



MINUTES

Of A

REGULAR COUNCIL MEETING

February 13, 2020

The City Council of the City of Longview, Texas, met in a Regular Session, February 13, 2020, 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
Wray Wade
Kristen Ishihara
David Wright
Steven Pirtle

Staff members present were:

Keith Bonds, City Manager
Angie Shepard, 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
Justin Cure, Director of Information Technology

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

II. Invocation – Willie Marshall, Manager of the Longview Water Utilities gave the invocation. Brother Marshall has been employed with the city for 30 years. He is also the pastor of Harrison Street Church of Christ in Longview.

III. Pledge of Allegiance – Willie Marshall also led the pledge of allegiance.

IV. Employee Recognition – Longview Police

Public Safety is one of the most important aspects of what we do as a city. I am proud to say that Longview is a safe place to live and it is getting better every year. The men and women of the Longview Police Department play a critical role in that as they work alongside our residents, neighborhoods, and businesses. Our officers respond to calls, help resolve issues, encourage community involvement, and help foster proactive neighborhoods.

Over the last five years, we have seen a very steep decrease in our crime rate, and in particular, in the number of homicides each year.

Homicides by year:

- 2015: 15
- 2016: 14
- 2017: 7
- 2018: 7
- 2019: 4

It's worth noting that the Police Department is having success clearing the cases as well. For example, arrests have been made in 10 of the 11 cases from 2018 and 2019. There are still unsolved cases in the past, so anyone with information is encouraged to contact Longview Police or Gregg County Crime Stoppers.

I would have loved for the entire police department to be here with us here today, but we don't have a big enough council chamber. Instead, we have representatives from several areas of the Department:

ARMANDO JUAREZ-ORTEGA - CID Crimes Against Persons Detective
DUSTIN ASHWORTH - CID Crimes Against Persons Detective
JADONNA MANION - Intelligence Analyst
KENDRIC MONTGOMERY - Recruiting Sergeant
LUKE ALTMAN - PAR 40 Officer
LARRY SOLOMON - 3rd Watch Officer
MATTHEW COOPER - 3rd Watch Officer

V. Community Recognition – No community recognition this evening.

VI. Citizen Comment – Three citizens were there for zoning items.

VII. Public Safety Update

A. Police - Chief Bishop

I would like to recognize some of our employees that have recently celebrated tenure with the city. They are: with 5 years, Nicole Merriman, 5 years, Officer Rachel Durasco and with 10 years, Kathy Stewart. Not pictured are Detective Dusty Seay with 5 years, Officer Chase Poe with 5 years and Officer Jeff Timmons with 15 years.

I would also like to congratulate Lieutenant Rob Rowen on his retirement. Lt Bowen had 28 years of service with the City of Longview.

Public Safety Hiring Event - We had 243 in attendance.

I would like to thank the following:

Sgt. Kendrick Montgomery with the Police Department
EMS Section Chief, Amy Hooten and Training Section Chief, Andy Parker with the Fire Department. Communications Administrator, Charendra Neville and Public Safety Communications Training Coordinator, Kim Baldwin.

Business Members Police Academy will begin February 19, it's the third Wednesday of each month from 11am to 1 pm at the Police Department. This is a 9 month course and its free to business owners and managers.

If you are interested in the Citizen Police Academy, it starts March 17 and you can sign up at longviewtexas.gov/CPA or by calling 903.237.1199.

B. Fire – Chief Steelman

The city had their quarterly tenure breakfast and I would like to congratulate the following: 20 Years of Service – Lieutenant Mike Catron, Firefighter/Medic James Haxton, Driver/Engineer Eddie Haywood, Section Chief Amy Hooten, Captain Eric Karling, Captain Michael McNatt, Driver/Engineer Kirk Stoud. 10 Years of

Service – Driver/Engineer Rance Butler. 5 Years of Service – Driver/Engineer Bill Freer, Driver/Engineer J.R. Parker and Firefighter/Medic Douglas Pfeiffer

Congratulation to Captain Rodney Bates on the retirement after 21 years of service with the Longview Fire Department.

A special thank you to the Alpine House for their support of our 1st responders professionals. The honored us with a breakfast on the 7th of the month.

Also on the 7th, we had the Go RED for Women Event. We appreciate the American Heart Association for inviting the LFD to participate with their annual event.

On the hiring front – we have a new firefighter/paramedic – Mathis Hamilton. We also have four new fire apprentices, Wade McCullin, Seth Graves, Eric McKnight and Austin Decker. We also have a new EMS billing specialist, Trina Rhodes. Welcome to our team!

Mass Notification Change – NOW! The City of Longview’s emergency notification system is changing. To continue to receive alerts, you must register for the new system. Go to LongviewTexas.gov/Alerts.

VIII. Consent Agenda

- A. **Consider a Resolution authorizing and directing the City Manager or the City Manager’s designee to execute any necessary documents for the application, receipt and expenditure of grant funds in the amount of \$20,000 from the Sabine River Authority for the Longview Arboretum and Nature Center –**

Scott Caron, Director of Park and Recreation was present and requested the Council to consider the approval of a Resolution authorizing the approval to apply for and if approved, accept a Sabine River Authority of Texas community Assistance Grant for the Longview Arboretum and Nature Center.

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 SABINE RIVER AUTHORITY OF TEXAS FOR DEVELOPMENT OF THE

LONGVIEW ARBORETUM AND NATURE CENTER; 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; AUTHORIZING THE ACCEPTANCE OF ALL GRANT REQUIREMENTS AND PROGRAM RULES OF THE SABINE RIVER AUTHORITY OF TEXAS RELATED TO SAID GRANT; 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. 5604 appears in the Resolution and Ordinance records of the City of Longview.

- B. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the application, receipt and expenditure of grant funds up to \$18,000 on behalf of the Longview Police Department as sub-grantee of the City of Dallas/Dallas Police Department from the Internet Crimes Against Child Task Force Grant –**

Mike Bishop, Police Chief was present and requested the Council to consider the approval of a Resolution adopting the interlocal agreement to receive funding from the Department of Justice to target child solicitation and child pornography over the internet.

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING THE POLICE CHIEF AND OTHER APPROPRIATE CITY OFFICIALS AS NECESSARY TO EXECUTE AN INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF DALLAS AND THE LONGVIEW POLICE

DEPARTMENT FOR A GRANT TO TARGET CHILD SOLICITATION AND CHILD PORNOGRAPHY OVER THE INTERNET; AUTHORIZING PARTICIPATION IN SAID GRANT PROGRAM; 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.

Such Resolution No.5605 appears in the Resolution and Ordinance records of the City of Longview.

- C. Consider an Ordinance amending Article V to Chapter 106 of the Longview City Code to amend the technically based local limit for cyanide in accordance with guidance from the Texas Commission on Environmental Quality and to make non-substantial modifications to incorporate required provisions of the Pretreatment Streamlining Rule into the city's approved industrial wastewater pretreatment program –**

Rolin McPhee, Director of Public Works was present and requested the Council to consider the approval of an Ordinance amending Article V to Chapter 106 of the Longview City Code to allow for a modification to the Technically Based Local Limits (TBLLs) for Cyanide in accordance with guidance from The Texas Commission on Environmental Quality and to make a non-substantial modification to incorporate required provisions of the the Pretreatment streamlining rule into the City's approved Industrial Pretreatment Program. The TCEQ has determined these modifications are technically complete and have approved these changes.

Streamlining uses a set of checklists to assure all required elements of a city's Pretreatment Program are present.

The following Ordinance was approved:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AMENDING ARTICLE V TO

CHAPTER 106 OF THE LONGVIEW CITY CODE TO AMEND THE TECHNICALLY BASED LOCAL LIMIT FOR CYANIDE IN ACCORDANCE WITH GUIDANCE FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND TO MAKE NON-SUBSTANTIAL MODIFICATIONS TO INCORPORATE REQUIRED PROVISIONS OF THE PRETREATMENT STREAMLINING RULE INTO THE CITY'S APPROVED INDUSTRIAL WASTEWATER PRETREATMENT PROGRAM; PROVIDING FOR PENALTIES CONSISTING OF A CRIMINAL FINE OF UP TO \$2,000 FOR EACH VIOLATION HEREOF, A CIVIL FINE OF UP TO \$1,000 FOR EACH VIOLATION HEREOF, COLLECTION OF EXPENSES ASSOCIATED WITH ANY LITIGATION IN RELATION TO A VIOLATION HEREOF, AND SUCH OTHER PENALTIES AND REMEDIES AS MAY BE ALLOWED BY LAW; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; DIRECTING THE PUBLICATION OF THIS ORDINANCE IN ACCORDANCE WITH THE REQUIREMENT OF THE CITY CHARTER; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE

Such Ordinance No. 4250 appears in the Resolution and Ordinance records of the City of Longview.

- D. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to negotiate and execute any necessary documents allowing the City of Longview to establish a Memorandum of Understanding with the Judson-Metro Volunteer Fire Department (dba Judson Fire Department) for the purpose of providing emergency medical first responder services for the Longview Fire Department's EMS in Northern Gregg County ESD #3**

J.P. Steelman, Fire Chief was present and requested the Council to consider the approval of a Resolution to enter into a memorandum of understanding with the Judson-

Metro Fire Department (dba Judson Fire Department) that would allow for the Texas Department of State Health Services approved designation for Judson-Metro VFD to become licensed medical 1st Responder agency to assist ambulances from the Longview FD who provides EMS in areas of northern Gregg County now covered by Emergency Services District #3 (dba Judson VFD).

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, APPROVING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING AGREEMENT BETWEEN THE CITY OF LONGVIEW AND THE JUDSON-METRO VOLUNTEER FIRE DEPARTMENT (DBA JUDSON FIRE DEPARTMENT) CONCERNING EMERGENCY MEDICAL FIRST RESPONSE SERVICES; 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.

Such Resolution No. 5606 appears in the Resolution and Ordinance records of the City of Longview.

- E. Consider an Ordinance amending the FY 19-20 Sanitation budget by \$250,000 to authorize expenditures related to changes in recycling and landfill tipping fees –**

Dwayne Archer, Assistant Director of Public Works was present and requested the Council to consider the approval of an Ordinance amending the Sanitation Department FY 19-20 Budget in the amount of \$250,000 due to the changes in landfill and recycling fees.

On January 9th Council approved a \$1.25 rate increase to provide the required revenue to cover these increased expenses.

Rivers Recycling has increased the tipping fee on Recyclable materials from \$20 per ton to \$65 per ton.

Pinehill Landfill has increased the Mattress Fee from \$12 to \$25 per mattress.

FY 19-20 Current Budget: \$6,094,488

Recycling.Landfill Fee Changes: \$250,000

FY 19-20 Adjusted Budget: \$6,344,488

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 2019-2020 BY ALLOCATING FUND BALANCE IN THE AMOUNT OF \$250,000 TO ACCOUNT 023-032-000-5690 FOR INCREASES IN RECYCLING AND LANDFILL FEES; PROVIDING FOR FILING WITH THE COUNTY CLERKS OF GREGG AND HARRISON COUNTIES; 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.

Such Ordinance No. 4251 appears in the Resolution and Ordinance records of the City of Longview.

- F. Consider a Resolution accepting the 2017 CDBG Water Improvements at Marion Drive and Jewel Drive for final payment in the amount of \$36019.23 to Haltom Construction of Marshall, 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 2017 CDBG Water Improvements at Marion Drive and Jewel Drive and authorizing final payment in the

amount of \$36,019.23 to Haltom Construction, of Marshall, Texas. Approval of final payment will begin the contractor's one-year warranty period.

The City Council awarded a contract to Haltom Construction on April 12, 2017 in the amount of \$623,735.92. The final construction cost is \$589,835.62.

The scope of work provided the construction of approximately 2,700 feet of 8 inch water mains and related work at Marion Drive and Jewel Drive and miscellaneous work as necessary to complete the installations.

The project has been completed in accordance with the contract. Hayes Engineering recommends acceptance of the project and approval of the 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 THE PROJECT ENTITLED "2017 CDBG WATER IMPROVEMENTS AT MARION DRIVE AND JEWEL DRIVE"; AUTHORIZING AND APPROVING FINAL PAYMENT TO HALTOM CONSTRUCTION OF MARSHALL, TEXAS FOR THE 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. 5607 appears in the Resolution and Ordinance records of the City of Longview.

- G. Consider a Resolution awarding a contract to and authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents with Premier Magnesia, LLC of Wayne, Pennsylvania for magnesium hydroxide slurry for Wastewater Treatment Plant –**

Rolin McPhee, P.E., Director of Public Works was present and requested the Council to consider the approval of a Resolution adopting the annual requirement style agreement for magnesium hydroxide slurry for us at the City of Longview Wastewater Treatment Plant. In this agreement magnesium hydroxide is provided as an as needed basis. The awarded vendor will provide the City a 9000 gallon mixing tank, mixer and pump for the mixing of the chemical. Magnesium hydroxide is a non-hazardous, municipal grade alkaline slurry used in treatment of municipal wastewater. It is used to buffer the wastewater to enhance the treatment process by rising the pH and alkaline and reducing sludge production. This product is similar to "milk of magnesia" used to treat acid stomach. The Wastewater Treatment Plant estimates spending approximately \$92,000.00 annually on magnesium hydroxide.

The bid received are for the annual cost of magnesium hydroxide slurry and are as follows:

Premier Magnesium, LLC of Wayne, PA - \$95,760.00 product price and \$18,000 annual equipment rental fee for a total of \$113,760 annual cost Univar, USA, Inc. of Kent, WA - no bid

The following Resolution was approved:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF PREMIER MAGNESIA, LLC. OF WAYNE, PENNSYLVANIA FOR MAGNESIUM HYDROXIDE SLURRY; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND PREMIER MAGNESIA, LLC OF WAYNE, PENNSYLVANIA FOR SAID PURCHASE; AUTHORIZING THE RENEWAL OF SAID CONTRACT AT THE CITY MANAGER'S DISCRETION FOR UP TO FOUR ADDITIONAL ONE-YEAR TERMS PROVIDED THAT THE TOTAL AMOUNT SPENT UNDER SAID CONTRACT FOR ANY ONE RENEWAL TERM SHALL NOT EXCEED FUNDS BUDGETED FOR SAID CONTRACT IN THE CONCURRENT BUDGET YEAR; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING REQUIREMENTS IN ACCEPTING SAID BID; 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. 5608 appears in the Resolution and Ordinance records of the City of Longview.

H. Consider a Resolution authorizing and directing the City Manager or the City Manager's designee to execute any necessary documents for the application, receipt, and expenditure of grant funds not to exceed \$15,840.00 from the Federal Communications Commission –

Justin Cure, Director of Information Services was present and requested the Council to consider the approval of a Resolution adopting and approving the application for acceptance of a reimbursement grant from the Federal Communications Commission partnered with Universal Services Administrative Company not to exceed \$15,840.00. The funds provide reimbursement to compensate for the cost of upgrading the library's broadband network and necessary accompanying equipment to improve connectivity speeds. Due to the extraordinary efforts of the city's IT department, the library is eligible to receive free upgrades to the library's broadband network for patron computers at no extra cost to taxpayers. E-RATE is a free service to libraries that qualify for the federally funded grant through the Texas State Library and Archives Commission. Each year, the U.S. Federal Communications Commission (FCC) sets aside over two billion dollars of funding for schools and libraries to help them pay for Internet costs. In Texas, a majority of accredited public libraries are eligible for an 80% discount, with over a quarter eligible for 90%. That means most participating libraries only have to pay 10 to 20% of their Internet costs, with E-rate paying the remainder of the costs. It is a requirement by the Texas State Library and Archives Commission that the library provides this service in order to maintain accreditation status.

The following Resolution was 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 ANY NECESSARY DOCUMENTS FOR THE APPLICATION, RECEIPT, AND EXPENDITURE OF REIMBURSEMENT GRANT FUNDS NOT TO EXCEED \$15,840.00 FROM THE FEDERAL COMMUNICATIONS COMMISSION FOR THE REIMBURSEMENT OF FUNDS USED TOWARD E-RATE

BROADBAND SERVICES; AUTHORIZING THE TIMELY SUBMITTAL OF SAID APPLICATION; PROVIDING FOR COMPLIANCE WITH PROGRAM RULES OF THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION; PROVIDING FOR FUNDING; 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. 5609 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 Pirtle seconded the motion.

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

IX. Zoning Items

- A. **A PUBLIC HEARING will be held to consider application #Z19-12 filed by Mahan Shabani requesting a rezone from Single Family (SF-5) to Heavy Commercial (C-2) for the south 40 feet of Lots 16, 17, and 18, Block 28, Northcutt Heights located on the south side of Northcutt Avenue east of High Street –**

Angela Choy, AICP, City Planner was present and presented the following:

APPLICATION #Z19-12

STAFF REPORT

February 13, 2020

APPLICANT: Mahan Shabani

LOCATION: South 40 feet of Lots 16, 17, and 18, Block 28, Northcutt Heights located on the south side of Northcutt Avenue east of High Street.
REQUEST: Rezone from Single Family (SF-5) to Heavy Commercial (C-2) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	SF-5	Vacant
NORTH	SF-5	Vacant
SOUTH	C-2	Auto Repair Shop
WEST	GR & SF-5	Retail and City Property
EAST	SF-5	Residential

COUNCIL DISTRICT:
District 3 – Council Member Wray Wade

FUTURE LAND USE:
The Comprehensive Plan designates this area for Retail (RET).

STAFF COMMENTS:
The applicant is requesting to rezone the south 40 feet of Lots 16, 17, and 18 Northcutt Heights located on the south side of Northcutt Avenue east of High street for the purpose of expanding the use of the adjacent property.

The applicant owns a business that is situated on two lots facing W. Marshall Avenue and located at 109 W. Marshall Ave. He does not have enough space to park all of the vehicles that he is working on and would like to utilize the lots he purchased to the north of his existing property. After they received opposition from the neighbors about converting the entire lot into parking area, it was decided that they would only request rezoning of the south 40 feet of these lots.

In order for the parking area to be constructed, the applicant must rezone this area to a Zoning District that allows for a parking lot.

Staff finds the proposed zoning change is consistent with surrounding uses.

STAFF RECOMMENDATION:
Planning and Zoning Commission (8-0) **recommends approval with a stipulation** that a minimum 8 foot fence be built instead of the required 6 foot fence per the buffer yard screening requirements along the property lines between the adjacent residential properties and the subject properties. Staff also recommends approval of this request.

The public hearing was declared open.

William Blair – 133 E Tyler St On behalf of his client, he requested the Ordinance be approved and his client be allowed

Sherian Wilburn – 115 Lemmons Drive, Thanked the council for allowing her time and request the re-zone of this property be denied.

Elizabeth Graham – 119 Northcutt, request the re-zone be denied.

The public hearing was declared closed.

MOTION: Council Member Wade made a motion the Ordinance be denied:

SECOND: Council Member Pirtle seconded the motion.

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

- B. **A PUBLIC HEARING will be held to consider a request filed by R & K Distributors, Inc. to abandon a portion of a 10 foot wide sewer easement located at 1302 E. Whaley Street –**

Angela Choy, AICP, City Planner was present and presented the following:

#ABD19-04

STAFF REPORT

February 13, 2020

APPLICANT: R&K Distributors, Inc
LOCATION: 1302 E. Whaley Street
REQUEST: To abandon a 0.093 acre sanitary sewer easement.

COUNCIL DISTRICT:
District 3 – Council Member Wray Wade

ZONING DISTRICT:

Heavy Commercial (C-2)

STAFF COMMENTS:

The applicant is requesting to abandon a portion of a 10 foot wide sanitary sewer easement located on 1302 E. Whaley Street. The applicant has relocated the sanitary sewer line and is dedicating a new sewer line to the east of the current easement. The reason for the relocation is to accommodate an addition to the facility.

All public utility companies and city staff have reviewed and have signed off on the proposed abandonment.

Staff recommends approval of this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared 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 PORTION OF A 0.093 ACRE SEWER EASEMENT, EXTENDING SOUTH FROM E. WHALEY ST, 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 Ishihara seconded the motion.

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

Such Ordinance is No. 4252 and appears in the Resolution and Ordinance records of the City of Longview.

- C. A PUBLIC HEARING will be held to consider a request filed by the City of Longview to abandon a portion of street right-of-way known as Molton Street, Nelson Street and Pecan Street located within Stamper Park –**

Angela Coy, AICP, City Planner was present and presented the following:

#ABD19-05

STAFF REPORT

February 13, 2020

APPLICANT: City of Longview
LOCATION: Stamper Park
REQUEST: To abandon a portion of street right-of-way known as Molton Street, Nelson Street and Pecan Street located within Stamper Park.

COUNCIL DISTRICT:
District 2 – Council Member Nonna Snoddy

ZONING DISTRICT:
Single Family (SF-5)

STAFF COMMENTS:

The City of Longview is requesting to abandon a portion of street right-of-way known as Molton Street, Nelson Street and Pecan Street located within Stamper Park. Nelson Street is an unimproved right-of-way that has never been paved while the other two are paved right-of-ways and paved parking area. This abandonment is part of the Stamper Park renovation project that was approved by voters in the 2018 bond election.

Staff recommends approval of this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Snoddy 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 STREET RIGHT-OF-WAY KNOWN AS NELSON STREET, MOLTON STREET AND PECAN STREET IN THE CITY OF LONGVIEW, GREGG COUNTY, TEXAS, AS SAID PARCELS IS FURTHER SHOWN IN THE ATTACHED EXHIBIT A; 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 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; ESTABLISHING OTHER CONDITIONS FOR SAID ABANDONMENT AND AUTHORIZATION; 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 DECLARING AN EFFECTIVE DATE.

SECOND: Council Member Wright seconded the motion.

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

Such Ordinance is No. 4253 and appears in the Resolution and Ordinance records of the City of Longview.

- D. **A PUBLIC HEARING will be held to consider application #Z20-01 filed by William K. Akins requesting a rezone from Agriculture (A) to Light Industrial (I-1) for approximately 8.876 acres of AB 256 M Mann Survey Tract 14 Section 1, AB 77 S T Ford Survey Tract 7, and Lot 4 Southwest Industrial Park located at 400 Ambassador Row –**

Angela Choy, AICP, City Planner was present and presented the following:

APPLICATION #Z20-01

STAFF REPORT

February 13, 2020

APPLICANT: William K. Adkins
LOCATION: Approximately 8.876 acres of AB 256 M Mann Survey Tract 14 Section 1, AB 77 S T Ford Survey Tract 7, and Lot 4 Southwest Industrial Park located at 400 Ambassador Row.
REQUEST: Rezone from Agriculture (A) to Light Industrial (I-1).

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	A	Industrial (All Seasons Windows & Doors)
NORTH	A	Vacant
SOUTH	A & I-2	VFW & Ryder
WEST	Outside City Limits	Vacant
EAST	A	Oil & Gas Company

COUNCIL DISTRICT:
District 2 – Council Member Nonna Snoddy

FUTURE LAND USE:
The Comprehensive Plan designates this area for Commercial (COM).

STAFF COMMENTS:

The applicant is requesting a rezone from Agriculture (A) to Light Industrial (I-1) to allow for the construction of building to manufacture windows and doors. The subject property was annexed in 2009 and this facility was located on the property at that time. When annexation occurs, the property that is annexed is automatically assigned an Agricultural (A) zoning designation and therefore needs to be rezoned. State Highway 31 is a principal arterial which is appropriate for industrial uses. Also, this property is located within the Southgate Industrial Park.

Staff finds the proposed zoning change is consistent with surrounding uses.

The Planning and Zoning Commission (9-0) and Staff recommend approval for this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Pirtle 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 APPROXIMATELY 8.876 ACRES OF AB 256 M MANN SURVEY TRACT 14 SECTION 1, AB 77 S T FORD SURVEY TRACT 7, AND LOT 4 SOUTHWEST INDUSTRIAL PARK, BE REZONE FROM AGRICULTURE (A) TO LIGHT INDUSTRIAL (I-1) ZONING DISTRICT LOCATED AT 400 AMBASSADOR ROW; 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 Ishihara seconded the motion.

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

Such Ordinance is No. 4254 and appears in the Resolution and Ordinance records of the City of Longview.

- E. **A PUBLIC HEARING will be held to consider application #PD20-01 filed by RS Rental Properties to amend #PD18-08 to allow for an additional use of a daycare/school for Lot 1, Block 17, Lookout Hill located at 515 N. Court Street –**

Angela Choy, AICP, City Planner was present and presented the following:

APPLICATION #PD20-01

STAFF REPORT

February 13, 2020

APPLICANT: RS Rental Properties
LOCATION: 515 N. Court Street (Lot 1 Block 17 Lookout Hill)
REQUEST: To amend Planned Development (PD18-08) to allow for an additional use of a daycare/school.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	PD18-08	Vacant
NORTH	C-2 & SF-5	Self Storage & Single Family
SOUTH	C-2 & SF-5	Auto Sales & Repair
WEST	SF-5 & C-2	Single Family & Auto Repair
EAST	SF-5	Single Family

COUNCIL DISTRICT:

District 3 – Council Member Wray Wade

FUTURE LAND USE:

The Comprehensive Plan designates this area for Retail (RET).

STAFF COMMENTS:

The applicant is requesting to amend PD18-08 to allow for an additional use of a daycare/school located at 515 N. Court Street.

The applicant previously rezoned this property from Single Family (SF-5) to Planned Development (PD18-08) in November 2018. The Planned Development allowed for an event center, offices and church uses only. In 2018, the original request was to rezone to Heavy Commercial (C-2) and there were concerns from the adjacent neighbors about the uses allowed in that zoning category. The applicant resubmitted for a Planned Development with limited uses.

The applicant has come back to amend the Planned Development to allow for an additional use that is appropriate for the site and has sufficient parking for the daycare/school use.

Staff finds the proposed zoning change is consistent with surrounding uses.

The Planning and Zoning Commission (9-0) and Staff recommend approval for this request.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared closed.

MOTION: Council Member Snoddy 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 LOT 1, BLOCK 17, LOOKOUT HILL PLANNED DEVELOPMENT (PD18-08) BE AMENDED TO ALLOW FOR THE ADDITIONAL USE OF A DAYCARE/SCHOOL TO THE ALLOWABLE USES OF AN EVENT CENTER, OFFICE, AND/OR CHURCH LOCATED AT 515 NORTH COURT STREET; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE PASSED COMPLIED WITH THE OPEN MEETING 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 is No. 4255 and appears in the Resolution and Ordinance records of the City of Longview.

X. Action Item

Consider an Ordinance adopting the Regional Thoroughfare Plan as an update to Chapter 4 of the Comprehensive Plan –THIS ITEM REQUIRES A PUBLIC HEARING.

Macie Wyers, Transportation Planning Manager was present and requested the Council to consider the approval of an Ordinance adopting the the Regional Thoroughfare Plan (RTP) as an update to Chapter 4 of the Comprehensive Plan. The RTP is a long-range plan that identifies the location and type

of roadway facilities that are needed to meet the projected long-term growth within the area. In addition, the RTP encourages the preservation of transportation corridors, guides future development, promotes connectivity and design uniformity, and informs the public of future roadway needs. The RTP serves as a tool to preserve needed transportation corridors so that as development occurs in the future, the City will have the ability to develop appropriately sized transportation facilities to serve the needs at that time. Development of the RTP relied on updated socioeconomic and demographic data from 2013 to forecast transportation needs over the next 25 years.

The public hearing was declared open.

There were no citizens in the audience to speak on this matter.

The public hearing was declared 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, ADOPTING THE REGIONAL THOROUGHFARE PLAN; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; AND ESTABLISHING AN EFFECTIVE DATE .

SECOND: Council Member Pirtle seconded the motion.

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

Such Ordinance is No. 4256 and appears in the Resolution and Ordinance records of the City of Longview.

XI. Items of Community Interest

Upcoming City Events

- **Warrant Amnesty Program** open now through April 30
- **Ricky Borden Memorial Kid Fish Derby** – Saturday, Feb. 22
- Opt-in to Longview's **Emergency Alert system powered by Smart911** today!

Upcoming Community Events

- **Longview Symphony: An Evening of Romance** – Sunday, Feb. 16
- **2020 Gregg County Forklift Rodeo** – Tuesday, Feb. 25
- **Big Techs 2020** – Saturday, Feb. 29

For more information about City events go to LongviewTexas.gov/Calendars and for more information about Community events, please check out the calendar at VisitLongviewTexas.com/events.

XIV. Adjourn

The meeting was adjourned at 6:09 p.m.

[seal]

Angie Shepard
City Secretary

