

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
JULY 19, 2007
6:00 P.M.

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

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

GUESTS PRESENT: Greg Oliver, Nancy Nelson, Tom Turner, Jimmy Davis, Jimmy Hardin, Rachel Hardin, Glen Fullerton, Shirley Fullerton, Diane Turner, Reba Smith, Charles Meadows, Harold R. Wells, Lola May, Joan Wilcox, Brenda Brown, Vi Melton, Janet Ross, Marilyn Kelley, Deborah Pike, B.K. Johnson, Julie Adams, Margaret Larkins, Emma Wady, Sylvia Black, Gary Roberts, Merle Muse, Todd Gibbs

I. CALL TO ORDER

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

II. CONSIDERATION OF CONSENT AGENDA

- a) Minutes – June 21 and July 9, 2007
- b) Request for water service outside the city limits at 1870 Phillips Springs Rd.
- c) Contract with Gary R. Traylor & Associates for grant management services for the 2006 Texas Capital Fund Main Street Program project
- d) Investment Report for quarter ending June 30, 2007

Councilmember Jimmy Williams moved to approve, seconded by Councilmember Derouen. Carried 7-0.

III. CONSIDERATION of request for water bill adjustment from Mrs. Nancy Nelson

Nancy Nelson, 505 Post, apologized for getting carried away with her negative comments about our water quality at the City Council meeting in April. Since then she has spoken with TCEQ and was assured that Gladewater has a superior water rating. She recapped the presentation she made in April regarding her water usage and is coming back to the Council as requested after monitoring her water consumption for the past three months.

After lengthy discussion, regret was expressed over her unfortunate circumstances, but each Councilmember offered similar comments that the City would be setting a precedent if the scientific evidence were disregarded. Since the meter tested out accurately, no adjustment can be given. The surface water is owned by the State of Texas and we cannot legally give it away.

Councilmember Jimmy Williams moved to decline the request for a water bill adjustment, seconded by Councilmember Derouen. Carried 7-0.

IV. CONSIDERATION of request of Mr. Guy Harrison regarding drainage issues along Forest Hills Drive

Mr. Harrison was not in attendance. Item skipped.

V. CONSIDERATION of request of Mr. Greg Oliver regarding drainage issues on Hackberry Street and Hampton Street

Greg Oliver, 2200 W. Hampton, said there are no drainage provisions for their neighborhood and explained the flooding problems they are experiencing with the heavy rains. About two years ago a previous homeowner removed a section of the curb on Hackberry, because it was causing water to stand in the street, and he put a

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4"-6" concrete pipe under the fence, causing the water to drain into the backyard of 2200 W. Hampton. Another plastic pipe was added later between a house on Hampton and Hackberry causing the water to drain into a backyard on Hampton. He was told the City can't do anything about the drainage, but they agreed to keep the street clean as the pipe quickly gets stopped up with pine needles, dirt and debris. He said the street has only been cleaned twice in the last two years and further complained that once a Veolia worker dumped the debris over his fence into his backyard. He asked the Council to give them some relief.

City Manager Stokes said it is inexcusable that Veolia would dump trash into his backyard and he would make sure that is handled by Project Manager Chris Meeks.

Mayor Tallent suggested that we contact KSA Engineers and have them shoot the grade and make a recommendation to the Council. Councilmember Owens suggested that the next time we pave the street we could "V" out toward Harold Street. Mayor Tallent also asked that Veolia schedule to clean Gay, Hampton and Hackberry more often. Councilmember Jimmy Williams asked residents not to blow grass and leaves into the street from their yards.

Councilmember Owens moved to have KSA Engineers to shoot grades and present the most cost effective way to improve the drainage, seconded by Mayor Pro-tem Derrick. Carried 7-0.

- VI. PUBLIC HEARING regarding a request from TXOK Texas Energy Resources, L.P. to drill a gas well to be located 1,891' FNL and 257' FWL of the T. Allen Survey, A-666, Upshur County, Texas

Mayor Tallent opened the public hearing at 6:36 p.m.

Merle Muse, Landman for TXOK Texas Resources explained that this will be a sweet gas well with a depth of 10,900' and described the location of the drill site.

Councilmember Jimmy Williams requested that they use a flare stack and separator. Mayor Tallent asked how long before they start. Mr. Muse said they could start in 30 days and will be drilling for approximately 18 days. Councilmember Jimmy Williams asked how they will access the drill site. Mr. Muse said they will go in from Highway 271 to Sheppard, to Chestnut. He said they will have to rebuild a lot of the road.

With no other questions or comments, Mayor Tallent closed the public hearing at 6:40 p.m.

- VII. CONSIDERATION of request from TXOK Texas Energy Resources, L.P. to drill a gas well to be located 1,891' FNL and 257' FWL of the T. Allen Survey, A-666, Upshur County, Texas

Councilmember Jimmy Williams moved to approve with the stipulation that they use a separator and flare stack. Motion was seconded by Councilmember Derouen. Carried 7-0.

- VIII. CONSIDERATION of a request from Gladewater Antique District Association to place planters along Main Street

Reba Smith, President of GADA said they would like to put new planters downtown that would be complimentary to the antique district.

Councilmember Jerry Williams said he has had some calls in opposition and asked if GADA had voted on the issue and how many members were present. Mrs. Smith replied that there was a consensus vote with approximately 12 members present. She said that those in opposition do not have to have a planter in front of their store. Councilmember Jerry Williams said he hopes the new planters will be more attractive and in cooperation with GADA, the Chamber of Commerce and the City. He said we need to know how many planters and where they will be placed.

Councilmember Derouen said the planters were unkept in the past and asked how we are going to regulate the size, number and location. City Manager Stokes said that in order to stay ADA compliant, there needs to be 36" clearance around the planter, so there are only certain places they can go.

Diane Turner, Antiques II owner, said they agree that something different needs to be done. She said they want to enhance the charm of the antique district and have a committee in place. She said the store owners have a vested interest downtown and GADA will maintain the planters.

Councilmember Scott Owens moved to grant permission for GADA to pursue planter options and bring information back to the Council for approval. Councilmember Jimmy Williams seconded, with the stipulation that GADA will maintain the planters. Carried 7-0.

IX. CONSIDERATION of a request from Gladewater Museum Association for the City to mow at 116 W. Pacific

Councilmember Jimmy Williams moved to approve, seconded by Councilmember Jerry Williams. Carried 7-0.

X. CONSIDERATION of purchase or lease-purchase of new backhoe

City Manager Stokes said Veolia needs a new backhoe. Chris Meeks tested several and likes the JCB, which will cost \$56,139 through Buy Board. Mr. Stokes said we can buy it outright with unused grant matching funds. Todd Gibbs, of Inter-G Equipment, gave some financing options and background information on JCB equipment.

Mr. Gibbs responded to Councilmember Derouen's question, that the backhoe is a 4-wheel drive and has a warranty of 2,000 hours or 2-years, whichever comes first.

Councilmember Jerry Williams asked the age of the current backhoe and its condition. Chris Meeks said it's a 1995 New Holland and it's not worth fixing. He said we could put it out for bid.

Councilmember Jimmy Williams asked about the current maintenance or service program for our equipment. Chris Meeks said they get a full tune up every 2-3 months and they are checked every day. Councilmember Jimmy Williams expressed concern that the employees are not doing daily checks.

Councilmember Derouen asked Chris Meeks how many operators Veolia has, stating that the more operators you have the sooner the equipment will tear up. Mr. Meeks said they have about 6 operators.

Councilmember Derouen moved to approve the purchase for \$56,139.85 delivered and requested that Veolia check to see if the extended warranty could be thrown in free gratis. Motion was seconded by Councilmember Owens. Carried 7-0.

XI. CONSIDERATION of request by Ms. E.R. Wady for speed bumps in the Weldon community area

Ms. Wady expressed concern over speeding in her community. She requested that speed bumps be installed on Miller, Roden and S. Main.

Mayor Tallent stated that we tried installing speed bumps before and they were removed due to numerous complaints. Ms. Wady said the speeders are the only ones that would complain and asked the Council to look into it.

Councilmember Jerry Williams said it is a reasonable request and he is in favor of trying it, but we need to be careful where they are placed.

Councilmember Jimmy Williams adamantly opposed speed bumps, stating they are not a means of traffic control, police presence is. He said if someone were to speed down a street with speed bumps they would lose control and come through a house. He reiterated that additional patrol is needed in the area and after a few citations are written the traffic will slow down.

Councilmember Jerry Williams suggested that we take a 30-60 day approach with strong enforcement efforts.

B.K. Johnson said that perhaps the speed limit should be lower in the area of the day care center than in other residential areas.

Mayor Tallent received verification from Chris Meeks that speed limit signs are posted. Mayor Pro-tem Derrick said that problems associated with speed bumps are a liability to the City and the best option is to concentrate patrol efforts in that area.

Councilmember Owens moved to increase patrol in the area and revisit the issue later if needed. Seconded by Councilmember Derouen. Carried 7-0.

XII. CONSIDERATION of revisions to the Performance Pay Plan

City Secretary Haralson explained the two recommended revisions.

Councilmember Jimmy Williams moved to approve, seconded by Councilmember Parrish. Carried 7-0.

XIII. CONSIDERATION of revisions to the Personnel Policy Handbook

City Secretary Haralson explained the highlights of the recommended revisions. City Manager Stokes also explained the provision for "Decision Making Leave".

Councilmember Owens moved to approve, seconded by Councilmember Jimmy Williams. Carried 7-0.

XIV. CONSIDERATION of treatment of Water Hyacinth in Lake Gladewater

Richard Ross, Lake Warden, and City Manager Stokes jointly explained the difficulty in finding the opportune time for treatment; the water level high enough, not too cold, and people not watering their yards. City Manager Stokes asked the Council for permission to proceed whenever we get the approval from the state. Richard Ross said there was a lot of water hyacinth on the northeast side, but the high water level is moving the hyacinth to the west side.

Councilmember Derouen moved to proceed as soon as possible, seconded by Councilmember Parrish. Carried 7-0.

XV. CITY MANAGER'S REPORT

- a) FY 2008 proposed budget calendar
- b) FY 2007 street paving project
- c) Potential new housing project (Don Youngs)
- d) Ferry Street railroad crossing
- e) Water Plant Phase II update
- f) National Night Out update
- g) Update on grant proposals

City Manager Stokes gave the following report;

- a) The budget workshop will be held July 26th at 10:00 a.m. at the Gardens of Gladewater. The final values came in at only a \$6m loss, primarily due to gas.
- b) Chris Meeks has made a list of streets to be paved. We will proceed with bid notices and award bids in the August meeting.
- c) Don Youngs was not able to attend. This will be discussed at a later date.

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- d) The Ferry Street railroad crossing closure is finished except for the chip seal work. If Reynolds & Kay can't do it in a couple weeks, we will get someone else.
- e) A report has been sent to Washington, D.C. regarding the 2006 and 2007 Water Treatment Plant and Wastewater Treatment Plant treated flows. According to the report the 2007 treated wastewater flow has increased significantly over 2006, even though there as less treated water in 2007. This is a good indicator that our I & I (inflow and infiltration) has improved.
- f) Interim Police Chief Clay Robertson gave a report on National Night Out, stating there are six locations set up throughout the City. Several businesses have made donations and we already have the supplies. NNO will be Tuesday, August 7th from 7:00-9:00 p.m.
- g) We have been funded for the HOME grant based on last year's funding. We will be able to tear down and reconstruct four homes.

XVI. CITIZENS COMMENTS

- a) Deborah Pike called attention to two potholes on Dean Street. She then asked the Council to explain why the ex-Chief of Police was fired. After listening to her concerns, Mayor Tallent said she needs to set up an appointment with the City Manager as the City Council has no authority over the matter.
- b) Willie Skinner said the ex-chief cleaned up the neighborhood and made it safer for them to live. He said he was grateful for the job he did and was shocked to hear he was fired. He said he would like to keep him longer.

XVII. ADJOURN

Councilmember Parrish moved to adjourn at 7:50 p.m., seconded by Councilmember Owens. Adjourned by consensus.

JOHN PAUL TALLENT, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY