

CITY OF GLADEWATER
 CITY COUNCIL REGULAR SESSION
 MINUTES
 MAY 20, 2010
 6:00 P.M.

MEMBERS PRESENT: Mayor Walter Derrick, Mayor Pro-tem John Ussery, Jimmy Williams, Joe Derouen, Scott Owens, (incoming Leon Watson, J.D. Shipp)

MEMBERS ABSENT: Judith Burlison, Margaret Bell

STAFF PRESENT: Melba Haralson, Wayne A. Smith, Farrell Alexander, Richard Ross

GUESTS PRESENT: Marsha Valdetero, Cathy Smith, Vi Melton, Mark Carpenter, Karen Morgan, Haskell Ballew, Pat Watson, Mary Jane Williams, Joyce Hugman, Joyce Hanes, Jim Lindsey, Jimmy Davis, Michael Watson, Mike burns, Diane Turner, Beverly Wells, John Choice, Brent T. Abernathy, Sue Moore, Don Beale, Chris Thompson, Jim Bardwell

- I. CALL TO ORDER – Mayor Derrick called the meeting to order at 6:00 p.m.
 - a) Invocation – Mayor Derrick
 - b) Pledge of Allegiance – Mayor Pro-tem John Ussery
- II. RECANVASS the votes for the General Election held on May 8, 2010, depending on the outcome of the May 18, 2010 recount

City Secretary/Interim City Manager Melba Haralson explained that one additional provisional ballot was qualified by the voter registrar and accepted for counting by the Early Voting Ballot Board. In addition, there were two recounts performed, so the official tabulation is as follows;

<u>CANDIDATE & POSITION</u>	<u>ELECTION DAY</u>	<u>EARLY VOTING</u>	<u>TOTAL</u>
Walter Derrick, Mayor, Place 1	246	266	512
Leon Watson, Place 2	184	159	343
John Lee Ussery, Place 2	135	162	297
Mark Carpenter, Place 3	169	147	316
Jimmy R. Williams, Place 3	146	173	319
J.D. Shipp, Place 7	214	237	451
Calvin Cisco Frierson, Place 7	109	77	186
Total Casting Ballots			
Early Voting		332	
Election Day		<u>336</u>	
Total		668	

Councilmember Derouen moved to accept the tabulation as presented, seconded by Councilmember Owens. Carried 5-0.

- III. PRESENTATION to outgoing City Council members

Skipped.

- IV. OATH OF OFFICE to newly elected City Council members

City Secretary Haralson administered the Oath of Office to Mayor Walter Derrick and Council members Jimmy Williams, Leon Watson and J.D. Shipp and presented each with a Certificate of Election.

V. CONSIDERATION of appointment of Mayor Pro-tem

Simultaneously Councilmember Joe Derouen moved to appoint Jimmy Williams as Mayor Pro-tem and Councilmember Leon Watson moved to appoint Scott Owens. With both motions on the floor, Councilmember Owens volunteered to temporarily withdraw his name and seconded the motion to appoint Jimmy Williams. Carried 5-1 with Councilmember Watson opposed.

VI. CITIZENS COMMENTS

Mark Carpenter, 2301 Woodbine said he was sorry to have lost the election by 3 votes and he may be appealing the election results. He said he had hoped to see a change in the way the Mayor Pro-tem was selected and was disappointed in the process.

VII. CONSIDERATION of Consent Agenda

- a) Minutes – April 15, 2010 and May 12, 2010
- b) Appointment of Mark May to the Main Street Board to fill an unexpired term until November 2012
- c) Tax refund to Rochester Johnson for disabled veteran homestead exemption per Upshur County Appraisal District
- d) Relocation of Civil Air Patrol Obstacle Course per recommendation of the Airport Board

Mayor Pro-tem Williams moved to approve the consent agenda, seconded by Councilmember Owens. Carried 6-0.

VIII. UPDATE on Dallas Force Main by Mike Burns, KSA Engineers

Mike Burns, KSA Engineers presented the Council with a handout to show the existing force main and gravity flow lines. He said we continue to have problems with this deteriorated line and it is just a matter of time before TCEQ issues a directive. The estimated cost of the entire project is about \$2 million. His recommendation is to apply for 80/20 TCDP grant to get the project started and then apply for a low interest loan through RDA to complete it. According to City Secretary Haralson we will have one bond issue paid off in February 2013.

IX. RESOLUTION engaging Gary R. Traylor & Associates, Inc. to perform various professional services in connection with the preparation of its 2011-2012 Texas Community Development Block Grant application through Texas Department of Rural Affairs

Councilmember Owens moved to approve the resolution, seconded by Councilmember Watson. Carried 6-0.

