

CITY OF GLADEWATER  
CITY COUNCIL REGULAR SESSION  
MINUTES  
APRIL 16, 2009  
6:00 P.M.

MEMBERS PRESENT: Mayor Walter Derrick, Jimmy Williams, Rhonda Smith, Joe Derouen, Scott Owens, Richard Parrish, Jr.

MEMBERS ABSENT: Mayor Pro-tem John Ussery

STAFF PRESENT: Jay Stokes, Melba Haralson, Farrell Alexander, Richard Ross

GUESTS PRESENT: Judith Burlison, Delbert Burlison, Delma Longoria, Vi Melton, Jimmy Davis, Toby Bryant, Mary J. Williams, Chris Meeks, Charles Meadows, Craig Merrill

I. CALL TO ORDER – Mayor Derrick called the meeting to order at 6:00 p.m.

- a) Invocation – Mayor Derrick
- b) Pledge of Allegiance – Councilmember Smith

II. CONSIDERATION OF CONSENT AGENDA

- a) Minutes – March 19, 2009 and March 26, 2009
- b) Cemetery Board appointment of Michael Formby to fill the unexpired term of Mildred Bowden-Jones

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

III. PROCLAMATION for 2009 Salvation Army Week

Mayor Derrick read the proclamation and presented it to Major Robert Winter. City Manager Stokes said he serves as the current President of the Advisory Board and praised Major Winter for the great job he does and the great things the Salvation Army does for Gladewater.

IV. CONSIDERATION of seeking bids for improvements to Lake Gladewater Dam spillway

Todd Estes of Adams Engineering presented a contract for Adams Engineering to procure bids and go through the construction phase for a fee of \$12,400. The estimated cost to repair leaks in the spillway and secure sides is \$125,000.

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

V. CONSIDERATION of request from Mr. Craig Merrill to amend City Code §121.18 – Insurance Requirement for Taxi Service Providers

Mr. Merrill told the Council that he was not able to find an insurance company to write a policy for the amount of coverage required in the city code. He said the insurance company feels it would be risky to put a policy for that amount on a town this small. He said it might make him a target. In addition, insurance coverage now requires a 3-way split between liability, bodily injury and property damage.

Councilmember Owens said he talked to Chris London, who owns and operates London Taxi about the insurance requirements in Longview. He was told they require the state minimum. Mr. Owens said his concern is that with minimum state limits, a loss would not cover the cost of the vehicle damaged. He asked Mr. Merrill if he would object to getting an additional general liability policy. Mr. Merrill said that would be okay if it were a reasonable cost. Councilmember Owens asked if he would have a meter in the car. Mr. Merrill said he will, but not right away.

Councilmember Owens said he would be in favor of amending the City code to allow the State minimum insurance plus an additional general liability policy.

City Manager Stokes said he will check with the City Attorney about rewriting the ordinance, then we will still need to go through the additional steps of a public hearing, etc.

Mayor Derrick explained to Mr. Merrill that the Council is trying to look out for everybody's best interest. He asked Mr. Merrill to get figures together for the liability policy and contact City Manager Stokes, who will contact the City Attorney.

Councilmember Owens moved to table until we get further information from Craig Merrill and the City Attorney. Motion was seconded by Councilmember Smith. Carried 6-0.

VI. CONSIDERATION of Ordinance to close and abandon an alley in Block 2 of the Paradise Hill Subdivision, lying in a northwesterly direction from First Street to Second Street

Councilmember Owens said he drove by the location and Mr. Bryant has done an exceptional job of clean up. Councilmember Smith agreed. Councilmember Williams asked about the problem of the other property owner who claimed to own the alley. City Manager Stokes said she did not come forth with a deed, apparently her information was not correct.

Councilmember Owens moved to close and abandon the alley and divide equally between adjoining property owners. Motion was seconded by Councilmember Parrish. Carried 6-0.

VII. CONSIDERATION of a request from Emyre Builders to release mowing liens on properties in the Sunset Addition purchased through a tax auction

Delma Longoria owner of Emyre Builders in Kilgore said she purchased four lots through a tax auction, with plans of building four new mid-priced homes (approximately \$105,000 each). She did not know about the mowing liens on the property until she obtained financing to start construction on the first house. She already paid \$1,590 in mowing liens for the first lot and asked the Council for consideration to release the remaining liens of \$3,605.83, including interest on the two other lots.

Councilmember Owens asked how long before she is finished with all four houses. Mrs. Longoria replied as soon as the first one sells she will start on the next one. Mr. Owens told Mrs. Longoria the only problem with releasing the liens at this point is if she doesn't follow through with building. He said he has no problem releasing the liens when the title commitments are done and building permits are issued.

City Manager Stokes suggested that the Mayor be authorized to sign off on the Release of Lien at that time.

Councilmember Williams moved to authorize the Mayor to sign lien releases when Mrs. Longoria is ready for title commitment on the loans on the lots she purchased in the Sunset Addition at the tax sale. Motion was seconded by Councilmember Smith. Carried 6-0.

VIII. CONSIDERATION of Water and Sewer Tap Charges

Chris Meeks, Project Manager of Veolia Water presented a recommendation for water and sewer tap fee increases and pointed out the 2" water tap will only cover the cost of the meter.

Councilmember Williams explained that we are currently doing taps at a loss to us and it is necessary to increase the fees. Councilmember Owens added that judging from the charts received last month, these are fair and reasonable increases.

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Councilmember Williams moved to adopt the changes to the water and sewer tap fees, seconded by Councilmember Derouen. Carried 6-0.

- IX. CONSIDERATION of receiving funds from the U.S. Department of Justice for Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG)

Skipped. City Manager Stokes said this will be on the next agenda.

- X. EXECUTIVE SESSION pursuant to;
- a) Government Code §551.071 to consult with City Attorney regarding sewer contract renewal with Clarksville City
  - b) Government Code §551.074 for annual performance evaluations of City Manager, City Secretary and Municipal Judge

The City Council recessed into executive session at 6:55 p.m.

- XI. RECONVENE into open session and take any action necessary regarding;
- a) Sewer contract renewal with Clarksville City
  - b) Annual performance evaluations of City Manager, City Secretary and Municipal Judge

The Council reconvened into open session at 7:37 p.m. and took the following action regarding;

- a) No action was taken on the sewer contract renewal with Clarksville City.
- b) Councilmember Owens stated the City Manager, City Secretary and Municipal Judge all exceeded expectations on their evaluations. They do an outstanding job overall and are great representatives for the City. This is the time we usually adjust their salaries for the upcoming fiscal year. However, before we started the evaluations, their true leadership came through. Realizing that these are tough economic times and sacrifices have to be made, they said they did not want a pay increase. We applaud them for their leadership.

- XII. CITY MANAGER'S REPORT

- a) Grants update
- b) Special projects update
- c) Smith County ESD #2 contract

City Manager Stokes gave the following report;

- a) Grants Update
  1. Weldon Bumblebee Park – The tables and grills are in. There are still some drainage issues, but it's close to being finished. We are thinning out some growth and working on ponds. We will have a formal ribbon cutting at the Juneteenth Celebration, Saturday June 20<sup>th</sup>.
  2. RDA grant - The bond resolution has been sent back to the bond attorney. RDA is running behind. If all goes well it will be ready for either the special Veolia contract meeting or the regular meeting in May.
  3. HOME grant – We have been granted the latest round of HOME funding and now is the time to think about taking applications.
- b) Special Projects Update
  1. The special Veolia contract workshop will be April 30<sup>th</sup> at 6:00 p.m.
  2. We will be showing a Disney movie – "Bolt" in the park at the Lake Gladewater pavilion on Saturday, May 23<sup>rd</sup> at 9:00 p.m. In case of inclement weather, it will be moved to the gym at the First Baptist Church. The movie is free and suitable for all audiences.
  3. Chris Meeks said there is money in the budget for 3 insertion valves for \$27,500. He located valves for 2 water towers and has \$19,000 left. Mr. Stokes said since a lot of water meters are not operating correctly, we can use the additional money for new water meters.
  4. Chief Farrell Alexander said the Police Department will be getting a JAG grant for \$10,575, which will be applied for by Longview Police Department. He said we also will be applying for \$10,000 from Gregg

County for a tobacco grant. Last year we got a grant from NRA for safety vests. We are applying again this year for a 6' x 10' trailer and traffic safety equipment. It has been approved at the local level and now is at the national level. We have repainted the training room at the Police Department and the Explorer Group meets there every Monday night. All the equipment was paid for by grants. City Manager Stokes said we are blessed to have so many talented people to represent the City. Chief Alexander has been appointed to the Police Chiefs of Texas Board. We are proud of him and Fire Chief Smith, who also received a \$2,000 donation.

- c) We don't have a signed contract yet for Smith County ESD #2, but they have paid us and we are doing runs in Smith County.

XIII. CITIZENS COMMENTS

Judy Burlison, 3067 E. Lake Drive, announced that the Friends of the Library will be having a book sale this weekend. She said all books are donated and sale proceeds go back to the library.

XIV. ADJOURN

Councilmember Parrish moved to adjourn at 8:00 p.m., seconded by Councilmember Williams. Adjourned by consensus.

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WALTER DERRICK, MAYOR

ATTEST:

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MELBA HARALSON, CITY SECRETARY