

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
SEPTEMBER 18, 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, Melba Haralson, Kathi Corwin, Michael Kirkwood, Paul Jaap, Wayne A. Smith

GUESTS PRESENT: James A. Jones, Jimmy Mohon, Jimmy Huffman, Opal Slusser, Ronnie Slusser, Cindy Byrd, Dawn Elrod, Robert Haberle, Jeremy Buechter, Todd Clifton, Linda Wells, James Mohon, Paula Ellis, Lindsey Searle, Casey Searle, Dorothy Thompson, Monty Mohon, Kathleen Kendall, Doug Kendall, Corey Ellis, James Byrd, Kym (illegible), Keith Corbell, Cindy Thompson, Pat Watson, Lisa Rose, Jimmy Williams, James Nixon, Melanie Nixon, Sheila Faggans, John Paul Tallent, B.K. Johnson, Phillip Godlock, R.L. Byers, Suzie Lambert, Mike Lambert, Melissa Dennis, Jeff Dennis, Margaret Larkins, Penny Johnston, Ed Parton, Charlie Mouton, John Pyburn, Millie Koontz, Jim Koontz, Stephanie Griffith, Paul Hall, Justin Elrod, Scott Byrd, Pete Gerbine III, Teresa Guthrie, Mike Reynolds, John Lee Ussery, Margaret Wilhite, Carel Wilhite, D'Ann Gerbine, Michael Morrison, Stacy Morrison, James Johnston, Ector Barnes, Susan Gerbine, Pete Gerbine

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

- a) Invocation – Councilmember Anderson
- b) Pledge of Allegiance – Councilmember Niemann

II. CITIZENS COMMENTS

Paula Ellis, 23859 CR 374, expressed opposition to the proposed annexation. She cited benefits of living in the country such as hunting, fishing, 4-wheeling, etc. and fears those freedoms would be taken away if they were annexed. She said Gladewater will not be able to offer anything that is advantageous to them and she doesn't think annexation is the right thing to do.

James Jones, 24282 CR 374, expressed strong opposition to the proposed annexation. He said the city is of no benefit to them. They don't need the police department because they can control crime themselves and they don't want to have to get fire, building permits, etc. He said it all comes down to money and the city is just being greedy.

III. CONSIDERATION of Consent Agenda

- a) Minutes –August 21, 2014 and August 28, 2014
- b) Hotel Occupancy Tax agreement with Gladewater Chamber of Commerce
- c) Engagement letter with Karen A. Jacks & Associates for fiscal year 2014 financial audit
- d) Grant contract with Gladewater Youth Baseball Association
- e) Grant contract with Gladewater Youth Basketball Association
- f) Grant contract with Gladewater Youth Football Association
- g) Grant contract with Gladewater Youth Softball Association
- h) Grant contract with Gladewater Youth Track Association
- i) Fire Protection agreement with Upshur County Emergency Services District #1
- j) Fire Protection agreement with Upshur County Emergency Services District #1 – Union Grove

Councilmember Watson moved to approve, seconded by Councilmember Anderson. Carried 7-0.

IV. CONSIDERATION of Phase 1 Annexation Service Plan

Jeremy Buechter, P.E. with Schaumburg & Polk Engineers made a brief presentation regarding Phase 1 of the proposed annexation.

Councilmember Owens, as a representative of the Reinvestment Committee, explained that the focus of the Reinvestment Committee is to better utilize properties currently owned by the City and increase revenue, and to examine where City assets are being used such as the Police Department, Fire Department, youth sports programs, etc. He cited a previous annexation along Highway 271 South that has been cleaned up from the run down strip of

beer joints that existed there in the 50's and 60's. He said we are now seeing development in that area. Councilmember Owens stated that more and more of the City's assets are dedicated to this area. The Fire Department covers wrecks and fires and the Police Department is regularly called by Gregg County to assist. He said there will be no vote tonight other than to move forward with scheduling 2 public hearings.

Mayor Pro-tem Shipp (speaking to those in attendance) said we realize that we are not elected by you guys but we will be taking action that affects you. He said we have a responsibility to look 20-30 years beyond to do what is in the best interest of the City. He said we will be faced with whether to extend Loop 485 as the proposed route of Toll Road 49 is Hwy 271 north of I-20 through Gladewater.

Councilmember Owens moved to adopt a resolution to approve the Phase 1 Annexation Service Plan and hold required public hearings at the City Council meetings on November 20, 2014 and December 18, 2014. Motion was seconded by Councilmember Watson. Carried 7-0.

V. CONSIDERATION of GEDCO budget for fiscal year 2015

Councilmember Watson moved to approve the budget as presented, including \$15,000 contingency reserve. Motion was seconded by Councilmember Anderson. Discussion ensued.

GEDCO President Todd Clifton said the proposed budget has been approved by the GEDCO Board. He said he is proud of the recent accomplishments and there are more companies coming to Gladewater. He complimented GEDCO Director Robert Johnson for an excellent job and also said the Board works hard.

Robert Johnson stated he met with all City Council members individually and there was one concern expressed that he will address in the future.

Mayor Wells and Councilmember Watson both complimented Robert Johnson and the GEDCO Board for a job well done.

Councilmember Owens said he has seen good things happen this past year and anticipates good things coming in the future, however, he has a problem with Councilmember Watson's motion. He said the only oversight the City Council has over GEDCO is to approve their budget and appoint their board members. He said the Council cannot approve anything from reserves and any significant difference is supposed to come back to the Council for approval.

Robert Johnson stated the board is very responsible and never let the reserves get too low. He said the contingency is needed in case we have a big industry coming. According to the GEDCO attorney Councilmember Watson's motion is legal. Mr. Johnson said the board uses reserves in a logical and sophisticated manner.

Councilmember Owens said he is not sure if it is legal or not, but if it is then why have a budget. Councilmember Watson stated that is their (GEDCO's) reserves. Councilmember Owens emphatically stated that it is city taxpayer money.

Councilmember Niemann stated she likes the motion as it was stated. When trying to get new businesses here we don't have the luxury of waiting for the next City Council meeting. She said GEDCO is able to negotiate on the spot. Councilmember Niemann agreed that is it definitely is taxpayer money but it is good to have latitude when negotiating.

Mayor Wells called for a vote. Motion carried 6-1 with Owens opposed.

VI. CONSIDERATION of Main Street Board's request regarding enhancement of downtown oil derrick

Main Street Manager Kathi Corwin requested approval to revamp lighting with 4 spotlights at each corner of the derrick and install pipe fencing donated by Nick Foster and John Linder. City Manager Pate added that we are waiting on approval from Union Pacific for pavilion.

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

VII. CONSIDERATION of Airport Board's request regarding location of Civil Air Patrol's obstacle course

Ed Parton, Vice Chairman of the Airport Board, explained that several years ago the Civil Air Patrol requested to relocate to an area that is not ideal due to traffic. He said 6-8 years ago the Airport Board went along with the request but since then there has been no action by the Civil Air Patrol. The Airport Board now has reconsidered and believes it should not be relocated. TxDOT, facilitated by Paul Jaap, will spray the area for poison ivy at no cost. The Civil Air Patrol will be responsible to re-build it and take care of it.

Councilmember Owens moved to approve the Airport Board's request, seconded by Councilmember Watson. Carried 7-0.

VIII. CONSIDERATION of request by East Texas Council of Government to re-address the streets of Clearview and Fairview

City Manager Pate stated this needs to be done for 9-1-1 addressing and recommended approval. Councilmember Watson moved to approve, seconded by Councilmember Bland. Carried 7-0.

IX. CONSIDERATION of ordinance to amend §92.08 – Garage Sales

City Manager Pate said we have had numerous complaints about sales being set up on vacant land along Highway 80. Clothing blows into traffic and it looks cluttered.

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

X. CONSIDERATION of MuniServices, LLC Consultant Services agreement

City Manager Pate said this is an auditing firm focusing on sales tax, franchise tax and hotel occupancy tax. This agreement is for sales tax only. We get 75% of discovery and they get 25%. We will also subscribe to the STARS report, which was included in the fiscal year 2015 budget.

Councilmember Niemann moved to approve, seconded by Councilmember Bland. Carried 7-0.

XI. CONSIDERATION of draft MPO Thoroughfare Plan

MPO representatives were unable to attend. Item skipped until next meeting.

XII. CONSIDERATION of SWEPCO's request regarding EPA Regulations under Section 111 (d) of the Clean Air Act

City Manager Pate stated this would drive up electrical costs and he recommended support. Mayor Pro-tem Shipp moved to approve, seconded by Councilmember Owens. Carried 7-0.

XIII. CONSIDERATION of budget amendments for fiscal year 2014

Councilmember Bland moved to approve, seconded by Councilmember Watson. Carried 7-0.

XIV. CONSIDERATION of ordinance to amend §51.11 – Water Rates, of the Gladewater Code of Ordinances

City Manager Pate said this was discussed during the budget process. The will increase water and sewer base rates by \$4 each, with small increases to tier rates. He said we will still be under the state average.

Former Mayor John Paul Tallent said he would rather see us raise taxes than water and sewer rates because it hurts the poor people.

Councilmember Owens moved to approve the increase, stating is necessary as rates have not been adjusted in 5 years and expenses have continued to rise. Motion was seconded by Mayor Pro-tem Shipp. Carried 7-0.

XV. CONSIDERATION of ordinance to amend §51.30 – Sewer Rates, of the Gladewater Code of Ordinances

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

XVI. CONSIDERATION of ordinance to adopt and approve the budget for fiscal year 2015

Councilmember Watson moved to approve, seconded by Councilmember Anderson. Record vote was taken. Niemann, Shipp, Owens, Watson, Wells, Bland, Anderson all in favor.

XVII. CONSIDERATION of ordinance to levy taxes for the use and support of the general government and for retirement of general obligation bonded indebtedness for fiscal year 2015

Councilmember Owens moved to approve the General Fund (Maintenance and Operations) rate of .576738 and the Interest and Sinking (Debt Service) rate of .064688, for a total rate of .641426, which is the effective rate and lower than the current tax rate. Motion was seconded by Mayor Pro-tem Shipp. Record vote was taken. Niemann, Shipp, Owens, Watson, Wells, Bland, Anderson all in favor.

XVIII. CITY MANAGER'S REPORT

- a) Update on utility line project – Lawler Construction is doing an outstanding job and has been able to relocate lines without disturbing streets which is a considerable savings. We will ask City Attorney if we can extend the contract and continue replacing water and sewer lines with the savings.
- b) Update on grants – We received a \$30,000 grant for in-car cameras for the Police Department.
- c) Update from Ballpark Committee – We are still studying options and knocking off the bells and whistles that we don't need.

The Bumblebee Park splash pad mat was lost in transit. It has been reordered but the green tiles are backordered. If the weather is too cool when the mat is installed we can have the ribbon cutting and hot dogs next spring.

XIX. ADJOURN

Mayor Pro-tem Shipp moved to adjourn at 7:05 p.m., seconded by Councilmember Anderson. Adjourned by consensus.

HAROLD R. WELLS, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY