

REGULAR MEETING
LINDALE CITY COUNCIL
TUESDAY, APRIL 5, 2022, 6:00 P. M.
CITY HALL, 105 BALLARD DRIVE

THE MEETING WAS CALLED TO ORDER BY MAYOR JEFF DAUGHERTY

COUNCIL MEMBERS PRESENT: RICK THELEN, YVETTE MARTIN, GINGER SIMS, BOB TARDIFF

COUNCIL MEMBER BRYAN SUMMERVILLE ENTERED INTO THE COUNCIL MEETING AT 6:21 P.M.

GINGER SIMS SAID THE INVOCATION AND MAYOR JEFF DAUGHERTY LED THE PLEDGE OF ALLEGIANCE

F-1 PUBLIC HEARING ON PROPOSED AMENDMENT TO SUBDIVISION ORDINANCE ESTABLISHING ZONES IN THE EXTRATERRITORIAL JURISDICTION. COUNCIL ENTERED INTO A PUBLIC HEARING AT 6:02 P.M. BEING NO PUBLIC COMMENTS. PUBLIC HEARING ENDED 6:02 P.M.

F-2 DISCUSSION AND POSSIBLE ACTION TO RATIFY ORDINANCE AMENDING SUBDIVISION ORDINANCE ESTABLISHING ZONES IN THE EXTRATERRITORIAL JURISDICTION AND REGULATIONS APPLICABLE TO THE ZONES. BOB TARDIFF MADE A MOTION TO RATIFY ACTION TAKEN ON MARCH 21, 2022, CALLED MEETING AND TO APPROVE **ORDINANCE 02-2022**. SECONDED BY GINGER SIMS. ALL VOTED IN FAVOR.

F-3 DISCUSSION AND POSSIBLE ACTION TO APPROVE AMENDMENT NO.5 TO MUNISERVICES/AVENUE, LLC SERVICE AGREEMENT FOR COLLECTION OF SALES TAX AND HOTEL/MOTEL TAX. RICK THELEN MADE A MOTION TO APPROVE AMENDMENT NO. 5 TO MUNISERVICES/AVENUE LLC, SERVICE AGREEMENT. SECONDED BY YVETTE MARTIN. ALL VOTED IN FAVOR.

F-4 DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE AMENDING SPEED ZONE ON E. NORTH STREET. BOB TARDIFF MADE A MOTION TO APPROVE **ORDINANCE 04-2022** AMENDING SPEED ZONE ON E. NORTH STREET. SECONDED BY YVETTE MARTIN. ALL VOTED IN FAVOR.

F-5 SECTION 3 PRESENTATION FOR CDBG CONTRACT CDM21-0133 TXCDBG DOWNTOWN SIDEWALK GRANT. DAVID CRAFT, FINANCIAL DIRECTOR, PRESENTED A1024 SECTION 3 SLIDE PRESENTATION TO COUNCIL. THIS IS REQUIRED AS PART OF THE DOWNTOWN SIDEWALK GRANT. NO ACTION TAKEN.

F-6 DISCUSSION AND POSSIBLE ACTION TO APPROVE FAIR HOUSING MONTH PROCLAMATION FOR APRIL. DAVID CRAFT, FINANCIAL DIRECTOR, STATED THIS PROCLAMATION IS PART OF GRANT REQUIREMENT FOR THE DOWNTOWN SIDEWALK GRANT. YVETTE MARTIN MADE A MOTION TO APPROVE FAIR HOUSING MONTH PROCLAMATION FOR APRIL. SECONDED BY GINGER SIMS. ALL VOTED IN FAVOR.

F-7 DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION ESTABLISHING LOCAL SECTION 504 POLICY AND GRIEVANCE PROCEDURES, CITIZEN PARTICIPATION PLAN AND GRIEVANCE PROCEDURES, EXCESSIVE FORCE POLICY, FAIR HOUSING POLICY, AND CODE OF CONDUCT POLICY (CONTRACT # CDM21-0133). DAVID CRAFT, FINANCIAL DIRECTOR, STATED THIS IS PART OF THE GRANT REQUIREMENT THAT NEEDS TO BE ADOPTED BY RESOLUTION. RICK THELEN MADE A MOTION TO APPROVE **RESOLUTION R06-20222** ESTABLISHING LOCAL SECTION 504 POLICY AND GRIEVANCE PROCEDURES, CITIZEN PARTICIPATION PLAN AND GRIEVANCE PROCEDURES, EXCESSIVE FORCE POLICY, FAIR HOUSING POLICY, AND CODE OF CONDUCT POLICY (CONTRACT CDM21-0133). SECONDED BY GINGER SIMS. ALL VOTED IN FAVOR.

F-8 DISCUSSION AND POSSIBLE ACTION TO ACCEPT OR DENY PUBLIC UTILITY COMMISSION OF TEXAS CONSUMER PRICE INDEX ADJUSTMENT TO RIGHT OR WAY FEES. CAROLYN CALDWELL, CITY MANAGER, STATED IT'S HER RECOMMENDATION TO NOT TAKE ANY ACTION. NO ACTION TAKEN BY COUNCIL.

F-9 DISCUSSION AND POSSIBLE ACTION TO APPROVE CHANGES TO THE LANDSCAPING AT THE KINZIE HOUSE. CAROLYN CALDWELL, CITY MANAGER, STATED THE CHAMBER IS REQUESTING TO REMOVE THE SHRUBS IN FRONT OF THE KINZIE HOUSE. THE SHRUBS ARE DEAD AND THEY WOULD LIKE TO PLANT GRASS IN THE AREA. BOB TARDIFF MADE A MOTION TO APPROVE CHANGES TO LANDSCAPING AT THE KINZIE HOUSE. SECONDED BY YVETTE MARTIN. ALL VOTED IN FAVOR.

F-10 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL PLAT OF THE GROVE SECOND AMENDMENT, LOT 3, J.H. SANDERS SURVEY, A-948, JOHN DILLARD SURVEY A-311 LOCATED AT 16391 CR 498 LINDALE, SMITH COUNTY, TEXAS. STEVEN LLOYD, DIRECTOR OF PLANNING AND DEVELOPMENT, STATED THIS PROPERTY IS LOCATED IN THE ETJ. THE UTILITIES COMPANY WANTED TO SEE UTILITY AGREEMENT ON THE PLAT. THIS PLAT WAS APPROVED BY PLANNING AND ZONING ON MARCH 14TH, 2022. THE BOARD RECOMMENDS FINAL APPROVAL TO COUNCIL. RICK THELEN MADE A MOTION TO APPROVE THE FINAL PLAT OF THE GROVE SECOND AMENDMENT, LOT 3, J.H. SANDERS SURVEY, A-948, JOHN DILLARD SURVEY A-311 LOCATED AT 16391 CR 498 LINDALE, SMITH COUNTY, TEXAS. SECONDED BY GINGER SIMS. ALL VOTED IN FAVOR.

COUNCILMAN BRYAN SUMMERVILLE ENTERED INTO THE COUNCIL MEETING AT 6:21 P.M.

F-11 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PRELIMINARY AND FINAL RE-SUBDIVISION PLAT OF LOT 2-B LINDALE PRIME LAND SOURCE SUBDIVISION, DAVID WHITE SURVEY, A-1091 BEING 14.57 ACRES, CREATING 2 LOTS AND DEDICATING 0.560 ACRES ROW. LOCATED AT WEST CENTENNIAL BLVD., LINDALE, SMITH COUNTY, TEXAS. STEVEN LLOYD, DIRECTOR OF PLANNING AND DEVELOPMENT, STATED THIS IS FUTURE DEVELOPMENT OF APARTMENTS. THERE IS DEDICATED RIGHT-OF-WAY DEDICATION TO SCARBROUGH LANE. THIS WILL BE A SHARED ACCESS WITH COMFORT SUITES AND LA QUINTA INN & SUITES. YVETTE MARTIN MADE A MOTION TO APPROVE THE FINAL RE-SUBDIVISION PLAT OF LOT 2-B LINDALE PRIME LAND SOURCE SUBDIVISION, DAVID WHITE SURVEY, A-1091 BEING 14.57 ACRES, CREATING 2 LOTS AND DEDICATING 0.560 ACRES ROW. LOCATED AT WEST CENTENNIAL BLVD., LINDALE, SMITH COUNTY, TEXAS. SECONDED BY GINGER SIMS. ALL VOTED IN FAVOR.

F-12 DISCUSSION AND POSSIBLE ACTION TO APPROVE AMENDED AGREEMENT BETWEEN SMITH COUNTY EMERGENCY SERVICE DISTRICT #1, THE CITY OF LINDALE, AND THE BOARD OF DIRECTORS OF THE CITY OF LINDALE REINVESTMENT ZONE NO. 2 FOR PAYMENT OF TAX INCREMENT FROM THE REINVESTMENT ZONE INTO THE TAX INCREMENT FUND EXTENDING TIME AND BOUNDARIES. CAROLYN CALDWELL, CITY MANAGER, STATED SMITH COUNTY EMERGENCY SERVICE DISTRICT #1 APPROVED THE TIF AGREEMENT. CITY COUNCIL NEEDS TO APPROVE THE AMENDED AGREEMENT AND THEN IT WILL GO TO THE TIF 2 BOARD TO BE APPROVED. BOB TARDIFF MADE A MOTION TO APPROVE THE AMENDED AGREEMENT BETWEEN SMITH COUNTY EMERGENCY SERVICE DISTRICT #1, THE CITY OF LINDALE, AND THE BOARD OF DIRECTORS OF THE CITY OF LINDALE REINVESTMENT ZONE NO. 2 FOR PAYMENT OF TAX INCREMENT FROM THE REINVESTMENT ZONE INTO THE TAX INCREMENT FUND EXTENDING TIME AND BOUNDARIES. SECONDED BY RICK THELEN. ALL VOTED IN FAVOR.

F-13 DISCUSSION AND POSSIBLE ACTION TO APPROVE CAPITAL EXPENDITURE FOR PUBLIC WORKS FOR ZERO TURN MOWER. TOMMY TEW, ASSISTANT UTILITY DIRECTOR, STATED HE RECEIVED 2 BIDS, THE LOWEST BID BEING \$14,813. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE THE PURCHASE OF A ZERO TURN COMMERCIAL MOWER FOR \$14,900 FOR PUBLIC WORKS. SECONDED BY YVETTE MARTIN. ALL VOTED IN FAVOR.

F-14 DISCUSSION ACTION TO AUTHORIZE CITY ATTORNEY TO SEND A DEMAND LETTER AND FILE LAWSUIT IF NECESSARY, REGARDING SOUTHSIDE LIFT STATION PUMPS. RICK THELEN MADE A MOTION TO AUTHORIZE CITY ATTORNEY TO SEND A DEMAND LETTER AND FILE LAWSUIT IF NECESSARY, REGARDING SOUTHSIDE LIFT STATION PUMPS. SECONDED BY GINGER SIMS. ALL VOTED IN FAVOR.


F-15 DISCUSSION AND POSSIBLE ACTION TO APPROVE MAYOR JEFF DAUGHERTY ABSENCE FROM THE MARCH 21, 2022, CALLED COUNCIL MEETING AS EXCUSED ABSENCE. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE MAYOR JEFF DAUGHERTY ABSENCE MARCH 21, 2022, CALLED MEETING AS AN EXCUSED ABSENCE. SECONDED BY BOB TARDIFF. ALL VOTED IN FAVOR.

F-16 DISCUSSION AND POSSIBLE ACTION TO APPROVE COUNCILMAN BRYAN SUMMERVILLE ABSENCE FROM THE MARCH 21 AND MARCH 24, 2022, CALLED COUNCIL MEETINGS AS EXCUSED ABSENCE. RICK THELEN MADE A MOTION TO APPROVE COUNCILMAN BRYAN SUMMERVILLE ABSENCE MARCH 21 AND MARCH 24, 2022, CALLED COUNCIL MEETINGS AS EXCUSED ABSENCE. SECONDED BY BOB TARDIFF. ALL VOTED IN FAVOR.

F-17 CITIZEN TALK TIME: (TIME LIMIT 5 MINUTES. NO DISCUSSION BUT MAY BE PLACED ON FUTURE AGENDA FOR DISCUSSION OR ACTION). NONE.

F-18 **REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY).** YVETTE MARTIN STATED OFFICERS ARE DOING A GREAT JOB SLOWING DOWN TRAFFIC ON NORTH STREET. DAVID CRAFT STATED THE FENCE IS INSTALLED AT HARVEST PARK. CAROLYN CALDWELL STATED THE LIGHTS AT POOL PARK ARE NOT WORKING. THEY ARE ON ORDER. THE CHAMBER OF COMMERCE CITIZEN OF THE YEAR IS MIKE COMBS, AND THE CITY EMPLOYEE OF THE YEAR JILL CHILDS.

G. **ADJOURNMENT. MEETING ADJOURNED 6:30 P.M.**


MICHELLE WIESE, CITY SECRETARY


JEFF D. DAUGHERTY, MAYOR