

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
APRIL 20, 2023
6:00 P.M.

MEMBERS PRESENT: Mayor Scott E. Owens, Mayor Pro-tem Elijah Anderson, Michael Webber, Teddy Sorrells, Rocky Hawkins, Kevin Clark

MEMBERS ABSENT: Brandy Flanagan

STAFF PRESENT: Charlie Smith, Judy Van Houten, Al Harrison, Brandy Winn, Gordon Freeman, John Choice, Kyle Reddy, Maddison Hood, Meghan Davis, Michael Simmons, Nathan Palmer, Rolf Kotulla, Tim Bryan

GUESTS PRESENT: Christian Allen, Sandra Ayers, Laura Talley, Brian Wilkerson, Robert Haberle, Jim Bardwell, Danny Darden, Wesley Hay, David Passmore, Michelle Palmer, Gene Keenon, Michelle Price, Stacy Price, Sr., Mark Carpenter, John Paul Tallent, Lois Reed

I. CALL TO ORDER

Mayor Owens called the meeting to order at 6:00 p.m.

- a) Invocation – Councilmember Hawkins
- b) Pledge – Councilmember Sorrells

II. MAYOR'S COMMENTS

Mayor Owens stated:

1. Gusher Days was very successful, perhaps one of the largest crowds we've had in years.
2. Our volunteer application is available online. This application is for any volunteer position with the city.
3. Highway 80 sale is this coming weekend.
4. Gusher Days Fishing Tournament is this Saturday, April 22nd.
5. Health Fair on May 4th from 9am-noon at the Red Rock Community Center.
6. National Day of Prayer – May 4th. Watch for further announcements on that.
7. The Post Office will be collecting food donations on May 13th.
8. Mother's Day is May 14th.
9. The next East Texas Food Bank food distribution at the rodeo grounds will be May 16th.
10. Gladewater 150 – Airport Appreciation and Fly-in at Gladewater Municipal Airport on May 20th.

Furthermore, Mayor Owens stated that there would be a change to the agenda this evening. The lake store and lake house listed will not be discussed in executive session and will most likely be reposted.

III. CITY MANAGER'S REPORT

City Manager Smith gave the following report:

1. In a Gusher Days after-action meeting between the Chamber of Commerce and city staff it was decided to incorporate an emergency (first aide) tent for future events.
2. Fire hydrants – the fire department will begin training soon so that they can make necessary repairs to our fire hydrants.
3. It will be another month approximately before we receive the new woodchipper.
4. City Hall will close at noon on Friday, April 21st for team building.
5. City Hall employee Debbie Stanley will be retiring at the end of April. Her last day will be Friday, April 28th. There will be a reception at City Hall from 1-2pm that day.
6. City Wide Clean-up – we disposed of 34.69 tons of trash and collected 8,640 lbs. of scrap metal.

IV. CITIZENS COMMENTS

None.

V. CONSIDERATION of consent agenda:

- a) Minutes – March 16, 2023
- b) Investment report for quarter ending March 31, 2023

Councilmember Clark made a motion to approve the consent agenda; seconded by Councilmember Sorrells. Motion carried 6-0.

VI. PRESENTATION of check for Main Street Enhancement by Republic Services

Gene Keenon with Republic Services presented a \$1,500 check to Mayor Owens for downtown enhancements.

VII. PUBLIC HEARING regarding a Zoning Change Request from light industrial to oil & gas for a distillery at: all of ALL OF NCB 49 GLADEWATER, more commonly known as E. Commerce Ave.; a portion of AB 50 J R CROSBY SUR TR 22-05, more commonly known as E. Commerce Ave.; a portion of AB 50 J R CROSBY SUR TR 22-09, more commonly known as E. Commerce Ave.; a portion of AB 50 J R CROSBY SUR TR 23, more commonly known as 820 E. Commerce Ave.; all of AB 50 J R CROSBY SUR TR 22-03, more commonly known as 1013 E. Commerce Ave.; most of AB 50 J R CROSBY SUR TR 22, more commonly known as 1011 E. Commerce Ave.; all of ALL OF BLK 48 GLADEWATER, more commonly known as 812 E. Commerce Ave.; all of NCB 69 GLADEWATER, more commonly known as 700 E. Glade Ave.

Mayor Owens opened the public hearing at 6:12 p.m.

Chief Building Officer Harrison explained that the property is in light industrial currently. A distillery must be in heavy industrial or higher. There are oil/gas wells in close proximity. He showed the properties listed above and stated that changing them to oil & gas zoning would not affect the taxes on the properties and would meet the requirements for a distillery without spot zoning, which is not allowed.

Mayor Owens asked for clarification on the zoning for oil & gas. Officer Harrison stated that oil & gas is the least restrictive.

Councilmember Hawkins asked if there was currently a building on the property. Officer Harrison said there is not, but Mr. Passmore intends to build there soon.

David Passmore, property owner, stated that he has searched for three years for property that is zoned correctly or could be rezoned for a distillery. He is ready to bring his distillery to Gladewater.

Councilmember Hawkins asked Mr. Passmore if this is a new venture. Mr. Passmore said it is, he has spent the majority of his adult life working in the oil field.

Michelle Palmer, GEDCO Executive Director, said she is not speaking on behalf of the board, but she does support the venture personally.

With no further comments Mayor Owens closed the public hearing at 6:18 p.m.

VIII. CONSIDERATION of a Zoning Change Request from light industrial to oil & gas for a distillery at: all of ALL OF NCB 49 GLADEWATER, more commonly known as E. Commerce Ave.; a portion of AB 50 J R CROSBY SUR TR 22-05, more commonly known as E. Commerce Ave.; a portion of AB 50 J R CROSBY SUR TR 22-09, more commonly known as E. Commerce Ave.; a portion of AB 50 J R CROSBY SUR TR 23, more commonly known as 820 E. Commerce Ave.; all of AB 50 J R CROSBY SUR TR 22-03, more commonly known as 1013 E. Commerce Ave.; most of AB 50 J R CROSBY SUR TR 22, more commonly known as 1011 E.

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Commerce Ave.; all of ALL OF BLK 48 GLADEWATER, more commonly known as 812 E. Commerce Ave.; all of NCB 69 GLADEWATER, more commonly known as 700 E. Glade Ave.

Councilmember Webber made a motion to approve the rezoning for the listed properties; seconded by Councilmember Clark. Motion carried 6-0.

IX. CONSIDERATION of board appointment / reappointment:

Mayor Owens read the recommendations from each board regarding appointments and reappointments as follows:

- a) Airport Board – reappoint Joe Wise, Winn King, and Dr. Bert Sharp
- b) Beautification Board – reappoint Vabbie Fortson and Farrell Alexander
- c) Board of Adjustments – reappoint Dean Simmons, Matt Maines, and Harold Wells
- d) GEDCO Board – reappoint Jim Bardwell and Mark Carpenter; appoint Danny Darden
- e) Lake Board – reappoint Sam Chenoweth, Crystal Carroum, and Shari Midler
- f) Planning & Zoning Commission – reappoint Jesse Hawkins and Rick Maddox; move Farrell Alexander from alternate member to member.

City Clerk Van Houten said there were applications received for the Beautification Board (Samuell Reddin) and the Lake Board (Noah Blackmon), which both have vacancies.

Councilmember Hawkins made a motion to accept the board recommendations for appointments and reappointments to include Samuell Reddin and Noah Blackmon; seconded by Mayor Pro-tem Anderson. Motion carried 6-0.

X. CONSIDERATION of Resolution R-23-02 regarding Texas Parks and Wildlife Boating Access Grant

Robert Haberle with SPI explained that there are funds available every year. We are looking to use the funds this year for repair work to the decking and pilings at the boat ramp, and to mitigate the erosion issue between the public restrooms and the pier.

Mayor Owens stated that the resolution is non-binding as far as funds are concerned at this time. Mr. Haberle confirmed that fact.

Councilmember Hawkins asked if it is a 75/25 grant. Mr. Haberle confirmed it is.

Councilmember Clark made a motion to approve the resolution; seconded by Mayor Pro-tem Anderson. Motion carried 6-0.

XI. CONSIDERATION of Resolution R-23-03 suspending for 45 days the effective date proposed by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas – Beaumont/East Texas Division, in its application filed on or about March 2, 2023, pursuant to section 104.301 of the Gas Utility Regulatory Act

Mayor Owens explained that this resolution is recommended by our CARD representative.

Councilmember Sorrells made a motion to approve the resolution; seconded by Councilmember Webber. Motion carried 6-0.

XII. CONSIDERATION of annual Gladewater Police Department Use of Force Report

Police Chief Freeman presented the report.

Councilmember Sorrells made a motion to accept the report; seconded by Councilmember Hawkins. Motion carried 6-0.

XIII. CONSIDERATION of annual Gladewater Police Department Racial Profiling Report

Police Chief Freeman explained how they enter the information in the report and the fact that they go a step further in including if they are a city resident or not, which is not required on the state report.

Councilmember Sorrells asked if the report is state or federally mandated. Chief Freeman said it is a state mandated report.

Councilmember Webber made a motion to accept the report; seconded by Mayor Pro-tem Anderson. Motion carried 6-0.

XIV. EXECUTIVE SESSION pursuant to Local Government Code:

- a) §551.072 – deliberation regarding purchase, exchange, lease, or value of real property – ballpark
- b) §551.072 – deliberation regarding purchase, exchange, lease, or value of real property – lift station at corner of Loop 485 and US Highway 271 South
- c) §551.072 – deliberation regarding purchase, exchange, lease, or value of real property – lake store
- d) §551.072 – deliberation regarding purchase, exchange, lease, or value of real property – lake house
- e) §551.074 – personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee
 1. City Prosecutor
 2. City Judge
 3. City Manager
 4. City Treasurer
 5. City Clerk

Mayor Owens recessed into executive session at 6:37 p.m.

XV. RECONVENE INTO OPEN SESSION and take any action necessary regarding:

Mayor Owens reconvened into open session at 8:34 p.m.

- a) ballpark – no action
- b) Councilmember Sorrells made a motion to accept the offer of \$1,000 from TxDOT; seconded by Councilmember Webber. Motion carried 6-0.
- c) lake store – no action
- d) lake house – no action
- e) Councilmember Clark made a motion as follows and was seconded by Councilmember Sorrells.
 1. City Prosecutor – 5% salary increase;
 2. City Judge – 5% salary increase;
 3. City Manager – \$400 per month car allowance increase;
 4. City Treasurer – \$15,000 salary increase;
 5. City Clerk – \$8,000 salary increase.

Motion carried 6-0.

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XVI. ADJOURN

Councilmember Sorrells made a motion to adjourn at 8:41 p.m.; seconded by Councilmember Clark. Motion carried 6-0.

SCOTT E. OWENS
MAYOR

ATTEST:

JUDY VAN HOUTEN, TRMC
CITY CLERK