DIRECTOR OF COACHING, STATED THEY ARE EXCITED ABOUT COMING TO LINDALE. THEY SHOULD HAVE ABOUT 60 TEAMS PLAYING THIS FALL AND ABOUT 1,000 KIDS. THEY WILL ALSO BE LOOKING AT HOLDING TOURNAMENTS. WILLIAM SPENCER FC DALLAS EAST TEXAS BOARD MEMBER STATED THE VISION OF THE CLUB AND GOALS OF HAVING NATIONAL TOURNAMENTS WITH ATTENDANCE OF 4,000 AND THEY HAD ALREADY STARTED THE FUND RAISING FOR THE LOCATION.

F-8 DISCUSSION AND POSSIBLE ACTION TO APPROVE WATER CAPITAL FUNDS OF \$80,000 TO DRILL TEST WELL AT WELL 5 LOCATION, \$40,000 TO BRING WELL 8 ONLINE TEMPORARILY, AND DISCUSSION REGARDING COST OF NEW WELL AND FUNDING OF NEW WELL. TRACY HICKS, WITH KSA EXPLAINED THAT ORIGINALLY IT WAS THOUGHT THAT WELL 8 COULD BE BROUGHT ONLINE TEMPORARILY, BUT THE PUMPS ARE NOT ABLE TO PUMP INTO THE TOWER SO THAT IS NOT AN OPTION. WELL 5 WAS DRILLED IN 1968 AND WOULD TAKE ABOUT \$350,000 TO FIND OUT IF THE WELL CAN BE SAVED. IT WOULD BE BETTER TO DRILL ANOTHER WELL INSTEAD OF TAKING THE RISK. CHARLES GILMORE, UTILITIES DIRECTOR, STATED THE CITY WILL NEED TO REGULATE THE WELLS 24-7 THROUGH THE SUMMER. MAYOR DAUGHERTY ASKED WHAT WOULD HAPPEN IF WE BROUGHT WELL 8 ON LINE AND DIDN'T REPLACE WELL 5. TRACY HICKS, VIC PRESIDENT OF KSA ENGINEERING, STATED THAT WOULD BE AN OPTION. CHARLES GILMORE, UTILITIES DIRECTOR STATED HE WOULD RATHER BRING WELL 8 ON AND WAIT ON DRILLING A WELL AT WELL 5 LOCATION. CAROLYN CALDWELL, CITY SECRETARY STATED WELL 8 PROJECT IS ALREADY FUNDED. CLYDE HARPER MADE A MOTION TO TABLE THE ITEM. SECOND BY GINGER SIMS. ITEM TABLED.

F-9 PRESENTATION BY CHIEF DAN SOMES ON STORM DAMAGE, CLEAN-UP STATUS, EARLY WARNING SIREN STATUS. DAN SOMES, CHIEF OF POLICE STATED THE CITY HAD 77 HOMES DAMAGED AT A COST OF \$271,000 MOST OF THE HOMES HAD INSURANCE. ALSO DAMAGE ON COMMERCIAL BUILDINGS HAS NOT BEEN TURNED IN. FEMA WILL BE HERE AT 1:30 WEDNESDAY TO LOOK OVER THE AREA. CHIEF SOMES UPDATED ON THE SIRENS AND POSSIBLE LOCATIONS AT THE HIGH SCHOOL.

F-10 DISCUSSION AND POSSIBLE ACTION TO SET SPEED LIMITS FOR THE NEW DEVELOPMENT. DAN SOMES, CHIEF OF POLICE, STATED THE SPEED LIMITS NEED TO BE SET FOR COMMERCE STREET TO NORTH STREET, INDUSTRIAL STREET TO HARPOOL, NORTH STREET TO TERESA AT 20 MPH AND THE STREETS IN THE DEVELOPMENT AT 15 MPH. BOB TARDIFF MADE A MOTION TO APPROVE ORDINANCE 05-2016 SETTING SPEED LIMITS. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-11 DISCUSSION AND POSSIBLE ACTION TO APPROVE AWARDDING THE BID FOR THE PARROT PARK MUSEUM BATHROOM. CLYDE HARPER MADE A MOTION TO TABLE ITEM. SECOND BY GINGER SIMS. ITEM TABLED.

F-12 UPDATE ON PINEY WOOD WINE FESTIVAL AND EVENTS. SEONG MACLAREN, TOURISM DIRECTOR STATED THE WINE FESTIVAL IS JUST DAYS AWAY AND THE ENTRY COST IS \$5.00 TYE PHELPS WILL ALSO BE AT THE EVENT WITH LIVE BANDS BOTH NIGHTS. SEONG MACLAREN ALSO UPDATED ON VENDORS FOR THE EVENT.

F-13 DISCUSSION AND POSSIBLE ACTION TO AMEND ORDINANCE TO ALLOW FOR AN ESTABLISHED OUTDOOR AREA FOR SMOKING ON CITY PROPERTY DURING PERMITTED EVENTS. SEONG MACLAREN, TOURISM DIRECTOR EXPRESSED TO THE COUNCIL HER CONCERNS AT THE LAST EVENT WITH SMOKERS. CRAIG LINDHOLM, CITY MANAGER STATED THE SMOKING ORDINANCE NEED TO BE MODIFIED TO ALLOW SMOKING AT SPECIAL EVENTS ON CITY PROPERTY. JEFF DAUGHERTY STATED HE WAS NOT FOR MODIFYING THE ORDINANCE. CLYDE HARPER STATED HE AGREED WITH THE MAYOR AND WOULD NOT BE FOR MODIFYING THE ORDINANCE. CLYDE HARPER MADE A MOTION TO DENY ANY CHANGES TO THE SMOKING ORDINANCE. SECOND BY GINGER SIMS. ALL VOTED FOR NO CHANGES.

F-14 DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY AND FINAL RE-SUBDIVISION OF 3.369 ACRES LOT 15, CREATING 3 LOTS, LOT 15A (1.321 ACRES), LOT 15B (1.048 ACRES), LOT 15C (1.00 ACRES), STEVENSON CREEK ESTATES, PART OF J.H. SANDERS SURVEY A-859, LOCATED ON 15697 HICKORY DR., SMITH COUNTY, LINDALE, TX. SUBMITTED BY TIMOTHY GRANT AND IMAGEAN GALLUP. CRAIG LINDHOLM, CITY MANAGER, STATED P&Z APPROVED THE PRELIMINARY AND FINAL PLAT. GINGER SIMS MADE A MOTION TO APPROVE PRELIMINARY AND FINAL RE-SUBDIVISION OF 3.369 ACRES LOT 15, CREATING 3 LOTS, LOT 15A (1.321 ACRES), LOT 15B (1.048 ACRES), LOT 15C (1.00 ACRES), STEVENSON CREEK ESTATES, PART OF J.H. SANDERS SURVEY A-859, LOCATED ON 15697 HICKORY DR., SMITH COUNTY, LINDALE, TX. SUBMITTED BY TIMOTHY GRANT AND IMAGEAN GALLUP. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-15 DISCUSSION AND POSSIBLE ACTION TO INSTALL A STORM WATER DRAINAGE SYSTEM FROM HELEN STREET TO HERITAGE COURT. CRAIG LINDHOLM, CITY MANAGER STATED THE CITY HAS A FEW CHOICES IN SOLVING THE PROBLEM. BOB TARDIFF ASKED IF WE HAVE THE CAPACITY FOR THE WATER WITH THE PIPE UNDER THE ROAD. CRAIG LINDHOLM, CITY MANAGER, STATED YES. CLYDE HARPER MADE A MOTION TO APPROVE OPTION A FOR \$44,000 FROM GENERAL CAPITAL FOR INSTALLING A STORM WATER DRAINAGE SYSTEM FROM HELEN STREET TO HERITAGE COURT. SECOND BY BOB TARDIFF. ALL VOTED IN FAVOR.

F-16 DISCUSSION AND POSSIBLE ACTION TO APPROVE STANDARD UTILITY AGREEMENT WITH NET RMA AND SIGNATURE AUTHORITY. BOB TARDIFF MADE A MOTION TO APPROVE STANDARD UTILITY AGREEMENT AND NET RMA AND AUTHORIZE CRAIG LINDHOLM, CITY MANAGER TO BE THE SIGNING AUTHORITY. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-17 UPDATE ON CHANGE ORDER FOR REMOVAL AND INFILL WITH NEW BASE MATERIAL FOR 5,000 SQ. FEET OF STREET ACCESS FROM US 69 TO PROPERTY LINE OF CANNERY ON PROPERTY PURCHASED BY THE CITY FROM THE CHAMPAGNE'S AT ESTIMATED COST OF \$4,949.50. CRAIG LINDHOLM, CITY MANGER STATED HE JUST WANTED TO UPDATE THE COUNCIL THAT HE HAD ALREADY AUTHORIZED THE COST HE JUST WANTED COUNCIL TO BE AWARE OF THE COST. BILL ANDREASON, PROJECT MANAGER, STATED IT WAS NEEDED BECAUSE OF A PROBLEM WITH THE SUBGRADE. NO ACTION.

F-18 DISCUSSION AND POSSIBLE ACTION TO APPROVE BILLBOARD SIGN DESIGN FOR 849 AND I-20. CRAIG LINDHOLM, CITY MANGER STATED WE DID NOT NEED TO TAKE ANY ACTION AT THIS TIME WE WOULD BE BRINGING IT BACK TO COUNCIL. NO ACTION TAKEN.

F-19 DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE RESIGNATION OF TERRY EDWARDS FROM THE P&Z BOARD. BOB TARDIFF MADE A MOTION TO EXCEPT TERRY EDWARD'S RESIGNATION FROM THE PLANNING AND ZONING BOARD. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

F-20 DISCUSSION AND POSSIBLE ACTION TO APPROVE A ONE YEAR SERVICE CONTRACT FOR CITY HALL GENERATOR FOR \$1,222 PER YEAR. GINGER SIMS MADE A MOTION TO APPROVE A ONE YEAR RENEWABLE SERVICE CONTRACT WITH STEWART AND STEVENSON FOR \$1,222 PER YEAR FOR THE EMERGENCY GENERATOR AT CITY HALL. SECOND BY BOB TARDIFF. ALL VOTED IN FAVOR.

F-21 DISCUSSION REGARDING GOALS AND OBJECTIVES FOR CITY AND DIRECTIONS TO CITY MANAGER DURING UPCOMING YEAR. CRAIG LINDHOLM, CITY MANAGER, STATED WITH THE NEW COUNCIL HE WOULD LIKE SOME GOALS SET AND HE WOULD LIKE TO BRING IT BACK ON THE JUNE 7 MEETING AND WOULD LIKE IT TO BE IN OPEN SESSION. MAYOR DAUGHERTY STATED IT COULD BE DONE DURING THE EVALUATION. NO ACTION.

F-22 DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST BY COUNCILMAN CLYDE HARPER TO BE EXCUSED FROM JUNE 7, 2016 REGULAR COUNCIL MEETING. MOTION TO EXCUSE COUNCILMAN CLYDE HARPER FROM THE JUNE 7, 2016 COUNCIL MEETING COUNTING IT AS AN EXCUSED ABSENCE. SECOND BY CLYDE HARPER. ALL VOTED IN FAVOR.

F-23 DISCUSSION AND POSSIBLE ACTION TO APPROVE COUNCIL MINUTES OF APRIL 5, 2016 REGULAR MEETING, APRIL 19 REGULAR MEETING, AND APRIL 25, 2016 CALLED MEETING. CLYDE HARPER MADE A MOTION TO APPROVE COUNCIL MINUTES OF APRIL 5, 2016 REGULAR MEETING, APRIL 19, 2016 REGULAR MEETING AND APRIL 25, 2016 CALLED MEETING. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

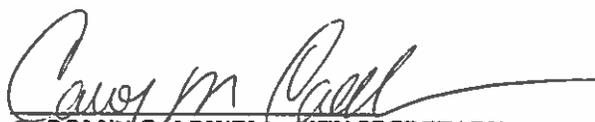
F-24 DISCUSSION AND POSSIBLE ACTION TO APPROVE APRIL 2016 EXPENDITURES AND FINANCIAL REPORTS. BOB TARDIFF MADE A MOTION TO APPROVE APRIL 2016 EXPENDITURES AND FINANCIAL REPORTS. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

G 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 9:06 P.M. COUNCIL ENTERED BACK INTO OPEN SESSION AT 10:19 P.M.

H DISCUSSION AND POSSIBLE ACTION REGARDING EXECUTIVE SESSION. NO ACTION

I REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY). NONE

J ADJOURNMENT; MEETING ADJOURNED AT 10:20 P.M.


CAROLYN CALDWELL, CITY SECRETARY


JEFF DAUGHERTY, MAYOR