X. CONSIDERATION of Change Order for Water Treatment Plant sludge and vegetation removal and clear well top modifications presented by John Ringler, KSA Engineers

This item was skipped until the June agenda as all information has not been received.

XI. CONSIDERATION to delay signing of Veolia Water, N.A. contract until a special meeting is set up to discuss TCEQ inspections and related issues

Councilmember Owens requested this item be placed on the agenda because he would like to question Veolia management on TCEQ inspections and subsequent disciplinary time off. He said the inspection was done prior to voting on the contract and we need clarification so that everybody is satisfied. Councilmember Williams and Councilmember Derouen both agreed to the delay.

Councilmember Owens then moved to delay signing the Veolia contract, seconded by Councilmember Derouen. Carried 6-0.

XII. CONSIDERATION of Ordinance to amend §30.77 (F) of the Gladewater Code of Ordinances – Main Street Board – Term of Office

Marsha Valdetero, 1009 Walnut, Main Street Director, said the terms of several board members have expired. She said she needs the experience of current board members and asked the Council to approve the ordinance to remove the term limits.

Councilmember Williams said we have terms on those board appointments for a purpose. If remove the limit it may cause problems down the road. Marsha Valdetero responded it is still in the ordinance that the board can remove someone with a 2/3 majority vote or the board member can submit a letter of resignation.

Mayor Derrick asked if this was a unanimous vote of the board and Mrs. Valdetero responded that it was.

Councilmember Owens said this is set up no different than any of our boards and moved to approve the ordinance, seconded by Councilmember Derouen. Carried 6-0.

- XIII. PUBLIC HEARING regarding demolition of structures at the following locations;
- a) Lot 7, Block 6 Carver, more commonly known as 611 Eleanor Street
 - b) Lots 11A; 12 & 13, Block 2 Sunset (W 20' Lot 11), more commonly known as 316 W. Sunset
 - c) Lot 1 Block 6 Gladeview, more commonly known as 2909 W. Gay Avenue
 - d) Lots 18 & 19A Block 1 (N 5' Lot 19) Belwood, more commonly known as 703 Roden Lane

Mayor Derrick opened the public hearing at 6:43 p.m. and then closed it after no one wished to speak on the issue.

- XIV. CONSIDERATION of demolition of structures at the following locations;
- a) Lot 7, Block 6 Carver, more commonly known as 611 Eleanor Street
 - b) Lots 11A; 12 & 13, Block 2 Sunset (W 20' Lot 11), more commonly known as 316 W. Sunset
 - c) Lot 1 Block 6 Gladeview, more commonly known as 2909 W. Gay Avenue
 - d) Lots 18 & 19A Block 1 (N 5' Lot 19) Belwood, more commonly known as 703 Roden Lane

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

- XV. PUBLIC HEARING to consider a request to rezone the property located at Lots 3-5, Block 1 of the Norton & Olson Addition, more commonly known as the vicinity of 411 Godfrey, from Single Family to Multi-Family

Mayor Derrick opened the public hearing at 6:46 p.m.

Beverly Wells asked if neighbors were notified. City Secretary Haralson said they were all sent certified letters and a notice was put in the newspaper.

With no other public comments, the public hearing was closed at 6:48 p.m.

- XVI. CONSIDERATION of a request to rezone the property located at Lots 3-5, Block 1 of the Norton & Olson Addition, more commonly known as the vicinity of 411 Godfrey, from Single Family to Multi-Family

Mayor Derrick said there are already apartments on the back side of this property. Councilmember Owens said it will be a great addition to that neighborhood.

Councilmember Watson moved to approve the request, seconded by Councilmember Shipp. Carried 6-0.

- XVII. CONSIDERATION of a request by John and Faye Dunn to use the Ken Bennett Pavilion for southern gospel concerts to coordinate with downtown events

Faye Dunn, 204 Maple said she and her husband are co-chairs of the outreach program at First Baptist Church. She said they will coordinate use with the city and chamber so as not to interfere with other events. They would like to use the pavilion about 3 times a year.

Councilmember Watson and Marsha Valdetero received confirmation from Mrs. Dunn that they will not interfere with the Pancake Breakfasts at Gusher Days and Arts & Crafts.

Councilmember Derouen moved to approve as long as it is cleared through the City, seconded by Councilmember Williams. Carried 6-0.

XVIII. CONSIDERATION of a request for a fireworks display for the Gladewater High School graduating class of 2010

Fire Chief Wayne Smith said he has been in contact with the man who is putting it on. His original concern was about the populous area, however he believes it will be a safe event lasting 4-5 minutes. The show will be done by a licensed and insured pyrotechnician. Chief Smith said he has no problem with the event and they will have a fire truck on location.

Councilmember Williams moved to approve the request, seconded by Councilmember Shipp. Carried 6-0.

XIX. DISCUSSION at the request of Robert and Beverly Wells regarding the enforcement of current animal control ordinances §90.03 animals running at large and §90.05 nuisance animals; and the need to hire an experienced city manager

Beverly Wells said they moved to Gladewater last October and have had continuous problems with their neighbor's dogs since they moved in. She said they bark all during the night and come into their yard. She said she has filed numerous complaints with the police department and doesn't feel anything is being done to alleviate the problem.

Councilmember Williams stated that Chief Alexander was in the process of updating our animal control ordinances.

Police Chief Farrell Alexander responded that they have issued citations and filed complaints, which is going through the municipal court system. He said there is nothing more they can do.

XX. EXECUTIVE SESSION pursuant to Government Code §551.074 regarding recruitment of City Manager

The Council recessed into executive session at 7:15 p.m.

XXI. RECONVENE into open session and take any action necessary regarding recruitment of City Manager

The Council reconvened into open session at 7:46. Councilmember Derouen moved to take no action, seconded by Councilmember Watson. Carried 6-0.

XXII. CITY MANAGER REPORT

- a) Grants
- b) Special Projects
- c) Announcements

Interim City Manager Melba Haralson gave the following report;

- a) Grants
 1. Weldon-Bumblebee Park – the concrete work is done and the restrooms are well underway. The project should still be finished ahead of schedule in mid summer.
 2. Water Treatment Plant – They have dug out for filter and put in the inlet pipe, electrical fields and generator pipe are laid out and the silt fencing is up. They are working out issues on the SCADA system.
 3. Airport – The taxi-way work is in progress and the water lines have been laid.

4. We finally received approval on the SECO grant for \$40,303 to be used for energy efficiency upgrades. We will replace the air conditioning units at the police department and will replace old fluorescent light fixtures at the police department and city hall.
 5. We were awarded \$7,500 from the ExxonMobil grant for 3 summer interns who must be enrolled as a full time college or university student in the fall.
 6. We closed on 3 HOME grant houses and had the bid opening for the other 2. TCMC Construction was awarded the bid, the same contractor that is doing the work on Weldon Bumblebee Park. We had to de-obligate \$35,646 from the 1st HOME grant because bids came in less than expected.
- b) Special Projects
1. A demand letter was sent to Dual Construction for the defective work on Gay Avenue drainage. If we have no results by the end of next week we will proceed with filing a claim against the bond.
 2. The baseball field on Pacific Avenue is in desperate need of repair. The roof is falling in on the concession stand, the press box is so dangerous they can't use it, the bleachers had to be replaced and it needs lights and painting. The 13-14 year old boys use this field and they will be hosting a tournament June 18th. We are soliciting the help of Gregg County inmates to do the work. Police Chief Alexander said he contacted Sheriff Maxey Cerliano and they will be sending several inmates over next week.
- c) Announcements
1. A "burn-out" starts at midnight tonight on our water system. This is a procedure prescribed by TCEQ to periodically clear the lines of build-up. We converted from using free chlorine to chloramine 4-5 years ago in order to eliminate chlorine's by-products of trihalomethanes and haloacetic acids. Chloramine (which is chlorine and ammonia) is considered to be a safer water treatment method but about once a year we need to go back to free chlorine for 2-4 weeks until the residual comes back up. The water is still safe to drink, however there may be a slight discoloration during this process.
 2. Thanks to all our election workers; Election Judge Welton Jones, Alternate Judge Rhonda Murray, Barry Cook, Leveda Blalock and Joyce Sanov. The recount committee, who met twice, was Ray Peden, Harold Wells, Lorraine Clark and Dean Simmons. These fine citizens are doing a great job of serving their community. They took time to go to training and they conducted the election and recount to the best of their ability. They are champions in my book and are appreciated so much.
 3. We received the preliminary values from Gregg and Upshur County Appraisal Districts and it's too soon to tell whether the values will be up or down.
 4. There will be a golf tournament in honor of Mayor Walter Derrick on July 2nd hosted by the Weldon Alumni Association.

XXIII. ADJOURN

Councilmember Derouen moved to adjourn at 8:00 p.m. seconded by Councilmember Watson. Adjourned by consensus.

WALTER DERRICK, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY
INTERIM CITY MANAGER