

REGULAR MEETING  
LINDALE CITY COUNCIL  
TUESDAY, APRIL 19, 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, GINGER SIMS, BOB TARDIFF AND BRYAN SUMMERVILLE

COUNCIL MEMBER ABSENT YVETTE MARTIN

SEONG MACLAREN SAID THE INVOCATION AND MAYOR JEFF DAUGHERTY LED THE PLEDGE OF ALLEGIANCE

**F-1 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE DESIGN AND COST OF THE COMMUNITY CENTER.** BRYCE WITH BRANNON ENGINEERING PRESENTED TO COUNCIL THE COMMUNITY CENTER LAYOUT AND DESIGN. THERE WOULD BE AN ADDITIONAL 715 SQUARE FEET ADDED TO THE BUILDING. THIS WOULD MAKE THE COMMUNITY CENTER 3,915 SQUARE FEET. THE COST WOULD BE AROUND \$1,000,000. RICK THELEN MADE A MOTION TO APPROVE THE DESIGN OF THE COMMUNITY CENTER. SECONDED BY BOB TARDIFF. ALL VOTED IN FAVOR.

**F-2 DISCUSSION AND POSSIBLE ACTION TO APPROVE CAPITAL EXPENDITURES FOR PURCHASE OF MATERIALS FOR LINDALE CROSSING WATER LINE PROJECT.** CAROLYN CALDWELL, CITY MANAGER, STATED WE NOW HAVE THE RIGHT OF WAY, BUT WE ARE FACED WITH ANOTHER ISSUE WITH PIPE. 12 INCH PIPE HAS BECOME DIFFICULT TO FIND AND THE COST IS CHANGING SO MUCH NO ONE WILL GIVE MORE THAN A 3 DAY LOCK IN PRICE. REA BOUDREAUX WITH BRANNON ENGINEERING STATED THIS PROJECT IS FOR UPSIZING TO 12 INCH WATER LINE THAT WOULD LOOP FROM WOOD SPRINGS RD TO HWY 69 UP TO I-20. THERE IS A 4 TO 5 MONTH LEAD TIME ON MATERIALS. HE WOULD LIKE TO GO AHEAD AND PURCHASE 12 INCH PIPE, CASINGS AND FITTINGS. THE MATERIALS WOULD COST AROUND \$100,000. BOB TARDIFF MADE A MOTION TO APPROVE CAPITAL EXPENDITURES FOR PURCHASE OF MATERIALS FOR LINDALE CROSSING WATER LINE PROJECT. SECONDED BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

**F-3 DISCUSSION AND POSSIBLE ACTION TO APPROVE CAPITAL EXPENDITURES FOR GENERAL FUND FOR POLICE DEPARTMENT VEHICLES PER BUDGET.** DAN SOMES, CHIEF OF POLICE, STATED, THIS IS A CAPITAL EXPENDITURE THAT WAS IN THE 5 YEAR BUDGET FOR TWO 2023 TAHOES 4 X 4 AND EQUIPMENT. THE COST FOR (2) 2023 TAHOES 4 X 4 \$82,750, AND EQUIPMENT & INSTALL \$29,200. GINGER SIMS MADE A MOTION TO APPROVE GENERAL FUND CAPITAL EXPENDITURE FOR \$111,950 FOR (2) 2023 4 X4 TAHOES, EQUIPMENT AND INSTALL. SECONDED BY BRYAN SUMMERVILLE, ALL VOTED IN FAVOR.

**F-4 DISCUSSION AND POSSIBLE ACTION TO APPROVE AMENDED AGREEMENT BETWEEN SMITH COUNTY, 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 APPROVED THE AGREEMENT ON APRIL 12. ONCE TJC HAVE SIGNED THE AGREEMENT IT WILL GO TO THE TIF BOARD FOR APPROVAL. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE AMENDED AGREEMENT BETWEEN SMITH COUNTY, THE CITY OF LINDALE, AND THE BOARD OF DIRECTORS OF THE CITY OF LINDALE REINVESTMENT ZONE NO. 2 FOR PAYMENT OF TAX INCREMENT FUND EXTENDING TIME AND BOUNDARIES. SECONDED BY BOB TARDIFF. ALL VOTED IN FAVOR.

**F-5 DISCUSSION AND POSSIBLE ACTION TO APPROVE AMENDED AGREEMENT BETWEEN TYLER JUNIOR COLLEGE (TJC), 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 TJC HAS NOT APPROVED THE AGREEMENT YET. THEY HAVE IT ON THEIR AGENDA FOR NEXT WEEK. ONCE SMITH COUNTY AND SMITH COUNTY EMERGENCY SERVICES AND TJC HAVE SIGNED THE AGREEMENT IT WILL GO TO THE TIF BOARD FOR APPROVAL. BOB TARDIFF MADE A MOTION TO APPROVE AMENDED AGREEMENT BETWEEN TYLER JUNIOR COLLEGE (TJC), 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 GINGER SIMS. ALL VOTED IN FAVOR.

**F-6 DISCUSSION AND POSSIBLE ACTION TO APPROVE ADDITIONAL TEMPORARY WORKSPACE AGREEMENT WITH GULF SOUTH PIPELINE FOR THE USE OF 0.13 ACRES LOCATED AT 702 W. SOUTH ST./CR 467 REGARDING FM 16-W TXDOT WIDENING.** STEVEN LLOYD, DIRECTOR OF PLANNING AND DEVELOPMENT, STATED THE GULF SOUTH PIPELINE COMPANY HAS REQUESTED ADDITIONAL TEMPORARY WORKSPACE. THEY NEED MORE ROOM TO STAGE EQUIPMENT FOR TXDOT FM-16 PROJECT. THE MAYOR ASKED IF THEY WOULD BE REMOVING ANY TREES. STEVEN LLOYD WAS UNSURE IF THEY WOULD BE REMOVING ANY TREES HE WOULD NEED TO CHECK. RICK THELEN MADE A MOTION TO TABLE ITEM. SECONDED BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

**F-7 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE FINAL REPLAT OF LOT 4A, LOTS 4, 5, 6, 7, 8, 9, AND PART OF LOT 10, BLOCK 16, J.A. GIBSON SURVEY, A-381. LOCATED AT 304 S. MAIN ST. LINDALE, TX.** STEVEN LLOYD, DIRECTOR OF PLANNING AND DEVELOPMENT, STATED THIS IS A FINAL PLAT COMBINING LOTS FOR REBUILD OF MINEOLA COMMUNITY BANK ON THE CORNER OF HWY 69 AND E SOUTH ST. THERE IS A COMMON ACCESS AGREEMENT THAT WILL BE RECORDED ON THE PLAT. DAIRY QUEEN WILL CONTINUE TO HAVE ACCESS. BOB TARDIFF MADE A MOTION TO APPROVE THE FINAL REPLAT OF LOT 4A, LOTS 4, 5, 6, 7, 8, 9, AND PART OF LOT 10, BLOCK 16, J.A. GIBSON SURVEY, A-381. LOCATED AT 304 S. MAIN ST. LINDALE, TX. SECONDED BY RICK THELEN, GINGER SIMS AND BOB TARDIFF VOTED FOR. BRYAN SUMMERVILLE ABSTAINED FROM THE VOTE.

**F-8 DISCUSSION AND POSSIBLE ACTION TO AMEND NOTICE OF POLLING LOCATIONS FOR GENERAL ELECTION MAY 7, 2022.** GINGER SIMS MADE A MOTION TO AMEND NOTICE OF POLLING LOCATIONS FOR GENERAL ELECTION MAY 7, 2022. SECONDED BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

**F-9 DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES FOR MARCH 1, MARCH 15, 2022, REGULAR COUNCIL MEETINGS AND MARCH 8, MARCH 21, AND MARCH 24 CALLED COUNCIL MEETINGS.** BOB TARDIFF MADE A MOTION TO APPROVE MINUTES OF MARCH 1, MARCH 15, 2022, REGULAR COUNCIL MEETINGS AND MARCH 8, MARCH 21, AND MARCH 24 CALLED COUNCIL MEETINGS WITH ONE CORRECTION ITEM D1-ON MARCH 24, 2022, CALLED MEETING. AMEND MINUTES THE MAYOR ANNOUNCED THEY WERE EXTENDING THE BREAK. THE MAYOR, COUNCILMAN BOB TARDIFF, AND CITY ATTORNEY MET WITH MARK LEE DICKSON, AND PETITION COMMITTEE. SECONDED BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

**F-10 DISCUSSION AND POSSIBLE ACTION TO APPROVE BUDGET AMENDMENTS FOR BUDGET YEAR 2021-2022.** BRYAN SUMMERVILLE MADE A MOTION TO APPROVE **ORDINANCE 05-2022** BUDGET AMENDMENTS FOR BUDGET YEAR 2021-2022. SECONDED BY GINGER SIMS. ALL VOTED IN FAVOR.

**F-11 DISCUSSION AND POSSIBLE ACTION TO APPROVE MARCH 2022 EXPENDITURES AND FINANCIAL REPORTS.** DAVID CRAFT, FINANACIAL DIRECTOR, PRESENTED FINANCIALS TO COUNCIL. RICK THELEN MADE A MOTION TO APPROVE MARCH 2022 EXPENDITURES AND FINANCIAL REPORTS. SECONDED BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

**F-12 CITIZEN TALK TIME: (TIME LIMIT 5 MINUTES. NO DISCUSSION BUT MAY BE PLACED ON FUTURE AGENDA FOR DISCUSSION OR ACTION).** NONE.

**F-13 REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY).** CAROLYN CALDWELL, CITY MANAGER, STATED THERE IS UNTRUTH RUMORS ON FACEBOOK REGARDING CITY FUNDS. SHE WELCOMES ANYONE WHO HAS QUESTIONS TO COME VISIT HER REGARDING FINANCES. HER DOOR IS ALWAYS OPEN. THE CITY GETS AUDITED EVERY YEAR AND RECEIVES A CLEAN AUDIT. CITY COUNCIL MEMEBERS RICK THELEN, GINGER SIMS, MAYOR, AND CITY STAFF BID FAREWELL TO COUNCIL MEMEBERS BOB TARDIFF AND BRYAN SUMMERVILLE. COUNCILMAN TARDIFF AND COUNCILMAN SUMMERVILLE THANKED STAFF AND COMMUNITY FOR SUPPORT DURING THEIR 10 YEAR TENURE.

**G. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT CONSULTATION WITH ATTORNEY UNDER SECTION 551.071(2) OF THE GOVERNMENT CODE TO RECEIVE ADVICE ON LEGAL MATTERS CONCERNING AN AMENDMENT TO THE HARDY TOWNHOMES, LLC AGREEMENT NOT RELATED TO LITIGATION OR THE SETTLEMENT OF LITIGATION AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS UNDER SECTION 551.087 OF THE TEXAS GOVERNMENT CODE.** 6:34 P.M. COUNCIL ENTERED INTO EXECUTIVE SESSION. COUNCIL ENTERED BACK INTO OPEN SESSION 6:41 P.M.

H. **DISCUSSION AND POSSIBLE ACTION FROM EXECUTIVE SESSION.** BOB TARDIFF MADE A MOTION TO AMEND AGREEMENT WITH HARDY TOWNHOMES, LLC SECTION 3.1 (A) 2 TO CHANGE SIZE OF CORNER UNITS TO MINIMUM OF 1200 SQUARE FEET. SECONDED BY GINGER SIMS. ALL VOTED IN FAVOR. ALL VOTED IN FAVOR.

I. **DISCUSSION AND ACTION TO ACCEPT COUNCILMAN TARDIFF RESIGNATION.** GINGER SIMS MADE A MOTION TO ACCEPT COUNCILMAN TARDIFF RESIGNATION EFFECTIVE APRIL 20, 2022. SECONDED BY RICK THELEN. ALL VOTED IN FAVOR.

J. **DISCUSSION AND ACTION TO ACCEPT COUNCILMAN SUMMERVILLE RESIGNATION.** RICK THELEN MADE A MOTION TO ACCEPT COUNCILMAN SUMMERVILLE RESIGNATION EFFECTIVE APRIL 20, 2022. SECONDED BY GINGER SIMS. ALL VOTED IN FAVOR.

E. **PRESENTATIONS AND RECOGNITIONS:** MAYOR JEFF DAUGHERTY PRESENTED PLAQUES TO COUNCILMAN TARDIFF AND COUNCILMAN SUMMERVILLE FOR THEIR YEARS OF SERVICE ON CITY COUNCIL.

K. **ADJOURNMENT.** MEETING ADJOURNED 6:46 P.M.

  
MICHELLE WIESE, CITY SECRETARY

  
JEFF D. DAUGHERTY, MAYOR