

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
FEBRUARY 19, 2009
6:00 P.M.

MEMBERS PRESENT: Mayor Walter Derrick, Mayor Pro-tem John Ussery, Rhonda Smith, Scott Owens, Richard Parrish

MEMBERS ABSENT: Jimmy Williams, Joe Derouen

STAFF PRESENT: Jay Stokes, Melba Haralson, Wayne A. Smith, Richard Ross, Larry Player, Farrell Alexander

GUESTS PRESENT: Jimmy Davis, Judith Burlison, Charles Meadows, Karen Jacks, James Duckworth, Toby Bryant, Jon Doonan, Mark Carpenter, Cisco Frierson, Jim Talley, Pamela Adell Murphy, Robert Tatum

- I. CALL TO ORDER – Mayor Derrick called the meeting to order at 6:01 p.m.
 - a) Invocation – given by Councilmember Scott Owens
 - b) Pledge of Allegiance – led by Councilmember Richard Parrish

- II. CONSIDERATION OF CONSENT AGENDA
 - a) Minutes – January 15, 2009, February 9, 2009 and February 13, 2009
 - b) Library Board appointment of Barry Cook to replace Mildred Jones
 - c) Ordinance to order General Election for May 9, 2009
 - d) Contract with Gregg County for election services for May 9, 2009 General Election
 - e) Investment Report for quarter ending December 31, 2008

Mayor Pro-tem Ussery moved to approve, seconded by Councilmember Owens. Carried 5-0.

Note: Prior to Item III, Items X and XI were taken out of order due to the schedule of Attorney Art Rodriguez.

- III. PRESENTATION of City of Gladewater Audited Financial Statements for fiscal year 2008 by Karen A. Jacks & Associates

Karen Jacks explained that this year there were major changes of professional standards which raised the requirements of staff, requiring much more of their time in preparation for the audit. She complimented staff and said information was thorough and timely supplied. She then presented an overview of the financial audit, rendering a clean opinion, which is the highest level of opinion an independent auditor can provide.

Mayor Pro-tem Ussery said he appreciated her hard work and service to Gladewater, stating she is one of the foremost authorities on financial audits. Sentiments were echoed by other City Council members.

Mayor Pro-tem Ussery moved to approve, seconded by Councilmember Smith. Carried 5-0.

- IV. DISCUSSION of Lake Gladewater Dam issues

Councilmember Parrish moved to table until engineering staff could be present, seconded by Councilmember Owens. Carried 5-0.

- V. CONSIDERATION of submission of Emergency Response Plan for Lake Gladewater Dam to Texas Commission on Environmental Quality

Councilmember Owens moved to table, seconded by Councilmember Smith. Carried 5-0.

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

Code Enforcement Officer Larry Player reported that Mr. Duckworth has been making a good effort to get back in compliance. He has put money into the restoration and does not recommend demolition at this time.

Several Council members commented on the progress he has made. Councilmember Owens moved to allow Mr. Duckworth to go ahead with rehabilitation, keeping in mind the one year completion date previously set out and to get a progress report in 90 days. Motion was seconded by Councilmember Smith. Carried 5-0.

- VII. DISCUSSION of request from Mr. Toby Bryant to consider abandoning City alley near 500 Block of Paradise Hill

Mr. Bryant said his neighbors are using the alley for their own personal use; dogs, chickens, etc. He would like to clean it up and fence it.

Councilmember Owens commended Mr. Bryant on his clean up effort. Mr. Owens said his only apprehension is that if we abandon the alley it should be equally split between property owners or we could put it out for bid to sell.

City Manager Jay Stokes suggested before the abandon it that we check with other property owners because there will be a survey cost involved. He said if the Council doesn't object, we will get letters out to property owners since they will be subject to survey expenses and taxation. This will be back on the March agenda.

- VIII. CONSIDERATION of 2008 Racial Profiling Report

Police Chief Farrell Alexander explained that we hired a consultant to look at all the data and make sure we are in compliance. We found that we are in full compliance and are able to submit a very good report.

Councilmember Owens said Chief Alexander and the Police Department are to be commended for enforcing the law in an impartial way.

- IX. DISCUSSION of staff findings on water and wastewater tap fees

City Manager Stokes presented a Tap Fee Survey handout to show how low the City's water and sewer tap fees are in comparison to other cities. He then suggested we hold off serious consideration until Chris Meeks, Veolia Project Manager, could be in attendance.

- X. EXECUTIVE SESSION pursuant to Government Code §551.071 to consult with City Attorney regarding sewer contract renewal with Clarksville City

The City Council recessed into executive session at 6:05 p.m.

- XI. RECONVENE into open session and take any action necessary pursuant to sewer contract renewal with Clarksville City

The City Council reconvened into open session at 6:22 p.m. No action was taken.

- XII. CITY MANAGER'S REPORT

- a) Grants update
- b) Special projects update
- c) Smith County ESD #2 contract
- d) Buzzards at the water towers

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City Manager Stokes gave the following report;

- a) 1. Fire Chief Smith is applying for another grant from Texas Forest Service for \$6,000 with no match requirement from the City.
2. The pavilion and playground equipment are installed at Weldon Bumblebee Park. All we lack is the tables and benches.
- b) 1. The State of Texas received millions for Hurricane Ike, ETCOG received \$10 million of that, which has nothing to do with FEMA. It looks like ETCOG will distribute money to the counties and it will flow to the cities. We don't know how much we will get, but feel comfortable about dealing with the elected public officials in the county. We hope to get enough to get power to the Wastewater Treatment Plant, if not maybe enough for power to the lift stations.
2. In the past, water at Eddy and Mill Streets flowed through the woods. Now it goes through the Antique Capital RV Park and pooling. We many need to put in a catch box and pipes. The fix will require funding. This issue will be brought back on a future agenda.
- c) We have sent a revised draft contract to Smith County Emergency Services District and are waiting on a response. The area of coverage is in question.
- d) We have received a lot of suggestions on how to get rid of the buzzards. We are not trying to make light of the situation, but don't want to spend a lot of money on something that we don't know for sure will work, or will work temporarily. We are still seeking solutions.

XIII. CITIZENS COMMENTS

Judith Burlison, 3067 E. Lake Drive, said the recycling bin is here (located at the public works building) to use during the week and on the fourth Saturday of the month. She reported on the monthly recycling program, stating it is successful and we have a heavy workforce of volunteers and civic clubs.

Mark Carpenter, 2301 Woodbine, said he talked to the City Secretary about starting a petition for getting GEDCO changed from an A Corp to a B Corp. He encouraged the Council to get citizens' participation by talking to them.

XIV. ADJOURN

Councilmember Parrish moved to adjourn at 7:15 p.m., seconded by Councilmember Smith. Adjourned by consensus.

WALTER DERRICK, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY