

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
SEPTEMBER 14, 2006
6:00 P.M.

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

MEMBERS ABSENT: Joe Derouen

STAFF PRESENT: Jay Stokes, Melba Haralson, Wayne Smith, Richard Ross

GUESTS PRESENT: J.W. Shafer, Mary Jane Williams, Brenda Brown, Vi Melton, Chris Meeks, Steve Hoover, Beverly Tallent, Marilyn Kelley, Deborah Pike, B.K. Johnson, Mike Burns, Clayton Scales, Elijah Anderson

I. CALL TO ORDER

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

II. CONSIDERATION OF CONSENT AGENDA

- a) Minutes – August 17, August 31 and September 7, 2006
- b) Agreement with G.I.S.D. for a School Resource/D.A.R.E. Officer
- c) Grant Contract with the Gladewater Youth Baseball Association
- d) Grant Contract with the Gladewater Youth Softball Association
- e) Grant Contract with the Gladewater Youth Track Association
- f) Grant Contract with the Gladewater Flag Football Association
- g) Renewal of Water Services contract with Warren City
- h) Renewal of Agreement for Private Animal Shelter Services with the Humane Society of Gregg County
- i) Resolution for authorizing acceptance of a written bid on property foreclosed for delinquent taxes
- j) Fire Protection Agreement with Upshur County Rural Fire Prevention District #1
- k) Fire Protection Agreement with Upshur County Rural Fire Prevention District #1 as agent for Union Grove

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

III. CONSIDERATION of ordinance to adopting and approving the budget for fiscal year 2007

Mayor Tallent stated that we have had several workshops and meetings on the budget, with the agenda legally posted and the public was invited, however he allowed anyone present the opportunity to speak on the budget before he called for a motion. There were no public comments.

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

IV. CONSIDERATION of ordinance levying taxes for the use and support of the general government and for retirement of general obligation bonded indebtedness through an interest and sinking fund

Mayor Tallent announced the proposed tax rate is .565399/\$100 valuation, which is a decrease of 0.11627 over the current rate of .576665. He then opened the floor for public comments regarding the tax rate and there were none.

Councilmember Owens moved to approve the tax rate of .565399, seconded by Councilmember Parrish. Carried 6-0.

CITY COUNCIL MEETING MINUTES

September 14, 2006

Page 2

V. CONSIDERATION of ordinance to amend fiscal year 2006 budget

City Manager Stokes explained the list of budget amendments totaling \$558,929. Councilmember Parrish moved to approve, seconded by Mayor Pro-tem Derrick. Carried 6-0.

VI. CONSIDERATION of bids for Moore Lift Station project

Clayton Scales, KSA Engineers said that the original estimate for this project was \$600,000, and we are very pleased that the five bids received were all relatively close. However, the lowest bid was \$ \$509,335.50 from Wicker Construction. He said the crew can start in approximately 5 weeks and they will have 150 days to complete the project. City Manager Stokes added that we are still working with one more property owner for an easement.

Councilmember Jimmy Williams moved to accept the bid from Wicker Construction for \$509,335.50, seconded by Councilmember Jerry Williams. Carried 6-0.

VII. CONSIDERATION of Lake Board recommendation for water hyacinth removal

Lake Warden Richard Ross explained that since the treatment will kill vegetation, we should wait until November or December so that lake residents will be no longer be watering their yards from the lake. However, if we wait too long the water will be too cold and the treatment will not be effective. Mr. Ross confirmed that Texas Parks & Wildlife will be administering the treatment.

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

VIII. CONSIDERATION of Airport Board's recommendation regarding mowing

City Manager Stokes said the Airport Board approved Sam Lucky's request to mow the airport grounds in exchange for hay. Mr. Lucky will start out on a trial basis with an oral agreement and later move to a written contract if agreeable.

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

IX. DISCUSSION regarding policy and procedures for placing items on the agenda and addressing the City Council

City Manager Stokes said that we don't have a written policy, but it has been standard operating procedure that the City Manager, City Secretary and Mayor work in tandem to set the agenda. Mr. Stokes said we need a written policy to stand on before this becomes a problem. He then gave examples of other cities' procedures and asked for recommendations from the Council.

Councilmember Jimmy Williams said we don't want to make it difficult for people, but don't want every little issue on the agenda that could be handled by staff. He said issues that the Council voted against should not be put back on the agenda for six months.

Mayor Pro-tem Derrick said he thinks a person should be limited to only one issue per agenda.

Councilmember Jerry Williams said there should be a time limitation and groups need to have a spokesperson. He said everybody needs to be heard, but it has to be balanced so it's not abused. He also said they should sign up one week in advance of the meeting and their topic needs to be specific.

Councilmember Owens said citizen involvement is good and we are not trying to stifle that, but it has to be done in an orderly fashion.

CITY COUNCIL MEETING MINUTES

September 14, 2006

Page 3

Mayor Pro-tem Derrick added that it should not be in the form of a debate or rebuttal, but in the form of a presentation.

City Manager Stokes confirmed that any one council member can request that an item be placed on the agenda, and the agenda will continue to be prepared at the staff level with consultation with the mayor.

X. DISCUSSION regarding potential site of new park in south Gladewater

At the request of Mayor Tallent, City Secretary Haralson read a letter from the Concerned Citizens Committee (CCC), which stated according to their poll, the overwhelming choice of location was that tract of land bordered by South Main Street on the west, Weldon Homes Apartments on the south, Eleanor Street on the north, and the western edges of those private properties fronted by Eleanor Street on the east.

There was lengthy discussion between the Council and CCC representatives regarding the size and location of the site and adjoining property owners. B.K. Johnson said that 166 people were surveyed (door to door) and this site was favored 2 to 1. Mayor Tallent said he will research and see if the Starker family is willing to sell their property for the park.

XI. CONSIDERATION of using \$15,000 Union Pacific Railroad funds toward the Main Street project watering system

City Manager Stokes explained that this \$15,000 is unrestricted and recommended earmarking these funds for the water and irrigation system downtown. He said that Phillip Huseman, KSA Engineers is still working up the cost estimate.

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

XII. CONSIDERATION of bids for pickup truck for Lake Warden

City Manager Stokes said that we received two sealed bids; McKaig \$11,596.35 and J.O. Williams \$11,037.34.

Mayor Pro-tem Derrick moved to accept the low bid from J.O. Williams for \$11,037.34, seconded by Councilmember Parrish. Carried 5-0-1, with Councilmember Jerry Williams abstaining.

XIII. CONSIDERATION of contracted items in regard to 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

City Manager Stokes explained that we talked two weeks ago about using the \$146,000 from TxDOT to repair the sink holes in the brick streets downtown, but we have not been able to get solid estimates. Chris Meeks, of Veolia Water, said he has talked to numerous engineers and contractors, but needs more time to get a cost estimate. Mr. Stokes added that Guy Godfrey of TxDOT said these funds could be comfortably used within 10 blocks of the Ferry Street railroad crossing, but any further distance would require his boss' approval.

Mayor Pro-tem Derrick asked if there is a pattern to these bricks that may no longer be available. Chris Meeks responded that today's bricks are longer and thinner and it would be noticeable patchwork to the existing brick streets.

Mayor Tallent said he would like to see us use the funds for overlay, but not to go over brick streets.

Councilmember Owens commented that he would like to focus on the brick streets downtown and is disappointed that cost estimates won't be available until next month.

Councilmember Owens moved to table until next month, seconded by Mayor Pro-tem Derrick. Carried 6-0.

CITY COUNCIL MEETING MINUTES

September 14, 2006

Page 4

- XIV. CONSIDERATION of a resolution authorizing and approving the closing of rail crossing located at Ferry Street and the Union Pacific Railroad

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

- XV. CONSIDERATION of Cingular Lease Optimization Program proposal

City Manager Stokes recommended that we make no amendments, reductions or changes to the existing lease.

Councilmember Jimmy Williams moved to deny the proposal, seconded by Councilmember Jerry Williams. Carried 6-0.

- XVI. CONSIDERATION of TML-IRP Board of Trustees election

Councilmember Jerry Williams moved to vote for the incumbents since we don't know any of the candidates. Motion was seconded by Councilmember Jimmy Williams. Carried 6-0.

- XVII. CONSIDERATION of request of Pastor Mike McGuire to prohibit parking on the west side of Money Street

City Manager Stokes explained that according to a letter from Pastor Mike McGuire of the Abundant Life Church there is a problem with trucks parking on the south end of Money Street and he is concerned about it tearing up new pipe they have recently installed. Mr. Stokes said if approved by the Council, an ordinance will be presented next month for adoption.

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

- XVIII. CITIZENS COMMENTS

John Shafer, who had signed up, declined to speak because he would be limited to three minutes. He stated he does not want to speak under censorship.

- XIX. MAYOR'S REPORT

1. The water line project in the Weldon area costing \$330,000 with a \$250,000 grant, should begin around December 1st.
2. The street paving project has begun on West Lake Drive.
3. The Main Street project is progressing nicely. The main sewer line has been put in and sidewalks will begin to be torn out next week on the south end of town.
4. Jay Stokes and Mayor Tallent attended the East Texas Gulf Highway Association 41st annual meeting on September 8th in Pittsburg. Mayor Tallent was elected vice president of the association.
5. Update on Hwy 135 south to Kilgore – Phase I of State Hwy 135 going north from I-20 should let contracts in 2007. 90% of the needed right of way has been acquired. The second phase is a \$24 million project and right of way purchases should be completed by January 2007. This is the last leg of the old Green Carpet Route that many of us have been working on for many years. It looks like we are finally getting closer.
6. The widening of 1.1 miles of West Hwy 80 will begin at the earliest in 2009, according to TxDOT.
7. Our fall clean-up day has been set for Saturday, October 14th from 8 a.m. to 12 noon.
8. Our next regular City Council meeting will be October 19th.
9. The TML Convention will be held in Austin October 25-27th.
10. Our Christmas party will be held on Thursday, December 7th at 6 p.m. at the Gladewater Former Students Building.

- XX. ADJOURN

Councilmember Parrish moved to adjourn at 7:10 p.m. Adjourned by consensus.

JOHN PAUL TALLENT, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY