

CITY OF GLADEWATER  
CITY COUNCIL REGULAR SESSION  
MINUTES  
MAY 21, 2015  
6:00 P.M.

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

STAFF PRESENT: Sean Pate, Melba Haralson, Robert G. Vine, Paul Jaap, Casey Chambers, Wayne A. Smith

GUESTS PRESENT: Chris Aylor, Linda Wells, Michael Tolbert, John Dubois, Beth Dubois, Robert Haberle, Randy Koss, Sheila Faggans, Patricia Watson, Robert Johnson, Janet Robertson, Mark Carpenter, Jim Bardwell

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

- a) Invocation – Councilmember Elijah Anderson
- b) Pledge of Allegiance – Councilmember Chris Bland

II. PRESENTATION to outgoing Councilmember Scott Owens

Mayor Wells presented Scott Owens with a clock and plaque in appreciation of his 10 years of service on the council.

III. OATH OF OFFICE for newly elected Councilmembers

City Secretary Melba Haralson administered the Oath of Office to newly elected members Chris Bland, Elijah “Sonny” Anderson, Dennis R. Robertson, and John “J.D.” Shipp. They were each presented with a Certificate of Election.

IV. CONSIDERATION of appointment of Mayor Pro-tem

Councilmember Watson moved to reappoint J.D. Shipp as the Mayor Pro-tem. Motion seconded by Councilmember Anderson. Carried 6-0-1, with Shipp abstaining.

V. CITIZENS COMMENTS

None

VI. CONSIDERATION of Consent Agenda

- a) Minutes – April 16, 2015 and April 30, 2015
- b) Blanket permit for 2015 Gladewater High School graduation ceremony fireworks display on May 29, 2015
- c) Blanket permit for Chamber of Commerce annual fireworks display on July 3, 2015
- d) Annual ratification of Investment Policy
- e) Resolution to authorize City Manager Sean Pate to execute construction contract for Group Sealcoat Program
- f) City Portal Use Agreement with Texas Municipal Retirement System

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

VII. CONSIDERATION of Development Agreement with GEDCO for 5.238 acre tract of land located within the Harmon R. Hokit Survey, Abstract 95

City Manager Pate stated this location is for the new public works facility. It is 5.238 acres at Ferry and Commerce Street. In lieu of payment for fair market value, we will be providing services to GEDCO and vice-versa.

GEDCO Director Robert Johnson added that the contract was approved by the GEDCO attorney and reviewed by the city’s attorney. He said they reserved egress and ingress and appreciate the spirit of cooperation between GEDCO and the city.

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

VIII. CONSIDERATION of ordinance to abandon alley contiguous to Lots 1-6, 11-32, Block 2, Mallock Addition, Tracts 59-64 of Abstract 56, M. Dillard survey and Lot 3 NCB 80

City Manager Pate explained this alley is platted but was never officially built or opened. The existence of this alley is a hindrance to new construction.

Mayor Pro-tem Shipp moved to approve the ordinance to abandon, seconded by Councilmember Robertson. Carried 7-0.

IX. CONSIDERATION of Lake Store lease

Mayor Pro-tem Shipp stated he had reservations about extending the lease with Mr. Tolbert. He said the city has been a good landlord and worked with on the rent, gave extended time to make payments and let him live there when his home burned down. He said the store today is no different today than when he first took out the lease in 2010.

Michael Tolbert agreed the city has been good to him. He explained the difficulties he's had in the past year; his father's illness and death, divorce and his own medical issues. He asked for another chance and promised to make the store better.

Councilmember Niemann asked Mr. Tolbert several questions about what he would do differently and if four more months would give him enough time to make those improvements. Mr. Tolbert stated he would serve barbeque and maybe rent paddleboats. He also said he can make any money if the Lake Warden keeps issuing tickets and running everybody off. Councilmember Niemann stated there have been complaints that the store is rarely open and asked what his hours will be. Mr. Tolbert said he will be open from 6 a.m. to 7 p.m. 7 days a week. Councilmember Niemann stated the lease needs to be in his name (instead of his father's) and he needs to catch up on rent as he is \$600 in arrears.

Councilmember Watson asked Mr. Tolbert if he felt it would benefit him to continue the lease. Mr. Tolbert replied that he does want the store and once again asked for another chance.

Councilmember Niemann stated she has had many phone calls that no one is at the store. She said it is not just about the lease but it is also about service to our citizens. She asked if he could provide that service and if he could pay on time. He replied that he could.

Mayor Pro-tem Shipp and Councilmember Anderson both commented that it is not realistic (working alone) to be open from 7 a.m. to 6 p.m. 7 days per week.

Mayor Wells commented the city used to have a man out there rent free plus paid him a salary. He said there is not much money to be made out there. He complimented Michael for being willing to help people on the lake. Mayor Wells said he doesn't think we should charge him for the lease. He is a personal friend and he is an extra security person at the lake.

Councilmember Bland suggested consistent hours of operation and said the summer months give him a lot of opportunity to improve.

Mayor Pro-tem Shipp moved to assign the lease to Michael Tolbert until the end of September 2015 at \$300 per month, provided he catches up on past due rent next week with no more late payments accepted. Lease will be reevaluated in September. Motion was seconded by Councilmember Niemann. Carried 7-0.

X. CONSIDERATION of design work on 30" sewer main and authorization for staff to seek bids for same

City Manager Pate explained the need for replacement of approximately 700 linear feet of sewer pipe new the new middle school on Loop 485. He said the old pipe is corrugated metal and is already exposed and in a weakened state.

Casey Chambers, Utility Director added the whole northwest side of the city comes into this collector.

Councilmember Robertson asked where the money comes from. City Manager Pate stated we have bond proceeds left for water and sewer projects to cover it.

Chris Aylor, KSA Engineers gave an opinion of construction cost of \$262,653. He said the project is not complex but the line crosses a Sunoco pipeline so they need to obtain

permission from Sunoco and from TxDOT since the line needs to be moved into their right-of-way.

City Manager Pate stated KSA bid out the project and bring back to council to award the bid.

Councilmember Niemann moved to authorize, seconded by Councilmember Robertson. Carried 7-0.

- XI. CONSIDERATION of resolution to intervene in Southwestern Electric Power Company's application to increase rates under its transmission cost recovery factor

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

XII. CITY MANAGER'S REPORT

- a) Update on ball park complex – Weather permitting Hayes Engineers will stake out the location of the tank batter.
- b) Update on relocation of public works facility – Agreement with GEDCO was approved tonight for the land. We will coordinate with Gregg County to assist with clearing.
- c) Update on 12" water line project – USDA approved the project and issued notice to proceed. A pre-construction meeting will be held next week and construction starts mid-June. The line will be removed from the woods and placed in the right-of-way of Gay Avenue.
- d) Update on sealcoat project – Project will kick off in July. The streets have to be prepared first and the rain has hindered that process.

XIII. ADJOURN

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

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HAROLD R. WELLS, MAYOR

ATTEST:

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MELBA HARALSON, CITY SECRETARY