

Regular Meeting of the City Council of the City of Lindsay

Mayor	Scott Neu
Alderman	Klay Gilbert
	Jeff Neu
	Glenn Block
	Robert Sharp
	Sam Sparkman
City Secretary	Monica Laux
Police Chief	Jimmy Yarbrough

Visitors: Betsy Fleitman, Consultant; David Perkins, *KSA*; Bradley Anderle, *TOASE*; John Hall, *Patterson Professional*; Brenda Block, Kevin Block, Danny Nortman, Judy Smith, *Schalk & Smith PC*; Catherine Bezner, Will Bezner, John Bezner, Stanley Hess, Tyler Hess, Riley Metzler and Phil Reiter.

Alderman Glenn Block led the opening prayer and Mayor Scott Neu led the Pledges of Allegiances. The Roll Call was taken, showing all members present. Establishing a quorum, Mayor Neu called the meeting to order at 7:01PM. After reviewing the Consent Agenda, Jeff Neu made a motion to accept the Agenda with a second from Glen Block. Motion carried 5-0.

A Public Hearing was opened at 7:03 PM concerning Ordinance 0219-1, The City of Lindsay Zoning Ordinance to Allow the Chairman to Vote. John Bezner signed up to speak but informed the Council that he did not wish to speak on this topic. The Public Hearing closed at 7:04PM. It was noted by Mayor Neu the Planning and Zoning reviewed Ordinance 0219-1 on February 21, 2019. A motion to adopt the Ordinance was made by Glenn Block and seconded by Robert Sharp. Motion carried 5-0.

No one signed to speak on the Citizen's Comments.

Judy Smith with *Schalk & Smith, PC* explained the 2017-2018 Budget for the City of Lindsay. Judy explained to the Council the fund balance, debt services, water, sewer and the general fund. She stated \$379,000.00 in assets were added to the budget from the infrastructure of Amazing Grace Subdivision. A motion to accept the 2017-2018 Audit was made by Klay Gilbert and a second from Robert Sharp. The motion carried 5-0.

On the agenda was ratification of the simple plat for Phil Reiter's property at 230 West JM Lindsay Blvd (1001 Pecan Street). The motion to ratify was made by Klay Gilbert, seconded by Jeff Neu. Motion carried 5-0.

The next item discussed on the agenda was Task Order LNS.008, relating to the Sanitary Sewer Collection System Improvement project, expanding the sewer northwest from Ash Street and Seventh Street. David Perkins explained that this Task Order from Blackrock was discussed early and is needed to extend the length of the sewer line. Glenn Block made a motion to accept the Task Order, Klay Gilbert seconded. Motion carried 5-0.

Task Order LNS.016 to install an 8" diameter water line in the West Side Water Line Extension Project at US 82 (JM Lindsay Blvd) and FM 1199. David Perkins explained that all of the easements are signed and filed. This Task Order is for design and improvements to the current system. Glenn Block made the motion to accept the Task Order, Jeff Neu seconded. Motion carried 5-0.

Chief Jimmy Yarbrough informed the Council that Resolution No. 031119-1, Application for National Based Management System Grant, Criminal Justice Division, was requested to be complaint with the new laws for 2020. Copsync wrote the grant. The grant application of \$7500.00 was approved with a motion from Jeff Neu and seconded by Sam Sparkman. Motion carried 5-0.

Mayor Neu informed the Council, there are three seats open and three places filed for the City Council. Glenn Block made the motion to accept the Certification of Unopposed Candidates, submitted by the City Secretary, Klay Gilbert seconded, and motion carried 5-0.

No discussion took place on the Order of Cancellation of the Election to be held on May 4, 2019. A motion to approve the order of cancellation was made by Glenn Block, seconded by Klay Gilbert. Motion carried 5-0.

The next item on the agenda was to discuss the Economic Incentives for the Hess Grocery Development. Bradley Anderle requested this discussion to be made public. Stanley Hess presented receipts for the development of a store for the past ten years, referencing \$69,046.25. He requested \$140,000.00 in incentives from the city, whether it be in water, sewer or a tax abatement. He also stated that if the city gives him \$69,046.25, it would only cover the

expenses for the receipts that he presented to the Council and would be the same as nothing. Sam Sparkman inquired, asking if everything has been submitted to the City that was ask for in past years. Stanley Hess responded with the drainage was not sent at that time, but the City should have it now. David Perkins made the Council aware that he responded two weeks ago with comments on the Preliminary Plat Review he received from Justin Walterscheid. Stanley Hess was not aware of the email from David Perkins but will be following up with Justin Walterscheid. Mayor Scott Neu commented that all of Subdivision Ordinance will need to be followed and the review listed the Ordinance numbers as well as the Zoning Ordinance Sections.

A motion for Executive Session pertaining to Public Works employees and Economic Incentives for Hess Grocery Development was made by Glenn Block, seconded by Robert Sharp. Motion carried 5-0. The Council and Bradley Anderle entered into Executive Session at 7:33PM.

The Council returned from Executive Session at 8:19PM with a motion from Glenn Block and a second from Klay Gilbert. Motion carried 5-0.

A motion made by Glenn Block and seconded by Klay Gilbert to grant a ten year tax abatement up to \$140,000.00 for the Hess Grocery Development. Motion carried 5-0. Mayor Scott Neu announced the Council will meet in two weeks to finalize the agreement.

A motion to hire a Public Works Employee for the rate discussed in Executive Session was made by Klay Gilbert, seconded by Sam Sparkman. Motion carried 5-0.

The last item to be discussed at the Council Meeting was the request by Will Bezner for the upgrade or repair of a private sewer lateral line on private property. John Bezner made a presentation stating the lot was platted in 1960 and the sewer was installed in 1964. He handed out pictures to the Council telling them there is a four inch line that flows in three lots. John ask for a six inch line in the right of way of Willow Street. The estimated cost for repairs is \$20,000.00. David Perkins commented this issue was directed to the Council a couple years ago and the Council denied the request but did install a man hole. Bradley Anderle informed the Council the City's Subdivision Ordinance was not adopted until the 1980's which was well after the platting of this property and the installation of the present sewer line. Mr. Anderle informed the Council that the City can not perform work on a citizen's private property and the sewer line is on private property and public funds can not be used to repair it. Jeff Neu inquired of Mr. Bezner if the property owner would consider price sharing. Mr. Bezner informed the Council they would not make that consideration. A motion was made to take no action on this item, at Bradley Anderle's recommendation, by Jeff Neu with a second from Robert Sharp. Motion carried 5-0.

The only comments under the Alderman's report was from Jeff Neu regarding the repair of Arendt's culvert on Willow Street. He heard comments from citizens they are happy with the repair and the work was a great job.

Meeting adjourned at 8:43PM

(For more detailed information consult the recording of this meeting available at city hall.)

Monica Laux
City Secretary

Scott Neu
Mayor