

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
AUGUST 17, 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, Wayne Smith, Richard Ross

GUESTS PRESENT: Jimmy Davis, Mary J. Williams, Vi Melton, Lois Reed, Nancy Davis, Beverly Tallent, Don Westbrook, Ron Hamilton, Joyce Hugman, Megan Middleten, D.L. Burlison, Will Ylitalo, Brenda Brown, John Bruce Moore

I. CALL TO ORDER

Mayor Tallent called the meeting to order at 6:00 p.m. and gave the invocation. Mayor Pro-tem Derrick led the Pledge of Allegiance.

Mayor Tallent read and presented Kathleen Fishburn with a proclamation recognizing her act of heroism in saving the life of her nearly two-year old brother Anthony, and gave her a key to the City.

II. CONSIDERATION OF CONSENT AGENDA

- a) Minutes – July 20 and July 27, 2006
- b) Blanket permit for Arts & Crafts Festival - September 23-24, 2006
- c) Renewal of contract with the Gladewater Chamber of Commerce – Hotel Occupancy Tax
- d) Resolution approving an application for funding through the Texas Department of Economic Development Main Street Improvements Program
- e) Resolution identifying portions of West Pacific Avenue and Broadway; North Center Street and East Quitman for rehabilitation through the Texas Department of Agriculture Texas Capital Fund
- f) Ordinance for Historical Preservation
- g) Citizen complaint procedures for the Texas Community Development Program

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

III. PUBLIC HEARING regarding an application from Goldston Oil Corporation for a drill permit for gas well to be located 810' FEL and 1,100' FNL of the M. Dillard Survey, A-56, NCB 51, Gregg County, Texas to be called Gladewater Gas Unit No. 2, Well No. 4

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

Don Westbrook, attorney representing Goldston Oil answered a question regarding the location of the drill site. Ron Hamilton of Goldston Oil said they will start in the late summer or early fall.

With no other comments, the public hearing was closed at 6:07 p.m.

IV. CONSIDERATION of an application from Goldston Oil Corporation for a drill permit for a gas well to be located 810' FEL and 1,100' FNL of the M. Dillard Survey, A-56, NCB 51, Gregg County, Texas which shall be called Gladewater Gas Unit No. 2, Well No. 4

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

V. PUBLIC HEARING regarding an application from Goldston Oil Corporation for a drill permit for a gas well to be located 1,443' FWL and 805' FNL of the Lewis J. Rigsby Survey, A-179, Gregg County, Texas which shall be called Jeter Gas Unit No. 1, Well No. 4

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Mayor Tallent opened the public hearing at 6:08 p.m. Ron Hamilton stated the next two wells will be done by two directional bores from the existing location of Jeter #3.

With no other public comments, the public hearing was closed at 6:08 p.m.

- VI. CONSIDERATION of an application from Goldston Oil Corporation for a drill permit for a gas well to be located 1,443' FWL and 805' FNL of the Lewis J. Rigsby Survey, A-179, Gregg County, Texas which shall be called Jeter Gas Unit No. 1, Well No. 4

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

- VII. PUBLIC HEARING regarding an application from Goldston Oil Corporation for a drill permit for a gas well to be located 1,491' FWL and 826' FNL of the Lewis J. Rigsby Survey, A-179, Gregg County, Texas which shall be called Jeter Gas Unit No. 1, Well No. 5

Mayor Tallent opened the public hearing at 6:09 p.m. and then closed it with no public comments.

- VIII. CONSIDERATION of an application from Goldston Oil Corporation for a drill permit for a gas well to be located 1,491' FWL and 826' FNL of the Lewis J. Rigsby Survey, A-179, Gregg County, Texas which shall be called Jeter Gas Unit No. 1, Well No. 5

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

- IX. CONSIDERATION of bids for Depository Bank

City Secretary Haralson stated that three bids were received from local banks and explained the differences between each. She said the bid most advantageous to the City was from City National Bank and recommended approval of their bid.

Mayor Pro-tem Derrick moved to accept bid from City National Bank, seconded by Councilmember Jerry Williams. Carried 6-0.

- X. CONSIDERATION of bids for 2006 Street Improvement Program

City Manager Stokes explained that we only received one bid, which was from Reynolds & Kay, the firm currently doing our work downtown and last year's street work. Their bid came in at about \$20,500 over the anticipated budget. He further explained that we could re-bid the project or award the bid. Mr. Stokes said that Hunter Kay said if we used a different type of rock (smaller rock) we could do a change order or reduce the scope of work in order to stay within budget. Mr. Stokes said the \$20,532 overage would have to come out of reserves.

Mayor Tallent recommended that we go ahead and do the project. Councilmember Owens said he would like to know more about the other rock, if it would last as long. Chris Meeks, Asst. Project Manager for Veolia Water answered that the smaller rock would need to be replaced sooner. He recommended that we go ahead and do the project as bid. Mayor Pro-tem Derrick asked if the thickness of the pavement will be affected. Both City Manager Stokes and Chris Meeks replied that it would not.

Councilmember Jerry Williams stated that these prices will only continue to go up as they are based on petroleum and moved to accept the bid from Reynolds & Kay for \$192,292. The motion was seconded by Mayor Pro-tem Derrick. Carried 6-0.

- XI. CONSIDERATION of a joint contract with Union Pacific Railroad and the Texas Department of Transportation regarding closing of rail crossing located at Ferry Street and the Union Pacific Railroad; and authorizing Mayor John Paul Tallent to execute said contract

Don Traylor, with Union Pacific was on hand to answer any questions. Mayor Tallent asked how soon the crossing will be closed if approved. Mr. Traylor replied that it should happen pretty quickly. Mayor Pro-tem Derrick received clarification that Union

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Pacific will do all of the restoration work except for the concrete curbing. City Manager Stokes said that Union Pacific has agreed to give us \$15,000 for the closing, which is a \$5,000 increase over the original offer of \$10,000.

Councilmember Derouen moved to accept the offers from Union Pacific and TxDOT and close the railroad crossing at Ferry Street for \$161,546. Motion was seconded by Mayor Pro-tem Derrick. Carried 6-0.

XII. PUBLIC HEARING regarding use of funds from possible closing of the Ferry Street railroad crossing

Mayor Tallent opened the public hearing at 6:30 p.m. City Manager Jay Stokes explained that the Union Pacific funds can be used as we wish, however TxDOT will reimburse the City for transportation and safety related projects within the general area of the Ferry Street crossing. Mr. Stokes said it's possible to use the funds for some of the Main Street projects that were previously cut, such as conduit for lighting or paving.

With no other public comments, the public hearing was closed at 6:33 p.m.

XIII. CONSIDERATION of proceeding with a proposed ad-valorem tax rate in excess of the effective rate

City Manager Stokes explained that due to a relatively new requirement, the Council must take a preliminary vote to proceed with an ad-valorem tax rate that is above the effective rate.

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

XIV. CONSIDERATION of Resolution supporting the formation of Smith County Emergency Services District No. 2

City Manager Stokes explained that northeast Smith County is looking to create a fire district similar to what Upshur County has, which would be in our ETJ. Smith County is asking that each entity involved either opt in or out. City Manager Stokes and Fire Chief Wayne Smith both recommended that we opt in. Smith County residents will still have to vote in the creation of the district, and then they would contract with the City for fire protection services, which we already provide at no cost. Fire Chief Smith said we usually respond to one or two calls per month in Smith County.

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

XV. CONSIDERATION of Ordinance to amend §93.02 (G) of the Gladewater Code of Ordinances to require proof of residence and boat ownership to obtain discounted boat ramp sticker

City Manager Stokes said the current code needs clarification as to who qualifies to get discounted boat stickers.

Mayor Pro-tem Derrick moved to approve the Lake Board's recommendation to amend the Code of Ordinances, seconded by Councilmember Owens. Carried 6-0.

XVI. CITY MANAGER'S REPORT

- a. Grant updates
- b. 2007 budget calendar

City Manager Stokes said this year we will not be receiving the STEP tobacco grant, the ETCOG clean-up grant, or the HOME grant. He said if we'd increase our match from \$15,000 to \$20,000, we would have a much better chance of getting funded on the TCDP Planning grant.

Mr. Stokes announced the upcoming meetings required for budget adoption; 8/31, 9/7 and 9/14, all at 6:00 p.m., and asked the Council to let him know now if there were any scheduling conflicts as these meetings must be published in the newspaper.

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XVII. CITIZENS COMMENTS

Delbert Burlison thanked the Council for hearing him and also for taking care of the street problems. He discussed his recent Letter to the Editor and the public criticism he received from Mayor Tallent. Mr. Burlison discussed the delays of the Main Street project and budget shortfalls and said the question is not where's he's been for the last 7 years, as Mayor Tallent had asked, but where each councilman has been.

XVIII. MAYOR'S REPORT

Mayor Tallent expressed appreciation to the Gladewater Mirror for printing the information on the City's tax rate.

He commended Fire Chief Wayne Smith for being selected to instruct a class at Texas A & M.

He thanked everyone who participated in the National Night Out sponsored by the Police Department. We had six hosts and we hope to get more next year.

There will be a special council meeting August 31st and September 7th at 6:00 p.m., and the regular meeting will be moved up one week from September 21st to September 14th.

The water line project in the Weldon area costing \$330,000 with a \$250,000 grant should begin around October 1st.

The fall clean-up day is scheduled for Saturday, October 14th from 8 a.m. till noon.

The employee Christmas party will be held Thursday, December 7th at the Gladewater Former Students Building.

XIX. ADJOURN

Councilmember Parrish moved to adjourn at 6:50 p.m., seconded by Councilmember Owens. Adjourned by consensus.

JOHN PAUL TALLENT, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY