

REGULAR MEETING- TELECONFERENCE  
LINDALE CITY COUNCIL  
TUESDAY AUGUST 18, 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 CALLED THE MEETING TO ORDER AT 6:00 P.M. HAVING ESTABLISHED A QUORUM.

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

OTHERS PRESENT: CITY MANAGER, CAROLYN CALDWELL (IN PERSON), CITY SECRETARY, MICHELLE PHILLIPS (IN PERSON), FINANCIAL DIRECTOR, DAVID CRAFT (IN PERSON), SEONG MACLAREN (IN PERSON), WATER DIRECTOR, KYLE MCCOY (VIA TELEPHONE CONFERENCE).

CAROLYN CALDWELL'S, OPENING STATEMENT TO MEMBERS OF THE PUBLIC AND ANY CITIZENS ONLINE THAT WOULD LIKE TO SPEAK ON AN AGENDA ITEM, PLEASE STATE YOUR NAME AND AGENDA ITEM YOU WOULD LIKE TO ADDRESS. IF THERE ARE ANY CITIZENS THAT WOULD LIKE TO SPEAK ON CITIZEN TALK TIME STATE YOUR NAME.

**C-1 DISCUSSION AND POSSIBLE ACTION TO AWARD BID FOR LIFT STATION #15 TO CAPPS-CAPCO CONSTRUCTION.** REA BOUDREAUX WITH BRANNON ENGINEERING STATED THIS IS FOR THE UPGRADE TO LIFT STATION #15 THE LOWEST BID WAS RECEIVED FROM CAPPS-CAPCO CONSTRUCTION. CAROLYN CALDWELL, CITY MANAGER, STATED THE LOWEST BIDDER WAS CAPPS-CAPCO FOR \$379,128.50. REA BOUDREAUX WAS ABLE NEGOTIATE ANOTHER \$15,000 OFF THE PRICE AND GET CLOSER TO OUR BUDGET NUMBERS. THIS BROUGHT THE PROJECT DOWN TO \$364,128.50 WHICH THIS WILL BE PAID OUT OF THE WATER/SEWER FUND. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE AWARDED BID FOR LIFT STATION #15 TO CAPPS-CAPCO CONSTRUCTION, INC. FOR \$364,128.50. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**C-2 DISCUSSION AND POSSIBLE ACTION TO APPROVE KSA ENGINEERING PROJECT LD-166 WORK ORDER #63 FOR \$15,000 TO PROVIDE ENGINEERING SERVICES FOR NORTHSIDE WASTEWATER PLANT PERMIT RENEWAL.** KYLE MCCOY, WATER DIRECTOR STATED, THIS IS FOR PERMIT RENEWAL DONE EVERY 5 YEARS FOR NORTHSIDE WASTEWATER PLANT AND IT IS RECOMMENDED THAT KSA DO THE PERMIT RENEWAL THIS YEAR AS THEY HAVE ALL THE INFORMATION TO SUBMIT FOR RENEWAL. RICK THELEN MADE A MOTION TO APPROVE KSA ENGINEERING PROJECT LD-166 WORK ORDER 63 FOR \$15,000 TO PROVIDE ENGINEERING SERVICES FOR THE NORTHSIDE WASTEWATER PLANT PERMIT RENEWAL. SECOND BY BOB TARDIFF. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**C-3 DISCUSSION AND POSSIBLE ACTION TO APPROVE \$27,970 FOR REPAIR TO BACKHOE.** KYLE MCCOY, WATER DIRECTOR, STATED THIS IS A 2004 MODEL BACKHOE. A MECHANIC CAME OUT AND LOOKED AT IT AND SAID THE COMPRESSION ON MOTOR IS STILL GOOD AND THE BACKHOE IS STILL A VIABLE PIECE OF EQUIPMENT. TO REPLACE WITH A NEW BACKHOE WOULD BE \$110,000 TO \$150,000. THE MAIN COST OF REPAIR IS THE TRANSMISSION. BOB TARDIFF MADE A MOTION TO APPROVE \$27,970 FOR REPAIR TO BACKHOE. SECOND BY RICK THELEN. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**C-4 DISCUSSION AND ACTION TO AMEND ORDINANCE 06-2020 AMENDING THE DAYS AND HOURS OF EARLY VOTING.** CAROLYN CALDWELL, CITY MANAGER, STATED THE GOVERNOR EXTENDED EARLY VOTING HOURS. COUNCIL NEEDS TO AMEND AND PASS ORDINANCE FOR EARLY VOTING HOURS. THE EARLY VOTING BEGINS ON OCTOBER 13, 2020. RICK THELEN MADE A MOTION TO APPROVE **ORDINANCE 13-2020** AMENDING DAYS AND HOURS OF EARLY VOTING PERIOD AS PER SECTION 85.001 (A) OF THE TEXAS ELECTION CODE. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION PASSED UNANIMOUSLY.

**C-5 DISCUSSION AND POSSIBLE ACTION TO APPROVE SMITH COUNTY 911 2020-2021 BUDGET.** BILL MORALES, DISTRICT DIRECTOR FOR SMITH COUNTY 911, PRESENTED COUNCIL WITH THE SMITH COUNTY 911 2020-2021 BUDGET. BOB TARDIFF MADE A MOTION TO APPROVE SMITH COUNTY 911 2020-2021 BUDGET. SECOND BY BRYAN SUMMERVILLE. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**C-6 DISCUSSION AND POSSIBLE ACTION REGARDING COVID-19 POLICY, PROCEDURES, ORDERS, UPDATES, COMMUNITY EVENTS AND CONSULT WITH CITY MEDICAL ADVISOR.** CAROLYN CALDWELL, CITY MANAGER, STATED WE HAVE SEVERAL COMMUNITY EVENTS COMING UP. WE HAVE BEEN CANCELLING EVENTS 30 DAYS OUT. SOME OF THE LARGER EVENTS START MARKETING THEIR EVENTS 90 DAYS OUT. THE CITY IS CONTINUING TO FOLLOW COVID POLICY AT CITY HALL. THE CHAMBER CANCELLED THEIR EVENTS COUNTRYFEST AND THEIR 5K RUN DUE TO COVID. THERE ARE 3 LARGE EVENTS SCHEDULED: NOVEMBER 6-7<sup>TH</sup> WINEFEST, NOVEMBER 13-15<sup>TH</sup> VINTAGE MARKET, NOVEMBER 26<sup>TH</sup> TURKEY TROT, AND DECEMBER 6<sup>TH</sup> CHRISTMAS PARADE. DR. WILSON GAVE AN UPDATE ON COVID 19. THERE WERE 8 DEATHS LAST WEEK. THERE SEEMS TO BE A STATEWIDE DIP RIGHT NOW IN COVID CASES. A BREAK IS NEEDED BEFORE WE APPROACH FLU AND COLD SEASON. MAYOR DAUGHTERTY STATED SMITH COUNTY WAS IN THE TOP 12% COUNTIES IN THE STATE WITH COVID CASES. COUNCILMAN BOB TARDIFF ASKED IF TYLER HAS DONE ANYTHING WITH THEIR EVENTS OR POLICY. SEONG MACLAREN STATED TYLER HAS CANCELLED THEIR ROSE FESTIVAL. OTHER CITIES SHE HAS SPOKE TO HAVE CANCELLED ALL THEIR FALL EVENTS. DR. WILSON STATED THAT WOULD BE CONSISTENT AND APPROPRIATE WITH PROJECTION AND NO VIABLE TREATMENT FOR THE VIRUS AT THIS TIME. CAROLYN CALDWELL, CITY MANAGER, STATED THERE ARE 254 COUNTIES IN TEXAS. SMITH COUNTY IS LISTED #28 IN ACTIVE CASES. MAYOR DAUGHTERTY STATED FOLLOWING THE GOVERNOR RULES AT THE MOMENT IF EVENTS ARE OVER SO MANY THE MAYOR HAS TO SIGN OFF ON THE EVENTS AND HE WOULD LIKE COUNCIL SUPPORT OR DIRECTION BECAUSE OF PROMOTING AND SPENDING DOLLARS ON THE EVENTS. COUNCILMAN TARDIFF RECOMMENDS CANCELLING ALL LARGE EVENTS UNTIL THE END OF THE YEAR. MAYOR STATED BEING THE EVENTS ARE HELD AT CITY FACILITIES IT'S ON US. HE WOULD LIKE TO HOLD OFF ON CHRISTMAS AND COME BACK TO DISCUSS THE PARADE. BOB TARDIFF MADE A MOTION TO CANCEL ALL EVENTS THROUGH THE END OF YEAR AND REEVALUATE THE PARADE LATER. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.

**C-7 DISCUSSION AND UPDATE ON PARKS AND SPORTING FACILITIES.** RACHEL JOHNSON, CHAIRMAN OF THE PARKS BOARD UPDATED COUNCIL ON PARKS AND SPORTING FACILITIES. THE PARKS BOARD IS MASTER PLANNING A SPORTS FACILITY ADDRESSING POOL PARK AND FAULKNER PARK. THE PLAN IS TO MOVE ALL BASEBALL TO FAULKNER PARK. FAULKNER PARK WOULD BE THE HOME TO ALL BASEBALL AND SOCCER. THEY HAVE MET WITH THE BASEBALL AND SOCCER BOARDS EARLIER IN THE YEAR. THEY HAVE BROUGHT THEIR DREAM WISH LIST. THE PARKS BOARD HAS USED THEIR LIST AND SCALED BACKED FROM THERE. THEY HAVE A STARTING POINT ON HOW MUCH SPACE IS NEEDED TO DEVELOP MORE BASEBALL AND SOCCER FIELDS, MORE PARKING, ENTRANCE AND EXITS INTO THE PARK. ONCE BASEBALL WAS ALL MOVED TO FAULKNER PARK THEN POOL PARK WOULD BECOME A RECREATION NEIGHBORHOOD PARK, LEAVING A COUPLE OF FIELDS FOR RECREATION, LEAVING BATTING CAGES, AND PRACTICE FIELDS, AND OPTION OF REMOVING THE OTHER 2 FIELDS TO ALLOW MORE SPACE FOR KINZIE TO GROW OR FOR PARKING AROUND KINZIE. THEN ADD PLAYGROUND EQUIPMENT AND WALKING TRAILS. THIS IS A LONG PROCESS AND SHE WOULD LIKE TO SUGGEST PUTTING OUT A SURVEY TO CITIZENS OF LINDALE TO GET FEEDBACK. BRYAN SUMMERVILLE UPDATED COUNCIL ON DARDEN HARVEST PARK DISC GOLF. HE SAID THERE ARE A COUPLE HOLES THEY ARE CONCERNED ABOUT THAT HAS DELAYED THE PROCESS.

**C-8 DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION DETERMINING THAT AN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE FOR THE COMMUNITY AND CONSTITUTES A BLIGHTED AREA. DAVID CRAFT, FINANCIAL DIRECTOR, STATED THIS IS PART OF THE GRANT PROCESS. THIS IS TO MAKE APPLICATION FOR THE DOWNTOWN REVITALIZATION PROGRAM GRANT TO BE USED ON SIDEWALKS. THIS AREA WOULD BE THE NORTH EAST BLOCK OF 69 AND 16. BOB TARDIFF MADE A MOTION TO APPROVE RESOLUTION R10-2020 THAT AN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETERIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE FOR THE COMMUNITY AND CONSTITUTES A BLIGHTED AREA. SECOND BY RICK THELEN. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.**

**C-9 DISCUSSION AND POSSIBLE ACTION TO APPROVE A RESOLUTION AUTHORIZING THE SUBMISSION OF A TEXAS DEPARTMENT OF AGRICULTURE FOR THE DOWNTOWN REVITALIZATION FUND; AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. DAVID CRAFT, FINANCIAL DIRECTOR, STATED THIS RESOLUTION AUTHORIZES THE MAYOR AND CITY MANAGER TO ACT AS AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE TEXAS DEPARTMENT OF AGRICULTURE GRANT TO BE USED FOR SIDEWALKS DOWNTOWN. THE GRANT APPLIED FOR IS \$500,000, WITH A CITY MATCH OF \$75,000. ALL ENGINEERING FEES ARE PAYABLE OUT OF THE GRANT FUNDS. RICK THELEN MADE A MOTION TO APPROVE RESOLUTION R11-2020 AUTHORIZING THE SUBMISSION OF A TEXAS DEPARTMENT OF AGRICULTURE FOR THE DOWNTOWN REVITALIZATION FUND; AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.**

**C-10 DISCUSSION AND POSSIBLE ACTION TO TEMPORARILY EXEMPT RELATED EMPLOYEES UNDER THE SAME SUPERVISOR DURING PANDEMIC. CAROLYN CALDWELL, CITY MANAGER, STATED SHE SPOKE TO GLEN PATRICK, THE CITY ATTORNEY. HE SAID COUNCIL WOULD NEED TO TAKE ACTION TO TEMPORARILY SUSPEND SO SHE CAN HAVE 2 EMPLOYEES UNDER THE SAME SUPERVISOR TO GET THROUGH THE COVID-19 VIRUS. SHE HAS TEMPORARILY PULLED PEOPLE OVER SO SHE DOESN'T HAVE TO FILL THE POSITION AT THIS TIME. BOB TARDIFF MADE A MOTION TO MAKE A TEMPORARY EXEMPTION TO THE EMPLOYEE POLICY MANUAL TO ALLOW TEMPORARY PLACEMENT OF RELATED EMPLOYEES UNDER THE SAME SUPERVISOR UNDER THE DISCRETION OF THE CITY MANAGER TO NOT EXCEED 6 MONTHS. SECOND BY RICK THELEN. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE. MOTION CARRIED UNANIMOUSLY.**

**C-11 DISCUSSION AND POSSIBLE ACTION TO APPROVE COUNCILWOMAN GINGER SIMS ABSENCE FROM THE AUGUST 11, 2020 CALLED COUNCIL MEETING AS AN EXCUSED ABSENCE. BRYAN SUMMERVILLE MADE A MOTION TO APPROVE COUNCILWOMEN GINGER SIMS ABSENCE FROM THE AUGUST 11, 2020 CALLED COUNCIL MEETING AS AN EXCUSED ABSENCE. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION CARRIED UNANIMOUSLY.**

**C-12 DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES FOR JULY 7, 2020 AND JULY 21, 2020 REGULAR COUNCIL MEETINGS. CLYDE HARPER MADE A MOTION TO APPROVE COUNCIL MINUTES FOR JULY 7, 2020 AND JULY 21, 2020 REGULAR COUNCIL MEETINGS. SECOND BY RICK THELEN. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION PASSED UNANIMOUSLY.**

**C-13 DISCUSSION AND POSSIBLE ACTION TO APPROVE BUDGET AMENDMENTS FOR BUDGET YEAR 2019-2020. RICK THELEN MADE A MOTION TO APPROVE BUDGET AMENDMENTS FOR BUDGET YEAR 2019-2020. SECOND BY BOB TARDIFF. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION PASSED UNANIMOUSLY.**

**C-14 DISCUSSION AND POSSIBLE ACTION TO APPROVE JULY 2020 EXPENDITURES AND FINANCIAL REPORT. DAVID CRAFT, FINANCIAL DIRECTOR, UPDATED COUNCIL ON FINANCIALS. THE COVID-19 HAS HIT US HARDEST IN OUR HOTEL/MOTEL FUNDS. WE ARE DOWN \$160,000 IN HOTEL/MOTEL FUNDS. IN THE REVENUES WE HAVE \$90,000 WE DID NOT SPEND BECAUSE WE DID NOT HAVE ANY EVENTS. THAT PUTS US DOWN CLOSER TO \$70,000. WE STILL HAVE 2 MONTHS OF HOTEL/MOTEL MONEY TO COME IN. WE ARE MORE THAN LIKELY NOT GOING TO MAKE BUDGET THIS YEAR. OUR SALES TAX NUMBERS WERE UP AGAIN. WE HAVE COLLECTED 102 PERCENT OF THE BUDGET AMOUNT FOR SALES TAX. THE WATER SALES ARE IN GREAT SHAPE AND HAVE MADE BUDGET FOR THE YEAR, AS WELL AS FINES AND FOREITURES ARE STILL ON TRACK. PERMITS ARE AHEAD OF BUDGET FOR THE YEAR AND STILL GOING STRONG. BOB TARDIFF**

MADE A MOTION TO APPROVE JULY 2020 EXPENDITURES AND FINANCIAL REPORT. SECOND BY CLYDE HARPER. RECORD OF VOTE RICK THELEN FOR, CLYDE HARPER FOR, BOB TARDIFF FOR, AND BRYAN SUMMERVILLE FOR. MOTION PASSED UNANIMOUSLY.

C-15 CITIZEN TALK TIME: NONE.

C-16 REPORTS: CITY COUNCIL, CITY MGR., CITY STAFF (NO DISCUSSION, INFORMATION UPDATE ONLY). NONE.

D. ADJOURNMENT. 7:02 P.M.

  
MICHELLE PHILLIPS, CITY SECRETARY

  
JEFF B. DAUGHERTY, MAYOR