

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
AUGUST 18, 2016
6:00 P.M.

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

STAFF PRESENT: Theo Melancon, Melba Haralson, Robert G. Vine, Kathy Cannon, Wayne A. Smith, Michael Kirkwood, Namor Smith, Stuart Thompson, Jacob Garland, numerous other members of staff.

GUESTS PRESENT: Sheena Hogan, Jim Bardwell, Kyle Edge, Kristy Vine, Linda Pope, Scott Owens, Pat Watson, Vincent Phillips, Diane Turner, Cathy Smith, David Scott, Marla Scott, Tony Cooper, Margaret Wilhite, Lorraine Clark, Elane Osteen, Michelle Askew, Linda Humber, Troy Humber, Lois Reed, Gloria Turner, Linda Wells, John Murray, Mark Carpenter, Robert Johnson, Matt Sturkie, B. Thomas, Kay Lucas, Lesley Taylor, Sr. Mary McLeod, Stuart Thompson, Darren Richardson, Terry Johnson, Janet Davis, Allen Koss, Randy Koss, Cody Graves, Kim Smelley, Ray Graves

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

- a) Invocation – Councilmember Robertson
- b) Pledge of Allegiance – Scout Mark Scott

II. CITIZENS COMMENTS

Diane Turner, owner of Antiques II, announced a GADA fund raiser for a billboard located on I-20 East between Canton and Gladewater. The event will be held 9/10 in the backyard of Walker Manor from 6:30 to 10:00. There will be a meal, entertainment and a silent auction. Tickets are \$20 and she challenged everyone to either make a donation to the silent auction or purchase a ticket.

Police Chief Vine called up 6-year old Cody Graves and Officer Namor Smith and explained their unique relationship. Chief Vine made Cody an Honorary Special Police Officer and City Secretary Melba Haralson administered the Oath of Office to him. He was presented with a special made police shirt and hat. Chief Vine then gave Honorary Officer Graves his first assignment of handing a badge and stripes to newly promoted Sergeant Namor Smith.

Mayor Wells presented Lake Warden Mike Harrod with a Certification of Appreciation for organizing and promoting the Kids Fishing Tournament at Lake Gladewater.

III. CONSIDERATION of Consent Agenda

- a) Minutes – July 20, 2016, July 21, 2016 and July 28, 2016
- b) Blanket Permit – 6th Annual Community Cancer Walk sponsored by Caring Hearts of Gladewater to be held October 8, 2016 at Lake Gladewater

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

IV. CITY MANAGER'S REPORT

- a) Administrative and capital project updates – Contractors are working on drainage issues on the back side of the ballpark.
- b) Budget calendar – The first public hearing on the tax rate and public hearing on the budget will be September 1, 2016. The second public hearing on the tax rate will be held September 6, 2016 at the Chamber of Commerce.

V. CONSIDERATION of awarding bid for the 2016 Group Pavement Rehabilitation Program

Allen Ross, Engineer with SPI presented the bid tabulation and recommended awarding to the low bidder of Lone Star Equipment for \$1,236,941. City Manager Melancon stated the city is the lead agency and our portion is \$100,477. Other cities participating are Troup, Atlanta, Chandler, Kemp and Jefferson.

Mayor Pro-tem Shipp moved to award the bid to Lone Star Equipment for \$1,236,941, seconded by Councilmember Anderson. Carried 7-0.

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- VI. PUBLIC HEARING regarding a request from Linda Hanson Humber to subdivide property located at Abstract A8 Henry W. Augustine Survey, Tract 79, more commonly known as 2820 W. Upshur

Mayor Wells opened the public hearing at 6:28 p.m.

Linda and Troy Humber said they currently live on Chevy Chase and need to move to a less expensive house. They purchased this house from the First Baptist Church and want to move it onto a lot they own. However there are already 3 houses on that lot (grandfathered in) so the lot had to be subdivided in order to move in another house. The new house will front Gary Street.

Gene Walker received affirmation that Gary Street will stay as it is.

With no other public comments, the public hearing was closed at 6:32 p.m.

- VII. CONSIDERATION of request from Linda Hanson Humber to subdivide property located at Abstract A8 Henry W. Augustine Survey, Tract 79, more commonly known as 2820 W. Upshur

Mayor Pro-tem Shipp moved to grant the request, seconded by Councilmember Robertson. Carried 7-0.

- VIII. PUBLIC HEARING regarding a request from Craig Morgan and Linda Pope for a restricted commercial zoning for the sale of alcoholic beverages for on premise consumption at Lots 9B & 10B NCB 56, more commonly known as 104 S. Main Street

Mayor Wells opened the public hearing at 6:34 p.m.

Linda Pope and Sheena Hogan stated they are opening Wings & Things restaurant on Labor Day weekend. They are a strong family oriented business and are glad to be in Gladewater.

With no other public comments, the public hearing was closed at 6:36 p.m.

- IX. CONSIDERATION of request from Craig Morgan and Linda Pope for a restricted commercial zoning for the sale of alcoholic beverages for on premise consumption at Lots 9B & 10B NCB 56, more commonly known as 104 S. Main Street

Councilmember Bland moved to approve, seconded by Councilmember Anderson. Carried 6-0-1, with Councilmember Niemann abstaining.

- X. PUBLIC HEARING regarding a request from Mobilitie, LLC dba Texas Utility Pole Authority to install a new 120' utility pole within an existing right-of-way of Pacific Street in the vicinity of Lot 1A NCB 1

Mayor Wells opened the public hearing at 6:37 p.m.

Kyle Edge, of Mobilitie presented the request. He stated this will be a 120' universal telecommunications pole that will allow providers to stretch out coverage over weak zones.

Kay Lucas spoke in opposition. She stated there are studies to show there is a health risk to children and citizens. She presented a copy of the studies to City Manager Melancon. She also said it may be too close to the railroad track if it should happen to blow over.

With no other public comments, the public hearing was closed at 6:45 p.m.

- XI. CONSIDERATION of request from Mobilitie, LLC dba Texas Utility Pole Authority to install a new 120' utility pole within an existing right-of-way of Pacific Street in the vicinity of Lot 1A NCB 1

Mayor Pro-tem Shipp said we only recently received a franchise agreement to review and then moved to table. Motion seconded by Councilmember Robertson. Carried 7-0.

- XII. CONSIDERATION of awarding bids for purchase of real property located at Abstract A175 William Goodwin Survey, Tract 18, total of 19.82 acres, located on Phillips Springs Road

City Manager Melancon said the highest bid was from Jack Earp and John Black for \$12,751.

Councilmember Watson moved to accept the high bid, seconded by Councilmember Anderson. Carried 6-1 with Councilmember Niemann opposed.

- XIII. CONSIDERATION of awarding bids for purchase of real property located at;
a) Lots 1-3 NCB 7 Gladewater and PT Alley, more commonly known as 116 W. Pacific Avenue
b) Lots 5-7 Block 7 Greenway, more commonly known as 197 E. Eleanor Street

City Manager Melancon said the highest bid was from the Gladewater Museum Association for \$175,000.

Councilmember Niemann moved to accept the high bid, seconded by Councilmember Bland. Carried 7-0.

- XIV. CONSIDERATION of TxDOT's removal of signal on US 80 at Dean Street and subsequent maintenance of STOP signs

City Manager Melancon explained that TxDOT deemed the signal light at Dean and U.S. Hwy 80 unnecessary and it will be removed per their site assessment. Moving forward, TxDOT wants the City to agree to maintain the stop signs after they are placed.

Councilmember Niemann said it is a safety hazard for the light not to be there and expressed opposition to its removal. Those sentiments were echoed by all Council members.

Councilmember Niemann said she is totally against removal of the signal but should TxDOT go forward, she moved to maintain the stop signs. Motion seconded by Councilmember Bland. Carried 7-0.

- XV. CONSIDERATION of ordinance to amend §134.05 – Use or Possession of Restricted Smoking Paraphernalia

Chief Rob Vine asked this ordinance be amended to take out the requirement for restricted smoking material to be sent to a lab for testing.

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

- XVI. CONSIDERATION of authorizing City Manager to negotiate lease agreement with GEDCO for storage space in Lee Public Library

City Manager Melancon explained that GEDCO needs storage space for files. He said this is another great opportunity for the two entities to work together.

Councilmember Bland moved to authorize the city manager to negotiate a lease agreement, seconded by Councilmember Anderson. Carried 7-0.

- XVII. CONSIDERATION of ordinance to amend the budget for fiscal year 2016

City Manager Melancon and City Secretary Haralson explained the budget amendments; \$432,803 net for General Fund, \$173,460 net for Enterprise Fund, and \$8,300 for Ballpark Fund. There was also a \$1,000 budget adjustment for Main Street Fund.

Councilmember Watson moved to approve the budget amendments, seconded by Councilmember Niemann. Carried 7-0.

- XVIII. CONSIDERATION of PROPOSED tax rate for fiscal year 2017

City Manager Melancon said in the proposed budget we will be phasing out 4 positions in General Fund and 1.5 positions in the Enterprise Fund. He gave an impassioned speech regarding the current condition of the City his vision of its potential and requested a .09 tax

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increase. He said that will enable us to allocate \$50,000 to demolish 8-10 properties each year, which will send a message that we are taking the City back from decay.

Councilmember Robertson said he does not want to raise taxes but we are in a crisis situation. He said if we do nothing the City will suffer even more. The infrastructure is old and leads to poor quality water, streets need repair, and clean up is needed, etc. He said that calls for meaningful action. He said a .09 increase will cost the average citizen \$90 per year for a home valued at \$100,000.

Councilmember Watson agreed, as did Mayor Pro-tem Shipp. He said this is indicative of where we are and we have faith in City Manager Theo Melancon to guide us to a better Gladewater.

Councilmember Niemann said she is not for a .09 increase. She said she does not want to cut EMS services. She said we have just absorbed the cost of ambulance service, ballpark, animal shelter, library, lake improvements, all of which costs about 15 cents of the tax rate. She said we are working with GEDCO to help alleviate some of the burden. She said we need to use the year to plan for the next year, which may affect a future council. She also expressed concern that if taxes are too high it will keep people from coming into town. She said there are other ways to raise revenue. We need to look at our fee structures so as to only penalize those that do not pay their bills on time so we do not burden taxpayers any more than necessary. She said she is in favor of a .07 increase.

Councilmember Bland said he has struggled with maybe a .045 increase and does not want to up to .09 but he has trust in City Manager Melancon's plan. He said as soon as we can lower taxes we should.

Councilmember Anderson said he hates to raise taxes but it is our tax dollars that keeps the City going. He said sometimes we have to do what we regret but .045 to .06 increase won't get us to where we need to be. He said he is in favor of the City Manager's request of .09.

Former Mayor John Paul Tallent pressed Mayor Wells to state his position on the proposed tax rate. Mayor Wells said he is still listening to opinions. Mr. Tallent persisted and Mayor Wells informed him that Chief Vine will escort him out of the meeting if he continues.

Mayor Pro-tem Shipp moved to propose a tax rate increase of .09, seconded by Councilmember Watson. A record vote was taken. Niemann opposed, in favor was Shipp, Robertson, Watson, Wells, Bland and Anderson. Motion Carried 6-1.

- XIX. EXECUTIVE SESSION pursuant to Government Code §551.074 for 6-month performance evaluation of City Manager

The Council recessed into executive session at 7:31 p.m.

- XX. RECONVENE in to open session and take any action necessary regarding evaluation of City Manager

The Council reconvened into open session at 8:32 p.m. Mayor Pro-tem Shipp stated it is with solidarity that the Council shares Theo Melancon's vision, supports his efforts and wants to grow Gladewater with him.

- XXI. ADJOURN

Councilmember Robertson moved to adjourn at 8:33 p.m., seconded by Mayor Pro-tem Shipp. Adjourned by consensus.

HAROLD R. WELLS, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY