

REGULAR MEETING- TELECONFERENCE  
LINDALE CITY COUNCIL  
TUESDAY APRIL 21, 2020 6:00 P. M.  
CITY HALL, 105 BALLARD DR.

DUE TO THE CURRENT CORONAVIRUS COVID-19 PUBLIC HEALTH EMERGENCY A TEMPORARY SUSPENSION OF THE OPEN MEETING ACTS TO ALLOW TELEPHONE OR VIDEOCONFERENCING PUBLIC MEETINGS HAS BEEN GRANTED BY GOVERNOR GREG ABBOTT. A TELECONFERENCE MEETING OF THE LINDALE CITY COUNCIL WAS CONDUCTED INSTEAD OF MEETING PROVIDING A PHYSICAL ACCESS TO THE PUBLIC. MEMBERS OF THE PUBLIC WERE ALLOWED TO PARTICIPATE BY JOINING A MEETING LIVE OR BY CALLING TO LISTEN LIVE.

MAYOR JEFF DAUGHERTY (IN PERSON) CALLED THE MEETING TO ORDER AT 6:00 P.M. HAVING ESTABLISHED A QUORUM.

COUNCIL MEMBERS PRESENT VIA TELEPHONE CONFERENCE: RICK THELEN, CLYDER HARPER, GINGER SIMS, BOB TARDIFF AND BRYAN SUMMERVILLE.

CITY STAFF PRESENT IN PERSON: CITY MANAGER, CAROLYN CALDWELL, CITY SECRETARY, MICHELLE PHILLIPS, FINANCIAL DIRECTOR, DAVID CRAFT, AND COMMUNITY DEVELOPMENT DIRECTOR STEVEN LLOYD.

**F-1 DISCUSSION AND POSSIBLE ACTION REGARDING PUBLIC SAFETY AND CITY PROCEDURES DURING THE COVID-19 VIRUS.** MAYOR DAUGHERTY UPDATED COUNCIL WITH CURRENT SMITH COUNTY COVID-19 CASES AT 121 CASES WITH 5 CASES BEING IN THE 75771 ZIP CODE. THE GOVERNOR WILL BE MAKING A STATEMENT ON APRIL 27TH WITH SUBSTANTIAL CHANGES AND OPENING UP THINGS FOR THE PUBLIC. THE CITY WILL NOT BE MAKING ANY CHANGES UNTIL APRIL 30<sup>TH</sup>. CAROLYN CALDWELL, CITY MANAGER, UPDATED COUNCIL ON THE FOLLOWING: CITY HALL LOBBY REMAINS OPEN AND WE ARE ACCEPTING WATER PAYMENTS. POLICE OFFICERS ARE ALL ON DUTY, THE WATER, AND SEWER STAFF ARE STILL WORKING. THE CITY IS WORKING FULL STAFF EXCEPT FOR A FEW DEPARTMENTS, THE CITY MUSEUM, TOURISM OFFICE AND PARKS REMAIN CLOSED EXCEPT THE WALKING PATH AT HARVEST PARK IS OPEN. MAYOR DAUGHERTY STATED THERE ARE DAILY MEETINGS WITH SMITH COUNTY AND CITY OF TYLER AND GET UPDATES DAILY. NO ACTION TAKEN.

**F-2 DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION TO DENY ONCOR ELECTRIC DELIVERY APPLICATION TO INCREASE DISTRIBUTION RATES.** BOB TARDIFF MADE A MOTION TO APPROVE **RESOLUTION R05-2020** DENYING ONCOR ELECTRIC DELIVERY APPLICATION TO INCREASE DISTRIBUTION RATES. SECOND BY GINGER SIMS. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**F-3 DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT OF SWEET BAY ADDITION, A1034 JOHN C. WHITE SURVEY, BEING 14.549 ACRES, CREATING 22 LOTS LOCATED AT 15862 FM 849, LINDALE, SMITH COUNTY, TEXAS.** STEVEN LLOYD, DIRECTOR OF PLANNING AND DEVELOPMENT, STATED PLANNING AND ZONING HAS ADDRESSED THIS ITEM FOR 3 MONTHS IN ROW. THE DEVELOPER FIRST SUBMITTED A LAND PLAN AND THE PLANNING AND ZONING GAVE RECOMMENDATIONS. THE PRELIMINARY PLAT WAS SUBMITTED AND THEN A FINAL PLAT WAS SUBMITTED BY THE DEVELOPER WITH ALL REQUIREMENTS BY PLANNING AND ZONING BEING MET. THE PROPERTY IS IN THE ETJ AND ON LINDALE RURAL WATER. THE PLANNING AND ZONING BOARD UNANIMOUSLY RECOMMENDS APPROVAL TO COUNCIL. GINGER SIMS MADE A MOTION TO APPROVE FINAL PLAT OF SWEET BAY ADDITION, A1034 JOHN C. WHITE SURVEY, BEING 14.549 ACRES, CREATING 22 LOTS LOCATED AT 15862 FM 849, LINDALE, SMITH COUNTY, TEXAS. SECOND BY BRYAN SUMMERVILLE. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**F-4 DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL SUBDIVISION PLAT OF COLONIAL MANNER, PHASE 3, SUBDIVIDING TO CREATE 2 LOTS EQUALING 1.034 ACRES, AND 0.248 ACRES DEDICATED TO THE PUBLIC FOR RIGHT OF WAY LOCATED AT 11841 CR 4102, LINDALE, SMITH COUNTY, TEXAS.** STEVEN LLOYD, DIRECTOR OF PLANNING AND DEVELOPMENT, STATED THE PLANNING AND ZONING BOARD ADDRESSED THE AREA OF DEVELOPMENT IN AUGUST 2019 BEING PHASE 2 WITH 4 LOTS AND LOT 8 WITH EXISTING HOUSE. IN SEPTEMBER 2019, THE DEVELOPER MADE SOME CHANGES TO LOT 8 CHANGING SOME OF THE LOT LINES MAKING THIS TO LOT 8A. PLANNING AND ZONING HAS NO CONCERNS

WITH PHASE 3 AND RECOMMENDS APPROVAL. RICK THELEN MADE A MOTION TO APPROVE FINAL SUBDIVISION PLAT OF COLONIAL MANNER, PHASE 3, SUBDIVIDING TO CREATE 2 LOTS EQUALING 1.034 ACRES, AND 0.248 ACRES DEDICATED TO THE PUBLIC FOR RIGHT OF WAY LOCATED AT 11841 CR 4102, LINDALE, SMITH COUNTY, TEXAS. SECOND BY BOB TARDIFF. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**F-5 DISCUSSION AND POSSIBLE ACTION TO REAPPOINT/APPOINT MEMBER TO THE BOARD OF ADJUSTMENTS.** CAROLYN CALDWELL, CITY MANAGER, STATED STEPHEN BILLS CURRENTLY SERVES ON THE BOARD OF ADJUSTMENTS AND HE WOULD LIKE TO CONTINUE TO SERVE. RICK THELEN MADE A MOTION TO REAPPOINT STEPHEN BILLS TO THE BOARD OF ADJUSTMENTS. SECOND BY GINGER SIMS. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**F-6 DISCUSSION AND POSSIBLE ACTION TO ADD ADDITIONAL SOD AT DARDEN HARVEST PARK, TO SELECT A COLOR FOR SPLASH PAD LIGHT FIXTURES AND UPDATE ON PARK.** CAROLYN CALDWELL, CITY MANAGER, UPDATED COUNCIL ON PARK'S PROGRESS. THE SPLASH PAD IS FINISHED OUT WITH NEUTRAL COLORS AND THEY WERE ABLE TO CUT OUT RINGS AROUND THE LIGHT FIXTURES AT THE SPLASHPAD. COUNCIL NEEDS TO DECIDE WHICH COLOR TO GO WITH AROUND THE LIGHT FIXTURES. THE SOD WAS LAID AT THE PARK BUT SHORT ON SOD. NEED TO ORDER ANOTHER LOAD OF SOD TO COMPLETE AREAS AROUND THE GAZEBO, MUSICAL INSTRUMENTS, AND SPLASHPAD. ANOTHER LOAD OF SOD WOULD COST AROUND \$4400.00. COUNCIL DISCUSS CEMENT COLOR AROUND THE SPLASHPAD. GINGER SIMS MADE A MOTION TO GO WITH DARKER COLOR THAT MATCHES THE OUTER RING COLOR OF THE SPLASH PAD AND APPROVED ADDING ADDITIONAL SOD. SECOND BY BRYAN SUMMERVILLE. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**F-7 DISCUSSION AND POSSIBLE ACTION TO APPROVE COUNCIL MINUTES OF MARCH 3 AND MARCH 17 REGULAR COUNCIL MEETINGS, MARCH 17, 2020 EMERGENCY COUNCIL MEETING AND MARCH 31, 2020, CALLED COUNCIL MEETING.** RICK THELEN MADE A MOTION TO APPROVE COUNCIL MINUTES OF MARCH 3 AND MARCH 17 REGULAR COUNCIL MEETINGS, MARCH 17, 2020 EMERGENCY COUNCIL MEETING AND MARCH 31, 2020, CALLED COUNCIL MEETING. SECOND BY BRYAN SUMMERVILLE. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

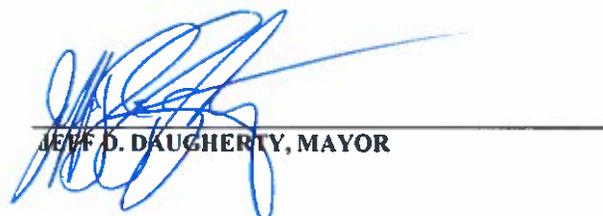
**F-8 DISCUSSION AND POSSIBLE ACTION TO APPROVE MARCH 2020 EXPENDITURES AND FINANCIAL REPORT.** CAROLYN CALDWELL, CITY MANAGER, UPDATED COUNCIL ON FINANCIALS AND SALES TAX. CITY FINANCES ARE GOOD FOR NOW. WE WILL WATCH SALES TAX NUMBERS OVER NEXT COUPLE OF MONTHS. FEBRUARY SALES TAX IS DOWN BY \$8,000 FROM LAST YEAR. BOB TARDIFF MADE A MOTION TO APPROVE MARCH 2020 EXPENDITURES AND FINANCIAL REPORT. SECOND BY GINGER SIMS. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, GINGER SIMS FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**F-9 CITIZEN TALK TIME.** VIA TELECONFERENCE ANDREW RAGLAND WITH LINDALE SOFTBALL ASSOCIATION STATED HE DOES THE SCHEDULING FOR THE TEAMS AND WOULD LIKE TO KNOW THE STATUS ON THE PARKS. MAYOR DAUGHERTY STATED THIS ITEM IS NOT ON THE AGENDA TO DISCUSS. CITY COUNCIL CAN NOT RESPOND AT THIS TIME AND ASK MR. RAGLAND TO CONTACT CAROLYN CALDWELL AT CITY HALL TO DISCUSS.

**C-4 REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY). NO REPORTS.** CAROLYN CALDWELL, CITY MANAGER, STATED THE GOVERNOR IS GOING TO MAKE A STATEMENT ON APRIL 27<sup>TH</sup> REGARDING HIS PLANS FOR REOPENING TEXAS HE WILL BE THE FIRST ONE TO MAKE THOSE DECISIONS. THE CITY WILL FOLLOW SUIT WITH WHATEVER DECISIONS HE MAKES. STEVEN LLOYD, DIRECTOR OF PLANNING, AND DEVELOPMENT, STATED COMMUNITY DEVELOPMENT OFFICE IS BUSY AND HAS SHOWED NO SIGNS OF SLOWING DOWN.

**D. ADJOURNMENT. 6:26 P.M.**

  
MICHELLE PHILLIPS, CITY SECRETARY

  
JEFF D. DAUGHERTY, MAYOR