

CITY OF GLADEWATER  
CITY COUNCIL REGULAR SESSION  
MINUTES  
MARCH 17, 2016  
6:00 P.M.

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

MEMBERS ABSENT: Chris Bland, Dennis Robertson

STAFF PRESENT: Theo Melancon, Melba Haralson, Rob Vine, Wayne A. Smith

GUESTS PRESENT: Nick Foster, Christian Allen, Pat Watson, Scott Owens, Mark Carpenter, Jim Bardwell, Larry Seery, Lisa Martin, Allan Martin, Peggy Lantz, Mark May, Farrell Alexander, King Vaughan, Cheryl Vaughan, David Sturkie, Corinne Shearer, Sheila Faggans, Terry Johnson, Mary Anne Cumbie, Matt Sturkie, Cynthia White, Patsy Callaway, Amy Sustaire, Randy Koss, John Sturkie, Roy Sturkie, Joan Sturkie, Cathy Daniels

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 Watson

II. CITIZENS COMMENTS

None.

III. CONSIDERATION of Consent Agenda

- a) Minutes – February 18, 2016 and February 25, 2016
- b) Blanket permit for 31<sup>st</sup> Annual East Texas Gusher Days
- c) Resolution amending authorized representatives for TexPool
- d) Resolution amending authorized representatives for Logic
- e) Contract for election services with Gregg County

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

IV. CONSIDERATION of financial audit for fiscal year 2015

CPA Peggy Lantz, of Karen Jacks & Associates presented highlights of the audit and stated they have rendered a clean opinion, which is the highest rating possible.

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

V. CONSIDERATION of ordinance to amend §50.15; Schedule of Rates with Allied Waste Services

City Manager Melancon stated the monthly rate increase is thirteen cents (\$0.13), which is 1.1%, according to the CPI.

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

VI. CONSIDERATION of Request for Proposal for lease of City lake store building

City Manager Melancon presented a RFP for lease of the store with a deadline of April 29<sup>th</sup>.

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

VII. CONSIDERATION of request to include the unconstructed portion of Phillips Springs Road contiguous to Lot 55-E-1 of Lake Gladewater Subdivision with the City of Gladewater lease for said lot

Realtor Cathy Daniels presented the request for homeowners King and Cheryl Vaughan. She stated that according to the survey, a covered carport and storage building were constructed in the undeveloped roadway of Phillips Springs Road. They requested that this portion of Phillips Springs Road be included with their lake lease for Lot 55 E-1. She also stated that the Planning & Zoning Commission recommended approval.

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

VIII. PRESENTATION and CONSIDERATION of ordinance to amend §154.006 of the Gladewater Code of Ordinances; Zoning Code – Certificate of Occupancy

*Note: This item was considered after Item XI.*

City Manager Theo Melancon along with City Inspector Al Harrison gave a power point presentation showing pictures of occupied homes with serious health and safety code violations, for which the certificate of occupancy is a vehicle to enforce. Mr. Melancon suggested the certificate of occupancy be set up on a permit style system good for one year, regardless of the number of move ins/outs. He said if the landlord does not fix the problem then the city needs to inform tenants of their legal rights.

City Manager Melancon affirmed to Mayor Pro-tem Shipp that he could have the ordinance ready by the April meeting. Mayor Pro-tem Shipp then asked if he could have a rough draft available for public inspection by April 8<sup>th</sup> so there could be a public hearing prior to the regular council meeting. Mr. Melancon affirmed.

Mayor Wells then opened the floor up to the audience for comments.

Mark Carpenter, 2301 Woodbine stated the city needs to retain businesses, not hinder them. He said he is glad property owners will have input because many tenants do not take care of properties. The city is targeting the property owners who bring people in. He said this is a bad idea and there needs to be a fair deal for everyone concerned.

Mary Ann Cumbie, 513 Hancock said the lack of communication has led to resistance. She believes the current proposed ordinance as written will put landlords out of business.

Joan Sturkie, owner of Sturkie Properties stated the Council has not done their homework landlords have not had input in whether this ordinance is even needed. She said we can't carry it out and codes are not enforced equally. She said the Council should be addressing water issues and other problems. The city has more important things to do than this. She said she has a trip planned and asked that we wait 2 or 3 months before considering again.

Corrine Shearer, owner of American Real Estate, stated that older homes are harder to manage. There is more maintenance and people that come to Gladewater are renters, not buyers. She said we may need a certificate of occupancy in the future but not now.

Mayor Pro-tem Shipp stated we have actually had a public hearing tonight that was not planned but we need to have another one that is advertised.

Councilmember Niemann said it seems from the landlords comments that the concern is time and money rather than health and safety.

City Manager Melancon explained once again that the proposal is for a one year permit regardless of the number of move ins or outs. He explained to the landlords that they can schedule the inspection as soon as they are given notice that a tenant is moving out, so it will not delay renting to a new tenant.

Larry Seery stated rental property is based on supply and demand. He said houses that look that bad won't be rented and it is to the landlord's advantage to have a house desirable for people to rent. He said it is unreasonable to put this on the landlords.

Several audience members continued engaging the Council in lengthy discussion.

Mark Carpenter voiced opposition and questioned how many people have gotten hurt (due to unsafe housing conditions).

Mayor Pro-tem Shipp attempted to schedule a public hearing before the April Council meeting and Joan Sturkie voiced strong opposition. She said she has a vacation planned and requested that it wait until she is back.

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Mayor Pro-tem Shipp accommodated her request and moved that City Manager Melancon draft an ordinance to be available for public review in April and to schedule a public hearing for May 26, 2016, and at the public hearing the Council will vote on whether or not to place it on the June agenda. Motion was seconded by Councilmember Niemann. Carried 5-0.

- IX. CONSIDERATION of ordinance to amend Chapter 119 – RV Parks of the Code of Ordinances to establish contract language to ensure RV compliance with the City’s Certificate of Occupancy ordinance

City Manager Melancon stated the Planning & Zoning Commission made a good decision to add contract language that the owner is responsible for safety of their RV. Larry Seery, owner of Antique Capital RV Park has agreed to this language and has already incorporated it in his business.

Councilmember Niemann moved to approve the ordinance, seconded by Councilmember Anderson. Carried 5-0.

- X. CONSIDERATION of renaming portion(s) of Harold Street

City Manager Melancon explained that there are three unconnected segments of Harold Street that has caused a delayed response time for emergency services. ETCOG suggested that those segments intersecting with Gay Avenue be referred to as E. Harold and W. Harold, and that the third unconnected segment of Harold be renamed.

Mayor Pro-tem Shipp suggested that we receive input from the public if ETCOG will allow us to hold off until the April meeting. He moved to accept ETCOG’s recommendation of E. Harold and W. Harold and for the third segment of Harold Street we utilize social media to advertise and create a special email address to accept street name suggestions with a deadline of April 14th. Councilmember Watson seconded the motion. Carried 5-0.

- XI. CONSIDERATION of ballpark lease agreements and revised sponsorship fee splits with baseball and softball associations

City Manager Melancon said because of issues with the weather, the softball season is almost completely cut off and baseball will only have half a season, so their pro-rated lease amount should be \$3,750, or \$1,250 for each month of use.

League play concession revenue will go 100% to the respective associations. For tournaments the associations have agreed to a 60/15/25 split; which is 60% to the association, 25% to the city and 15% in a dedicated improvement fund. Use of the Field Improvement Fund is to be considered first by the Ballpark Board, then recommended to the Council.

Banner sales will be split 50/50, all through the association. The city will receive 50%, baseball association 40% and improvement fund 10%. Banner pricing will be \$300 for the first year and \$250 for subsequent years. Scoreboard sponsorships will be; single sided \$3,000 if paid in advance or \$750 in annual payments. Double sided will be \$10,000 if paid in advance. The city keeps 100% of scoreboard sponsorship revenue.

City Manager Melancon said the ballpark should be finished by April 1<sup>st</sup>, but Sabine and Gilmer have worked with us to schedule our away games there until April 25<sup>th</sup>.

Mayor Pro-tem Shipp commended the Ballpark Board; John Mackey, Mike Timmons, Colt Edwards, Christian Allen and Kris Wynn for their hard work.

Councilmember Watson moved to approve the lease agreements and revised sponsorship fee splits. Motion was seconded by Councilmember Niemann. Mayor Pro-tem Shipp added that if April 25<sup>th</sup> does not work out for field opening the City Manager should be given the authority to negotiate terms. Motion was so amended and seconded. Carried 5-0.

- XII. EXECUTIVE SESSION pursuant to Government Code §551.072 regarding sale of real property

The Council recessed into executive session at 8:10 p.m.

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XIII. RECONVENE INTO OPEN SESSION and take any action necessary regarding sale of real property

The Council reconvened into open session at 8:38 p.m. Mayor Pro-tem Shipp moved for the City Manager to draft a RFP to review at the next meeting on the property discussed. Motion seconded by Councilmember Niemann. Carried 5-0.

XIV. CITY MANAGER REPORT

- a) Seal coat street cost estimates – Public Works Director Casey Chambers is to prep the roads. Seal coat will last several years. Gladewater is the lead city in the coop and as of now there are four cities participating which should drive the cost down. GEDCO is satisfied with the estimates on streets to help businesses.
- b) Ballpark construction – The construction is progressing quite well with good weather. Tentatively four baseball fields will be ready by April 1<sup>st</sup>, softball fields will be ready by May 1<sup>st</sup>. We are not scheduling games until April 25<sup>th</sup> to allow time for grass to grow in. All underground is done except for pulling wire. We will have a punch list in May-June. There is a storm water issue because there was more trash underground and the topography has changed. The Council is invited to attend the next Ballpark Board meeting on April 23<sup>rd</sup>.
- c) Capital improvement project updates
  1. The 30" sewer line project was done ahead of schedule and under budget on S. Loop 485.
  2. Frank Stephens, SPI Engineers advised that the lake project has been delayed due to weather and contractor's illness, however it is still about 1 month ahead of city schedule.
  3. Upshur County is waiting for the water level to come down before replacing the East Lake culvert. All materials are on site.

XV. ADJOURN

Mayor Pro-tem Shipp moved to adjourn at 8:50 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