



MINUTES

Of A

REGULAR COUNCIL MEETING

June 09, 2016

The City Council of the City of Longview, Texas, met in a Regular Session, June 9, 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
Sidney Allen

Members absent were:

Staff members present were:

Keith Bonds, Assistant City Manager
Shelly Ballenger, City Secretary
Robert Ray, Assistant City Attorney
Michael Shirley, Director of Development Services
Dwayne Archer, Assistant Director of Public Works
Laura Hill, Director of Community Services
Scott Caron, Director of Parks and Recreation
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 – Chris Malen, friend of the Mayor, gave the invocation.

III. Pledge of Allegiance – Kenny Nguyen, friend of the Mayor, led the pledge of allegiance.

IV. Employee Recognition

Mayor Mack: Tonight we would like to recognize the City employees that make up the Inter-Departmental Planning Committee for this year's Fireworks and Freedom Celebration taking place on Monday, July 4.

This dedicated group of employees has been meeting and working as a team since January to plan and coordinate all aspects of producing this large community event. Departments involved: Police, Fire, Finance, Animal Services, Convention and Visitors Bureau, Human Resources, Media Development, Streets and Drainage, Maude Cobb, Library, Community Services, Environmental Health, Partners in Prevention, Information Technology, GIS, Facility Maintenance, Sanitation, Parks, and Building Inspection.

The Planning Committee consisted of: James Bettis, Rachel Braun, Shannon De Rosa, Carrie Fisher, Katie Fisher, Crystal Gable, Keith Galusha, Dixie Golden, Shawn Hara, Taylor Harding, Laura Hill, Dietrich Johnson, Leisha Kidd, Keeta King, Anne Oetken, Eric Parcher, Elaine Reynolds, Kristy Sanchez, Barry Scott, Scott Shellhorse, David Simmons, Daniel Small, Laura Starling, Mike Tomanio, Mike Wigington, Dennis Williams, and Johnny Zachary.

We hope you will come join us on July 4, 2016, at Maude Cobb for all the fun!

V. Citizen Comment

Linda Writt, 100 Crestwood Drive, Longview, Texas: Ms. Writt spoke of imminent domain in her neighborhood and was concerned about street expansion and how, if and when will it affect her organization, God's Covenant of Deliverance Tabernacle.

VI. Presentation Items

Presentation of a Proclamation commemorating the 11th Annual National Dump the Pump Day –

Dr. Andy Mack, Mayor proclaimed June 16, 2016, National Dump the Pump Day in Longview and encouraged citizens to ride the Longview Transit Buses. It's very cheap, easy and fun. He presented the proclamation to Scott Lewis and Takita Mumphrey of Longview Transit.

VII. Public Safety Update

A. Police

Chief Mike Bishop presented a Crime Analysis for the week of May 1 – 31, 2016.

<u>TOTAL CALLS:</u>	<u>10,271</u>
Dispatched:	5,982
Officer Initiated:	4,289

<u>PERSONS ARRESTED</u>	<u>173</u>
Felony Arrests:	18
Total Charges:	21
Misdemeanor Arrests:	169
Total Charges:	288

Chief Bishop announced the Police Explorer Academy Summer 2016 will begin June 20 – 23, 2016, at Spring Hill ISD Junior High School for four full days. It will be a hands-on, Police – Style training and it will include classroom education.

You must be at least 14 years old and have completed the 8th grade. The course cost is \$20.00 and if you have any additional questions please go to www.LongviewTexas.gov/ExplorerAcademy.

Chief Bishop spoke of the recent vandalism at Kidsview Park and said they recently shut it down to repair the equipment. If any citizens see suspicious activities please contact the police department.

B. Fire

Chief J.P. Steelman updated the council with the Department's deployment to help the Water Task Force team in College Station and Conroe area to assist with devastation received from the recent flooding and tornadoes.

Chief Steelman mentioned an animal rescue from a drainage culvert at the Birdie Park area. The dog was larger than suspected and he ran away from home chasing a cat into the drainage culvert.

A final announcement was made about their upcoming H.O.T (Heroes of Tomorrow) Camp. June 25th - July 9th and the kids must be between 8th and 12th grade. 903-237-1119 is the contact number if interested.

VIII. Consent Agenda

A. Acceptance of the March 31, 2016, Quarterly Investment Report –

Angela Coen, Director of Finance updated Council with a presentation of the Quarterly Investment Report.

B. Consider a Resolution accepting the "Multimodal Transportation Center Phase 1" project and authorizing final payment to Steadfast Concrete Incorporated of Marshall, Texas, in the amount of \$18,058.92 –

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting the Multimodal Transportation Center Phase 1 project and authorizing final payment in the amount of \$18,058.92 to Steadfast Concrete, Incorporated. Approval of final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to Steadfast Concrete, Incorporated on October 29, 2015, in the amount of \$180,589.00. The final construction cost is \$180,589.00.

The project provided approximately 1,921 square yards of entry/drive pavement with concrete into the Multimodal Transportation Center.

The project has been completed in accordance with the contract. Johnson and Pace, Incorporated recommends acceptance of the project and approval of final payment. City staff concurs with the recommendations.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED "MULTIMODAL TRANSPORTATION CENTER PHASE 1"; AUTHORIZING AND APPROVING FINAL PAYMENT TO STEADFAST CONCRETE, INC., FOR COMPLETION OF SAID PROJECT; 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. 5067 appears in the Resolution and Ordinance records of the City of Longview.

- C. Consider a Resolution accepting the "Renovations to Multimodal Transportation Center" project and authorizing final payment to Mega Contractors Inc. of Fort Worth, Texas, in the amount of \$79,376.45 –**

Rolin McPhee was present and requested the Council to consider the approval of a Resolution adopting the acceptance of the "Renovations to Multimodal Transportation Center" project and authorizing final payment in the amount of \$91,439.55 to Mega Contractors. Approval of final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to Mega Contractors of Ft. Worth, TX on November 8, 2012, in the amount of \$1,790,769.60. Council approved Change Order #1 on January 16, 2014, increasing the contract in the amount of \$79,376.45 for additional demolition to the concrete basement and for payment to UPRR to provide flagmen to oversee the site during storm sewer installation. The final construction cost is \$1,863,127.50. This project provided for the renovation and rehabilitation of an existing 8,375 square foot train depot building.

The contractor has executed of Letter of Direction agreeing this final payment shall be sent to American Safety Casualty Insurance Company, surety for the contractor's payment bond.

The project has been completed in accordance with the contract. Staff recommends acceptance of the project and approval of final payment.

80% of these funds will be reimbursed from an FHWA Transportation Enhancement Grant. The remaining 20% is available from CIP funds approved by Council on December 10, 2009.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE PROJECT ENTITLED "RENOVATIONS TO MULTIMODAL TRANSPORTATION CENTER"; AUTHORIZING AND APPROVING FINAL PAYMENT TO MEGA CONTRACTORS, INC. FOR THE CONSTRUCTION OF SAID PROJECT; 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. 5068 appears in the Resolution and Ordinance records of the City of Longview.

D. Consider approval of the following minutes: May 17, 2016 – Shelly Ballenger, City Secretary.

Shelly Ballenger, City Secretary, requested Council's approval of the May 17, 2016 minutes.

MOTION: Council Member Ishihara made a motion the Minutes be approved:

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (7, 0).

IX. Zoning – Public Hearing Items

- A. A PUBLIC HEARING will be held to consider application #PD16-05 filed by First Choice Affordable Homes LLC requesting a rezone from Single Family (SF-5) to Planned Development – Single Family detached for lots 3, 3-A, 9, 10, 11 and 14, block 1 and lots 1-A, 1A-3 and 1-D, block 2, Key Bunt Addition located on East Berkley Street west of Avenue A –**

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting the rezoning of a Single Family (SF-5) to Planned Development – Single Family Detached (PD16-05) to allow for the construction of a 17 lot Single Family – detached community.

The proposed planned development site plan shows a 17 lot single family detached community with a minimum lot size of 3,600 square feet and a minimum house size of 576 square feet. The minimum lot width will be 40 feet with a minimum depth of 90 feet. The site plan shows a front setback from the property line of 25 feet, rear setback of 35 feet and side setback of 5 feet. All homes will have a minimum of two off street parking spaces in the driveway. Single Family (SF-5) requires a 6,000 square foot lot with a minimum of lot width of 50 feet and minimum lot depth of 100 feet. The minimum setbacks are 25 feet in the front, 10 feet in the rear and 6 feet on the side. The minimum home size allowed within SF-5 is 550 square feet. The purpose of this Planned Development is to allow for smaller lot sizes.

Within this planned development, the developer has proposed to develop a twenty foot wide alleyway at the rear of the properties accessible to all homes for rear-entry parking. The street will connect to East Berkley on the west end and will connect to Avenue A on the east end. The proposed lots are adjacent to three existing residential homes on the north and south side of East Berkley Street. East Berkley Street is a local street.

Planning and Zoning Commission (7-0) and Staff recommend approval of this request.

The public hearing was opened.

Tom Mittler, 402 Dellbrook Drive, Longview, TX: Spoke of how he helps in several different ways throughout community. There is a tremendous need for low cost affordable housing and hopes the council will approve.

Aaron Alston, 1809 West Loop 281, represents First Choice Affordable Homes: Spoke of how they have planned for the homes to have a great parking area to get cars off the streets and make the neighborhood more revitalized with curb appeal. They will be tearing down several abandoned homes and replacing with new homes.

The public hearing was closed.

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, TEXAS, ORDINANCE NO. 96, AS AMENDED, WHICH SAID ORDINANCE ADOPTS THE ZONING REGULATIONS, USE DISTRICTS, AND A ZONING MAP IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY, TO-WIT: THAT LOTS 3, 3A, 9, 10, 11 AND 14, BLK 1 AND LOTS 1A, 1A-3 AND 1-D, BLK 2, KEY BUNT ADDITION LOCATED ON EAST BERKLEY STREET WEST OF AVENUE A BE REZONE FROM SINGLE FAMILY (SF-5) TO PLANNED DEVELOPMENT - SINGLE FAMILY DETACHED (PD16-05); FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN

MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Snoddy seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance No. 4055 and appears in the Resolution and Ordinance records of the City of Longview.

B. A PUBLIC HEARING will be held to consider application #HL16-02 filed by the City of Longview requesting a Local Historic Landmark Designation for a structure known as the Idylwood Fire Station located at 610 Mobberly Avenue –

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting and requesting to designate the Idylwood Fire Station as a Local Historic Landmark. This will be Longview's fourth local landmark if this designation is approved.

In 1935, voters approved issuance of bonds to construct a New City Hall and Fire Station along with two Fire Stations. One of the Fire Stations was located on Mobberly Avenue, south of Young Street in the Idylwood Subdivision. The contractor was C.S. Lambie and Co. and the architect was N.L. Peters. C.S. Lambie and Co. was also the contractor for the Gregg County Courthouse and several other courthouses throughout Texas and New Mexico.

The building was constructed in 1936 and is Tudor style. The building is pier and beam with the engine bay on a slab. The exterior walls are brick and stucco with wood trim. The building has a slate roof with copper sections above the windows. There is a

courtyard off of the kitchen to the south side of the building that is surrounded on three sides by the building and has an approximately four foot brick wall on the one side.

Local Historic Landmarks must meet one or more of the criteria listed in section 26-105, Criteria for Designation of a Local Historic Landmark. The Idylwood Fire Station meets several of these criteria. Due to its historical, economic, architectural, and cultural significance, staff recommends that this structure be designated a Local Historic Landmark.

Planning and Zoning Commission (7-0) and Staff recommend 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 Williams made a motion the following Ordinance be approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, DESIGNATING THE STRUCTURE KNOWN AS THE IDYLWOOD FIRE STATION LOCATED AT 610 MOBBERLY AVENUE AS A LOCAL HISTORIC LANDMARK PURSUANT TO ARTICLE 26 OF THE CITY OF LONGVIEW ZONING ORDINANCE (ORDINANCE NO. 96 OF THE CITY OF LONGVIEW, TEXAS, AS AMENDED); FINDING THAT THE HISTORIC PRESERVATION COMMISSION MEETING, THE PLANNING AND ZONING COMMISSION MEETING, AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000.00 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS

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

SECOND: Council Member Ishihara seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance No. 4056 and appears in the Resolution and Ordinance records of the City of Longview.

C. A PUBLIC HEARING will be held to consider #M16-02 amending Article 26-101 Historic Preservation Section of the City of Longview Zoning Ordinance to revise the membership requirements of the Longview Historic Preservation Commission –

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting to amend Article 26-101 Historic Preservation Section of the City of Longview Zoning Ordinance to revise the membership requirements of the Longview Historic Preservation Commission.

When the Historic Preservation Section of the City of Longview Zoning Ordinance was adopted by City Council, there were profession requirements set forth regarding the Commission. In order to become a Certified Local Government (CLG), the Texas Historical Commission (THC) required that the Historic Preservation Commission have all positions based on certain professions. These requirements have since been amended.

The Historic Preservation Commission is an active Commission that has had trouble in the past filling certain positions based on the criteria set forth in the Ordinance and by THC. Staff has consulted with Texas Historical Commission to revise the Commission requirements.

Since the creation of the Historic Preservation Commission, the Commission has never been completely filled due to the requirements. With these changes, staff feels that more people will be able to serve on the Commission.

Planning and Zoning Commission (7-0) and Staff recommend approval of this request.

The public hearing was opened.

There was no one 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, AMENDING ARTICLE 26 OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, TEXAS, (ORDINANCE NO. 96, AS AMENDED); AMENDING THE MEMBERSHIP REQUIREMENTS OF THE LONGVIEW HISTORIC PRESERVATION COMMISSION; FINDING THAT THE HISTORIC PRESERVATION COMMISSION MEETING, THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING ORDINANCE OF THE CITY OF LONGVIEW, INCLUDING WITHOUT LIMITATION A FINE OF UP TO \$2,000 PER VIOLATION; REPEALING OTHER PROVISIONS IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

VOTE: The motion carried unanimously (7, 0).

Such Ordinance No. 4057 and appears in the Resolution and Ordinance records of the City of Longview.

X. Housing – Public Hearing Item

- A. A PUBLIC HEARING to receive citizen input on the Fiscal Year 2016 - 2017 Consolidated Action Plan –**

THIS ITEM WILL BE PRESENTED AT ANOTHER TIME.

XI. Action Items

- B. Consider a Resolution approving the Fiscal Year 2016 - 2017 Annual Consolidated Action Plan, which includes the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) grant funds –**

THIS ITEM WILL BE PRESENTED AT ANOTHER TIME.

- C. Consider a Resolution authorizing an agreement between the City of Longview and the Longview Economic Development Corporation for the funding of certain improvements to the City's system of recreational trails, said improvements known as Guthrie Trail Phase I –**

David Willard, City Manager was present and requested the council to consider the approval of a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate and enter into an agreement with Longview Economic Development Corporation for the funding of certain improvements to the City's system of recreational trails; 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.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH LONGVIEW ECONOMIC

DEVELOPMENT CORPORATION FOR THE FUNDING OF CERTAIN IMPROVEMENTS TO THE CITY'S SYSTEM OF RECREATIONAL TRAILS; 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 (7, 0).

Such Resolution No. 5069 and appears in the Resolution and Ordinance records of the City of Longview.

XII. Items of Community Interest

Council Member Moore: Historical Marker Workshop, Saturday, June 12, 2016 at 10:00 a.m. The workshop is being held by the Planning and Zoning Department and will be held in the Development Services Building.

Council Member Snoddy: On June 25, 2016 at 10:00 a.m. Councilwoman Williams and I will be hosting a "Great Town Hall Meeting" or more less a Southside Extravaganza. We will be serving hot dogs, apple pies, cokes and more. There will be bounce houses available for the kids and sky divers. If you get a chance please attend.

Council Member Williams: The 3rd Annual P-Flag Longview Pride Festival will be held on Saturday, June 11, 2016, from 3:00 p.m. until 9:00 p.m. It will be held at Heritage Plaza, 219 East Methvin Street. For more information please call 903-522-1304 or email v2aggie2@gmail.com.

Council Member Allen: Spoke of how he has enjoyed serving Longview for the past nine years.

He also mentioned of how upset he was with the vandalism taking place at Kidsview. People need to stop and realize that it may seem easier to make bad choices than good, but take time to really think of you may be effecting.

Council Member Allen wanted to thank Mayor Mack for his excellent idea of offering his City salary for scholarships to the local high school students, but wanted citizens to know that he also gave back his salary over the past eight years except when he went into retirement. His total credit contribution was over \$24,000.00.

Mayor Mack: Spoke of upcoming June Events you can get more details about on our City calendar located on the website. Historic Farmer's Market in Downtown Longview, Longview Summer Boat Show, Longview Jaycee Trade Days, Movies on the Plaza, and the upcoming Fireworks and Freedom Celebration.

XIII. Executive Session

A. Deliberations regarding real property---Under TEXAS GOVERNMENT CODE Section 551.072.

Deliberate the purchase and value of real property interests for right of way improvements in furtherance of the Cotton Street Reconstruction Project located in the City of Longview, Gregg County, Texas, which acquisition is for a public purpose.

No action was taken on this item.

B. Consultation with Attorney - Under Texas Government Code Section 551.071.

Discuss and consult with the City's attorney(s) regarding the proposed conveyance of Hinsley Park in exchange for the construction of a new park.

No action was taken on this item.

XIV. Adjourn

The meeting was adjourned at 6:28 p.m.

[seal]

Shelly Ballenger
City Secretary

