

CITY OF GLADEWATER  
CITY COUNCIL REGULAR SESSION  
MINUTES  
DECEMBER 15, 2016  
6:00 P.M.

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

MEMBERS ABSENT: Elijah Anderson, Chris Bland

STAFF PRESENT: Theo Melancon, Melba Haralson, Robert G. Vine, Richard Cates, Judy Van Houten, John Choice, Michael Kirkwood, Kathy Cannon, Jason Barnes, Jose Lozano,

GUESTS PRESENT: Jim Bardwell, Brian Wilkinson, Mark Carpenter, Scott Owens, Lester Welch, Mary Anne Cumbie, Teresa Wilson, Gary Wilson, Jeremy Buechter

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

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

II. CITIZENS COMMENTS

Mark Carpenter, 1809 E. Lake, expressed opposition to spending \$226,500 to purchase vehicles and equipment. He said we need to use what we have until we can afford better. He expressed continued concern over the city's debt and asked Council to not spend money we don't have.

III. CONSIDERATION of Consent Agenda

- a) Minutes – November 17, 2016
- b) Blanket Permit for MLK Parade to be held January 20, 2017

Councilmember Watson moved to approve, seconded by Councilmember Niemann. Carried 5-0.

IV. CITY MANAGER'S REPORT

- a) Announcements
  - 1. Police Chief Vine presented commendations to officers Jason Barnes and Jose Lozano for the way they handled a suicide attempt call.
  - 2. There are four retirements at the end of the year; Wayne Smith 33 years, Richard Fesler 28 years, Lynda Spears 26 years and Leona Lilly 16 years. That is a combined total of 103 years of service.
- b) Administrative and capital project updates
  - 1. We are still working on getting RAP from the state to use on low traffic streets.
  - 2. We have begun assessment on Fire Department training and have appointed Michael Kirkwood as interim Fire Chief.
  - 3. The fence is being repaired at Jack Phillips' property that was damaged while laying asphalt over the new culvert.
  - 4. A burn permit ordinance will be on next month's agenda.
  - 5. Next month a revised animal limits ordinance including microchipping will be presented.
  - 6. We will begin annual food service inspections and the new Litter Abatement Officer will be starting soon.

V. CONSIDERATION of Resolution authorizing application for financial assistance from the Texas Water Development Board for utility system improvements; requesting consent from the United States Department of Agriculture; requesting designation as a Designated Management Agency, and making certain findings in connection herewith

City Manager Melancon said this is the next step in applying for water and wastewater improvements.

Councilmember Robertson moved to approve, seconded by Mayor Pro-tem Shipp. Carried 5-0.

VI. CONSIDERATION of awarding bid for mowing of Gladewater Memorial Park Cemetery

City Manager Melancon stated we received 3 bids; Team Mackey \$59,976, Marvin Longhoffer \$30,000 and Pilcher \$19,000. He said Pilcher is an asphalt company that wants to get started in this business, so he recommended awarding the bid to Longhoffer.

Mayor Pro-tem Shipp moved to award the bid for \$30,000 to Marvin Longhoffer, seconded by Councilmember Watson. Carried 5-0.

Mayor Wells complimented the public works crew for the great job they have done over the years. Mayor Pro-tem Shipp added that the cemetery is a location that has to be taken care of properly and Longhoffer has experience in caring for Rosedale Cemetery. Councilmember Niemann stated that Mackey is also experienced by his bid is high at \$59,976.

VII. CONSIDERATION of selecting vendor for SCADA water plant upgrade

City Manager Melancon stated the scoring committee is in favor of James D. White Electric of White Oak.

Mayor Pro-tem Shipp moved to approve, seconded by Councilmember Niemann. Carried 5-0.

VIII. CONSIDERATION of authorization to purchase two backhoes for \$64,500 and amend budget for same

Theo Melancon, John Choice, Richard Cates and Rob Vine gave a presentation on current equipment condition and needs in order to operate more efficiently.

Mayor Pro-tem Shipp said he understands the priority and timeline for department heads, but we need to stay within the existing budget and not dip into reserves.

Councilmember Niemann said we tasked the City Manager to do an in-depth assessment of each department and we didn't get it done before budget. She said now we have the information early enough to absorb it before next budget. She expressed appreciation to City Manager Melancon and staff. She said we need to prioritize and look at what we can do without going over budget.

Councilmember Robertson agreed that we need to stay within budget but we may have to be creative. The whole idea of contracting out cemetery mowing was to free staff to do other things but they need to have tools. He would like to see us buy used (but good condition) equipment to save money.

City Manager Melancon said the two backhoes for \$64,500 are used.

Councilmember Niemann said she appreciates staff and also appreciates Mark Carpenter's comments at the top of the meeting. We need to stay with what we can afford. Mark Carpenter then spoke from the audience and said he would let the City use his equipment for free and knowing what we need helps to do long term planning.

Mayor Pro-tem Shipp moved to instruct the city manager to look at existing budget and establish what cuts can be made, where we can save money, then select equipment by priority and timeline and bring back to Council. Motion seconded by Councilmember Robertson. Carried 5-0.

IX. CONSIDERATION of authorization to purchase 2 or 3 utility service trucks up to \$80,000 and amend budget for same

See Item VIII.

- X. CONSIDERATION of authorization to purchase 2 police pursuit vehicles up to \$80,000 and amend budget for same

See Item VIII.

- XI. CONSIDERATION of authorization to purchase 2 lawn mowers up to \$12,000 and amend budget for same

See Item VIII.

- XII. CONSIDERATION of lease agreement with Tommy and Penny Hayes, dba 5H Bait & Country Store

City Manager Melancon explained we have worked out a lease whereby they can operate the lake store and inhabit the Lake Warden facility for \$1,200 per month with an opportunity to work on our behalf to be credited towards the rent at \$12 per hour for a maximum of 100 hours per month. There is a 3-year term with 60 day notice to step out. The contract was drafted by GEDCO attorney Jeff Moore in conjunction with a GEDCO incentive package.

Mayor Pro-tem Shipp received affirmation that public works will still have to mow. Mr. Shipp said we need a record of accountability each month.

Mayor Wells said he hoped we would keep the store separated from the house.

Mayor Pro-tem Shipp asked what happens if we feel they're not doing enough. Mr. Melancon replied we have the 60-day out. He said they have already paid the \$500 deposit.

Councilmember Watson asked where public works office will move to. Mr. Melancon responded that they will possibly relocate to a GEDCO property on S. Tyler Street.

Councilmember Niemann stated there are some things in the lease she would have done differently but with the termination clause in section 3.3 she is agreeable.

Councilmember Robertson requested that hand-made signs be removed and replaced with professional signs.

Mayor Pro-tem Shipp moved to approve the lease agreement, seconded by Councilmember Robertson. Carried 5-0.

- XIII. CONSIDERATION of board appointments

- a) Library Board – Mayor Pro-tem Shipp moved to appoint Judy Banner, seconded by Councilmember Watson. Carried 5-0. Mayor Pro-tem Shipp moved to appoint Mary Anne Cumbie, seconded by Councilmember Niemann. Carried 5-0.
- b) Main Street Board – City Manager Melancon requested this item be tabled. Lana Niemann moved to table, seconded by Councilmember Robertson. Carried 5-0.

- XIV. PUBLIC HEARING regarding demolition of structures located at;

- a) Lot 14 Block 8 Shepperd Hills, more commonly known as 901 Nelwyn
- b) Lots 2A, 3, 4, 4A & 5 Block 4 Ferguson Place, more commonly known as 512 Wood
- c) Lot 19 Block 5 Gladeview Addn S177 (A8) .31 acres & house, more commonly known as 1000 N. Culver
- d) Lot 11 Block 7 Gladeview Addn S177 (A8) .2583 acres & house, more commonly known as 2810 Hendricks
- e) Lot 13 Block 7 Gladeview Addn S177 (A8) .2583 acres & house, more commonly known as 2812 Hendricks
- f) Lot 27 Block 122 Wood Heights, more commonly known as 1007 W. Pacific
- g) Lot 3 Block 4 Kay Acres S225 (A8) & house, more commonly known as 1005 Kay Drive
- h) Ab 95 H.R. Hokitt Survey Tract 13, more commonly known as 1100 Phillips Springs

Mayor Wells opened the public hearing at 7:45 p.m.

Inspector Al Harrison gave a detailed presentation on each property.

- a) Gary Wilson, son-in-law of the owner of 901 Nelwyn said they have plans to bring the house up to standard within a year or two. He said they have the house secured until they get the money to fix it up.

Councilmember Robertson asked about his time table. Mr. Wilson said because of finances it may take a couple years. Mayor Pro-tem Shipp asked how long they had been working on it because the house has been empty since 2008. Mr. Wilson responded about a year. They have taken the carpet out and boarded it up. Councilmember Niemann asked if they had cost estimates to get it back to livable condition. Mr. Wilson said they are working on that now.

- b) No public comments.
- c) No public comments.
- d) No public comments.
- e) No public comments.
- f) No public comments.
- g) Linda Price, owner of 1005 Kay Drive said her son is trying to help her with the house. She said people keep breaking in. In the past year they have spent over \$7,000 and had it gutted. Her son is planning on putting a new roof on it in 60-90 days. Mrs. Price said they have been working with police to keep property secure. She has a cost estimate of \$110,000 for repairs. After the roof is done they will do the electrical work.
- h) No public comments.

With no further public comments Mayor Wells closed the public hearing at 8:30 p.m.

XV. CONSIDERATION of issuing demolition orders for structures located at;

- a) Lot 14 Block 8 Shepperd Hills, more commonly known as 901 Nelwyn
- b) Lots 2A, 3, 4, 4A & 5 Block 4 Ferguson Place, more commonly known as 512 Wood
- c) Lot 19 Block 5 Gladeview Addn S177 (A8) .31 acres & house, more commonly known as 1000 N. Culver
- d) Lot 11 Block 7 Gladeview Addn S177 (A8) .2583 acres & house, more commonly known as 2810 Hendricks
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After discussing each property separately the Council took the following action.

- a) Councilmember Niemann moved to table until the January meeting to give an opportunity for the property owner to present a plan of action. Motion seconded by Councilmember Robertson. Carried 5-0.
- b) Mayor Pro-tem Shipp moved to issue a demolition order, seconded by Councilmember Niemann. Carried 5-0.
- c) Mayor Pro-tem Shipp moved to issue a demolition order, seconded by Councilmember Robertson. Councilmember Niemann asked staff to research to see who would own the property after demolition. She would like an estimate of clean-up sent Wells Fargo for cost of demolition. If they don't pay after 90 days then we foreclose. Motion failed 0-5. Councilmember Niemann moved to not issue a demolition order, seconded by Councilmember Watson. Carried 5-0. (*Note: Action reconsidered below.*)
- d) Councilmember Niemann suggested that mowing bill be sent to owner and we delay action for 90 days. She moved not to issue a demolition order. Motion seconded by Councilmember Watson. Carried 5-0. (*Note: Action reconsidered below.*)
- e) Councilmember Robertson moved to issue a demolition order. Seconded by Councilmember Watson. Carried 5-0.
- f) Councilmember Niemann moved to issue a demolition order and follow process set out in clean-up ordinance. Motion seconded by Councilmember Watson. Carried 5-0.

- g) Mayor Pro-tem Shipp asked that owners be allowed an opportunity to come back next month with a plan of action. Councilmember Niemann moved to table until January, seconded by Councilmember Watson. Carried 5-0.
- h) Councilmember Niemann moved to issue demolition order and follow process in clean-up ordinance. Seconded by Councilmember Watson. Carried 5-0.

Councilmember Niemann then asked that items c) and d) be reconsidered. Mayor Wells granted the request.

- c) Councilmember Watson moved to reconsider item c), seconded by Mayor Pro-tem Shipp. Councilmember Niemann then moved to issue a demolition order and follow the process set out in clean-up ordinance. Motion seconded by Councilmember Watson. Carried 5-0.
- d) Mayor Pro-tem Shipp moved to reconsider item d), seconded by Councilmember Robertson. Carried 5-0. Councilmember Niemann then moved to issue a demolition order and follow process in clean-up ordinance. Motion seconded by Councilmember Watson. Carried 5-0.

XVI. CONSIDERATION of hiring Gary Traylor & Associates for grant administrative services for TWDB grant application and related project

*(Note: This item was considered prior to Item XIV.)* Mayor Pro-tem Shipp moved to table indefinitely since the agenda item is in error and Gary Traylor and Associates are not working on the TWDB grant application. Motion seconded by Councilmember Watson. Carried 5-0.

XVII. CONSIDERATION of hiring SPI Engineers for engineering services for TWDB grant application and related project

*(Note: This item was considered prior to Item XIV.)* City Manager Melancon stated SPI scored highly and recommended hiring them. Jeremy Buechter, SPI Engineers, said there is no cost or fee to the city for submitting the application on the city's behalf.

Councilmember Robertson moved to hire SPI, seconded by Councilmember Watson. Carried 5-0.

XVIII. CONSIDERATION of resolution in support of and urging immediate action for development and implementation of construction improvements by the Texas Department of Transportation on US Highway 271 between Tyler and Paris

City Manager Melancon stated he is in full support of expansion of Hwy 271 from Tyler to Paris and it has been given higher priority.

Mayor Pro-tem Shipp moved to approve the resolution, seconded by Councilmember Robertson. Carried 5-0.

XIX. ADJOURN

Councilmember Robertson moved to adjourn at 9:05 p.m., seconded by Councilmember Niemann. Adjourned by consensus.

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HAROLD R. WELLS, MAYOR

ATTEST:

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MELBA HARALSON, CITY SECRETARY