

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
OCTOBER 19, 2006
6:00 P.M.

MEMBERS PRESENT: Mayor John Paul Tallent, Mayor Pro-tem Walter Derrick, Joe Derouen, Jerry Williams, Scott Owens

MEMBERS ABSENT: Richard Parrish, Jimmy Williams

STAFF PRESENT: Jay Stokes, Melba Haralson, Wayne Smith, Kerry Blakemore

GUESTS PRESENT: John Shafer, Pat Derouen, Brenda Brown, Todd Clifton, Linda Meadows, Charles Meadows, Vi Melton, Steve Hoover, Bennie Cornutt, Beverly Tallent, Evergrace Derrick, Marilyn Crump, Charles Crump, Vernona (Dusty) Carter, Mike Burns, Brenda Moore, Debra Moore, James Moore, B.K. Johnson, Bennie Moore, Raymond Johnson, Elijah Anderson, Lanita Smith, Butch Smith, Kamryn Floyd

I. CALL TO ORDER

Mayor Tallent called the meeting to order at 6:00 p.m. The invocation was given by City Manager Jay Stokes and the Pledge of Allegiance was led by Mayor Pro-tem Derrick.

II. CONSIDERATION OF CONSENT AGENDA

- a) Minutes – September 14, 2006
- b) Agreement with G.I.S.D. to conduct a joint election on May 12, 2007
- c) Blanket permit for the Gladewater Lions Club Turkey Shoot on November 11, 2006
- d) Blanket permit for the Red Rock Historical Association Turkey Shoot on November 23, 2006
- e) Ordinance to prohibit parking on the west side of Money Street between Pacific Street and South Loop 485
- f) Resolution authorizing submission of a Texas Community Development Block Grant Program application to the Office of Rural Community Affairs
- g) Resolution authorizing signators for the State of Texas Purchase Voucher and the Request for Payment for TCDP Contract No. 726229
- h) Resolution authorizing participation in a coalition of cities advocating reasonable deregulation (CARD) and authorizing the fuel reconciliation proceeding of SWEPCO, Docket No. 32898 at the Public Utility Commission of Texas
- i) Ratification of Gladewater City Code of Ordinances §131.05 – Curfew
- j) Investment report for quarter and fiscal year ending September 30, 2006

Councilmember Owens moved to approve, seconded by Councilmember Jerry Williams. Carried 6-0.

III. CONSIDERATION of street name change of S. Stuart Street or S. Stewart Street

City Manager Stokes explained that according to 911 system protocol, we should not have similarly named streets, so we need to rename either Stuart or Stewart. Stuart Street has four addresses and Stewart has six addresses.

Councilmember Jerry Williams said it is his honor and privilege to make a motion to rename Stuart Street to Walter Derrick Avenue. It is the most traveled, running from Pacific Ave. to Roden Lane. Councilmember Derouen seconded the motion. Councilmember Jerry Williams then added that Walter Derrick is deserving of this honor and recognition because at the end of this term he will have served on the City Council for 18 years, he was a school teacher, coach and mentor to the young for 31 years and he is also a leader in his church. Carried 4-0-1, with Mayor Pro-tem Derrick abstaining.

Mayor Pro-tem Derrick, who was clearly astounded by the tribute, humbly thanked everyone for the kindnesses shown to him and his family.

IV. DISCUSSION regarding policy and procedures for placing items on the agenda and addressing the City Council

City Manager Stokes presented guidelines as discussed by the Council at the last meeting and stated an ordinance will be presented for adoption at the next meeting if

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acceptable. At the request of Mayor Tallent, City Secretary Haralson read the guidelines as listed below.

1. The City of Gladewater believes in an open, transparent, and democratic local government. The rules established below are intended to establish a uniform and orderly process for citizens to be involved in their government, while encouraging and inviting their participation. They are intended to be simple and reasonable, allowing for common sense and good governance. They are not intended to restrict debate, dissent, open government, or the legislative process.
2. The City Manager, working in conjunction with the Mayor and City Secretary, shall set the City Council agenda. Together they shall use their best judgment to determine which items of City business are to come before the City Council.
3. The Mayor and/or any member of the City Council shall have the authority to have an item(s), whether for discussion or action, be placed on the agenda of a City Council meeting. This may be done by notifying the City Manager in writing within a reasonable timeframe before the meeting in which the item is to be brought before the City Council.
4. Citizens desiring to have an item brought before the City Council shall notify the City Manager in writing no less than seven (7) working days in advance of the City Council meeting in which they want the item brought before the City Council. The City Manager, after consultation with the requestor, shall decide if the matter is to be placed on the City Council's agenda, and whether it should be a discussion item or action item.
5. A citizen may bring no more than one (1) item before the City Council per month.
6. If a citizen requests an item to be placed on the agenda, and then it is voted on and defeated by majority vote of the City Council, the requestor may not bring the same item back before the City Council for a period of six (6) months.
7. Groups of people wishing to have an issue placed on the City Council's agenda are encouraged to utilize a single spokesperson when representing their interests before the City Council.
8. When a citizen is addressing the City Council he/she is encouraged to recognize and utilize proper decorum. This includes refraining from personal attacks, no use of offensive language, and stating his/her case expeditiously. The presiding officer of the meeting may reasonably limit or expand the scope of the discussion and/or the time spent discussing an item.
9. Regarding citizens commenting on agenda items which they did not request for placement on the agenda, the presiding officer of the City Council meeting may, at his or her own discretion, recognize a person and/or persons in attendance at the City Council meeting and allow such person(s) to speak on an item(s) before the City Council.
10. Citizens attending City Council meetings wishing to address the City Council on non-agenda items shall be allowed to do so through the following process.
 - a. They shall complete a speakers form provided by the City Secretary and provide it to the City Secretary in advance of the Call to Order of the City Council meeting.
 - b. They must first be recognized by the presiding officer of the meeting.
 - c. They shall identify themselves by name and home address for the record.
 - d. Their comments shall be made from the podium, and shall be limited to three (3) minutes.
 - e. A maximum of seven (7) public speakers will be permitted per City Council meeting.
 - f. Groups of people wishing to address a single issue are encouraged to utilize a single spokesperson to represent their interests.
 - g. In compliance with the Texas Open Meetings Act, the City Council is not to respond to questions and issues raised which are not listed on the agenda of the City Council meeting.

Councilmember Owens said the guidelines are not intended to stifle citizen involvement, just to make it orderly. Councilmember Jerry Williams noted that since this is a new procedure, we should be flexible enough to make changes later, if necessary, with the majority vote of the Council. Mayor Pro-tem Derrick suggested that item 10 (e) be amended to allow a maximum of 7 public speakers or groups.

V. DISCUSSION regarding potential site of new park in south Gladewater

City Manager Stokes said he has asked Mark Priestner to come to the next City Council meeting. Mr. Priestner is a former city planner for Tyler and is well known for writing grants for parks and improvements. He will present our options with the overall plan of our parks and discuss grant opportunities.

Mayor Tallent reported that he had a favorable conversation with Mrs. Staerker, who owns 4 acres adjacent to the proposed park site. Mrs. Staerker indicated that she wants to discuss it with her son, but they may be interested in selling the property to the City. At this time she does not know the fair market value of the property.

Councilmember Owens said Mr. Priestner will help with the overall plan for our parks. He mentioned the unique qualities and draw that each of our parks has with the City as a whole. The park at Lake Gladewater has all the water activities as well as the pavilion and basketball and tennis courts and Everette Park has great walking trails. He would like to see the park on the south side be different than the other two and have its own unique draw to the community as a whole.

B.K. Johnson reported that the CCC (Concerned Citizens Committee) met and has been encouraged by Weldon School alumni to get their participation. He gave geographics on the proposed site and reported on discussions with several property owners who may be interested in giving land to the park with an easement to the Community Center.

Mayor Tallent said we can go after grants and may be able to start in the spring.

Todd Clifton, 1622 W. Lake, said the Rotary Club of Gladewater would like to be involved and said they will make a request to Rotary International for financial assistance. If approved, it may be a grant match or possibly a lump sum grant.

VI. CONSIDERATION of contracted items in regard to a joint contract with Union Pacific Railroad and the Texas Department of Transportation regarding closing of rail crossing located at Ferry Street and the Union Pacific Railroad

Steve Hoover, Veolia Project Manager, said that we have received a proposal for repairing the brick streets downtown from Southwest Environment Services, Inc. for \$98,685.87, which is substantially lower than W.R. Welborn's proposal of \$1,362,288. City Manager Stokes said he also talked to Southwest Environment Services about training Veolia employees to maintain the brick streets. Mr. Stokes said he believes we will still need to go out for formal bids, but it appears we will have money left over for asphalt or chip and seal.

Councilmember Owens pointed out that we still have to purchase the bricks. Councilmember Jerry Williams commented on the importance of matching the type and color to the existing "red brick common" and said the current bricks have held up since the 1930's. Mayor Tallent received clarification that the proposal is to repair sink holes and bad spots on Quitman, Commerce, Pacific, Broadway and Center Streets. Councilmember Owens said there is a gentleman here in town that has salvaged bricks from landfills that we can get for a reasonable price, some of which came from our streets downtown. Mayor Tallent recapped the financial situation, stating we are to receive \$146,000 from TxDOT, if we spend \$98,000 on brick streets that will leave us with a little over \$40,000 for the other streets. Steve Hoover said it would be more affordable to chip and seal rather than asphalt and they (Veolia) can identify the streets in most need of repair.

Councilmember Owens moved to propose to TxDOT that we repair the brick streets and use the remaining funds for chip and seal, at the staff's discretion on which streets need to be done. Motion was seconded by Councilmember Derouen. Carried 5-0.

VII. CONSIDERATION of options related to easement acquisition for the Moore lift station

City Manager Stokes explained that we let bids on the new Moore lift station, but we are in need of a 70' easement from Mr. James Moore. Our three options are; 1) grant Mr. Moore's request for no cost sewer in exchange for the easement; 2) to bypass his property, which would be very expensive, or 3) to condemn his property as a last option.

Mr. James Moore is interested in no cost sewer at 308 E. Commerce for his and his wife's lifetime, then to be passed on to his daughter. In addition, if he should build an additional residence across the street he wants no cost sewer there as well. Our attorney, David Watson, said it is not legal for us to give in perpetuity. Mr. Moore understood and accepted that it cannot be passed on to his daughter.

Mayor Pro-tem Derrick asked if there is any further advantage that either party can gain by further mediation. Mr. Moore and Mr. Stokes replied that there is not.

Councilmember Jerry Williams said he thought this was a reasonable settlement and moved to give the City Manager the authority to proceed with obtaining the easement by granting Mr. Moore's request as presented. Motion was seconded by Mayor Pro-tem Derrick. Carried 5-0.

VIII. CITY MANAGER'S REPORT

- a) Update on Benchmark Properties subdivision
- b) Update on pilot study at water treatment plant
- c) Update on Main Street project / downtown fire hydrants
- d) Update on Phase II of the water treatment plant improvement project

City Manager Stokes gave the following report;

- a) Benchmark Properties has decided not to proceed with building a subdivision on the north side of W. Lake Drive due to TCEQ regulations regarding septic systems.
- b) A pilot study has been done at the water treatment plant by adding sodium permanganate to the water treatment process in order to control the bad taste and odor of the water. These issues are primarily a result of the low lake level, algae, and this being the first year since the TCEQ mandated conversion from chlorine to chloramine. This treatment will add a few extra dollars to the cost per month. Steve Hoover, Project Manager of Veolia, gave a recap of the conversion process and said a cheaper chemical, potassium permanganate, will be piloted in a couple months.
- c) GADA (Gladewater Antique Dealers Association) met and had praise for the way the Main Street project is going. Six fire hydrants downtown that had to be replaced at \$1,200 each that was not budgeted. We may be able to realize enough savings somewhere else in the project to cover the added expense.
- d) In the next meeting or two, John Ringler of KSA Engineers will be here to give an update on the project. Mr. Joe Jones of RDA has all the paperwork and is waiting for approval of the design, and then we will need to consider funding options.

IX. CITIZENS COMMENTS

None.

X. MAYOR'S REPORT

Mayor Tallent gave the following report;

- a) Jay Stokes and Lon Welton received an award from the Texas Economic Development Council.
- b) The GADA Christmas party is November 11th from 5-8 p.m.
- c) The Fire Department received a Certificate of Appreciation from the Texas Forest Service in recognition of National Night Out participation.
- d) We received \$5,000 from Upshur County for Lee Public Library. Mayor Tallent read a list of maintenance issues that he will ask Upshur County's assistance with.
- e) The clean up day last Saturday was a success. Thanks to all those who helped.
- f) The TML Convention will be held October 25-27th in Austin. Jay Stokes, Richard Parrish, Scott Owens and Mayor Tallent are planning to attend.
- g) Our next regular City Council meeting will be November 16th.

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- h) Our Christmas party will be held Thursday, December 7th at 6 p.m. at the Gladewater Former Students building.
- i) Congratulations to City Manager Jay Stokes for being elected to the Region 15 Board of Directors of TML-IEBP. He will serve a 3-year term.

XI. ADJOURN

Councilmember Owens moved to adjourn at 7:13 p.m., seconded by Councilmember Jerry Williams. Adjourned by consensus.

JOHN PAUL TALLENT, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY