



## MINUTES

Of A

### REGULAR COUNCIL MEETING

April 22, 2021

The City Council of the City of Longview, Texas, met in a Regular Session, April 22, 2021, 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** – Zara Bolo of Trinity School of Texas gave the invocation

**III. Pledge of Allegiance** – Zara Bolo led the pledge.

**IV. Citizen Comment** – Jeremiah Hunter 214 Twilight Mr Hunter stated he was pleased with the food truck amendments. He thanked Mr. Moore for his six years of service on the City Council. Challenged the mask mandate for the Council Chambers. Request the council be careful about things we pose on our citizens.

**V. Consent Items**

**A. 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 Denali Water Solutions for sludge removal and disposal for the Water Treatment Plants –**

Rolin McPhee, Director of Public Works was present and request council consider a Resolution approving an annual agreement for removal and disposal of sludge from the facility at Lake Cherokee (CWTP), Lake O' the Pines (LOPWTP) and Sabine River Water (SRWTP) Treatment Plant. In accordance with the Texas Commission on Environmental Quality (TCEQ) and the Environmental Protection Agency (EPA) sludge is removed and disposed of in a state permitted location. The total amount of the contract for sludge removal and disposal shall not exceed budgeted funds.

Bid documents were emailed to sludge removal vendors and posted on the City of Longview Website. Bids were advertised in the local newspaper and on March 25, 2021 two bids were on file.

The bids were as follows:

Denali Water Solutions, Russellville, AR - \$49.00 per cubic yard to remove GeoCake to land application, \$0.0482 per gallon to remove Liquid Sludge to land application.

HydroAg Environmental-Russellville, AR-\$34.1531 per cubic yard to remove GeoCake to land application, \$0.0633 per gallon to remove Liquid Sludge to land application.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF DENALI WATER SOLUTIONS, LLC, FOR WATER TREATMENT PLANT SLUDGE REMOVAL AND DISPOSAL SERVICES; FINDING THAT SAID BID CONSTITUTES THE BEST VALUE FOR THE CITY OF**

**LONGVIEW; AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO NEGOTIATE, FINALIZE, AND EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND DENALI WATER SOLUTIONS, LLC, FOR SAID SLUDGE REMOVAL AND DISPOSAL SERVICES; 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 COMPETITIVE PURCHASING REQUIREMENTS IN SOLICITING, RECEIVING, AND ACCEPTING SAID BID; 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.**

Such Resolution No. 5777 appears in the Resolution and Ordinance records of the City of Longview.

- B. 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 D&D Pipeline Consultants of Longview, Texas, in the amount of \$804,713.70 for the construction of the Water System Improvements at Ray Street, FM 2087, Rockdale Street, Benton Street, and Stracener Road project –**

Rolin McPhee, P.E., Director of Public Works was present and request council to consider a Resolution awarding a contract in the amount of \$804,713.70 to D&D Pipeline Consultants of Longview, Texas, for the construction of the referenced project. The following bids were opened on April 8, 2021:

Bidder	Amount
D&D Pipeline Consultants Longview, TX	\$ 804,713.70
SGL Utility Contractors Gilmer, TX	\$ 850,489.76

W.M. Miller Construction Company Judson, TX	\$ 876,884.13
7-H Construction Company Inc. Tyler, TX	\$ 900,836.60
T Construction LLC. Houston, TX	\$1,336,652.05

The scope of work includes the construction of 8,681 linear feet of eight-inch water main and related work at Ray Street, FM 2087, Rockdale Street, Benton Street, and Stracener Road, and miscellaneous work as necessary to complete the installations.

Wood Engineering has examined the bids and the qualifications of the low bidder, and recommends that the City award the contract to D&D Pipeline Consultants, in the amount of \$804,713.70 Staff concurs with their recommendation.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, ACCEPTING THE BID OF D&D PIPELINE CONSULTANTS, OF LONGVIEW, TEXAS, FOR CONSTRUCTION OF THE PROJECT ENTITLED "WATER SYSTEM IMPROVEMENTS PROJECT AT RAY STREET, FM 2087, ROCKDALE STREET, BENTON STREET, AND STRACENER ROAD"; AUTHORIZING AND DIRECTING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY BETWEEN THE CITY OF LONGVIEW AND D&D PIPELINE CONSULTANTS, FOR THE ABOVE REFERENCED PROJECT; DETERMINING THAT THE CITY COMPLIED WITH ALL APPLICABLE BIDDING REQUIREMENTS IN ACCEPTING SAID BID; 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. 5778 appears in the Resolution and Ordinance records of the City of Longview.

- C. Consider a Resolution authorizing the City Manager or the City Manager's designee to execute and submit any necessary documents for the application for, receipt of, and expenditure of a

**Transportation Alternatives Set-Aside Program Grant from the Texas Department of Transportation in an amount not to exceed \$2,713,013.44 to fund the Mobberly Ave Complete Street (Pacific Ave to Estes Pkwy) Project and authorizing matching funding from the City of Longview up to 50% of the amount of said grant –**

Rolin McPhee, P.E., Director of Public Works was present and request council to consider a Resolution to apply for and receive a Transportation Alternative Set-Aside Program Grant to help pay for the Mobberly Avenue Complete Street Project. This grant requires a minimum 20% local match. However, staff is requesting authorization to contribute a match of up to 50% in order to cover the complete cost of the project. The amount of the grant will not exceed \$2,713,013.44. The City's match will come from the CIP Bond funds.

The following Resolution was approved:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE AND SUBMIT ANY NECESSARY DOCUMENTS FOR THE APPLICATION FOR, RECEIPT OF, AND EXPENDITURE OF A TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION IN AN AMOUNT NOT TO EXCEED \$2,713,013.44 TO FUND THE MOBBERLY AVE COMPLETE STREET (PACIFIC AVE TO ESTES PKWY) PROJECT; AUTHORIZING MATCHING FUNDING FROM THE CITY OF LONGVIEW UP TO 50% OF THE AMOUNT OF SAID GRANT; 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.**

Such Resolution No. 5779 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 Wright seconded the motion.

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

**VI. Action Items – Action Item A was pulled prior to the meeting.**

- A. Consider an Ordinance allowing a variance to the requirements of Section 10-4 of the Longview City Code relating to the sale of alcoholic beverages whose place of business is within 300 feet of a school, said variance to apply to the tract of land with a street address of 1301 Judson Road – Michael Shirley, AICP, Director of Development Services.**
- B. Consider an Ordinance providing for an amendments to Chapter 46 of the Longview Code of Ordinances to clarify and update operational requirements for Mobile Food Units –**

Laura Hill, Director of Community Services was present and requested council consider amendments to the Longview Code of Ordinances Chapter 46: Food and food establishments to clarify and update operation requirements. In February 2016, the Longview City Council approved amendments to Chapter 46 to allow Mobile Food Units to operate in Longview. This approval was the result of recommendation received from the Mobile Food Vending Task Force created by the City Council on 10/29/15.

In March 23, 2021, staff and representatives from the original Task Force met to review five years of operation and to determine if any updates should be made to the Ordinance.

Only minor corrections are being recommended: (a). Requiring ice for beverages to be stored in an "approved" (delete stainless steel) container, (b). requiring the water heater to heat to at least "100" (replace 110) degrees Fahrenheit in compliance with State regulations, (c). adding "unless screened" to Section 46-34-R as it pertains to outer openings, and (d). correcting 4 typographical errors.

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 II OF CHAPTER 46 ENTITLED “MOBILE FOOD UNITS” OF THE LONGVIEW CITY CODE IN ORDER TO EFFECT NEEDED CHANGES IN THE ORDINANCE TO REFLECT THE BEST PRACTICES OF THE MOBILE FOOD UNIT BUSINESS WITHIN THE CITY OF LONGVIEW; FINDING THAT THE**

**MEETING AT WHICH THIS ORDINANCE WAS PASSED  
COMPLIED WITH THE TEXAS OPEN MEETINGS ACT;  
REPEALING PROVISIONS OF ALL ORDINANCES IN  
CONFLICT HEREWITH; PROVIDING A SAVINGS  
CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE  
PROVISIONS HEREOF; AND ESTABLISHING AN  
EFFECTIVE DATE.**

SECOND: Council Member Ishihara seconded the motion.

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

Such Ordinance is No. 4305 and appears in the Resolution and Ordinance records of the City of Longview.

**C. Consider an Ordinance amending the Code of Ordinances, Chapter 67 Section 67-14, entitled Mobile Food Units to update regulations and to allow Mobile Food Units in residential areas –**

Michael Shirley, AICP, Director of Development Services was present and requested council consider amendments to Longview Code of Ordinances Chapter 67: Outdoor Vendors and Solicitors to update mobile food unit requirements. In February 2016, the Longview City Council approved amendments to Chapter 67 to allow Mobile Food Units to operate in Longview. This approval was the result of recommendation received from the Mobile Food Vending Task Force created by the City Council on 10/29/15.

During the COVID-19 pandemic, staff received requests for Mobile Food Units to be allowed in residential areas. Staff waived the requirement during this time and now would like to update the ordinance.

In March 23, 2021, staff and representatives from the original Task Force met to review five years of operation and to determine if any updates should be made to the Ordinance.

Only minor corrections are being recommended:

Allowing Mobile Food Units in residential areas with permission from a property owner or HOA. They must be parked on private property not in the right-of-way.

Allowing Mobile Food Units in parking lots with at least 10 parking spaces (originally 15 spaces).

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 CHAPTER 67 SECTION 67-14 ENTITLED MOBILE FOOD UNITS TO ALLOW MOBILE FOOD UNITS INTO RESIDENTIAL AREAS; NEGATING AND DISPENSING WITH A CULPABLE MENTAL STATE REQUIREMENT; PROVIDING FOR PENALTIES OF UP TO \$500.00 FOR VIOLATION HEREOF; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; AND ESTABLISHING AN EFFECTIVE DATE.**

SECOND: Council Member Ishihara seconded the motion.

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

Such Ordinance is No. 4306 and appears in the Resolution and Ordinance records of the City of Longview.

**VII. Items of Community Interest**

**VIII. Executive Session**

Deliberations Regarding Personnel Matters — Under TEX. GOV'T CODE Section 551.074.

Discuss duties and employment of City Manager and Assistant City Manager.

**IX. Adjourn**

The meeting was adjourned at 5:49 p.m.

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Angie Shepard  
City Secretary

