

CITY OF GLADEWATER
CITY COUNCIL SPECIAL SESSION
MINUTES
DECEMBER 2, 2014
6:00 P.M.

MEMBERS PRESENT: Mayor Harold Wells, Mayor Pro-tem J.D. Shipp, Elijah Anderson, Chris Bland, Leon Watson, Scott Owens, Lana Niemann

STAFF PRESENT: Sean Pate, Michael Kirkwood, Robert Vine, Wayne Smith, Al Harrison, Paul Jaap

GUESTS PRESENT: Gary Clark, Dortha Cauthen, Brenda Attaway, Janice Attaway, Ken Cauthen, Richard Yeakley, Jim Koontz, Millis Koontz, Demetra Lossett, Larry Lossett, Jennifer Tankersley, Randy Koss, Mike Reynolds, Jane Reynolds, Pat McFarland, Paula Ellis, Corey Ellis, Arthur Wilken, Pete Gerbine III, James Byrd, Jimmy Mohon, Bob Chauvin, Jami Cline, Christopher Reach, Jane Gregston, Anita Corbell, Raymond Young, Randy Rumfield, Kristy Reagh

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

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

II. CONSIDERATION of Agreement for Fire Protection Services with Smith County Emergency Services District #2

City Manager Sean Pate gave the history of the contract negotiations and stated we have a new defined area map that we are comfortable with. The agreement is for \$15,000 per year which is \$10,000 more than before.

Mayor Pro-tem Shipp acknowledged late Councilmember Delbert Burlison and stated he worked hard on this project and it is nice to see it come to fruition.

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

III. PUBLIC HEARING regarding proposed annexation

Mayor Wells opened the public hearing at 6:07 p.m.

City Manager Pate displayed the annexation map and pointed out the 3 properties that have signed the Development Services Agreement. He said after the accuracy of the city limit boundary was questioned at the last meeting he checked with Gregg County Appraisal District and Gregg County and confirmed that the current annexation map is correct.

1. Jerry Williams questioned how they could change the law so that a vote would be required to be taken prior to annexation. He said they don't get a say in the matter and feels it is taxation without representation. City Attorney Ron Stutes said that is a legislative matter and the process would be to seek an endorsement from a state representative to sponsor a bill.
2. Bud Wilkins received clarification from Ron Stutes regarding the Development Service Agreement and pre-existing agriculture or timber exemptions. Mr. Stutes explained these properties are not taxed by the city unless the property use changes.
3. Randy Koss disputed the city limit boundary line as depicted on the map and said he has been paying city sales tax to the state for 25 years. He said if the state has not been giving the city its portion of that sales tax then we need to get it and apply it toward the sewer system. City Attorney Stutes and Councilmember Niemann both advised him to consult with the appraisal district as the City does not control the map. Mr. Koss then questioned how far grandfathering zoning and building codes go. He said he has a slab done and wants to start building a garage. He questioned if he will be allowed to clean up and burn stumps, etc. Mr. Stutes, Councilmember Owens and Councilmember Niemann all addressed his concerns.
4. Jane Gregston asked what keeps the Council from annexing them in the future. Councilmember Owens said this Council has no interest in annexing any property outside the current proposed area. However, they cannot legally encumber a future

Council. Mrs. Gregston then expressed concern over a leaning utility pole. City Manager Pate responded that is a Verizon pole and they have been notified.

5. Randy Rumfield asked what measures the City has taken to educate people on what they can and cannot do according to City codes. City Manager Pate stated we will continue the open door policy, utilize the City website, and the Police Department has put together a brochure that will be handed out to residents.

With no further public comments Mayor Wells closed the public hearing at 7:02 p.m.

- IV. ANNOUNCEMENT – Vote on proposed annexation will occur at a special meeting on December 23, 2014 at 6:00 p.m.

Mayor Wells so announced.

- V. ADJOURN

Mayor Pro-tem Shipp moved to adjourn at 7:04 p.m., seconded by Councilmember Anderson. Adjourned by consensus.

HAROLD R. WELLS, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY