

CITY OF GLADEWATER  
CITY COUNCIL REGULAR SESSION  
MINUTES  
MARCH 28, 2013  
6:00 P.M.

MEMBERS PRESENT: Mayor Harold Wells, Mayor Pro-tem Scott Owens, Leon Watson, Lana Niemann, Delbert Burlison, J.D. Shipp

STAFF PRESENT: Sean Pate, Melba Haralson, Clay Robertson, Casey Chambers, Paul Jaap, Wayne A. Smith

GUESTS PRESENT: Chris Aylor, Coden Rich, Samuel Sanlart, Karen Mascho, Carmen Armstrong, Diane Ratcliffe, Carol Huff, Steve Marsh, Howard Olis, Linda Wells, Hal Wells, Marsha Valdetero, Cathy L. Smith, William Andrews, Elijah Anderson

I. CALL TO ORDER – Mayor Wells called the meeting to order at 6:00 p.m.

- a) Invocation – Mayor Pro-tem Owens
- b) Pledge of Allegiance – Councilmember Niemann

II. CITIZENS COMMENTS

Karen Mascho, 5031 White Oak Road, Big Sandy, Pastor of Grace Mennonite Fellowship in Gladewater, expressed deep concern about pedestrians trying to cross Highway 80 without crosswalks. She cited 3 fatalities and asked Council to facilitate installation of crosswalks.

City Manager Pate stated these are valid issues and the safety of our citizens is a priority, which is one reason we established a traffic safety officer. He said the lack of a center turn lane and speeding vehicles are serious issues and we have asked TxDOT to do another traffic study since Highway 80 is a state highway and is controlled by them.

III. CONSIDERATION of Consent Agenda

- a) Minutes – February 21, 2013 and March 18, 2013
- b) Blanket Permit for 28<sup>th</sup> Annual East Texas Gusher Days festivities
- c) Ordinance to amend § 50.15 - Schedule of Rates for Allied Waste Services, Inc.

Councilmember Watson moved to approve, seconded by Councilmember Burlison. Carried 6-0.

IV. CONSIDERATION of awarding contract for 2011 TxCDBG Wastewater Collection Improvements (Dallas Force Main)

Colden Rich, KSA Engineers presented the bid tabulation. There were 8 bids and the low bid of \$209,422.22 was from David Lawler Construction out of Shreveport. Mr. Rich recommended approval. There were questions from Council regarding using a contractor from Louisiana instead of Texas. Mayor Wells and Mayor Pro-tem Owens both said they would like to keep it in state and were in favor of awarding to the 2<sup>nd</sup> highest bidder; Terry Black Construction of Alto, Texas for \$216,374.71. Colden Rich and Chris Aylor informed Council of the strict timeline and cautioned the Council that since this is a Community Block Grant job we must present a good reason to the state for not taking the low bid. He said this will set the City up for criticism and possibly a lawsuit from the low bidder.

Mayor Pro-tem Owens moved to award the contract to the low bidder; David Lawler Construction for \$209,422.22. Motion seconded by Councilmember Watson. Carried 6-0.

V. CONSIDERATION of Change Order No. 1 for 2011 Texas Capital Fund Sidewalk Improvement Project – Main Street

Colden Rich, KSA Engineers presented the details of the change order totaling \$8,266 and stated the project is still under budget. City Manager Pate stated we are also changing from the 5 globe lights to the 1 globe light on the side streets in order to give greater distinction to Main Street and reduce costs.

There was a lengthy discussion and dissatisfaction regarding the handrail construction. Mr. Rich stated they are not constructed correctly and will be re-done to be ADA compliant and

match the design drawings. He said they stopped the contractors as soon as they saw it was being done incorrectly.

Mayor Pro-tem Owens moved to approve Change Order #1, seconded by Councilmember Niemann. Carried 6-0.

Councilmember Shipp moved to approve the change in lights as described, seconded by Councilmember Watson. Carried 6-0.

Mayor Pro-tem Owens moved to modify the handrails so that we do not have vertical standard into gutter area with understanding the rail will extend into gutter areas and that area be painted as a pedestrian are to minimize vehicles striking them at no additional cost to the City. Motion seconded by Councilmember Burlison. City Manager Pate suggested it would be better to table this issue for one month because Colden Rich and Chris Aylor are not responsible for KSA and probably need to obtain clearance from superiors. Mayor Pro-tem Owens and Councilmember Burlison both withdrew their motions.

There was further discussion in which Chris Aylor pointed out that KSA didn't do anything wrong. He said they construction was done as the City desired and it was discussed during pre-construction meetings.

Mayor Wells stated we hired KSA to do a job. The sub-contractor never cleaned the brick streets or removed concrete dust from the buildings. He said KSA needs to be there to supervise the project. Mr. Aylor pointed out that the contractor is not done yet and this is a \$150,000 job. There is not enough budget to have KSA there full time. He said the contractor works for the City, not KSA.

Mayor Pro-tem Owens moved to table until next month to give time for KSA to work with Paul Jaap on handrails and striping, seconded by Councilmember Burlison. Carried 6-0.

- VI. CONSIDERATION of Resolution to authorize advertisement and sale of surplus property located at 705 North Rodeo, legally described as Lot 12 Block 2, Gladeview Addition S177 (A8) and house

City Manager Pate said we need to advertise for approximately 30 days, we will obtain sealed bids and present to Council.

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

- VII. CONSIDERATION of Texas Department of Transportation Grant for Routine Airport Maintenance Program

City Manager Pate stated this is a 50/50 grant for \$100,000, which will allow us to address immediate maintenance needs at the airport; crack seal the runway and night approach light system.

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

- VIII. CONSIDERATION of Main Street Board appointments of Mark Armstrong and Jim Bardwell

Councilmember Watson moved to appoint Mark Armstrong, seconded by Councilmember Shipp. Carried 6-0.

Councilmember Burlison moved to appoint Jim Bardwell, seconded by Councilmember Shipp. Carried 6-0.

- IX. UPDATE on Board Appointment Policy

Mayor Pro-tem Owens stated the Council appointed a committee consisting of City Secretary Melba Haralson, Councilmember Burlison and himself to work on a board appointment policy with the objective of gaining more participation of citizens to serve on boards. In the process we have been looking at ordinances and they were not consistent from one board to the next and then we came to a legal issue regarding the Doctrine of Incompatibility. We will be ready to present the policy in the April meeting.

X. CONSIDERATION of Fire Department Physical Fitness Policy

City Manager Pate stated our City Attorney has approved this policy and it has been further reviewed by the Fire Academy and Longview Fire Department. Fire Chief Wayne Smith added that we wanted to set a standard in the department and maintain the same level of physical fitness as what is required when certified through the Fire Academy.

Councilmember Niemann moved to approve, seconded by Councilmember Burlison.  
Carried 6-0.

XI. CITY MANAGER REPORT

a) Workshop for water / sewer replacement – KSA did a hydraulic analysis for the water system and is now going over the sewer portion of the study. We will have a special workshop on April 8, 2013 and have John Martin of Southwest Securities present to discuss financing options.

b) Update on Siemens proposal – This will also be included in the workshop.

c) Building permits / process – City Inspector Christopher Wells has evaluated our processes and cost of permits. We will bring those findings to Council at a later date.

d) Update on ETMC contract – There was a meeting with ETMC earlier in the day. We are evaluating all possibilities before bringing back to Council.

XII. ADJOURN

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

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HAROLD R. WELLS, MAYOR

ATTEST:

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MELBA HARALSON, CITY SECRETARY