

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
OCTOBER 16, 2008
6:00 P.M.

MEMBERS PRESENT: Mayor Walter Derrick, Mayor Pro-tem John Ussery, Richard Parrish, Scott Owens, Joe Derouen, and new appointee Rhonda Smith

MEMBERS ABSENT: Jimmy Williams

STAFF PRESENT: Jay Stokes, Melba Haralson, Richard Ross, Lon Welton

GUESTS PRESENT: Jim Bardwell, Bennie Cornutt, James Duckworth, Chris Meeks, Charles Meadows, Vi Melton, Calvin Cisco Frierson, Mark Carpenter, Joshua McClure, Jimmy Davis

I. CALL TO ORDER

Mayor Derrick called the meeting to order at 6:00 p.m. Mayor Pro-tem Ussery gave the invocation and Councilmember Derouen led the Pledge of Allegiance.

II. APPOINTMENT of City Council Member, Place #4

Councilmember Owens moved to appoint Rhonda Smith to fill the unexpired term of Jerry Williams, seconded by Mayor Pro-tem Ussery. Carried 5-0.

Councilmember Owens explained that the Council went into executive session a few weeks ago and numerous names were discussed. He said since Mayor Derrick was elected the Council has been harmonious and working together. He commended everyone that was interested in serving and said Rhonda Smith is experienced and she won a majority of votes in her last election. Mr. Owens stated for those who do not agree, that May is the time to put their name on the ballot. Mayor Derrick added words of appreciation for everyone taking interest in the City government.

III. OATH OF OFFICE

City Secretary Haralson administered the Statement of Appointed Officer and the Oath of Office to Rhonda Smith. Mrs. Smith was then welcomed by the Council.

IV. CONSIDERATION OF CONSENT AGENDA

- a) Minutes – September 15, September 18 and September 29, 2008
- b) Ordinance to prohibit parking of oversized vehicles in residential areas
- c) Consideration of GISD request to hold a bonfire on October 29, 2008 at Lake Gladewater
- d) Renewal of Fire Protection Agreement with Upshur County Emergency Services District #1
- e) Renewal of Fire Protection Agreement with Upshur County Emergency Services District #1 as agent for Union Grove
- f) Resolution authorizing intervention in SWEPCO's upcoming fuel proceedings at the Public Utility Commission of Texas
- g) Renewal of contract with the Gladewater Chamber of Commerce
- h) Renewal of grant contract with Gladewater Youth Track Association
- i) Renewal of grant contract with Gladewater Youth Softball Association
- j) Renewal of grant contract with Gladewater Flag Football Association
- k) Renewal of grant contract with Gladewater Youth Baseball Association
- l) Blanket permit for annual Lions Club Turkey Shoot
- m) Renewal of contract with NEH Williams Design for city website

Councilmember Parrish moved to approve, seconded by Councilmember Derouen. Carried 6-0.

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- V. CONSIDERATION of GEDCO board appointment until September 2009, for the unexpired term of Jerry Williams

Mayor Pro-tem Ussery moved to appoint Steven Best to fill the unexpired term of Jerry Williams, seconded by Councilmember Derouen. Carried 6-0.

- VI. UPDATE and possible action regarding restoration of condemned property located at Gladeview Addition S177 (A8), Block 5, Lot 11 and house, more commonly known as 1203 N. Rodeo

Mayor Derrick said he went out to look at the property this afternoon and felt Mr. Duckworth has done a considerable amount of work. He recommended this item to be passed onto next month's agenda when City Inspector Larry Player can be in attendance.

Councilmember Owens moved to table until November, seconded by Mayor Pro-tem Ussery. Carried 6-0.

- VII. CONSIDERATION of proposal from APEX Geoscience, Inc. for probing Lake Gladewater dam

Joshua McClure of Adams Engineering said there are so many unknown factors regarding the condition of the dam, it was recommended that Apex Geoscience be contracted to determine the weakest points in the dam and spillway. They propose to set electrodes along the top of the dam and by emitting an electrical pulse, be able to determine if there are any wet spots or cavities in the dam. That will better prepare us for any structural work that needs to be done to the dam. Mr. McClure said they will report findings to TCEQ along with an emergency action plan.

Councilmember Owens commented that the cost of this proposal is \$14,000, but it will probably save us money in the long run. Mr. McClure responded that it will enable us to prioritize the work that needs to be done. Councilmember Parrish asked how long it will take. Mr. McClure answered that it will only take a couple days to take measurements, but he doesn't know when the equipment can be scheduled.

Councilmember Derouen received affirmation from Mr. McClure that the City will receive an "x-ray" image of the dam when the work is done, then moved to approve the proposal for Apex Geoscience to do the probe work on the dam. Motion was seconded by Councilmember Parrish. Carried 6-0.

- VIII. CONSIDERATION of request by Lake Board to amend §93.03 – Ski Regulations of the Gladewater Code of Ordinances

Lake Warden Richard Ross offered to answer any questions. Councilmember Owens asked what prompted the change. Mr. Ross said a property owner erected a course and left it up a couple of months and there was complaints brought to the Lake Board. The Lake Board recommended then recommended more regulation with regard to slalom ski courses. Councilmember Derouen commented that the course in question was set up closer to the east side of the lake and it was a hazard to boat traffic. Councilmember Smith asked if the course has to be inspected by the City after it's installed at their expense. Mr. Ross answered that it does not. The course is easy to install and take up.

Councilmember Smith moved to approve, seconded by Mayor Pro-tem Ussery. Carried 6-0.

- IX. CONSIDERATION of purchase of recycling bin

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Councilmember Owens said he understood that we received a grant from ETCOG to cover the total cost of the recycle bin and asked if it would be available to the public full time as it would be a convenience to citizens. City Manager Stokes replied that the grant also pays for fencing and we will have it unlocked weekdays between 8 am and 5 pm. Mr. Stokes said the idea is to supplement the current 2nd Saturday recycling program, not replace it. He conceded that maybe the Police Department could open it up on a Saturday, but had concerns that it would just become a dumpster if left open at all times. Councilmember Owens asked if there was a pick up charge. Mr. Stokes replied that the grant pays for two pick ups a month for the first year, then the City will have to pay. He said advertising costs are also covered by the grant. Mayor Derrick summarized that the bin will be located at the Public Works building and we will maintain the 2nd Saturday recycling at City Hall.

Mayor Pro-tem Ussery moved to approve, seconded by Councilmember Owens. Carried 6-0.

X. CONSIDERATION of agreement with Humane Society of Northeast Texas

City Manager Stokes said he did not feel like the language in the contract adequately defined what we had agreed upon. He presented the Council a new draft, to which the Humane Society now agrees.

Councilmember Derouen moved to approve the amended agreement as presented, seconded by Councilmember Smith. Carried 6-0.

XI. EXECUTIVE SESSION pursuant to Government Code §551.071 to consult with City Attorney regarding possible sewer contract renewal with Clarksville City and water contract renewal with Warren City

The Council recessed into executive session at 6:33 p.m.

XII. RECONVENE into open session and take any action necessary pursuant to possible sewer contract renewal with Clarksville City and water contract renewal with Warren City

The Council reconvened into open session at 7:20 p.m. and took the following action;

Councilmember Owens moved to authorize staff to negotiate a water contract with Warren City and bring back to the Council for consideration. Motion was seconded by Mayor Pro-tem Ussery. Carried 6-0.

The Council took no action with regard to the sewer contract with Clarksville City.

XIII. CITY MANAGER'S REPORT

- a) Grants update
- b) Special projects update
- c) National Night Out update
- d) Fall Beautification Day update
- e) Halloween Carnival
- f) Trash trucks in alleys

City Manager Stokes gave the following report;

- a) The library parking lot is almost finished on the Texas Capital Fund grant. We are ordering the brick. The Master Plan is half done. There will be a public hearing before the Planning & Zoning Commission in November.
- b) Gay Avenue drainage project – The engineers are not satisfied with the intersection at Chevy Chase. A new catch box is being installed at no cost to the City. It should be completed in two weeks. There will be a special Council meeting on the Veolia contract on November 6th at 6:00 p.m. unless Council directs otherwise.

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- c) There were five parties hosted for the National Night Out. Councilmember Scott Owens, Mayor Derrick and Mark Carpenter all gave reports on party attendance. Appreciation was expressed for all the hosts.
- d) The Fall clean up day went well. There were four dumpsters downtown and a trailer for scrap metal.
- e) The Halloween Carnival at the Emergency Services Building will be held Saturday, October 25th. They need volunteers.
- f) Mr. Stokes said he would like for us to get away from setting trash out in the residential alleys. The oil dirt alleys are not meant to hold 35,000 pound trash trucks. We may need to bring this issue to a future agenda.

XIV. CITIZENS COMMENTS

Judith Burlison, 3067 E. Lake, gave an update on the recycling program. She said last week the Chamber of Commerce came on board to help, so now there are six local civic organizations involved; Lions, Rotary, GALA, Garden Club, Red Rock Assoc. and Chamber of Commerce. She said on average about 200 households per month participate in recycling.

Mark Carpenter, 2301 Woodbine, said he believed the appointment of a new Council member should have been discussed in open session and candidates from the last election should have been considered. He said Judy Burlison would have been a good choice.

XV. ADJOURN

Councilmember Parrish moved to adjourn at 7:38 p.m., seconded by Mayor Pro-tem Ussery. Adjourned by consensus.

WALTER DERRICK, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY