

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
JUNE 15, 2006
6:00 P.M.

MEMBERS PRESENT: Mayor John Paul Tallent, Mayor Pro-tem Walter Derrick, Jimmy Williams, Joe Derouen, Jerry Williams, Scott Owens, Richard Parrish, Jr.

STAFF PRESENT: Jay Stokes, Melba Haralson, Jimmy Davis, Lon Welton, Wayne Smith, Larry Player, Kerry Blakemore

GUESTS PRESENT: Alfred Lacy, Wanda Ault, Mary J. Williams, John W. Shafer, Mark Carpenter, Joncie Young, Vi Melton, Beverly Tallent, Megan Middleton, Margaret Larkins, Katherine Bowen, Brenda Brown, Stephani Chance, Allen Chance, Deborah Pike, Marilyn Kelley, B.K. Johnson, D. L. Burlison, Judith Burlison

I. CALL TO ORDER

Mayor Tallent called the meeting to order at 6:00 p.m. Councilmember Parrish gave the invocation and Councilmember Owens led the Pledge of Allegiance.

II. CONSIDERATION OF CONSENT AGENDA

- a) Minutes – May 18, 2006 (Special and Regular Sessions)
- b) Resolution authorizing filing of grant application with ETCOG for a Regional Solid Waste Grants Program grant

Councilmember Owens moved to approve, seconded by Councilmember Derouen. Carried 7-0.

III. PUBLIC HEARING regarding consideration of a demolition order for condemned structures at the following locations;

- a) Lots 27 & 27A, Block 1, Martha Dillard Survey, more commonly known as 612 White
- b) Silver City #1 S 335 (A8) Block 2 Lot 28 lease hold on Lockett land, located at Mable Street
- c) Silver City #2 S 347 (A8) Block 3, Tract 31, Lot 7 & 8, located at Edwards Street
- d) Abstract 175 Wm. Goodwin Survey, more commonly known as 516 Paradise Hill

Mayor Tallent opened the public hearing at 6:01 p.m. and then closed it with no public comments.

IV. CONSIDERATION OF A DEMOLITION ORDER for condemned structures at the following locations;

- a) Lots 27 & 27A, Block 1, Martha Dillard Survey, more commonly known as 612 White
- b) Silver City #1 S 335 (A8) Block 2 Lot 28 lease hold on Lockett land, located at Mable Street
- c) Silver City #2 S 347 (A8) Block 3, Tract 31, Lot 7 & 8, located at Edwards Street
- d) Abstract 175 Wm. Goodwin Survey, more commonly known as 516 Paradise Hill

Councilmember Jimmy Williams moved to approve a demolition order for the condemned structure as referenced above as Item a). Motion was seconded by Councilmember Parrish. Carried 7-0.

Councilmember Owens moved to approve a demolition order for the condemned structure as referenced above as Item b). Motion was seconded by Mayor Pro-tem Derrick. Carried 7-0.

Councilmember Parrish moved to approve a demolition order for the condemned structure as referenced above as Item c). Motion was seconded by Councilmember Derouen. Carried 7-0.

Councilmember Derouen moved to approve a demolition order for the condemned structure as referenced above as Item d). Motion was seconded by Councilmember Jerry Williams. Carried 7-0.

V. CONSIDERATION OF AIRPORT BOARD RECOMMENDATIONS regarding

- a) Creation of hangar deposit
- b) Use RAMP funds for drainage control

a) Alfred Lacy, 200 Oak, President of the Airport Board, stated that the Board unanimously approved requiring a deposit to require that hangars must be constructed within one year of lease. This will prevent someone from tying up the space indefinitely and using it to park cars on, etc.

Councilmember Owens moved to approve the requirement for a \$500 refundable deposit, seconded by Councilmember Derouen. Carried 7-0.

b) City Manager Stokes said that we would like permission to use RAMP grant funds for drainage repairs at the airport. Mayor Tallent asked how much the repairs will cost. Mr. Stokes responded that he is waiting for that information, but it is a 50/50 grant. Mayor Tallent then asked Airport Board President Alfred Lacy if the Board had approved this and Mr. Lacy responded that he did not believe the Airport Board had voted on it.

Mayor Pro-tem Derrick moved to table in order to get recommendation from the Airport Board, seconded by Councilmember Parrish. Carried 7-0.

VI. CONSIDERATION OF AWARDING BIDS for Main Street Project

Tracy Hicks of KSA Engineers said that we received one lone bid from Reynolds & Kay for \$2,688,516.98. Mr. Hicks explained that upon acceptance of the bid we could immediately request a change order, for which Reynolds & Kay is receptive.

Lengthy discussion ensued between members of the audience, the Council and Tracy Hicks.

John Shafer questioned the Council about awarding a bid that is not concrete and expressed skepticism at later being able to negotiate a change order based on a verbal conversation. Delbert Burlison asked how long it will take to complete the project. Mr. Hicks responded one year. Councilmember Owens commented that it is inconceivable to him that the project has been delayed for this long period of time and it's so scaled down from the original scope and that we were this far off base on the cost. Mr. Hicks explained that there's many reasons, but it's primarily due to dealing with TxDOT and their added requirements. Mayor Pro-tem Derrick asked if the amount would have been lower if the project had remained on schedule. Mr. Hicks said that it would have been lower, but there's been a tremendous increase in fuel costs in the last six months. Councilmember Owens then asked what if it had been done two years ago. Mr. Hicks said it still would have come in over budget. Councilmember Jimmy Williams explained that anytime TxDOT is involved environmental impact studies have to be done. Tracy Hicks added that we want to get the budget down now so we won't have to come back later to ask for more funding. Lon Welton, Main Street Manager added that we are disappointed in the delays but TxDOT has the final say since Main Street is located on a state highway. Judith Burlison asked Mr. Hicks how much the project went up in the last six months. Mr. Hicks estimated 20% in the last 90 days. Councilmember Jerry Williams said we can talk about the history or hypothetical situations, but we've got a reliable bid from a reputable company and we should go forward. The result will be a great improvement over what we have now. John Shafer voiced objection stating that he doesn't understand why the City is settling for this bid and again expressed concern about being able to negotiate a change order after the contract is signed.

Councilmember Jimmy Williams moved to award the bid to Reynolds & Kay for \$2,688,516.98, which is \$255,516.98 over projections. If we are successful in negotiating a change order for \$185,481.50, that would leave a shortfall of about \$70,000. Motion was seconded by Councilmember Jerry Williams. Carried 7-0.

VII. DISCUSSION OF TRAIN SPEEDS AND RAILROAD CROSSINGS through Gladewater city limits

Don Traylor, with Union Pacific Railroad out of Ft. Worth, stated that the train speeds will be increased through town to 70 mph for freight trains and 79 mph for passenger

trains. He cited statistics that more accidents occur with slower train speeds because drivers try to outrun the train. He also said that slower trains hold up traffic at the crossings for a longer period of time. Mr. Traylor also explained that Union Pacific has earmarked \$150,000 for crossing gates at Ferry Street and if the City will abandon that crossing, those funds could be used for other City public safety projects. He pointed out that there is basically a railroad crossing at every block downtown. Discussion then ensued with various members of the audience.

Wanda Ault asked if the money could be used anywhere. Mr. Traylor said it could be anywhere in the city limits as long as it's for public safety. Mark Carpenter asked Mr. Traylor several questions; how could it be safer at higher speeds, what had the speed been before, how long have the gates been authorized, and then commented on the condition of the tracks. Mr. Traylor answered all of his questions and concluded that there are strict rules and regulations and a checks and balances in system in place for railroad safety.

Mayor Tallent said we will hold a public hearing at the next City Council meeting to get input from the citizens on closing the Ferry Street crossing. He also added that we will prepare a resolution to voice our objection to the increased train speed.

VIII. CONSIDERATION OF REQUESTS OF MR. JOHN SHAFER

- a) to lower speed limits on Highway 271 through Gladewater
- b) to create an Ombudsman program

In regards to Item a) John Shafer, 187 Pyeatt Drive, voiced his concerns regarding the posted speed limits primarily on Highway 271 North. He requested several changes to the speed limits along Highway 271 and Loop 485. Mr. Shafer also stated that the "No Air Brake" signs are too close to the city limits and the City of Union Grove should be contacted to put up "Reduced Speed Ahead" signs. He said the loud noise from trucks' engaged air brakes have caused both his and a neighbor's ceiling to fall in. Mr. Shafer expressed his belief that this is a dangerous situation and changing the speed limits could save lives. He further stated that TxDOT will put up the signs and the City Council has the authority to make the speed limit changes.

City Manager Stokes said that he had spoken with Paul Jaap from TxDOT regarding Mr. Shafer's request. Mr. Jaap said that if the Council wants to make changes to the speed limits a traffic study should be done. He then explained the liability involved if the findings of the traffic study are not followed. Mayor Tallent asked City Manager Stokes if Mr. Shafer was the only one complaining about the speed limits. Mr. Stokes replied that he was. Mayor Tallent then asked Fire Chief Wayne Smith, who also lives on Highway 271 North, if he has a problem with the speed limit. Chief Smith replied that the "jake brakes" rattle his windows and there are people speeding. Councilmember Jimmy Williams said that lowering the speed is not the answer; there has not been a problem with accidents. He said evasive action causes more accidents than speed. The four-lane highway is reduced to a two-lane there and it would cause truckers to use their air brakes more frequently if the speed was also reduced. Mr. Williams contended that there may be an enforcement issue, but there is no problem with the speed limit.

Mayor Tallent said the Council will take the matter under advisement. No action taken.

In regards to Item b) Mr. John Shafer said that people have rights and they need to know what's going on and someone to take complaints. He said common people need someone to listen to them and act on their behalf. Mr. Shafer volunteered his services as an ombudsman for the first six months at no charge. All he would need is a link to the City's website and use of the conference room. He suggested that citizens fill out a complaint form in triplicate and he will follow up after 30 days to make sure the problem is taken care of. A member of the audience commented that "Citizens Comments" listed on the agenda serves that purpose. Councilmember Owens said he believes this is redundant and said the City Manager works very hard and keeps detailed records of calls and complaints he handles. Mr. Owens then read the "Citizens Concerns" section of the City Manager's Monthly Report. Councilmember Owens further stated that that's what the City Council is for. We are approachable and phone numbers are listed for anyone that wants to call.

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Councilmember Owens moved to deny the request to create an ombudsman position, seconded by Councilmember Jerry Williams. Carried 6-0-1, with Councilmember Jimmy Williams abstaining.

IX. CONSIDERATION OF REQUEST OF MRS. WANDA AULT to amend ordinance related to signage in downtown Gladewater

Mrs. Wanda Ault, 516 Melba, stated that the current code allows A-frame signs to be placed in the middle of the sidewalk as long as there is a 4-foot clearance on each side. This creates an obstacle to maneuver around and causes a hardship on the handicapped. Mrs. Ault requested that the code be changed so that the A-frame signs must be placed either next to the building or the curb so as to allow a free flow of pedestrian traffic.

Main Street Manager Lon Welton cited Article C of the sign ordinance which states there should be a 4-foot clearance at all times. Code Enforcement Officer Larry Player said that when he received the complaint he went and measured and found no violation of the sign ordinance.

Mayor Tallent said we will look into whether the code needs to be changed. No action taken.

X. CONSIDERATION OF BOARD APPOINTMENT to Board of Adjustments

Mayor Pro-tem Derrick moved to appoint Elijah (Sonny) Anderson, seconded by Councilmember Jerry Williams. Carried 7-0.

XI. CITY MANAGER'S REPORT

- a) FY 2007 Budget calendar
- b) Street paving program
- c) National Night Out update

In regards to Item a) City Manager Stokes said if there are no concerns with the budget calendar provided in each council packet we will go ahead with it. The first budget workshop will be held July 27, 2006 at the Gardens of Gladewater meeting facility.

In regards to Item b) Mr. Stokes announced that we will be prioritizing street work and said to let him know if anyone has a specific street they want reviewed by staff.

In regards to Item c) Mr. Stokes announced that our 2nd annual National Night Out will be held on August 1, 2006. He is hoping to have 7 block parties this year (increase of 2 over last year). Let us know if you are willing to be a host.

XII. CITIZENS COMMENTS

Note: Those wishing to speak must sign up with the City Secretary prior to the Call to Order.

Delbert Burlison sought permission from Mayor Tallent to ask a question specifically to Councilmember Jerry Williams. Mayor Tallent responded that he could ask the question, but Mr. Williams cannot answer him. Mr. Burlison then returned to his seat without comment. Mayor Tallent suggested that Mr. Burlison call Mr. Williams directly.

B.K. Johnson asked for a copy of the budget calendar. City Manager Stokes said he would be happy to furnish him a copy as well as put it on the website.

XIII. MAYOR'S REPORT

Mayor Tallent read a note from Croley Funeral Home and also a letter to the editor thanking Police Chief Jimmy Davis for his 35 years of dedicated service and wishing him a happy retirement as of June 30th.

There will be two Juneteenth parades this Saturday. The parade at Red Rock is scheduled for 9:00 a.m. and the Weldon parade is scheduled for 10:00 a.m.

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The City will host a retirement reception for Jimmy Davis at the Chamber of Commerce building on Thursday, June 29th at 6:00 p.m.

The September City Council meeting will be moved up a week. The meeting date will be on the 14th rather than on the 21st.

Our fall clean-up day has been set for Saturday, October 14th from 8:00 a.m. to noon.

Our next regular City Council meeting will be July 20th.

XIV. ADJOURN

Councilmember Parrish moved to adjourn at 7:35 p.m. Adjourned by consensus.

JOHN PAUL TALLENT, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY