

REGULAR MEETING  
LINDALE CITY COUNCIL  
TUESDAY, FEBRUARY 7, 2023  
CITY HALL, 105 BALLARD DRIVE

THE MEETING WAS CALLED TO ORDER BY MAYOR JEFF DAUGHERTY

COUNCIL MEMBERS PRESENT RICK THELEN, YVETTE MARTIN, GINGER SIMS, SALLIE BLACK, AND GAVIN RASCO

SALLIE BLACK SAID THE INVOCATION AND MAYOR JEFF DAUGHERTY LED THE PLEDGE OF ALLEGIANCE.

**F-1 DISCUSSION AND POSSIBLE ACTION TO AWARD BID FOR LINDALE SIDEWALK IMPROVEMENTS CSJ#0910-16-153 TXDOT'S SAFE ROUTE TO SCHOOL TO THE LOWEST BIDDER HARTBEAT CONSTRUCTION, LLC IN THE AMOUNT OF 774,134.70.** DALTON BROWN WITH BRANNON ENGINEERING STATED THE LOWEST BID RECEIVED WAS \$774,134.70 FROM HARTBEAT CONSTRUCTION. TXDOT HAS GIVEN THE APPROVAL TO AWARD THE BID. HE RECOMMENDS AWARDED THE BID TO HARTBEAT CONSTRUCTION. GAVIN RASCO MADE A MOTION TO APPROVE AWARDED THE TXDOT CITY OF LINDALE 2019 SRTS PROJECT CSJ:0910-16-153 SIDEWALKS DOWN PERRYMAN TO CONNECT TO SCHOOLS TO THE LOWEST BIDDER HARTBEAT CONSTRUCTION, LLC FOR \$774,134.70. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

**F-2 DISCUSSION AND POSSIBLE ACTION TO APPROVE AGREEMENT WITH LINDALE SUMMER BASEBALL AND SOFTBALL ASSOCIATION (LSBSA) FOR USE OF BASEBALL FIELDS.** CAROLYN CALDWELL, CITY MANAGER STATED THE BIG CHANGE IN THE CONTRACT THIS YEAR WITH THE LSBSA. THE BASEBALL ASSOCIATION WANTS TO TAKE OVER AND MANAGE THE FIELDS MOWING, AND FERTILIZING. THIS WOULD ALSO ALLOW THE BASEBALL ASSOCIATION TO CONTROL THE USE OF FIELDS. THEY WANT TO CHARGE SELECT TEAMS TO USE THE FIELDS. THE PARKS BOARD HAVE GONE OVER THE CONTRACT AND AGREED TO THE TERMS OF THE CONTRACT IN ADDITION TO THE CONTRACT THEY ARE RESPONSIBLE FOR TURNING OFF LIGHTS AFTER THE USE OF FIELDS. THE CITY ATTORNEY IS REVIEWING THE CONTRACT AND MAY HAVE A FEW LEGAL LANGUAGE CHANGES. SALLIE BLACK MADE A MOTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF LINDALE, LINDALE SUMMER BASEBALL, AND SOFTBALL ASSOCIATION FOR THE USE OF THE BASEBALL FIELDS BY ADDING LANGUAGE TO THE CONTRACT THEY ARE RESPONSIBLE FOR TURNING OFF LIGHTS AT FIELDS. SECOND BY YVETTE MARTIN. ALL VOTED IN FAVOR.

**F-3 DISCUSSION AND POSSIBLE ACTION TO APPROVE AGREEMENT WITH LINDALE SOCCER ASSOCIATION FOR USE OF SOCCER FIELDS.** CAROLYN CALDWELL, CITY MANAGER STATED THE PARKS BOARD AND SOCCER ASSOCIATION HAVE GONE OVER THE CONTRACTS AND AGREED UPON THE TERMS OF THE CONTRACT. THE CITY ATTORNEY IS MAKING A FINAL REVIEW OF THE AGREEMENT. ONE OF THE BIG CHANGES IS NO MORE THAN 12 GAMES CAN BE PLAYED AT THE SAME TIME ON THE FIELD. GINGER SIMS MADE A MOTION TO APPROVE THE AGREEMENT WITH LINDALE SOCCER ASSOCIATION FOR THE USE OF THE SOCCER FIELDS. SECOND BY RICK THELEN. ALL VOTED IN FAVOR.

**F-4 DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE FOR CITIES SERVED BY ONCOR AND AUTHORIZING THE PAYMENT OF TEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES OF ONCOR ELECTRIC DELIVERY COMPANY, LLC.** RICK THELEN MADE A MOTION TO APPROVE **RESOLUTION R01-2023** AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE AND AUTHORIZING PAYMENT. SECOND BY YVETTE MARTIN. ALL VOTED IN FAVOR.

**F-5 DISCUSSION AND POSSIBLE ACTION REGARDING UPDATE ON THE COMMUNITY CENTER.** CAROLYN CALDWELL, CITY MANAGER UPDATED THE COUNCIL ON COMMUNITY CENTER. THE COMMUNITY CENTER IS COMING ALONG. THEY ARE GETTING READY TO START PAINTING. SHE WILL NEED TO GET WITH COUNCIL ON SELECTING COLORS. WE WILL NEED TO LOOK FOR A NEW CLEANING SERVICE FOR THE COMMUNITY CENTER. THE PREVIOUS CLEANING SERVICE IS NO LONGER WANTING TO CLEAN THE COMMUNITY CENTER. THE ESTIMATED COMPLETION OF THE COMMUNITY CENTER IS JUNE.

**F-6 DISCUSSION AND POSSIBLE ACTION TO TERMINATE THE DEVELOPMENT AGREEMENT WITH HARDY TOWNHOMES, LLC BASED ON THE FAILURE OF HARDY TOWNHOMES TO CURE DEFAULT AFTER NOTICE AS PROVIDED IN THE AGREEMENT.** CAROLYN CALDWELL, CITY MANAGER STATED THE CITY ATTORNEY SENT A LETTER IN JANUARY TO HARDY TOWNHOMES, LLC TO LET THEM KNOW THEY ARE IN DEFAULT AND HAD 30 DAYS FROM THE DATE OF NOTICE TO SURE DEFAULT. SHE SPOKE WITH MR. RAJA INDICATED HE WILL NOT BE ABLE TO MEET THE DEADLINE. RICK THELEN MADE A MOTION TO TERMINATE THE DEVELOPMENT AGREEMENT WITH HARDY TOWNHOMES, LLC BASED ON THE FAILURE OF HARDY TOWNHOMES, LLC TO SURE DEFAULT AFTER NOTICE AS PROVIDED IN THE AGREEMENT. SECOND BY GINGER SIMS. ALL VOTED IN FAVOR.

**F-7 DISCUSSION AND POSSIBLE ACTION TO APPROVE ADDITIONAL PLAYGROUND EQUIPMENT FOR POOL PARK.** CAROLYN CALDWELL, CITY MANAGER STATED WE RECEIVED A \$5,000 DONATION FROM GRACE COMMUNITY CHURCH. THE CITY WOULD LIKE TO MATCH THE FUNDS TO PURCHASE ADDITIONAL PLAYGROUND EQUIPMENT FOR AGES 2-5 FOR POOL PARK. THE COST FOR ADDITIONAL PLAYGROUND EQUIPMENT AND INSTALLATION IS \$14,599. GAVIN RASCO MADE A MOTION TO APPROVE ADDITIONAL PLAYGROUND EQUIPMENT FOR POOL PARK AND APPROVE THE CITY TO MATCH FUNDS FOR \$14,599. SECOND BY SALLIE BLACK. ALL VOTED IN FAVOR.

**F-8 DISCUSSION AND ACTION TO CALL AND ORDER THE MUNICIPAL ELECTION ON MAY 6, 2023, TO ELECT POSITIONS OF COUNCIL PLACE 1, AND COUNCIL PLACE 3.** GINGER SIMS MADE A MOTION TO CALL AND ORDER THE MUNICIPAL ELECTION ON MAY 6, 2023, TO ELECT THE POSITIONS OF CITY COUNCIL PLACE 1 AND COUNCIL PLACE 3. SECOND BY SALLIE BLACK. ALL VOTED IN FAVOR.

**F-9 DISCUSSION AND POSSIBLE ACTION TO APPROVE 80,000 WATER CAPITAL EXPENDITURE TO PURCHASE A TRACK HOE.** CORY MOOSE, UTILITY DIRECTOR STATED THE CITY CURRENTLY OWNS ONE TRACK HOE IT'S A 2013 AND HAS 4,000 HOURS ON IT. HE WOULD LIKE TO PURCHASE A LARGER ONE THAN THE ONE WE CURRENTLY HAVE. YVETTE MARTIN MADE A MOTION TO APPROVE THE PURCHASE OF TRACK HOE FOR \$80,000. SECOND BY SALLIE BLACK. ALL VOTED IN FAVOR.

**F-10 DISCUSSION AND POSSIBLE ACTION TO APPROVE 25,000 EMERGENCY EXPENDITURE FOR WELL #6 MOTOR.** CORY MOOSE, UTILITY DIRECTOR STATED WELL #6 MOTOR WAS PULLED AND INSPECTED DUE TO EXCESSIVE VIBRATION. THE MOTOR IS NOT REPAIRABLE AND NEEDS TO BE REPLACED. GINGER SIMS MADE A MOTION TO APPROVE A \$25,000 EMERGENCY EXPENDITURE FOR WELL #6 MOTOR. SECOND BY GAVIN RASCO. ALL VOTED IN FAVOR.

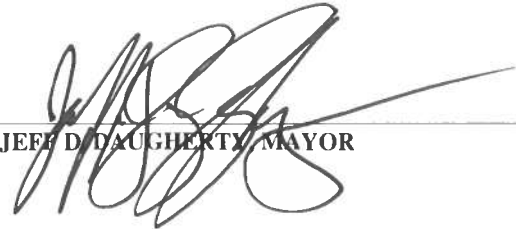
**F-11 DISCUSSION AND UPDATE REGARDING THE WINTER STORM.** CORY MOOSE, UTILITY DIRECTOR UPDATED THE COUNCIL ON THE WINTER STORM. HE FEELS THEIR DEPARTMENT DID WELL HANDLING CALLS. HE RECEIVED FEEDBACK FROM HIS STAFF ON ITEMS THE CITY NEEDS TO BETTER HANDLE A WINTER STORM. THE CITY NEEDS TO PURCHASE MORE BACKUP GENERATORS. HE WILL COME BACK TO REQUEST TO PURCHASE. CHIEF DAN SOMES UPDATED THE COUNCIL ON WINTER STORM. HE SAID EVERYONE PULLED TOGETHER AND COMPLIMENTED CORY AND HIS CREW. THE POLICE DEPARTMENT HANDLED THE STORM GREAT AND HAD A GOOD RESPONSE FROM THE FIRE DEPARTMENT. THERE WAS A GREAT RESPONSE FROM EVERYBODY.

**F-12 CITIZEN TALK TIME.** CITIZEN: STEFANIE SMITH A HOMEOWNER IN THE CORRIGAN TRAILS SUBDIVISION ADDRESSED THE COUNCIL WITH ISSUES OF VICIOUS DOG ATTACKS THAT HAVE OCCURRED BY DOG OWNER WHO LIVES IN CORRIGAN TRAILS. THE OWNER HAS 2 DOGS THAT HAVE VICIOUSLY ATTACKED OTHER PET OWNERS' DOGS AND CATS. THIS HAS HAPPENED 3 TIMES IN THE LAST 12 MONTHS. THE MOST RECENT ATTACK HAPPENED TO HER DOG WHO HAD TO BE TAKEN TO THE VET. THE POLICE AND CITY ANIMAL CONTROL WERE CALLED OUT. SHE WOULD LIKE TO SEE PREVENTIVE MEASURES TAKE PLACE TO KEEP THIS FROM HAPPENING AGAIN. THE DOGS SHOULD BE DEEMED DANGEROUS. SHE WOULD LIKE TO SEE PREVENTIVE MEASURES TAKE PLACE WITH CHANGES TO THE CITY ANIMAL ORDINANCE. CITIZEN: GLEN WIGGINS SPOKE ON A DOG ATTACK THAT TOOK PLACE WITH THE SAME VICIOUS DOGS. HE FRACTURED HIS HAND TRYING TO PROTECT HIS DOG DURING THE ATTACK. THE DOGS ARE VERY DANGEROUS. CITIZEN: STEPHANIE COULTAS SPOKE ABOUT THE INCIDENT OF HER DOG BEING ATTACKED. A MAN WHO WAS DRIVING BY SAW THE ATTACK AND STOPPED TO ASSIST HER. HE HELPED HER AND HER DOG GET AWAY FROM THE VICIOUS DOGS. THE OWNER OF THE DOGS CAN NOT CONTROL THE DOGS. THE DOGS ARE VICIOUS AND THE ATTACKS ARE NOT PROVOKED. THE CITY NEEDS TO GET MORE DEFINITIONS IN THE CITY CODE FROM THIS HAPPENING.

F-13    **REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY).** CHIEF SOMES UPDATED WE ARE CURRENTLY WORKING ON REVIEWING ANIMAL AND SOUND ORDINANCES TO MAKE CHANGES. COUNCIL MEMBERS GINGERS SIMS, YVETTE MARTIN, AND RICK THELEN THANKED CITY EMPLOYEES FOR ALL THE WORK DONE DURING THE STORM. MAYOR DAUGHTERTY CITY DID A WONDERFUL JOB DURING THE STORM. CAROLYN CALDWELL, CITY MANAGER, UPDATED THE DAMAGES DONE TO POOL PARK PROPERTY BY AN INDIVIDUAL DOING DONUTS IN THE PARK. THEY WILL BE PROSECUTED FOR DAMAGES. CORY MOOSE, UTILITY DIRECTOR UPDATED ON THE CITY DUMP IT'S CURRENTLY CLOSED UNTIL HIS CREW CAN CLEAR THE ROADS.

G.        **ADJOURNMENT, 6:44 P.M.**

  
**MICHELLE WIESE, CITY SECRETARY**

  
**JEFF D. DAUGHERTY, MAYOR**

