



MINUTES

Of A

REGULAR COUNCIL MEETING

February 10, 2022

The City Council of the City of Longview, Texas, met in a Regular Session, February 10, 2022, 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
Tem Carpenter
Nona Snoddy
Wray Wade
Kristen Ishihara
David Wright
Steven Pirtle

Staff members present were:

Rolin McPhee, City Manager
MaryAnn Hagenbucher, Assistant City Manager
Angie Shepard, City Secretary
Jim Finley, City Attorney
Michael Shirley, Director of Development Services
Dwayne Archer, Director of Public Works
Laura Hill, Director Grant and Human Services
Scott Caron, Director of Parks and Recreation
Angela Coen, Director of Financial Services
Bonnie Hubbard, Director of Administration
J.P. Steelman, Fire Chief
Anthony Boone, Acting Police Chief
Josh Gamble, Director of Information Technology
Shawn Hara, Director of Community
Dietrich Johnson, Director of Community Services

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

II. Invocation – Longview Ballet Dancers: Hannah McCrory, Allison Reed, Daisy Rodriguez gave the invocation.

III. Pledge of Allegiance – Longview Ballet members also led the pledge of allegiance.

IV. Employee Recognition –

Noe Zapata joined the Water Purification Team in June of 2016 after over 20 years at Texas Eastman and 6 years with the City of Longview Water Distribution Division. He's a proud graduate of Longview High School and enjoys spending time with family and volunteering for various area organizations.

During the winter storm of February 2021, Noe's "never give up" attitude ensured the City of Longview's water quality and quantity continued to remain top-notch. His tireless efforts included helping maintenance perform emergency repairs on equipment, covering for fellow operators while schedules were shifted to accommodate weather conditions, and making quick decisions to accommodate the heavy demands on the water system. Noe did all this with no complaints and made sure that everyone knew they could call on him for any needs even in spite of the circumstances.

Noe has been awarded the Texas Water Utilities Association Operator of the Year for Water Systems over 60,000 Population for 2021, for his exceptional efforts, not only during the winter storm but also since the beginning of his tenure with the City of Longview.

V. Citizen Comment

Jeremiah Hunter 314 E Twilight – Request the city replay the fire pension report. Seek other ways to fix this, not with a bond. Citizens are not an ATM machine and the city needs to find the funds to fix this, make some hard decisions.

John Whitehurst 3901 Chase Creek was available for zoning item A if needed.

Tanner Terry 625 Honeysuckle Lane was available for zoning item B if needed.

Sam Moore – Celina Texas was available for zoning item D if needed.

VI. Public Safety Update

- A.** Police – Acting Chief Anthony Boone – New customer service technology for the Police and Dispatch will go live Monday, February 14, 2022. We want to know from our end users what type of job we are doing, and how we can improve our services.
The Police Department is hiring so if you are interested, please go to LongviewTexas.gov/LPDJobs. We are also looking for Public Safety Communication employees. You must be able to work any shift, have a high school diploma or GED, and successfully pass skills testing, background check, polygraph/psychological exam and drug/alcohol screening.
- B.** Fire – Chief JP Steelman – On February 2nd, St. Mary’s Catholic School allowed the Fire Department to spend some time with their find students to explore a fire service career.
We also had winter weather prepwork and wanted to thank our Fleet and Facilities Departments for the teamwork in heling the FD prepare for a threat of winter weather.
Congratulations to Fire Driver/Engineer Eddie Haywood on his upcoming retirement. We are thankful for his 22 years of service to the City of Longview and wish him well.

VII. Consent Agenda

- A. Consider an Ordinance authorizing and directing the City Manager to execute quitclaim deeds to the Texas Department of Transportation for certain real property as part of the FM 2206 (Harrison Road) Widening Project –**

Dwayne L. Archer, Director of Public Works was present and requested the Council to consider the approval of an ordinance adopting, authorizing and directing the City Manager to execute Quitclaim Deeds to the Texas Department of Transportation of real property described in the attached exhibit "A", for the cash sum of \$10.00.

The City of Longview may have interest in certain tracks of real property described in the attached Exhibit "A" referred to as Parcels 28, 30, 32, 36, 38, 40, 73, and 75.

TxDOT has requested purchase of the City's interests in these parcels for the sum of \$10.00. Staff has reviewed the parcels and concurs with the request.

The following Resolution was approved:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF LONGVIEW, TEXAS, AUTHORIZING AND DIRECTING**

THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR CERTAIN REAL PROPERTY AS PART OF THE FM 2206 (HARRISON ROAD) WIDENING PROJECT; FINDING 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.

Such Resolution No. 4345 appears in the Resolution and Ordinance records of the City of Longview.

B. Consider approval of the January 13, 2022 minutes: –

Angie Shepard, City Secretary was present and requested the Council to consider the approval of the January 13, 2022 minutes.

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

SECOND: Council Member Snoddy seconded the motion.

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

VIII. Zoning Items

- A. A PUBLIC HEARING will be held to consider application #Z22-01 filed by John Whitehurst requesting a rezone from Agriculture (A) and Planned Development General Retail (PD-GR) to Single-Family (SF-4) for approximately 10.808 acres of AB 66 WM Engle Survey Tract 9-02 located at the northwest corner of McCann Road and Wellington Lane –**

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

APPLICATION #Z22-01

STAFF REPORT

February 10, 2022

APPLICANT: John Whitehurst

LOCATION: Approximately 10.808 acres of AB 66 WM Engle Survey Tract 9-02 located at the northwest corner of McCann Road and Wellington Lane.

REQUEST: Rezone from Agriculture (A) and Planned Development General Retail (PD-GR) to Single Family (SF-4) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	A & PD-GR	Vacant
NORTH	A & PD-GR	Vacant
SOUTH	A & SF-4	Residential & Vacant
WEST	A & SF-2	Residential
EAST	SF-1	Vacant

COUNCIL DISTRICT:

District 5 – Council Member David Wright

FUTURE LAND USE:

The Comprehensive Plan designates this area for Low Density Residential (LDR).

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 10.808 acres of AB 66 WM Engle Survey Tract 9-02 from Agriculture (A) and Planned Development General Retail (PD-GR) to Single Family (SF-4) located at the northwest corner of McCann Road and Wellington Lane. The applicant is proposing a subdivision with approximately 37 lots.

Wellington Lane is classified as a local roadway and this portion of McCann Road is classified as a collector roadway. This type of development is appropriate along these roadways as long as access management is followed.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses; therefore the request does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (6-0) recommends approval for this request.

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

**AN ORDINANCE AMENDING THE UNIFIED
DEVELOPMENT CODE (UDC) OF THE CITY OF**

LONGVIEW, TEXAS, 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 AS FOLLOWS, TO-WIT: APPROXIMATELY 10.808 ACRES OF AB 66 WM ENGLE SURVEY TRACT 9-02 LOCATED AT THE NORTHWEST CORNER OF MCCANN ROAD AND WELLINGTON LANE IS HEREBY REZONED FROM AGRICULTURAL (A) AND PLANNED DEVELOPMENT GENERAL RETAIL (PD-GR) TO SINGLE-FAMILY (SF-4); FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, 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. 4346 and appears in the Resolution and Ordinance records of the City of Longview.

- B. A PUBLIC HEARING will be held to consider application #Z22-02 filed by Commonwealth Development Corporation requesting a rezone from Single-Family (SF-4) to Multi-Family (MF) Zoning District for approximately 5.985 acres of AB 4 I C Skillern Survey, Tract 66, Section 5, located on the east side of Gilmer Road, north of Jenny Street –**

Angela Choy, AICP, City Planner. was present and presented the staff report:

APPLICATION #Z22-02

STAFF REPORT

February 10, 2022

APPLICANT: Commonwealth Development Corporation
LOCATION: Approximately 5.985 acres of AB 4 I C Skillern Survey Tract 66 Section 5 located on the east side of Gilmer Road, north of Jenny Street.
REQUEST: Rezone from Single-Family (SF-4) to Multi-Family (MF) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	SF-4	Vacant
NORTH	MF-3	Vacant
SOUTH	SF-4 & PD	Residential & Vacant
WEST	GR	Office
EAST	MF-3	Vacant

COUNCIL DISTRICT:

District 2 – Council Member Nona Snoddy

FUTURE LAND USE:

The Comprehensive Plan designates this area for Retail (RET), High Density Residential (HDR) and Floodplain (FP).

STAFF COMMENTS:

The applicant is requesting a rezone for approximately 5.985 acres of AB 4 I C Skillern Survey Tract 66 Section 5 from Single-Family (SF-4) to Multi-Family (MF) located on the east side of Gilmer Road, north of Jenny Street. The applicant is proposing a multi-family development with approximately 66 single-story cottage style apartments for seniors.

Gilmer Road is a TXDOT roadway and classified as a principal arterial. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. This type of development is appropriate along this roadway as long as access management is followed.

Staff finds the proposed zoning change is consistent with the Comprehensive Plan and adjacent zoning; therefore this request does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (5-0-1) recommends approval for this request.

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

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, 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 AS FOLLOWS, TO-WIT: APPROXIMATELY 5.985 ACRES OF AB 4 I C SKILLERN SURVEY TRACT 66 SECTION 5 LOCATED ON THE EAST SIDE OF GILMER ROAD, NORTH OF JENNY STREET IS HEREBY REZONED FROM SINGLE-FAMILY (SF-4) TO MULTI-FAMILY (MF); FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, 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. 4347 and appears in the Resolution and Ordinance records of the City of Longview.

- C. A PUBLIC HEARING will be held to consider application #S22-01 filed by Main & Main Capital Group requesting a Specific Use Permit (SUP) to allow for a restaurant with a drive-thru window in a General Retail (GR) Zoning District for a portion of Lot 2, Block 1, Liberty Baptist Church Addition, located at 1500 W Loop 281 –**

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

APPLICATION #S22-01

STAFF REPORT

February 10, 2021

APPLICANT: Main & Main Capital Group
LOCATION: A portion of Lot 2 Block 1 Liberty Baptist Church Addition located at 1500 W Loop 281.
REQUEST: Specific Use Permit for a restaurant with a drive-thru window in a General Retail (GR) Zoning District.

	<u>ZONING</u>	<u>LAND USE</u>
SUBJECT PARCEL	GR	Church
NORTH	C-1	Vacant
SOUTH	SF-4	Residential
WEST	C-2	Retail
EAST	SF-4	Residential

COUNCIL DISTRICT:

District 6 – Council Member Steve Pirtle

FUTURE LAND USE:

The Future Land Use map designates this area for Retail (RET).

STAFF COMMENTS:

The applicant is requesting a Specific Use Permit (SUP) to allow for a restaurant with a drive-thru window in a General Retail (GR) Zoning District. A Specific Use Permit is

required for drive-thru windows within GR zoning districts to ensure no negative impact on surrounding properties.

Loop 281 is a TXDOT roadway and is classified as a principal arterial. Principal arterials are designed to provide a high degree of mobility, service relatively high traffic volumes, have high operational speeds and service a significant portion of through travel. Retail use is appropriate for this area, as long as access management is followed.

The tract directly to the east received a SUP for a restaurant with a drive-thru in 2017 with the following stipulations:

- 8 foot tall solid wood fence be installed along the rear property line
- Maintenance of a 100 foot easement along the rear of the property where no buildings, parking or lighting shall be allowed within the easement and where as many trees are preserved as possible
- Maintenance of a 50 foot natural buffer at rear of the property adjacent to the residential.

However, that tract shares a rear property line with the residential neighbors. This request is approximately 174 feet away from the residential property.

Staff finds the proposed zoning change is consistent with the future land use map and surrounding uses therefore; it does not constitute spot zoning.

RECOMMENDATION:

The Planning and Zoning Commission (5-0-1) recommends approval for this request

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

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT (SUP) IN ACCORDANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC) OF THE CITY OF LONGVIEW, TEXAS, TO ALLOW FOR A RESTAURANT WITH A DRIVE-THRU WINDOW IN A GENERAL RETAIL (GR) ZONING DISTRICT FOR A PORTION OF LOT 2 BLOCK 1 LIBERTY BAPTIST CHURCH ADDITION LOCATED AT 1500 W LOOP 281; FINDING THAT THE PLANNING AND ZONING COMMISSION MEETING AND THE CITY COUNCIL MEETING AT WHICH THIS ORDINANCE WAS APPROVED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT VIOLATIONS OF THIS ORDINANCE SHALL BE SUBJECT

TO THE SAME PENALTIES AND ENFORCEMENT AS VIOLATIONS OF THE ZONING PROVISIONS OF THE UDC, 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. 4348 and appears in the Resolution and Ordinance records of the City of Longview.

- D. A PUBLIC HEARING will be held to consider a request filed by Eastman Credit Union to abandon a portion of a 15-foot-wide utility easement located at 2002 W. Loop 281 (Lot 2, Block 1 Fish Creek Subdivision) –**

Angela Choy, AICP, City Planner was present and presented the staff report:
#ABD22-02

STAFF REPORT
February 10, 2022

APPLICANT: Eastman Credit Union
LOCATION: 2002 W. Loop 281
REQUEST: To abandon a 0.116 acre utility easement.

COUNCIL DISTRICT:
District 6 – Council Member Steve Pirtle

ZONING DISTRICT:
General Retail (GR)

STAFF COMMENTS:
The applicant is requesting to abandon a portion of a 15 foot wide water line easement located at 2002 W. Loop 281. The applicant is has relocated the water line and is dedicating a new utility easement along the frontage of Loop 281. The reason for the

relocation is to accommodate the development of a bank and office building.

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

STAFF RECOMMENDATION:

Staff recommends approval of this request.

MOTION: Council Member Pirtle 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 15 FOOT WIDE UTILITY EASEMENT, TOTALING 0.116 ACRES, MORE OR LESS, AS SAID PARCEL IS FURTHER SHOWN IN THE ATTACHED EXHIBIT A AND DESCRIBED IN THE ATTACHED EXHIBIT B; 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. 4349 and appears in the Resolution and Ordinance records of the City of Longview.

IX. Discussion Item

Discuss Fire Pension study and consider calling a bond election on May 7, 2022-
Rolin McPhee, City Manager.

The options for the Pension Bond are as follows:

Pay as you go option: Increase City contributions by approximately 11% to meet the 30 year amortization requirement, costing approximately \$1.6 Million in year one.

Cons: Subject to volatility (ROI, life expectancy, and tenure), Payments will continue to increase, No cash infusion to stabilize the fund, Will be more expensive going forward for tax payers.

RollBack Rate Option: Increase tax rate to voter approved rate annually. Assuming last year's trend, will require back to back tax rate increases, essentially a 3 cent tax rate increase.

Cons: Subject to volatility (ROI, life expectancy, and tenure), Payments will continue to increase, No cash infusion to stabilize the fund, Will be more expensive going forward for tax payers.

Pension Obligation Bond Option: Issue Pension Bond for \$45.6 Million

Current City Contribution: 19%, Would leverage 7% of 19% for bond payment, Would require an additional \$1.6 Million

Pros: Stabilize Pension Fund, Levels the payments, Avoids short-term volatility, Favorable approach with bond rating agencies.

Council discussion and it was decided a special called meeting will be scheduled February 15 to consider and take action on a Fire Pension Bond.

X. Items of Community Interest

XI. Adjourn

The meeting was adjourned at 6:32 p.m.

[seal]

Angie Shepard
City Secretary



