

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
APRIL 20, 2006
6:00 P.M.

MEMBERS PRESENT: Mayor John Paul Tallent, Mayor Pro-tem Walter Derrick, Joe Derouen, Jerry Williams, Scott Owens, Richard Parrish, Jr.

MEMBERS ABSENT: Jimmy Williams

STAFF PRESENT: Jay Stokes, Melba Haralson, Jimmy Davis, Richard Ross

GUESTS PRESENT: John Shearer, Elijah Anderson, Hercules Wells, Mary Jane Williams, Beverly Tallent, Charles R. Miller, Michael Myers, Sheila York, Vi Melton, Chris Meeks, Tyler Wing, Bennie Cornutt, Susan Gordon, B.K. Johnson, Ronnie Moore, Linda Patton, Brenda Brown, Joyce Hugman, Mike Prince Kathy Prince, Melina Prince, Madison Prince, Harold Wells

I. CALL TO ORDER

Mayor Tallent called the meeting to order at 6:00 p.m. and gave the invocation. Melina Prince led the Pledge of Allegiance.

II. INTRODUCTION OF NEW STAFF

City Manager Stokes introduced Richard Ross, the new Lake Warden and Chris Meeks, the Assistant Project Manager for Veolia Water.

III. CONSIDERATION OF CONSENT AGENDA

- a) Minutes – March 16, 2006
- b) Investment Report for quarter ending March 31, 2006
- c) Interlocal Agreement with Upshur County

Councilmember Parrish moved to approve, seconded by Councilmember Derouen. Carried 6-0.

IV. PUBLIC HEARING regarding a request for a Specific Use Permit for a medical clinic to be located at Abstract 179, L.J. Rigsby Survey, Section 2, Tracts 4 & 5, more commonly known as 116 & 118 N. Lee Street

Mayor Tallent opened the public hearing at 6:05 p.m.

Mike Myers, General Manager of Continental Construction from Topeka, KS said that they are the developer/owner of the Gardens of Gladewater and proposed clinic. He explained that the clinic will be leased to U.T. Tyler and it will be staffed with doctors on a rotating basis, with each physician having a different specialty, e.g. internal medicine, cardiac, wellness, geriatric. The clinic will be constructed of building materials similar to that of the Gardens of Gladewater and they will be removing two old run-down houses at 116 & 118 N. Lee. There will be no emergency medical treatment and they will take walk-ins. Mr. Myers estimated that construction could start in 60 days and be completed by the end of the year.

Vi Melton said she has received medical care at U.T. Tyler and is ecstatic to know that it's being considered here.

With no other public comments, the public hearing was closed at 6:10 p.m.

V. CONSIDERATION of a request for a Specific Use Permit for a medical clinic to be located at Abstract 179, L.J. Rigsby Survey, Section 2, Tracts 4 & 5, more commonly known as 116 & 118 N. Lee Street

Councilmember Owens moved to approve, seconded by Councilmember Jerry Williams. Carried 6-0.

VI. PUBLIC HEARING regarding a request for a Specific Use Permit to operate an auction in Abstract 271 of the Carl Rhodes Survey, Tracts 6 & 7, and Lots 3-4, Block 11 of Bettiewood Gardens, more commonly known as 1829 E. Broadway

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The public hearing was opened at 6:10 p.m. and Sheila York offered to answer any questions.

Councilmember Owens stated that that entrance into town has come a long way and he wants to make sure there is a good presentation coming into Gladewater.

Mayor Tallent asked about the public restroom situation. Ms. York said she will start out with portables and will construct permanent ones after the business is established.

Councilmember Jerry Williams asked what the hours of operation will be. Ms. York answered that she plans on Tuesday and Thursday nights.

Mayor Pro-tem Derrick asked if items will be left out at night. Ms. York said that some will be, but they will be behind the building and not visible from the road, adding that most of the auctions will take place indoors.

With no further public comments, the public hearing was closed at 6:16 p.m.

- VII. CONSIDERATION of a request for a Specific Use Permit to operate an auction in Abstract 271 of the Carl Rhodes Survey, Tracts 6 & 7, and Lots 3-4, Block 11 of Bettiewood Gardens, more commonly known as 1829 E. Broadway

Councilmember Parrish moved to approve, seconded by Mayor Pro-tem Derrick. Carried 6-0.

- VIII. CONSIDERATION OF RESOLUTION authorizing submission of application for HOME grant funds

City Manager Stokes explained that with a 25% match we will likely not be funded. For a \$220,000 grant our match will be \$55,000 and we may be able to do a little of that in-kind.

Mayor Pro-tem Derrick moved to proceed with the application with a 25% match, seconded by Councilmember Derouen. Carried 6-0.

- IX. CONSIDERATION OF HIRING SURVEYOR to survey Section L of Gladewater Memorial Park Cemetery

City Secretary Haralson explained that there are discrepancies between the cemetery map and the actual placement of the grave sites. The cemetery was designed on curves and it appears that some of the graves were placed in a straight line instead of following the curve. In addition, there have been grave sites placed in unsurveyed areas. She recommended that Section L be surveyed first to identify problem areas. After those problems are addressed, then sell new spaces only in Section L until each section is surveyed.

Five surveying companies were contacted and proposals were received from three of them. KSA Engineers estimated the cost at \$13,000, Roberts Surveying \$2,300 and Land Surveying Services \$3,000.

Councilmember Jerry Williams moved to approve Roberts Surveying for \$2,300, seconded by Mayor Pro-tem Derrick. Carried 6-0.

- X. RECEIVE COMMENTS FROM CONCERNED CITIZENS COMMITTEE

B.K. Johnson, CCC official spokesperson, read a reaffirmation of the resolution presented at the last council meeting. He then asked the following five questions;

- 1) To Councilmember Scott Owens: What personal inquiries have you or any member of this Council made regarding any citings by the CCC? Answer: I've made inquiries on the allegations and what procedures would be legal to give credence to what you're asking and to protect employee rights as well as protect the City. There's due process that we have to go through and I wish it could be faster, but we are not in charge of the county or state agencies that are doing the investigations.

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- 2) To City Manager Jay Stokes: Presently, who is in charge of background and psycho analysis of present and prospective officers and how often are checks made and by whom? Answer: The police chief is in charge of the Police Department and I'm in charge of the entire staff.
- 3) To Mayor Pro-tem Walter Derrick: With what discretions or plans have you been involved in meeting with the CCC representatives? Answer: Bennie, I have met with one CCC representative at a time when you were present and the rest is waiting on the outcome of a law enforcement investigation by Upshur County.

Mr. Johnson then said, "The Council is aware that any investigation by Upshur County could take 2-3 years, are we to wait that long?" Mayor Tallent said he believes that it's been turned over to the Attorney General.

- 4) To Mayor John Paul Tallent: Can you give a definite timeline of when a meeting with the Council and the CCC will take place? Answer: I cannot. Until we get something from the FBI and Attorney General, our hands are tied. I hope it's soon but we don't know. We're left in the dark just like you are.
- 5) To City Manager Jay Stokes: Has the status of Officer Naismith changed in regard to his being away on paid administrative leave since the FBI has opened another investigation? Answer: No, he remains on paid administrative leave.

Mr. Johnson then concluded that the CCC holds firm in their resolves; calling for an immediate and permanent disassociation of Officer Brian Naismith from our law enforcement agency, an unfettered meeting of our elected and appointed officials with CCC to take whatever actions needed in full view of the public, and to join with CCC in their resolve to elicit a full and complete truth concerning the death of Jonathan King.

- XI. RECESS INTO EXECUTIVE SESSION pursuant to Government Code §551.074 for performance evaluations of City Manager, City Secretary and City Judge

The Council recessed into executive session at 6:35 p.m.

- XII. RECONVENE INTO OPEN SESSION and take any action necessary regarding the performance evaluations of City Manager, City Secretary and City Judge

The Council reconvened into open session at 6:52 and took the following action;

Mayor Pro-tem Derrick moved to increase the City Judge's salary by \$1,250 per year, seconded by Councilmember Jerry Williams. Carried 6-0.

Councilmember Derouen moved to place the City Secretary on step 13 of the Performance Pay Plan and Salary Schedule effective October 1, 2006 and to increase her car allowance \$100 per month effective May 1, 2006. Motion seconded by Mayor Pro-tem Derrick. Carried 6-0.

Councilmember Jerry Williams moved to increase the City Manager's salary 5% effective October 1, 2006 and to increase his car allowance \$200 per month effective May 1, 2006. Motion was seconded by Councilmember Parrish. Carried 6-0.

- XIII. CITY MANAGER'S REPORT

- a) Lake Gladewater dam inspection
- b) Update on lease/purchase for Moore lift station sewer line
- c) Update on hiring of new Police Chief
- d) Update on status of Main Street project

City Manager Stokes gave the following report;

- a) We have received a proposal from Adams Engineering for \$13,000 to inspect the dam as mandated by the state. There is no specific date of compliance, so we can wait until the next budget year.
- b) The engineers have discovered that the Moore lift station's present location is in a flood plain. Clayton Scales, KSA Engineers is re-working the details before we pursue lease-purchase financing options.

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- c) The application period has closed for the new police chief and we have about 30 applicants, most from Texas, 3 internal and 4-5 out of state. I have asked Kilgore Emergency Director Ronnie Moore, Gregg County Sheriff Maxey Cerliano, and White Oak Police Chief Charley Smith to assist in screening the applicants. Ideally, by early May we should start interviewing and make an announcement later in May. It is important that we are patient and make the right decision. Hopefully, the new chief will be within this first group of applicants, but if not we will readvertise and start over.
- d) There will be a pre-bid conference and then a bid opening in late May for the Main Street project. We will have bids to present at the June meeting.

XIV. CITIZEN'S COMMENTS

Charles Miller, 316 Miller Street, said that his comments are not affiliated with the CCC, but according to the news media the mayor stated that we have white police officers that don't like mixed race couples and the mayor himself doesn't like it. How can these officers be effective? Mayor Tallent said that he would be glad to talk to him about it if he would meet with him.

Joyce Hugman, 1901 E. Lake Dr., said that we have a good city manager, city secretary and city judge, but we would like to know what their salaries are.

XV. MAYOR'S REPORT

Mayor Tallent made the following announcements;

- 1. Sales tax has increased again this month.
- 2. April 3rd we held a media training workshop with Mike Miller entitled "Dealing with the Media".
- 3. April 4th, Richard & Sue Parrish, Marsha Valdetero, Lon Welton, Jay Stokes and I went to Austin to accept the award from the Texas Department of Agriculture as one of the 16 "Hardworking Rural Communities" in Texas.
- 4. April 8th our clean-up day had the most participants ever. We were able to clean streets, around schools and haul off trash. Thanks to Veolia for furnishing trucks, trailers and manpower.
- 5. April 12th the Gardens of Gladewater ribbon cutting was held.
- 6. April 18th we held a reception at the Former Students Building honoring Gladewater on its 75th anniversary.
- 7. Read a thank you letter from Harold Keller to the Fire Department, and also mentioned receiving \$100 donation from Frances Beavers for cleaning the Gay-Haggans Cemetery.
- 8. Mayor Tallent announced the following upcoming events; East Texas Gusher Days April 21-22, Taste of the Oil Patch April 29th, and also on April 29th, the Legends concert fund raiser for Gay Avenue school playground, May 4th National Day of Prayer, May 11th Gladewater Museum banquet, May 13th election day and the next regular City Council meeting will be May 20th.

XVI. ADJOURN

Councilmember Parrish moved to adjourn at 7:20 p.m. Adjourned by consensus.

JOHN PAUL TALLENT, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY