

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
JULY 21, 2011
6:00 P.M.

MEMBERS PRESENT: Mayor Walter Derrick, Mayor Pro-tem Scott Owens, Jimmy Williams, Harold Wells, Delbert Burlison, Leon Watson, J.D. Shipp

STAFF PRESENT: Sean Pate, Melba Haralson, Dennis Jones, Wayne A. Smith, Farrell Alexander

GUESTS PRESENT: B.T. Tolbert, Michael Tolbert, Judy Burlison, Eric Fisher, Beth McKamy, Lola May, Mark May, Neal Franklin, Kenneth Beck

- I. CALL TO ORDER – Mayor Derrick called the meeting to order at 6:00 p.m.
a) Invocation – Mayor Derrick
b) Pledge of Allegiance – Councilmember Shipp

II. CITIZENS COMMENTS

None

- III. CONSIDERATION of Consent Agenda
a) Minutes – June 16, 2011 and July 7, 2011
b) Agreement to restrict occupancy of Whisenhunt Center

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

IV. CONSIDERATION regarding update of timber project

Ken Beck stated the City hired him December 16, 2010 to thin timber around the north end of Lake Gladewater. He paid \$48,000 up front and now he has paid us a total of \$102,000 which is much more than anticipated. However, in the process he paid \$5,000 for right of way access and \$41,000 over and above normal cost on equipment. He requested to hold back \$14,441 on the next two contracts. City Manager Pate requested he clear 100 feet behind the dam and thin after that (60 acres) because of TCEQ regulations plus asked him to look at doing the old landfill. Mr. Beck estimates another \$25,000-\$30,000 in profit to the City.

Mayor Pro-tem Owens moved to approve his request to hold back \$14,441 from next two jobs, seconded by Councilmember Williams. Carried 7-0.

V. CONSIDERATION to allow Upshur County to make changes to intersection of Willow Oak and Phillips Springs Road

Upshur County Engineer Eric Fisher said there are safety concerns with the “Y” intersection at Phillips Springs and Willow Oak and requested permission to change it to a “T” intersection. He said they are reworking Phillips Springs from Willow Oak going north so this would be a perfect time to make the change. After work is completed (in early September) the intersection will be controlled with a stop sign on Willow Oak going west.

Councilmember Williams moved to approve the change, seconded by Councilmember Watson. Carried 7-0.

VI. CONSIDERATION of Ordinance to amend §93.11 of the Code Ordinances for Park Pavilion Rental

City Manager Pate explained at last meeting it was voted to charge a \$75 deposit for pavilion reservations, which must be adopted by ordinance.

Councilmember Wells moved to approve, seconded by Councilmember Burlison. Carried 7-0.

VII. CONSIDERATION of Resolution for C.A.R.D. rule making 2011

City Manager Pate stated the City is already a C.A.R.D. member city (Cities Advocating Reasonable Deregulation). We share the cost per capita with other C.A.R.D. cities and our cost is approximately \$20,000. Mr. Pate recommended approval.

Councilmember Watson moved to approve, seconded by Mayor Pro-tem Owens. Carried 7-0.

VIII. CONSIDERATION of Ordinance to approve fire service related fees

City Manager Pate said the ordinance was approved a couple months ago and this is the fee structure that goes along with that. Staff recommends approval as presented.

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

IX. CONSIDERATION of request from Joe Bowen to place a propane tank on City owned property

Joe Bowen, 141 PR 1996, Gladewater is the owner of Skynet Country said he leases space from the City on the Allison Street water tower and has a building at the foot of the tower for equipment to run wireless internet service. He requested permission to place a propane tank next to the fence in order to run a generator for a back-up source of power. He said Centerpoint Energy wants \$1,100 to run a line for natural gas and it is less expensive to find a used propane tank and have Strube Propane install it.

After lengthy discussion and opposition was voiced from several council members, Mr. Bowen withdrew his request for propane and asked for an easement to trench for natural gas. City Manager Pate stated that will need to be considered on a future agenda.

X. CONSIDERATION of Ordinance to amend §91.01 of the Code of Ordinances – Fire Prevention Code

City Manager Pate said this is to update our codes with the latest edition of the International Fire Code.

Mayor Pro-tem Owens moved to approve, seconded by Councilmember Burlison. Carried 7-0.

XI. CONSIDERATION of Ordinance to amend §150.01, §150.02 and §150.011 of the Code of Ordinances – Building Codes

City Manager Pate stated this is to update our codes with the latest editions of the International Building Code.

Councilmember Williams moved to approve, seconded by Mayor Pro-tem Owens. Carried 7-0.

XII. CONSIDERATION to amend Lake Store lease agreement

City Manager Pate said the current lease on the Lake Store is \$400 per month plus utilities. Mike Tolbert is a great tenant and helps the City a lot by going above and beyond what is required in the lease. The drought and heat wave is hurting his business and the electric bills are over \$300 per month. Mr. Pate said we don't want to lose him and asked the Council to consider a reduction.

There was a healthy debate among Council and several options were discussed. Mayor Pro-tem Owens suggested lowering the monthly rent to \$150 for the balance of the term. Councilmember Wells said he would like to eliminate the rent, city to pay utilities plus give him 20% of permit fees. Councilmember Williams countered he will go as far as no rent for the rest of the contract but they still pay utilities. Mayor Derrick said they are not able to make ends meet; even if rent is reduced they can't pay electric bill. He suggested no rent for a season and split utilities 50/50.

Councilmember Wells moved to waive the rent and absorb the light bill for the next 6 months. Motion was seconded by Councilmember Watson. Carried 4-3 with Councilmembers Williams, Shipp and Owens opposed.

XIII. CITY MANAGER REPORT

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

City Manager Sean Pate gave the following report;

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- a) We are making application through the Texas Capital Fund for another Main Street grant for sidewalks on the side streets downtown. Traylor & Associates is assisting and it's also in the Capital Improvement Plan.

The Fire Department has received a grant for \$1,750 for training. Five employees are taking online courses.

- b) Gladewater Main Street Board is sponsoring a Progressive Classic Car Cruise beginning at Wills Point and ending here on July 23rd. There will be about 150 cars and they will stage downtown about 4:30 p.m. A \$5 meal will be served. To participate in judging 1 non-perishable item of food must be contributed.

The spillway repair job is scheduled to start this weekend and will take about 10 days.

The Water Treatment Plant project is likely to be finished by mid August.

- c) There are 5-6 trees dying at Weldon Bumblebee Park due to the drought. We will take the trees down and replant in the fall.

We will have a budget workshop the first part of August. Our certified values are down about \$3.6m which means the effective tax rate will go up.

Allied Waste is inviting the Council and department heads to their employee appreciation party.

XIV. ADJOURN

Councilmember Shipp moved to adjourn at 7:28 p.m., seconded by Councilmember Williams. Adjourned by consensus.

WALTER DERRICK, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY