



MINUTES

Of A

REGULAR COUNCIL MEETING

January 12, 2017

The City Council of the City of Longview, Texas, met in a Regular Session, January 12, 2017, at 5:30 p.m. in the Council Chambers of the Jo Ann Metcalf Municipal Building. Mayor Andy Mack presided.

Members present were:

Members absent were:

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

Staff members present were:

David Willard, City Manager
Keith Bonds, Assistant City 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
Mike Bishop, Police Chief

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

II. Invocation – Pastor Jerry Stanmore of Full Gospel Church of Longview gave the invocation.

III. Pledge of Allegiance – Pastor Jerry Stanmore of Full Gospel Church of Longview led the pledge of allegiance.

IV. Employee Recognition

The Geographic Information System or GIS section is part of the Information Services division. Members of GIS include: Justin Cure, Roger Moser, Wesley Stremmel, Dale Hawbaker, Rachel Braun, Danesa Hansen, and Joey Westbrook.

GIS supports and maintains a system of computer hardware, software, and data used to manipulate, analyze, and present information that is tied to a spatial location.

GIS is recognized as one of the most innovative technologies available to improve decision making and overall level of service to citizens and staff.

They support more than 300 layers of geographic data, GIS software, GPS Hardware , aerial photography, 1000's of scanned plans and documents, web mapping applications, the CitySend citizen reporting application, and the Cityworks work order and permitting system that is used by half of the divisions in the City.

GIS has won the Exemplary Cityworks User award and the Texas Association of Government IT Managers Excellence Award.

V. Citizen Comment

Donna Sharp, 201 Cambridge Drive, Longview: Announced on behalf of United Way that they are offering a free tax preparation service for anyone within a limited income.

It will be held at Broughton Recreation Center from January 23 – April 18, 2017 and if you have any questions you can contact us at United Way's website.

Randall Webster, 501 Pine Tree Road, Longview asked the community if they would be interested in volunteering time with the North East Texas Homeless Consortium. The state mandates to do head counts on homelessness in our region and report those numbers at the state and federal level. The funding that is granted from the government depends a lot on the numbers that are presented. So if interested please contact us.

VI. Presentation Items

A. Presentation of a Proclamation commemorating Poverty Awareness Day –

Mayor Andy Mack: Whereas, Partners in Prevention have requested that the Mayor, by proclamation, recognize January 26, 2017 as Poverty in America Awareness Day in the City of Longview; and

Whereas, in 2016, Longview Community Ministries provided 28,932 bags of groceries; InfoLine of Gregg County received 1,650 calls, and East Texas Food Bank provided 1.5 million meals in Gregg County; these agencies, and others, are working with Partners in Prevention and the Longview Bridges out of Poverty initiative to help individuals reach self-sufficiency.

Now, therefore, I, Andy Mack, by the authority vested in me as Mayor of the City of Longview, Texas do hereby proclaim January 26, 2017 as Poverty in America Awareness Day in Longview.

B. Presentation of a Proclamation commemorating the 100th Anniversary of the Lions Clubs International –

Mayor Andy Mack: Presented Glenda and Paul Boggs, Scott Baggett, Don Francis, Wayne Moseley, Gordon Feener, Leroy Richardson, Richard Parker and everyone else with them of the Longview Lions Club with a proclamation for all the generous contributions they do for our city and their communities.

VII. Public Safety Update

A. Police

Chief Bishop: Announced that our city placed No. 14 in the nation for most Neighborhood Watch Parties for our population size with National Night Out.

April 3 – 8: 2017, from 6:00 p.m. – 9:00 p.m. they will be hosting their Women's Free Gun Safety Course. If more information is needed please contact 903-808-3388.

Teens Police Academy will be starting on January 23, 2017 and we will be offering two classes because the demands have been so great. Currently they have over 60 students registered. If you have questions feel free to contact Officer Roger Askew at 903-235-2170.

Body Cameras are currently up and running in full function for all officers.

Chief Bishop had the opportunity to speak with Leadership Longview earlier today and briefed them on several things that the Police Department does and behind the scenes dynamics.

B. Fire

Chief Steelman absence and Safety Update was excused.

VIII. Consent Agenda

A. Consider a Resolution accepting the Green Street Reconstruction project and authorizing final payment in the amount of \$126,122.59 to Longview Bridge and Road, Ltd. of Longview, Texas –

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting and accepting the Green Street Reconstruction and authorizing final payment in the amount of \$126,122.59 to Longview Bridge and Road, Ltd., of Longview, Texas. Approval of the final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to Longview Bridge and Road, Ltd. on August 14, 2014, in the amount of \$5,432,080.20. The final cost is \$5,044,903.55 and is shown as final payment.

The project provided for the construction in Green Street of a four lane concrete street, curb and gutter, drainage inlets and pipe, pavement markings and signs, sidewalk, and water and sewer improvements from Cotton Street to Young Street. This project was approved in the 2011 Bond Election.

The project has been completed in accordance with the contract. KSA Engineers recommends acceptance of the project and approval of final payment. City staff concurs with the recommendation.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING PROJECT ENTITLED "GREEN STREET RECONSTRUCTION"; AUTHORIZING AND APPROVING FINAL PAYMENT TO LONGVIEW BRIDGE AND ROAD, LTD., OF LONGVIEW, TEXAS, 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. 5145 appears in the Resolution and Ordinance records of the City of Longview.

- B. Consider an Ordinance amending the fiscal year 2016 – 2017 budget by allocating \$100,000.00 to account 060-307-000-5111 from fund balance account number 060 for the Convention Center Master Plan**

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Laura Hill, Director of Community Services was present and requested the Council to consider the approval of an Ordinance adopting the funding for the Convention Center Master Plan that was not allocated in the Fiscal Year 2016 - 2017 budget process because of an oversight. This budget amendment will allocate the available funding to

proceed with the Plan as approved by the City Council.

The following Ordinance was approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AMENDING THE BUDGET FOR THE CITY OF LONGVIEW, TEXAS, FOR FISCAL YEAR 2016-2017 BY ALLOCATING FUND BALANCE IN THE AMOUNT OF \$100,000 TO ACCOUNT 060-307-000-5111 FOR THE CONVENTION CENTER MASTER PLAN; DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; PROVIDING FOR FILING WITH THE COUNTY CLERKS OF GREGG AND HARRISON COUNTIES; AND PROVIDING AN EFFECTIVE DATE.

Such Ordinance No. 4089 appears in the Resolution and Ordinance records of the City of Longview.

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

SECOND: Council Member Williams seconded the motion.

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

IX. Zoning – Public Hearing Item

A PUBLIC HEARING will be held to consider application #Z16-05 filed by Frank M. Bufkin III and Susan Bufkin requesting to rezone from Agriculture (A) to Single Family Residential (SF-4) for approximately 31.903 acres of the Abstract 177 William Robinson Survey Tracts 18, 21-01, and 55 Section 1 located on Pine Tree Road and north of Thompson Road –

Angela Choy, AICP, City Planner was present and requested the Council to consider the approval of an Ordinance adopting the application of # Z16-05.

STAFF REPORT
January 12, 2017

APPLICANT: Frank M Bufkin III and Susan Bufkin

LOCATION: Approximately 31.903 acres of Abstract 177 William Robinson Survey Tracts 18, 21-01, and 55 Section 1, located south of Pine Tree Road and north of Thompson Road.

REQUEST: Rezone from Agriculture (A) to Single Family Residential (SF-4).

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	A	Vacant
NORTH	SF-4	Single Family Homes & Vacant
SOUTH	A & SF-3	Single Family Homes & Vacant
WEST	A	Single Family Homes & Vacant
EAST	A	Single Family Homes & Vacant

COUNCIL DISTRICT:

District 5 – Council Member David Wright

FUTURE LAND USE:

The Comprehensive Plan designates this area for Low Density Residential and Floodplain.

STAFF COMMENTS:

The applicant is requesting a rezone from Agriculture (A) to Single Family Residential (SF-4).

When annexation occurs, the property that is annexed is automatically assigned an Agricultural (A) zoning designation. When development occurs the property must be rezoned.

Pine Tree Road is a minor arterial roadway, which is appropriate for residential use, as long as access management is followed.

STAFF RECOMMENDATION:

Planning and Zoning Commission (8-0) and Staff recommend approval of this request.

The public hearing was declared open.

Council Member Wright: How many houses are they planning on building?

Angela Choy, City Planner: Four to five houses along Thompson Road.

Happy Alexander, 3901 Pine Tree Road, Longview: Do you know if they plan on expanding onto Pine Tree Road? If so how many houses are in expected in the future development?

Mayor Mack: Well sir, after the rezoning takes place the owner has the prerogative to do whatever he wishes within that area. The only way that wouldn't happen is if you were to purchase that land from him.

Happy Alexander: I'm not trying to tell him what to do with his property, I was just curious about what lies around the curb.

Angela Choy: Because of the layout and several areas being flood zones I don't think you will have to worry about that.

The public hearing was declared closed.

MOTION: Council Member Wright made a motion the following Resolution 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 APPROXIMATELY 31.903 ACRES OF AB 177 WM ROBINSON SURVEY TRACTS 18, 21-01, AND 55 SECTION 1 LOCATED SOUTH OF PINE TREE ROAD AND NORTH OF THOMPSON ROAD BE REZONED FROM AGRICULTURE (A) TO SINGLE FAMILY RESIDENTIAL (SF-4); 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. 4090 and appears in the Resolution and Ordinance records of the City of Longview.

X. Action Items

- A. Consider an Ordinance ordering the General Election on May 6, 2017, for Council Members from City Council Districts 3 and 4, and contracting with the Gregg County Elections Administrator to provide the tabulation and supervision of the central counting station for the election –**

Shelly Ballenger, City Secretary was present and requested the Council to consider the approval of an Ordinance adopting the General Election on May 6, 2017, to fill expired terms of Council Members for City Council Districts 3 and 4. Filing dates are Wednesday, January 18, 2017 through Friday, February 17, 2017. Early voting begins April 24, 2017 and ends May 2, 2017.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, CALLING AN ELECTION FOR THE PURPOSE OF ELECTING CITY COUNCILMEMBERS FOR CITY COUNCIL VOTING DISTRICTS NOS. 3 AND 4 IN THE CITY OF LONGVIEW, TEXAS; ESTABLISHING THE DATE OF THE ELECTION; PROVIDING FOR EARLY VOTING; DESIGNATING POLLING PLACES; APPOINTING ELECTION JUDGES; PROVIDING FOR

NOTICE OF THE ELECTION; DESIGNATING THE METHOD OF VOTING; AUTHORIZING AN AGREEMENT WITH THE GREGG COUNTY ELECTIONS ADMINISTRATOR FOR ELECTION SERVICES; APPOINTING AN EARLY VOTING BALLOT BOARD; PROVIDING COMPENSATION OF ELECTION WORKERS; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.

SECOND: Council Member Williams seconded the motion.

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

Such Ordinance No. 4091 and appears in the Resolution and Ordinance records of the City of Longview.

B. Consider a Resolution by the City of Longview suspending the effective date for ninety days in connection with the rate increase filing of Southwestern Electric Power Company on or about December 16, 2016 –

Jim Finley, City Attorney was present and requested the Council to consider the approval of a Resolution to file a Statement of Intent with Southwestern Electric Power Company (“SWEPCO” or the “Company”) to increase its base revenues for a net increase of approximately \$69 million, which equates to a net increase of approximately 24% in base revenue. The impact SWEPCO’s proposed \$69.0 million increase in base rates would have on a residential customer’s bill (excluding the cost of fuel and other rider revenues) is approximately \$19.38 a month. SWEPCO proposes to implement its proposed increase in rates effective January 20, 2017. The City must take action on SWEPCO’s application by no later than January 20, 2017. Failure to take action by January 20, 2017 will result in SWEPCO’s proposed rates being deemed approved by operation of law.

Mayor Mack: What does this 90-day suspension do for us?

Jim Finley, City Attorney: To try and look at the information that has been provided and see if there are areas where the rate should be decreased or unjustified.

Mayor Mack: So what we are attempting to do is keep the rates from increasing if we can?

Jim Finley: Well the rate is going to go up we are just trying to minimize how much within the 90 day period, otherwise we will be going to the PUC.

Council Member Williams: Are we banding with other cities within the Texas Municipal League?

Jim Finley: No, it's our coalition we begin in Longview in 2000 named CARD, Cities Advocating Reasonable Deregulations.

Council Member Williams: How many other cities are with us?

Jim Finley: 30 – 40 cities have been contacted and approximately 3 – 4 have responded.

Mayor Mack: Have we been very successful with this coalition in the past?

Jim Finley: Yes we have in the past. A little update on Swepco's request between 2006 and current has been over \$344.8 million and they have only been approved \$139.6 million so we have been effective.

Council Member Wright: So does CARD present this to PUC?

Jim Finley: The state regulates that they contact each city and go through several processes. Ultimately it is set by the PUC.

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

**RESOLUTION BY THE CITY OF LONGVIEW ("CITY")
SUSPENDING THE EFFECTIVE DATE FOR NINETY
DAYS IN CONNECTION WITH THE RATE INCREASE
FILING OF SOUTHWESTERN ELECTRIC POWER
COMPANY ON OR ABOUT DECEMBER 16, 2016;
REQUIRING THE REIMBURSEMENT OF MUNICIPAL
RATE CASE EXPENSES; AUTHORIZING
PARTICIPATION IN THE COALITION OF SIMILARLY
SITUATED CITIES; AUTHORIZING INTERVENTION AND
PARTICIPATION IN RELATED RATE PROCEEDINGS;
AUTHORIZING THE RETENTION OF SPECIAL
COUNSEL; FINDING THAT THE MEETING COMPLIES**

WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

SECOND: Council Member Snoddy seconded the motion.

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

Such Resolution No. 5146 and appears in the Resolution and Ordinance records of the City of Longview.

- C. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate and execute agreements or other documents incident to the Memorandum of Understanding with the Federal Bureau of Investigation, Dallas Division, Tyler Resident Agency designating a FBI Task Force Officer within the Longview Police Department –**

Mike Bishop, Police Chief was present and requested the Council to consider the approval of a Resolution adopting, authorizing and directing the City Manager or the City Manager's designee to negotiate and execute any and all agreements and other documents, as approved by the City Attorney's Office, by and between the Federal Bureau of Investigation, Dallas Division, Tyler Resident Agency and the City of Longview, Texas for designation of a FBI Task Force Officer within the Longview Police Department.

MOTION: Council Member Williams 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 EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF LONGVIEW, TEXAS AND FEDERAL BUREAU OF INVESTIGATION, DALLAS DIVISION, TYLER RESIDENT AGENCY FOR DESIGNATION OF A FBI TASK FORCE OFFICER WITHIN THE LONGVIEW POLICE DEPARTMENT; CONDITIONING SAID AUTHORIZATION ON THE RECEIPT OF ALL NECESSARY DOCUMENTS IN

**A FORM ACCEPTABLE TO THE CITY ATTORNEY;
FINDING THAT THE MEETING AT WHICH THE
RESOLUTION WAS APPROVED COMPLIED WITH THE
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 (7, 0).

Such Resolution No. 5147 and appears in the Resolution and Ordinance records of the City of Longview.

XI. Items of Community Interest

Council Member Moore invited the community to the District 1 Town Hall Meeting at the Pine Tree Community Center, 1701 Pine Tree Road. The main focus will be implementing the Comprehensive Plan over the next 5 to 7 years.

Council Member Snoddy invited citizens to her upcoming Town Hall meeting for District 2 along with Ted Beard co-hosting at Ware Elementary on February 2 at 6 p.m. She asked the community to come out and celebrate the MLK, Jr. festivities this weekend also.

Council Member Williams wished her Mom a Happy Birthday. She attended Stars over Longview and Ms. Keeta King, from Longview's Partners in Prevention was celebrated and she encouraged everyone to come and support them whenever someone from the city is nominated.

Council Member Ishihara: Mentioned her upcoming town hall meeting for District 4 which will have a short presentation at Mobberly Baptist Church in the Bridge Building Room D120, 625 E. Loop 281.

Council Member Wright: No comment.

Council Member Pirtle: No comment.

Mayor Mack: Longview Library is having a free Resume Workshop on Tuesday, January 24th from 6:00 p.m. – 7:00pm. Learn how to create a functional, effective resume that will catch the eye of any potential employer.

City offices will be closed Monday, January 16, 2017, in observance of the Martin Luther King, Jr. Holiday. Sanitation will have normal trash and recycling collection Monday the 16th.

Adjourn

The meeting was adjourned at 6:10 p.m.

[seal]

Shelly Ballenger
City Secretary

