



## **MINUTES**

**Of A**

### **REGULAR COUNCIL MEETING**

**January 28, 2016**

The City Council of the City of Longview, Texas, met in a Regular Session, January 28, 2016, at 5:30 P.M. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Andy Mack  
Ed Moore  
Nona Snoddy  
Kasha Williams  
Kristen Ishihara  
David Wright

Members absent were:

Sidney Allen

Staff members present were:

David Willard, City Manager  
Keith Bonds, Assistant City Manager  
Shawn Hara, Media and Tourism Manager  
Shelly Ballenger, City Secretary  
Jim Finley, City Attorney  
Michael Shirley, Director of Development Services  
Rolin McPhee, Director of Public Works  
Laura Hill, Director of Community Services  
Scott Caron, Director of Parks and Recreation  
Angela Coen, Director of Financial Services  
Mary Ann Miller, Director of Administration  
J.P. Steelman, Fire Chief  
Mike Bishop, Police Chief

**I. Call to Order** – Mayor Andy Mack called the meeting to order.

**II. Invocation** – Jack Hicks, Family Life Pastor of Lifebridge Christian Center gave the invocation.

**III. Pledge of Allegiance** – Jack Hicks, Family Life Pastor of Lifebridge Christian Center led the pledge of allegiance.

#### **IV. Employee Recognition**

Mayor Mack recognized Firefighter/Medics Stephen Winchell and Joseph Pittelkow. Mayor Mack presented the events leading up to the rescue of a drowning victim on December 29, 2015.

During the early morning hours of December 29, 2015, two of our City Employees currently assigned to the Longview Fire Department participated in the daring rescue of a female drowning victim in Southern Upshur County who had driven into a flooded section of roadway and was unable to exit her vehicle before it submerged.

Firefighter/Medics Stephen Winchell and Joseph Pittelkow were part of a contingent of emergency response personnel who risked their lives that morning by assisting members of the Big Sandy Police and Fire Departments as well as other response agencies from Upshur County in an effort to save 58 year old, Peggy Hagler. These two firefighters braved rushing flood-waters that were roughly 45-degrees with an ambient outside temperature of 36-degrees in very low-light conditions. Water visibility was also extremely diminished due to the silt and debris as a result of the active flooding conditions.

Winchell and Pittelkow daringly made their way to the vehicle which was some 30-feet from the nearest safe area with the assistance of another Firefighter from Big Sandy to search for and ultimately retrieve Ms. Hagler from her submerged vehicle. Upon removal, the victim was unconscious, unresponsive and pulseless. Resuscitation efforts were initiated immediately after extricating her back to the safe area of the roadway.

While still on the scene, medical personnel from Champion EMS were able to restore a pulse on Ms. Hagler and she was admitted to the ICU at Mother Frances Hospital in

Tyler. Despite all of the efforts of the emergency response personnel and hospital staff, Ms. Hagler would later succumb to the injuries she sustained from drowning.

The actions of these two City of Longview Fire Department Employees, directly contributed to giving Ms. Hagler at least a fighting chance for survival from this terrible incident. Firefighters Winchell and Pittelkow, exemplify the public safety concept of “risking a life to save a life” and although this particular event did not have a long-term positive outcome for the victim, it does reflect to a high-degree the quality of employees that are among the ranks of OUR city as a whole and their commitment to putting others first in the name of service.

It's is difficult because the outcome as it was. We are here to celebrate the efforts of two off-duty firemen at the time this occurred. This shows that they will never be able to walk away. They are always going to be there for us no matter what. We cannot thank you enough for your courage, your service, dedication to what you do and from the bottom of my heart, you gave this lady a fighting chance that she would have never had before, you gave them peace. I thank you from our city and from all those here. We appreciate what you do and we thank you from the bottom of our hearts. You are heroes.

## **V. Citizen Comment**

Bill Parrymore, 2915 Granite: Spoke about the fire code being turned over to the building official. As a former fire marshal and part of the fire department for 29 years, he would like to object to this ordinance stating the building official has plumbing and electrical inspectors and the fire marshal's office has fire inspectors. He feels like Longview is going backwards.

Mayor Mack: Thank you Chief Parrymore we appreciate your service to the Longview Fire Department as well.

Bart Owens, Jr., 1301 West Loop 281: Has had a veterinary practice in Longview since 1980. He feels like that the people who will be affected by this alarm ordinance regarding animal have not had an opportunity to review it. Is not against the ordinance but would like more time to discuss.

Dan Larrington, 3318 Celebration Way: Lost “family members” in the Kimbrough Animal Hospital fire. He wants to show his support for the fire animal safety ordinance.

Ione Fried, 215 Pruitt St.: As a rescue person she lost peace of mind from the fire. She is in support of the fire animal safety ordinance.

Dr. Ken Glaze, 2514 Tryon Road: Veterinarian, against the ordinance. Stated no one in the animal care business was asked input on the ordinance. Would like more time and input from the veterinarians on the animal fire safety ordinance. Would like a committee put together to discuss the ordinance and have input.

Janet Erwin, 2205 Bandera Trail: She and her husband are in attendance to show support for their "girls," Roxy and Reba, who perished in the Kimbrough Animal Hospital's fire. They are both in support of the ordinance.

Bill Howard, 1301 West Loop 281: Has practiced veterinary medicine for 43 years. He practices at West Loop Animal Hospital. Is for an ordinance but would like to set down and have veterinarians have a say in the ordinance.

Judy Richardson, 908 Tristan Lane: She is present to represent dogs and cats and other rescue animals. She is present in support of the fire animal safety ordinance.

Dr. Tom Armstrong, 5607 West Marshall Avenue: Representing Armstrong Animal Clinic. Stated the ordinance was drafted in secrecy and is against passing the fire animal safety ordinance would like the veterinary's to have some input into the ordinance.

Vic Verma, 505 Danville Road, #206, Kilgore, Texas: Present in favor of the animal fire safety ordinance.

Laura Childs, 313 Ithica Drive: Lola, champion blood line bull dog perished in the fire. Ms. Childs was present in support of the fire animal safety ordinance.

Brian Foye, DVM, 2500 Estes Parkway, representing Longview Animal Hospital: As the fire animal safety ordinance is written he is opposed but would like the veterinarians to be consulted and have input on the ordinance.

Mary Bright: 255 Emmanuel Lane #35: Ms. Bright is a veterinary technician; she is present in favor of this fire animal safety ordinance.

Rhonda Lawrence, 2803 Covehaven: Present in favor of the fire animal safety ordinance.

Don Childs, 313 Ithica Drive: Present in favor of the fire animal safety ordinance.

John Sims, 1002 Evergreen: Former Council Member, Present in support of the fire animal safety ordinance.

Steve Crane, 3805 Treetop Lane: Present in favor of the fire shelter animal ordinance.

Dr. Susan Little, 2626 Bill Owens Parkway: Veterinarian, present in favor of fire shelter animal ordinance.

Rochelle Shepherd, 205 Collins Avenue: Present in favor of the fire shelter animal ordinance.

Kelly Heitkamp, 409 Magrill Street: Present and in favor of the fire shelter animal ordinance.

Olivia Dema, 2900 Red Gum Gap Street: Present and in favor of the fire shelter animal ordinance.

Shannon Perry, 907 Veranda Place: Present and in favor of the fire shelter animal ordinance.

Walter Chandler, 115 East Hope Drive, owner of Longview Alarms: Stated he was contacted by both sides, available for assistance or questions. Mr. Chandler is neutral. He stated some of the cost of quotes individuals received should be between \$3500 to \$7000 depending on the interpretation of the code.

Dr. Ken Hounsel, owner of Judson Road Animal Clinic: Stated he didn't really understand the ordinance but the veterinarians would be putting in the fire alarms.

G. Floyd, PO Box 8121: Stated the Kimbrough Animal Hospital fire was an accident. We need not look for a culprit after the fact. The veterinarian's have asked that the process be made fairer. I believe that is something that should be done. There should be a fair process with everyone giving their input.

Brandis Jamerson, 1513 Comanche Street: Co-founder of a women's organization SASSI. Her purpose is to make people more aware of the resources that are available regarding our youth. Sunday, January 31, 2016, My Brother's Keeper, being encouraged SASSI Longview, Johnny of the Young Lady and Thrive 360 will be working together to be working with parents and their teenagers to open up the lines of communication and to bring forth awareness on resources that are available for our youth. I would like the support of the city and any information that you can give about 501(3)c. We are a grassroots foundation but without the opportunity to go for grants we are at a standstill. Any information and prayers are welcome.

Amy Bateman, 303 Virgie: Frustrated about the veterinarians waiting so long to prepare an ordinance about the fire/smoke alarm ordinance.

## **VI. Public Safety Update**

Chief Bishop: Your police department is concerned with the violent crimes that we have experienced this last year. There were fifteen homicides in the last year. Seven of those cases there have been arrests made. There are still eight open homicide cases in various stages of the investigative process.

We continue to follow up on all available leads. Sometimes these cases take time for evidence to come in and information to come in. I want everybody to know that we are just as concerned as everybody else is in the community and that we are going to utilize all are available, local, state and federal agencies. Any resources that they have to help move these cases through the investigative process and hopefully lead to a conclusion with an arrest.

I would like to remind everybody that information is valuable to us to move these investigations through the process. We have a certain number of pieces to the puzzle. We need more pieces that will connect to other pieces to lead us to enough probable cause to make an arrest in some of these cases. I would like to encourage anybody that has information to contact the Gregg County Crime Stoppers at 903-236-STOP. We are still getting information, but we need that information to continue to come in.

I know we have had some recent fires and Chief Steelman is going talk about that little bit in his update.

I want to let you know what we are doing. We have increased police presence where some of his criminal activity is taking place. I have shifted around some additional police patrols. We have a special investigations and apprehension unit that is a unit that we use to move around to different parts of the city to address different crime related issues. We have moved that unit into this area. We have asked our PAR officers to do random patrols to the area. I have also reached out to our sheriff's department and our DPS officers, if they are coming through the city and are coming through there, to make a pass through the neighborhoods during these times that we are experiencing some of the different criminal activity.

We have many ongoing investigations of our emphasis is committed to continue to be placed on drugs and gang activity. We are working very closely with the fire department and the fire marshal's office to share information and make sure that the information that we have, they have and the information that they get through their investigations, we get as well. We have a good collaborative effort there. Again we are going to call on the local, state and federal resources that we may have to move these investigations further.

One other case of note, if you remember a case in December and January, we had a series of robberies that were occurring around the East Texas area of fast food and

convenience stores, the Sonics, the Subways and different convenience stores. The robberies occurred in Longview, Kilgore, Lindale, White Oak, there were some in Smith County and in Gregg County.

We got information through the course of this investigation that led us to a suspect so that we could set up surveillance on this individual for over a week. The individual finally did rob another location of the 700 block of Estes Parkway. The suspect was apprehended that day and arrested. As we move through the investigation, he is now responsible for over twenty robberies that occurred in this area, thirteen to fourteen which occurred right here in Longview. This was a very good case for some very important to get this individual off the streets.

To close with tonight, in 2004 the Texas Police Chiefs Association initiated a recognition program. They established one hundred sixty-six best practices for law enforcement agencies. It covers everything from policies and procedures, how you develop your policies, how you carry them out and how you will follow most of policies. In 2004, we went through our initial process of being a recognized agency. Every four years after that, you have to be reevaluated to make sure that you're adhering to the best practices.

Just two weeks ago we had some assessors here, that spent two days with our agency looking at policies our procedures and then riding with the officers to make sure that we were doing what the best practices says that we are doing. I am proud to inform you tonight that we are once again going to be recognized in 2016, as a best practices agency through the Texas Police Chiefs Association.

Mayor Mack: Thank you for your continued support and all. You are doing everything you can to combat this situation.

Chief Steelman: Thank you for the opportunity. I want to say, "I appreciate you Mayor Mack for recognizing the two firefighters. I am encouraged by the fact that both of those guys between them have about three and half years on the job and they are the future of our department, and I am very excited about that."

As I am sure you are aware by the media, the stories that have come out recently. There has been about a fifteen day period of time where we have experienced nine different arson fires. I want to make you aware that the fire department is exercising its due diligence to pursue and investigate each one of these fires. Each one is an active open arson case. As Chief Bishop mentioned we are working very closely with the police department. I am very proud of that fact that we live in a community that public safety is able to do that because I have peers in other parts of the country where that's not always the case. And the sharing of information is vital in a situation such as this.

Not only that, but we will also ask the community for help. You can be some of our biggest assets out there, just by paying attention when you see things in your neighborhoods that don't look familiar. When you see vehicles or people report that.

You might think it's nothing but those types of small leads can make a big difference, especially when we are experiencing the volume of activity that we have seen in the media lately. We need your help. Crime Stoppers is one avenue to contact our fire marshal's office at (903) 237-1218 with any type of information. No tip is too small.

Last year we went through a process where our ISO insurance service offices recognition was re-graded. We go through a grading process about every 10 years. The ISO system is based on a scale of 1 to 10 and these ratings are what directly impact your homeowner's insurance rates. You will see your tax statement will have a little identifier on there that says PPC rating. That is your property protection, classification rating.

If you live in the City of Longview you are fortunate enough to have a two on there. The lower that number the better your insurance ratings are. We were recognized in going through that process, we were re-issued our Class II ISO-designation. This is an award that we received from the state's fire marshal's office, they are a subsidiary of the Texas Department of Insurance congratulating us on that. Because Class II really says a lot about the emphasis the community puts on public safety, specifically the fire department, the waterworks system and the public safety communications systems. All three of those facets go into that overall score that decides what that rating is.

Ultimately, our goal in the fire department, we would seek to be a Class I. Those are the things that you see in the strategic plans that I have handed you the things that you see in the comprehensive plan that we are all working for. We realize there are economic impacts associated with all of that and there are priorities that have to be made. I am pleased by the fact that we were able to maintain, and I promise you that my commitment to you that we are going to keep working to improve to make sure that were delivering the highest quality of service that our citizens deserve.

Mayor Mack: I want to thank you for all that you're doing in your department working these arson cases. I know it is very difficult, but I have no doubt that you will continue and you will get the bottom of this. And thank you for that, also, thank you for the way you professionally handled the gas leak this morning. Letting us know about it, taking care of it and keeping the citizens safe.

What I really appreciate is the way you two are working together (Chief Bishop and Chief Steelman) because you are the top officials in our public safety organization.

## **VII. Consent Agenda**

- A. Consider a Resolution authorizing the Longview Community Development Division to apply for and accept a grant from the U.S. Department of Housing and Urban Development up to \$500,000.00 for planning assistance for neighborhood revitalization and authorizing and directing the City Manager or his designee to execute any necessary documents incident to applying for and securing and expending said grant.**

Parker Harrison, Community Development Administrator: The City of Longview, Community Development Division would like to apply for a Choice Neighborhood Planning Grant from the U.S. Department of Housing and Urban Development in the amount of \$500,000. The application is due February 9, 2016.

The City of Longview, Community Development Divisions are hoping to secure funds to enhance projects in our South Longview Core Neighborhood (SLCN) area. The area identified is within a rectangle: Young Street, Highway 259, Birdsong and Green Street.

The purpose of the grant is to assist local communities with neighborhood revitalization efforts. This project also fits well within our City of Longview Comprehensive Plan that outlines, housing opportunities and neighborhood engagement.

Currently, Community Development Block Grant funds help with some support, but funding for the Choice Neighborhood Planning Grant may come from supporting partnerships as well.

This is a competitive grant process, if awarded the time frame for the Planning Grant is two years from the date of Grant Agreement execution.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR PLANNING ASSISTANCE FOR NEIGHBORHOOD REVITALIZATION; AUTHORIZING THE TIMELY SUBMISSION OF SAID APPLICATION; AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT IN APPLYING, SECURING AND EXPENDING SAID GRANT FUNDS; PROVIDING FOR COMPLIANCE WITH**

**APPLICABLE GRANT REQUIREMENTS AND PROGRAM RULES; PROVIDING FOR MATCHING FUNDS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

Such Resolution No. 5021 appears in the Resolution and Ordinance records of the City of Longview.

- B. Consider a Resolution authorizing and directing the City Manager or his designee to execute any necessary documents incident to applying for, securing and expending a grant from the Texas Parks and Wildlife Department for the recreational trails grant program for the development of the Longview Arboretum.**

Scott Caron, Director of Parks and Recreation: In 2013, the City Council adopted the Master Plan for the Longview Arboretum and Nature Center. The plan was prepared by the Ecosystem Design Group of the Ladybird Johnson Wildflower Center in Austin. This plan created a vision for the 26 acre site located on the eastern edge of the Maude Cobb Activity Center.

In April 2015, the Longview Arboretum Committee commissioned MHS Planning and Design to refine the plan and establish a work plan. LAC adopted the refinement to the Master Plan and Phase I in the fall. Phase I includes restoring the site, building a maintenance shed, installing infrastructure and constructing a trail. The preliminary budget of Phase I is \$974,500.

The LAC is fundraising to complete Phase I in the fall of 2016. A key strategy is the application for a 80:20 matching grant from the Texas Parks and Wildlife Department's Recreational Trails Grant Program. LAC is funding the preparation of the application, TPWD requires the City make application for the grant as the local governmental entity. The total application is \$250,000, or \$200,000 from TPWD matched by donations to LAC.

Applications are due February 1, 2016, with a final decision expected in the summer. This is a highly competitive process with the TPWD receiving applications from cities across the State.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE RECREATIONAL TRAILS GRANT PROGRAM FOR THE DEVELOPMENT OF THE LONGVIEW ARBORETUM; AUTHORIZING THE TIMELY SUBMITTAL OF SAID APPLICATION; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS INCIDENT TO APPLYING FOR, SECURING AND EXPENDING SAID GRANT; PROVIDING FOR COMPLIANCE WITH ALL GRANT REQUIREMENTS IMPOSED IN CONNECTION WITH SAID GRANT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

Such Resolution No. 2022 appears in the Resolution and Ordinance records of the City of Longview.

- C. Consider a Resolution accepting certain bids, rejecting certain nonconforming bids and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for fleet vehicles –**

Dwayne Archer, Assistant Public Works Director: This is for the purchase of fleet vehicles. An invitation to bid was issued and advertised in compliance with state law. Vendors that submitted a bid are:

- Pegues Hurst Ford of Longview, Texas
- All Star Ford of Kilgore, Texas
- Silsbee Ford of Silsbee, Texas
- Cowboy Chevrolet of Silsbee, Texas
- Grapevine Dodge Chrysler Jeep of Grapevine, Texas
- Sam Pack's Five Star Ford of Carrollton, Texas

- Caldwell Country Chevrolet of Caldwell, Texas
- Calwell Country Ford of Rockdale, Texas
- Randall Reed's Prestige Ford of Garland, Texas
- Peters Chevrolet of Longview, Texas
- Peters Chrysler Jeep Dodge Ram of Longview, Texas

Please see Attachment "A" below for a summary of the award.

**“ATTACHMENT A”**

ITEM	QTY	UNIT	DESCRIPTION	Year Make/Model	EACH	TOTAL
1.	6	EA	½ Ton Extended Cab Pickup Truck w/short bed	2016-Dodge Ram DS1L41 Peters Chrysler Dodge Ram	\$ 20,879.00	\$ 125,274.00
2.	1	EA	Utility Vehicle, 4 door, full size, PPV	2016 Chevrolet Tahoe Sam Pack's Five Star Ford	\$ 33,074.00	\$ 33,074.00
3.	1	EA	½ Ton Extended Cab Pick- up with Long Bed	2016 Ford F-150 Pegues Hurst Ford	\$ 23,593.00	\$ 23,593.00
4.	1	EA	Full Size ¾ Ton Extended Cab Pick-up with Short Bed	2016 Ford F-250 Pegues Hurst Ford	\$ 24,736.00	\$ 24,736.00
5.	1	EA	¾ Ton Extended Cab Pick-Up with Utility Body	2016 Ford F-250 Pegues Hurst Ford	\$ 30,207.00	\$ 30,207.00
6.	1	EA	Utility Vehicle, 4 door, Full Size	Rejecting all bids due to unclear specifications	\$ 0.00	\$ 0.00
7.	1	EA	¾ Ton Extended Cab Pick-Up 4x4	2016 Ford F-250 Pegues Hurst	\$ 26,599.00	\$ 26,599.00
8.	3	EA	1 Ton Extended Cab Pick-Up with Utility Body	2016 Chevrolet Silverado 3500HD 2WD Peters Chevrolet	\$ 29,299.40	\$ 87,898.20
9.	1	EA	Cargo Van 4 cylinder FWD	2016 Transit Connect Pegues Hurst Ford	\$ 20,445.00	\$ 20,445.00
10.	1	EA	1 Ton Crew Cab with Utility Body	2016 Ford F-350 Pegues Hurst Ford	\$ 42,956.00	\$ 42,956.00
11.	6	EA	Full Size Sedan	2016 Ford Taurus Pegues Hurst Ford	\$ 20,378.00	\$ 122,268.00

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BIDS OF PEGUES HURST FORD OF LONGVIEW, TEXAS FOR ONE (1) ½ TON EXTENDED CAB PICK UP WITH LONG BED, THREE, ONE (1) FULL SIZE ¾ TON EXTENDED CAB PICK UP WITH SHORT BED, ONE (1) ¾ TON EXTENDED CAB PICK UP WITH UTILITY BODY, ONE (1) ¾ TON EXTENDED CAB PICK UP 4X4, ONE (1) CARGO VAN 4 CYLINDER FWD, ONE (1) ONE TON CREW CAB WITH UTILITY BODY, SIX (6) FULL SIZE SEDANS; PETER'S CHRYSLER DODGE RAM OF LONGVIEW, TEXAS FOR SIX (6) ½ TON EXTENDED CAB PICKUP TRUCKS WITH SHORT BED, PETER'S CHEVROLET OF LONGVIEW, TEXAS FOR THREE (3) ONE TON EXTENDED CAB PICK UP WITH UTILITY BODY, SAM PACK'S FIVE STAR FORD OF CARROLLTON, TEXAS FOR ONE (1) FULL SIZE UTILITY VEHICLE PPV; REJECTING THE BIDS FROM PEGUES HURST FORD OF LONGVIEW, TEXAS AND PRESTIGE FORD OF GARLAND, TEXAS FOR ONE (1) FULL SIZE UTILITY VEHICLE THAT DOES NOT MEET PUBLISHED SPECIFICATIONS; REJECTING ALL BIDS RECEIVED FOR ONE (1) FULL SIZE UTILITY VEHICLE; REJECTING THE BID OF COWBOY CHEVROLET OF SILSBEE, TEXAS FOR SIX (6) FULL SIZE SEDANS THAT DOES NOT COMPLY WITH THE PUBLISHED SPECIFICATIONS; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY AND ALL CONTRACTS AND OTHER DOCUMENTS INCIDENT TO THE ACCEPTANCE OF SAID BIDS AND THE PURCHASES AUTHORIZED HEREIN; DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIRMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

Such Resolution No. 5023 appears in the Resolution and Ordinance records of the City of Longview.

MOTION: Council Member Ishihara made a motion to approve the consent agenda.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (6, 0).

### **VIII. Zoning – Public Hearing Items**

- A. A PUBLIC HEARING will be held to consider a request filed by 402-408 W. Marshall, LLC to abandon a 15.03 foot alley right-of-way consisting of 0.044 acres located between Lot 15, NCB 6 and Lots 4, 5 and 6, NCB 6 of the Hamilton McNutt Survey located west of the intersection of Edith Street and St. Ann Avenue –THIS ITEM REQUIRES A PUBLIC HEARING.**

Angela Choy, AICP, City Planner: The applicant is requesting to abandon a section of an alley between Lot 15, NCB 6 and Lots 4, 5 and 6, NCB 6 of the Hamilton McNutt Survey located south of Marshall Avenue and west of St. Ann Street. This alley is 0.044 acres in size and 15.03 foot wide and 127.70 foot deep. It is an unimproved alley that has been paved over by the original owner. The applicant would like to incorporate this alley into their lots.

All public utility companies have reviewed and have signed off on the proposed abandonment. There is no public infrastructure located within this alley. Staff recommends approval of this request.

The public hearing was opened.

No one was present to speak on this item.

The public hearing was closed.

MOTION: Council Member Moore made a motion the following Ordinance be approved:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, VACATING AND ABANDONING THE CITY'S INTEREST IN A 15.03 FOOT-WIDE ALLEY RIGHT-OF-WAY, CONSISTING OF ONE PARCEL OF**

**LAND TOTALING 0.044 ACRES, MORE OR LESS, EXTENDING BETWEEN LOT 15, NCB 6, AND LOTS 4-6, NCB 6 HAMILTON MCNUTT SURVEY, CITY OF LONGVIEW, GREGG COUNTY, TEXAS, HAMILTON MCNUTT SURVEY, A-129; AUTHORIZING DEEDS TO EVIDENCE ABANDONMENT OF SAID RIGHT-OF-WAY AND ANY OTHER DOCUMENTS AS MAY BE NECESSARY FOR SAID ABANDONMENT; CONDITIONING SAID ABANDONMENT AND AUTHORIZATION UPON THE EXECUTION BY THE PROPERTY OWNERS OF APPROPRIATE DOCUMENTS RELEASING THE CITY AND HOLDING THE CITY HARMLESS AS A CONSEQUENCE OF SAID ABANDONMENT AND UPON THE EXECUTION OF PUBLIC UTILITY EASEMENTS FOR EXISTING WATER, SEWER, AND FRANCHISE UTILITIES LOCATED WITHIN SAID RIGHT-OF-WAY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

SECOND: Council Member Ishihara seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4029 and appears in the Resolution and Ordinance records of the City of Longview.

- B. A PUBLIC HEARING will be held to consider a request filed by James Williams to abandon a 0.050 acre drainage easement located on the south side of Yosemite Way in Premier Parks Subdivision –THIS ITEM REQUIRES A PUBLIC HEARING.**

Angela Choy, AICP, City Planner: The applicant is requesting to abandon a drainage easement located off of Yosemite Way within Premier Parks Subdivision. The applicant would like to make this drainage easement private because it does not fit within their HOA area. The dedicated easement is 15 feet wide and approximately 153 feet in length. Their HOA is approximately 10 feet in width.

Once the drainage easement is abandoned, the applicant will take over maintenance of the drainage easement and dedicated it as a private easement. Staff recommends approval of this request.

The public hearing was opened.

No one was present to speak on this item.

The public hearing was closed.

MOTION: Council Member Ishihara made a motion the following Ordinance be approved:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, VACATING AND ABANDONING THE CITY'S INTEREST IN A 0.050 ACRE DRAINAGE EASEMENT, EXTENDING SOUTH OF YOSEMITE WAY, CITY OF LONGVIEW, GREGG COUNTY, TEXAS, ALEXANDER JORDAN SURVEY, A-262; AUTHORIZING DEEDS TO EVIDENCE ABANDONMENT OF SAID EASEMENT AND ANY OTHER DOCUMENTS AS MAY BE NECESSARY FOR SAID ABANDONMENT; CONDITIONING SAID ABANDONMENT AND AUTHORIZATION UPON THE EXECUTION BY THE PROPERTY OWNERS OF APPROPRIATE DOCUMENTS RELEASING THE CITY AND HOLDING THE CITY HARMLESS AS A CONSEQUENCE OF SAID ABANDONMENT AND UPON THE EXECUTION OF PUBLIC UTILITY EASEMENTS FOR EXISTING WATER, SEWER, AND FRANCHISE UTILITIES LOCATED WITHIN SAID RIGHT-OF-WAY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4030 and appears in the Resolution and Ordinance records of the City of Longview.

**IX. Action Items**

**A. Consider a Resolution accepting the Sanitation Administrative Regulations –**

Dwayne Archer, Assistant Director of Public Works: Consider a resolution accepting the Sanitation Administrative Regulations. These regulations will establish several changes in the Sanitation program:

- Adjust collection times to allow carts to be placed curbside the day before collection.
- Garbage and Recycling collection will move to full automated.
- Established cart storage regulations.
- 35 Gallon carts will be made available.
- Additional carts will be available for a fee.
- Each residential address will be allowed four (4) bulky item collections per year as part of the basic Sanitation service.
- Additional bulky item collections are provided for a fee.
- Commercial customers can request bulky item pick up for a fee.
- Yard waste will be collection in paper bags or personal containers marked "Yard Waste" for diversion to the compost site.

These changes will be rolled out slowly over the next several months with a full implementation goal of October 1, 2016.

MOTION: Council Member Moore made a motion the following Resolution be approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING AND APPROVING SANITATION COLLECTION ADMINISTRATIVE REGULATIONS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND**

**PROVISIONS RELATED TO THE SUBJECT; AND  
DECLARING AN EFFECTIVE DATE.**

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Resolution No. 5024 and appears in the Resolution and Ordinance records of the City of Longview.

**B. Consider an Ordinance amending the City's Fire Code and other provisions of the Longview City Code in order to make the building official responsible for the implementation, administration, initial interpretation, and enforcement of said Fire Code and of other City Development regulations related to fire prevention –**

David Willard, City Manager: A PUBLIC HEARING will be held to consider amending the City's Fire Code and other provisions of the Longview City Code in order to make the Building Official responsible for the implementation, administration, initial interpretation, and enforcement of certain provisions of said Fire Code and of certain other City development regulations related to Fire Prevention. The Construction Advisory and Appeals Board Unanimously recommend approval of this request.

What I want to speak to tonight has to do with administration of the code. Chief Parrymore, I have a lot of respect for you too, Sir, and your years of service. I appreciate your comments and understand your concerns. We are friends and have a difference in opinion. When I first came to Longview as the city manager, one of the first directions I was given as the city manager was to try to make Longview the most customer friendly we can make it in the area of development.

Over the years we've been working very hard to do that and it's hard to have 100% customer satisfaction when you're dealing in development services and regulations. We are trying to do that and I believe this mayor and council want me to continue in that direction. To make Longview's development processes fair and friendly and still provide the safety that we require. Under Keith Bonds, assistant city manager's leadership Michael Shirley and development service department has worked very hard over the years and I know they have made a lot of good changes in that and we are progressing to that goal, of trying to be as development friendly as we can.

That being said we are still looking at ways to try to do that. One area that I as the city manager feel like needs to happen in that goal to make this a seamless transition is to make a change in how we handle the fire code is as relates to those regulations within

the development process. I think it is very important if you can think about this as a two-step process. We have the development process where the developer wants to come in with an idea, a plan, a site plan is done, planning and zoning all those things come into view here when you are developing a project.

The development services department regulates and administers about 14 different building codes that we have adopted in this process. The fire code is not administered as it relates to the development process in development services, it is in the fire marshal's office. In my opinion, over the years we really have two development service processes. I think that it is confusing and is better served to the public and makes it more seamless if that was all in one department.

Because we have 14 or so of the building codes in that department, we feel like to have fire code interpretation as it relates to development services needs to be in that as well. This does not in any way diminish, after the development process is completed and a certificate of occupancy is issued, then post certificate of occupancy, the fire marshal's office will continue the full range of the requirements that they do, post certificate of occupancy. All the different inspections and other things that are required to do that won't change at all.

We are only talking about the development process to make it more seamless. This is not an issue just in Longview. Every city I have ever been in, it is an issue and it is hard to get it all just right.

The public hearing was opened.

No one was present to speak on this item.

The public hearing was closed.

MOTION: Council Member Moore made a motion the following Ordinance be approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING AND APPROVING SANITATION COLLECTION ADMINISTRATIVE REGULATIONS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

SECOND: Council Member Wright seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4031 and appears in the Resolution and Ordinance records of the City of Longview.

**C. Consider an Ordinance requiring fire alarm systems and automatic smoke detectors in animal care facilities – THERE WILL BE A PUBLIC HEARING FOR THIS ITEM.**

Michael Shirley, AICP, Director of Development Services: **A PUBLIC HEARING** will be held to consider amending Section 40-132 of the City of Longview Code of Ordinances amending certain provisions of the Fire Code to define Animal Care Facilities and require fire alarms and automatic smoke detection systems to be required in all facilities with existing facilities to have 12 months to become compliant. The definition of animal care facility is a facility that would house animals that would be left unattended. That could be off-set by having someone there 18 years of age or older. Specifically, we are talking about automatic fire alarm systems and smoke detection. The original ordinance included the automatic fire suppression systems, that has been removed from the ordinance. The Construction Advisory and Appeals Board unanimously recommended denial of this request.

The public hearing was opened.

Council Member Wright: There is a store in my district in a strip center. What happens if the landlord won't allow them to put in a system?

Michael Shirley: Depending on how the lease is written, they have the ability to appeal for various opinions.

Council Member Ishihara: I want to comment and I am ready to vote tonight. Dr. Owens is my personal vet and Dr. Howard saved my baby. I want to be up front and make sure the vets know the commitment that we feel the vet community has to our community. There is no doubt you are here for the animals. I am ready to vote tonight. The ordinance tonight has only one requirement. I don't see any further compromise. I don't think we would do any favors by wasting time and asking people to come together and continue talking about it.

Council Member Moore: Are the terms fire alarm system and automatic smoke detection system, are they synonymous?

Michael Shirley: No, Sir. The fire alarm system is the panel and mechanism that sends the signal to 911 to alert of the fire. The automatic smoke detection system is additional that triggers that fire alarm.

The public hearing was closed.

MOTION: Council Member Ishihara made a motion the following Ordinance be approved:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AMENDING THE CITY'S FIRE CODE AND OTHER PROVISIONS OF THE LONGVIEW CITY CODE IN ORDER TO MAKE THE BUILDING OFFICIAL RESPONSIBLE FOR THE IMPLEMENTATION, ADMINISTRATION, INITIAL INTERPRETATION, AND ENFORCEMENT OF CERTAIN PROVISIONS OF SAID FIRE CODE AND OF CERTAIN OTHER CITY DEVELOPMENT REGULATIONS RELATED TO FIRE PREVENTION; RETAINING THE AUTHORITY OF THE FIRE MARSHAL TO CONDUCT INSPECTIONS, ISSUE CERTAIN PERMITS, ISSUE CITATIONS, AND OTHERWISE ENFORCE SAID FIRE CODE; PROVIDING FOR PENALTIES OF UP TO \$2000.00 FOR VIOLATION HEREOF; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; AND ESTABLISHING AN EFFECTIVE DATE.**

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (6, 0).

Such Ordinance is No. 4032 and appears in the Resolution and Ordinance records of the City of Longview.

## **X. Items of Community Interest**

Council Member Moore: The City Attorney's Office is working on several ordinances having to do with the mobile units. We hope to bring health and safety and zoning ordinances will be brought to the February 11, City Council Meeting. The Parks Ordinance amendments are taking a little longer. We are moving forward.

Council Member Williams: We had our first Comprehensive Plan follow-up meeting today. Council Member Ishihara is the chair. Longview TLOD will host Hearts of Love February 6<sup>th</sup> at the Summit Club, tickets are \$40.00 per person, if you need tickets see Council Member Williams. Council Member Williams sent a heartfelt thank you to the members of the community for the condolences of her grandmother Nettie Mack Pippens.

**MOTION:** Council Member Williams made a motion to excuse Council Member Sidney Allen.

**SECOND:** Council Member Snoddy seconded the motion.

**VOTE:** The motion carried unanimously (6, 0).

The 12<sup>th</sup> Annual Unity Honors Luncheon will be February 11, 2016, at 11:30. This year's honorees are Mrs. Dorothy Walker and Reverend J.D. Palmer. Tickets are \$15 per person and are on sale until February 3, 2016.

The City of Longview is encouraging residents to apply to serve on a variety of council-appointed boards, commissions, and committees. These members advise the City Council on issues ranging from parks to community development. Residents are encouraged to apply online at [LongviewTexas.gov](http://LongviewTexas.gov). Applications are also available at City Hall, 300 W. Cotton Street.

Let's talk about how to contact the city about a problem or concern.

Option 1: Call city staff at 903-237-1000.

Option 2: Use CitySend app. CitySend is a mobile and online service request system. CitySend allows residents to identify issues and report those service requests directly to the City of Longview. Residents can upload a photo or video of potholes, litter, missed trash and more. Requests may be submitted online or using the smartphone app.

If it is a big enough issue that you feel you need to speak with the Mayor or Council, please contact your council representative first and then the mayor.

Survey question, would you support if available help a gang member who wants out of a gang, would you support that? Over 82% was in favor of this. It shows our hearts are where they are supposed to be.

Who's going to win the super bowl, Carolina Panthers won by 1% and Denver and one percentage point after that, don't care just watch for commercials.

I want to recognize Mr. Moser's Kilgore College's state and government class that is here: Bailey Burns, Justin Bershard, Tom Nodgrass, Norman Frazier, Erin Montalvo, and Joshua Leaden.

#### **XI. Mayor Mack's Book Club**

Mayor Mack: The Energy Bus by Jon Gordon, this is going to change your life. We will begin first Monday of February. We have national recognition from the author of the book. Longview is positive; we want to show what we have.

#### **XII. Mayor Mack's Scholarship Fund**

Mayor Mack: The scholarship fund, there is a very simple application to fill out. Two requirements must be a resident of the City of Longview and write a one page essay about what can I do to make my town better or what I have done to make it better.

#### **XIII. Adjourn**

The meeting was adjourned at 7:45 p.m.

[seal]



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Shelly Ballenger  
City Secretary