

REGULAR MEETING
LINDALE CITY COUNCIL
TUESDAY, SEPTEMBER 19, 2023
CITY HALL, 105 BALLARD DRIVE

MAYOR JEFF DAUGHERTY CALLED THE MEETING TO ORDER AT 6:00 P.M. WITH THE FOLLOWING COUNCIL MEMBERS PRESENT:

BOB TARDIFF, BRYAN SUMMERVILLE, SALLIE BLACK, AND GAVIN RASCO

COUNCIL MEMBER ABSENT: YVETTE MARTIN

GAVIN RASCO SAID THE INVOCATION AND MAYOR JEFF DAUGHERTY LED THE PLEDGE OF ALLEGIANCE.

F-1 PUBLIC HEARING TO HEAR COMMENTS ON THE PROPOSED PROPERTY TAX RATE OF .36 PER \$100 OF TAXABLE PROPERTY VALUE. COUNCIL ENTERED INTO PUBLIC HEARING 6:01 P.M. BEING NO PUBLIC COMMENTS. PUBLIC HEARING ENDED 6:02 P.M.

F-2 DISCUSSION AND POSSIBLE ACTION TO RATIFY THE PROPERTY TAX INCREASE AS REFLECTED IN THE BUDGET FOR THE FISCAL YEAR 2023-2024 AS REQUIRED BY LOCAL GOV. CODE SECTION 102.007 (C). GAVIN RASCO MADE A MOTION TO APPROVE **ORDINANCE 12-2023** RATIFYING THE PROPERTY TAX REFLECTED IN THE 2023-2024 BUDGET. SECONDED BY BRYAN SUMMERVILLE. RECORD OF VOTE BOB TARDIFF FOR, BRYAN SUMMERVILLE FOR, SALLIE BLACK FOR, AND GAVIN RASCO FOR. MOTION PASSED UNANIMOUSLY.

F-3 DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE ADOPTING A BUDGET FOR THE PERIOD BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH. SALLIE BLACK MADE A MOTION TO APPROVE **ORDINANCE 13-2023** ADOPTING A BUDGET FOR THE PERIOD BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024. REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH. SECONDED BY GAVIN RASCO. RECORD OF VOTE BOB TARDIFF FOR, BRYAN SUMMERVILLE FOR, SALLIE BLACK FOR, GAVIN RASCO FOR. MOTION PASSED UNANIMOUSLY.

F-4 DISCUSSION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE LEVYING AN AD VALOREM TAX RATE OF .36 FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF LINDALE FOR THE BUDGET YEAR 2023-2024 AND APPORTIONING EACH LEVY FOR THE SPECIFIC PURPOSE, CITY WILL TAKE SEPARATE VOTES.

- A. **ACTION TO APPROVE ORDINANCE LEVYING AN AD VALOREM TAX RATE OF .36.** BOB TARDIFF STATED I MOVE TO THE ADOPTION OF A TAX RATE OF .36, WHICH IS LOWER THAN THE NO NEW REVENUE TAX RATE AND APPROVING **ORDINANCE 14-2023**. SECONDED BY GAVIN RASCO. RECORD OF VOTE BOB TARDIFF FOR, BRYAN SUMMERVILLE FOR, SALLIE BLACK FOR, AND GAVIN RASCO FOR. MOTION CARRIED UNANIMOUSLY.
- B. **ACTION TO APPROVE A PORTION OF THE TAX RATE TO MAINTENANCE AND OPERATIONS AD VAL TAX RATE OF .183913.** BOB TARDIFF STATED I MOVE APPROVE LEVYING A TAX RATE OF 0.183913 FOR MAINTENANCE AND OPERATIONS (M/O) FOR THE BUDGET YEAR 2023-2024. SECONDED BY SALLIE BLACK. RECORD OF VOTE BOB TARDIFF FOR, BRYAN SUMMERVILLE FOR, SALLIE BLACK FOR, AND GAVIN RASCO FOR. MOTION CARRIED UNANIMOUSLY.
- C. **ACTION TO APPROVE A PORTION OF THE TAX RATE TO INTEREST AND SINKING AD VAL TAX RATE OF .176087.** GAVIN RASCO MOTIONED TO APPROVE LEVYING A TAX RATE OF .176087 FOR INTEREST AND SINKING (I&S) FOR THE BUDGET YEAR 2023-2024. SECONDED BY SALLIE BLACK. RECORD OF VOTE BOB TARDIFF FOR, BRYAN SUMMERVILLE FOR, SALLIE BLACK FOR, AND GAVIN RASCO FOR. MOTION CARRIED UNANIMOUSLY.

F-5 DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF SUPPORT FOR THE LILLIE RUSSELL MEMORIAL LIBRARY. CAROLYN CALDWELL, CITY MANAGER, STATED THE LIBRARY NEEDS RESOLUTION OF SUPPORT WHEN THEY MAKE APPLICATIONS FOR GRANTS. WE PASS THIS EACH YEAR AFTER OUR BUDGET IS APPROVED. BOB TARDIFF MADE A MOTION TO APPROVE **RESOLUTION R06-2023** IN SUPPORT OF THE LILLIE RUSSELL MEMORIAL LIBRARY. SECONDED BY GAVIN RASCO. ALL VOTED IN FAVOR.

F-6 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE REVISED FINAL PLAT FOR PRAIRIE CREEK ESTATES LOCATED AT 1100 S. MAIN ST. LINDALE, SMITH COUNTY, TEXAS. STEVEN LLOYD, DIRECTOR OF PLANNING AND DEVELOPMENT, PRESENTED THE REVISED FINAL PLAT FOR PRAIRIE CREEK ESTATES. THE PROPERTY OWNER IS SEEKING APPROVAL OF THE REVISED FINAL PLAT WITH A SHARED ACCESS EASEMENT WITH ONLY ONE ENTRANCE AND IS TXDOT COMPLIANT. THE PLANNING AND ZONING BOARD RECOMMENDS APPROVAL TO THE COUNCIL. GAVIN RASCO MADE A MOTION TO APPROVE THE REVISED FINAL PLAT FOR PRAIRIE CREEK ESTATES LOCATED AT 1100 S. MAIN ST. LINDALE, SMITH COUNTY, TEXAS. SECONDED BY SALLIE BLACK. ALL VOTED IN FAVOR.

F-7 DISCUSSION AND POSSIBLE ACTION TO APPROVE A SERVICE AGREEMENT AND RESOLUTION CALLING FOR PUBLIC HEARING FOR VOLUNTARY ANNEXATION BY OWNER STEVEN HARRELL OF APPROXIMATELY .126 ACRES OF LAND LOCATED 14550 C.R. 472, LINDALE, TEXAS. JILL CHILDS, FINANCE DIRECTOR, STATED THIS IS A REQUEST BY PROPERTY OWNER TO BE ANNEXED INTO THE CITY. THE CITY COUNCIL MUST APPROVE THE SERVICE AGREEMENT AND A RESOLUTION SETTING A DATE AND TIME FOR PUBLIC HEARING. BOB TARDIFF MADE A MOTION TO APPROVE THE SERVICE AGREEMENT AND A **RESOLUTION R07-2023** CALLING FOR A PUBLIC HEARING ON OCTOBER 17, 2023, FOR VOLUNTARY ANNEXATION. SECONDED BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

F-8 DISCUSSION AND POSSIBLE ACTION TO APPROVE A SERVICE AGREEMENT AND RESOLUTION CALLING FOR A PUBLIC HEARING FOR VOLUNTARY ANNEXATION BY OWNER PHILIP BELIER OF APPROXIMATELY 22 ACRES OF VACANT LAND LOCATED BETWEEN ADDRESS 14623 AND ADDRESS 14541 ON WOOD SPRINGS ROAD., LINDALE, TEXAS. JILL CHILDS, FINANCE DIRECTOR, STATED THIS IS A REQUEST BY PROPERTY OWNER TO BE ANNEXED INTO THE CITY. THE COUNCIL MUST APPROVE THE SERVICE AGREEMENT AND A RESOLUTION SETTING A DATE AND TIME FOR A PUBLIC HEARING. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE SERVICE AGREEMENT AND **RESOLUTION R08-2023** CALLING FOR A PUBLIC HEARING ON OCTOBER 17, 2023, FOR VOLUNTARY ANNEXATION. SECONDED BY SALLIE BLACK. ALL VOTED IN FAVOR.

F-9 DISCUSSION AND POSSIBLE ACTION TO PASS A RESOLUTION APPROVING THE TEXAS DEPARTMENT OF TRANSPORTATION MUNICIPAL MAINTENANCE AGREEMENT. CAROLYN CALDWELL, CITY MANAGER, STATED EVERY 4-5 YEARS TXDOT SENDS AN UPDATED MAINTENANCE AGREEMENT OUTLINING WHAT THEY MAINTAINS AND WHAT THE CITY MAINTAINS. SALLIE BLACK MADE A MOTION TO APPROVE **RESOLUTION R09-2023** TXDOT MUNICIPAL MAINTENANCE AGREEMENT. SECONDED BY BOB TARDIFF. ALL VOTED IN FAVOR.

F-10 DISCUSSION AND POSSIBLE ACTION TO APPROVE THE ENGINEERING CONTRACT WITH BRANNON ENGINEERING FOR ENGINEERING OF HELEN STREET LIFT STATION. REA BOUDREAUX WITH BRANNON ENGINEERING UPDATED COUNCIL ON THE PROJECT. THIS IS FOR IMPROVEMENTS TO HELEN STREET LIFT STATION #5. THE LIFT STATION WAS BUILT TO PUMP 100 GALLONS PER MINUTE. CURRENTLY IT'S AT 400 GALLONS PER MINUTE AND IS AT IT'S CAPACITY. THE ENGINEERING DESIGN WILL BE FOR AN 800 GALLON PER MINUTE LIFT STATION. THE LIFT STATION CURRENTLY SITS DOWN IN A CREEK AND IS HAVING EROSION PROBLEMS AROUND THE LIFT STATION. THE BRIDGE TO THE LIFT STATION NEEDS REPAIRS. THE PLAN WOULD BE TO MOVE THE LIFT STATION ONTO CITY PROPERTY AWAY FROM THE CREEK LINE SO THAT THE BRIDGE CAN BE ABANDONED. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE BRANNON CORPORATION ENGINEERING CONTRACT AGREEMENT FOR HELEN STREET LIFT STATION #5 FOR \$77,000. SECONDED BY GAVIN RASCO. ALL VOTED IN FAVOR.

F-11 DISCUSSION AND POSSIBLE ACTION TO DECIDE ON A PLAN FOR THE BUILDING LOCATED AT 111 N. MAIN AND 106 VALLY STREET (OLD RECORDS ROOM). CAROLYN CALDWELL, CITY MANAGER, STATED SHE WOULD LIKE TO KNOW WHAT COUNCIL WOULD LIKE TO DO WITH THE BUILDINGS LOCATED AT 111 N. MAIN STREET AND 106 VALLEY STREET. THE BUILDING COULD BE SOLD ON LONESTAR AUCTION WEBSITE THE CITY USES OR THE CITY COULD JUST TEAR THEM DOWN. COUNCIL DISCUSSED OPTIONS. BRYAN SUMMERVILLE MADE A MOTION TO SELL THE TWO BUILDINGS LOCATED AT 111 N. MAIN STREET AND 106 VALLEY STREET ON LONESTAR AUCTION WEBSITE WITH NO MINIMUM BID. IF THE BUILDINGS ARE NOT SOLD, TEAR THEM DOWN. SECOND BY SALLIE BLACK. ALL VOTED IN FAVOR.

F-12 DISCUSSION AND POSSIBLE ACTION TO APPROVE AN AGREEMENT FOR LAND ACQUISITION FOR THE DEVELOPMENT OF E. CENTENNIAL BLVD AN AGREEMENT BETWEEN THEDFORD CROSSING LP AND CITY OF LINDALE DATED SEPTEMBER 19, 2023. CAROLYN CALDWELL, CITY MANAGER, STATED THE CITY HAS AN AGREEMENT WITH THEDFORD CROSSING. THEDFORD CROSSING HAS MADE A CHANGE TO CLAUSE 4 IN THE AGREEMENT: THAT THE DURATION OF THE TEMPORARY WORKSPACE EASEMENT WILL BE UP TO 24 CONSECUTIVE MONTHS AND BEGIN AT THE COMMENCEMENT OF CONSTRUCTION PROVIDED THAT SUCH 24 CONSECUTIVE MONTHS SHALL NOT EXTEND BEYOND 5 YEARS FROM THE CLOSING/SETTLEMENT DATE. THE CITY SHALL GIVE THEDFORD CROSSING FOURTEEN (14) DAYS ADVANCED WRITTEN NOTICE OF THE ENTRY FOR CONSTRUCTION. GAVIN RASCO MADE A MOTION TO APPROVE THE AGREEMENT FOR LAND ACQUISITION FOR THE DEVELOPMENT OF E. CENTENNIAL BLVD. AN AGREEMENT BETWEEN THEDFORD CROSSING LP AND THE CITY OF LINDALE DATED SEPTEMBER 19, 2023, AND AUTHORIZING CAROLYN CALDWELL, CITY MANAGER, TO SIGN ALL DOCUMENTS. SECONDED BY SALLIE BLACK. ALL VOTED IN FAVOR.

F-13 DISCUSSION AND ACTION TO APPROVE BUDGET AMENDMENTS FOR BUDGET YEAR 2022-2023. CAROLYN CALDWELL, CITY MANAGER, WENT OVER THE BUDGET AMENDMENTS WITH THE COUNCIL. THIS IS THE FINAL AMENDMENTS FOR THIS YEAR'S BUDGET AND IS REQUIRED PRIOR TO THE END OF YEAR. BOB TARDIFF MADE MOTION TO APPROVE **ORDINANCE 15-2023** AMENDING THE 2022-2023 BUDGET YEAR. SECONDED BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

F-14 DISCUSSION AND POSSIBLE ACTION TO ADD MISSING CERTIFICATE PAY TO THE PAY SCALE. CAROLYN CALDWELL, CITY MANAGER, STATED WHILE INPUTTING CERTIFICATE PAY, WE REALIZED WE LEFT OFF THE CERTIFICATE PAY FOR COURT CLERKS AND SEVERAL OF THE ADVANCED CERTIFICATES FOR BUILDING INSPECTORS. THE MAX PAY FOR CERTIFICATE PAY REMAINS \$150.00. GAVIN RASCO MADE A MOTION TO APPROVE **RESOLUTION R10-2023** ADDING ADDITIONAL CERTIFICATE PAY. SECONDED BY SALLIE BLACK. ALL VOTED IN FAVOR.

F-15 DISCUSSION AND ACTION TO APPROVE COUNCILWOMAN SALLIE BLACK ABSENCE FROM THE SEPTEMBER 5, 2023, REGULAR COUNCIL MEETING AS AN EXCUSED ABSENCE. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE COUNCILWOMAN SALLIE BLACK ABSENCE FROM THE SEPTEMBER 5, 2023, REGULAR COUNCIL MEETING AS AN EXCUSED ABSENCE. SECONDED BY GAVIN RASCO. ALL VOTED IN FAVOR.

F-16 DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF AUGUST 1, AND AUGUST 15, 2023, REGULAR COUNCIL MINUTES. BOB TARDIFF STATED ON AUGUST 15TH COUNCIL MEETING ITEM F-6 IT SHOULD HAVE AN EFFECTIVE DATE OF OCTOBER 1, 2023. BOB TARDIFF MADE A MOTION TO APPROVE MINUTES OF AUGUST 1, AND AUGUST 15, 2023, REGULAR MEETINGS. SECONDED BY GAVIN RASCO. ALL VOTED IN FAVOR.


F-17 DISCUSSION AND POSSIBLE ACTION TO APPROVE AUGUST 2023 EXPENDITURES AND FINANCIAL REPORTS. JILL CHILDS, FINANCE DIRECTOR, PRESENTED FINANCIAL REPORT TO THE COUNCIL. GAVIN RASCO MADE A MOTION TO APPROVE AUGUST 2023 EXPENDITURES AND FINANCIAL REPORTS. SECONDED BY BRYAN SUMMERVILLE. ALL VOTED IN FAVOR.

F-18 CITIZEN TALK TIME. NONE.

F-19 REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY). GAVIN RASCO STATED THE SIDEWALKS LOOK GOOD DOWNTOWN. CAROLYN CALDWELL UPDATED ON DOWNTOWN SIDEWALK PROJECT. JILL UPDATED COUNCIL ON NEW CITY WEBSITE.

G. ADJOURNMENT. 6:40 MEETING ADJOURNED.


MICHELLE WIESE, CITY SECRETARY


JEFF D. DAUGHERTY, MAYOR
Mayor Protem Yvette Martin