

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
AUGUST 20, 2009
6:00 P.M.

MEMBERS PRESENT: Mayor Walter Derrick, Mayor Pro-tem John Ussery, Joe Derouen, Judith Burlison, Scott Owens, Charles Meadows

MEMBERS ABSENT: Jimmy Williams

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

GUESTS PRESENT: John Ringler, Carla Case, Don Case, Conden Rich, Delbert Burlison, Alfred Lacy, Jimmy Davis, Vi Melton, Phillip Creel, Cisco Frierson, Mark Carpenter, Chris Meeks

- I. CALL TO ORDER – Mayor Derrick called the meeting to order at 6:00 p.m.
a) Invocation – Councilmember Derouen
b) Pledge of Allegiance – Mayor Walter Derrick

- II. CONSIDERATION OF CONSENT AGENDA
a) Minutes – July 13, July 16 and August 4, 2009
b) Blanket Permit for the 37th Annual Gladewater Chamber of Commerce Arts & Crafts Festival – September 19-20, 2009
c) Resolution authorizing participation in a coalition of cities known as the Cities Advocating Reasonable Deregulation (“CARD”) and authorizing intervention in Docket No. 37162 at the Public Utility Commission of Texas
d) Interlocal Agreement with TML Intergovernmental Employee Benefits Pool
e) Request by POWER (People on Wheels Encouraging Responsibility) to waive Lake Gladewater fees for the Fall Sports Fest 2009 to be held September 19, 2009

Councilmember Owens complimented Billy Hagenbucher of the POWER organization and said they do a great work for the handicapped people. Mr. Owens then moved to approve the consent agenda. Motion was seconded by Councilmember Burlison. Carried 6-0.

- III. CONSIDERATION of Ordinance to abandon alley/street lying in an easterly direction from Rodeo Street to Lakeview Street between Blocks 2 and 3 of the New Lake Addition, and the proposed street north of Block 3 of New Lake Addition between Rodeo Street and Lakeview Street per request of Mr. Bobby Joe Hill, Mrs. Sara Jo Hill, Mr. Donald Case and Mrs. Carla Case

Don and Carla Case explained that they would like to deed the property over to their daughter so she can build a house. Councilmember Owens said he had some concerns last meeting, but there have been a lot of improvements since then and his concerns are relieved. He said this would be definite improvement. Mayor Derrick agreed, stating he visited the site and they had a backhoe working.

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

- IV. CONSIDERATION of hiring a sole source SCADA contractor for Phase II of the Water Treatment Plant Improvement

KSA Engineer John Ringler explained the request from Veolia Water to be the sole source on the SCADA system, stating it was common practice for the operators to be involved in the programming and building of the system. Mr. Ringler had no problem with the request and answered all the Council’s questions regarding specifics of the equipment and scope of the project.

Councilmember Owens expressed concerns regarding competitive bidding. Mr. Ringler explained that KSA would review the scope along with the price and provide a recommendation to the Council.

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Mayor Pro-tem Ussery and Councilmember Derouen both commented that we are not giving up control and we would still be competitive.

Mayor Derrick and Councilmember Burlison received confirmation from City Manager Stokes that having Veolia Water as the sole source does not lock us into a contract with them.

Mayor Pro-tem Ussery moved that we hire Veolia Water as the sole source for the SCADA system. Motion was seconded by Councilmember Derouen. Carried 6-0.

V. CONSIDERATION of Ordinance to amend §93.02, §93.03 and §93.04 of the Gladewater Code of Ordinances per recommendation of the Lake Board

Brent Abernathy, 1613 E. Lake Drive said the buoys on the north end of the lake currently say "no wake zone". The Lake Board has recommended this restriction be removed. He said the channel was marked in 2005/2006 so boats can avoid stumps on the north end. Mr. Abernathy said he thinks a no wake zone in this area is ridiculous as his boat at 40mph will leave less of a wake than other boats going 10mph. He said most people aren't going an unreasonable speed through the stumps.

Councilmember Burlison said she lives at the north end of the lake and is very concerned about removing all of the speed limits on the north end. She said she fears for the small percentage of boaters who don't know the lake and cited two very serious accidents. She said we shouldn't rush through this decision. People need an opportunity to give input.

Mayor Pro-tem Ussery stated this has been discussed at 3 consecutive Lake Board meetings, all of which are open to the public. It needs to be understood that they have had several opportunities for input.

Councilmember Burlison moved to table the issue, and then withdrew her motion.

Councilmember Derouen expressed thanks to the Lake Board and said we shouldn't even have a Lake Board if we don't trust their recommendations. He then moved to send it back to the Lake Board for further discussion. Motion was seconded by Mayor Pro-tem Ussery. Carried 6-0.

VI. CONSIDERATION of Ordinance regarding discharge of water from swimming pools

City Manager Stokes stated in order to make this enforceable we have to figure out where to plug it into our City code. He presented an ordinance similar to the City of Longview's and said if agreeable, we can prepare the ordinance and put in on the next consent agenda.

Councilmember Meadows moved to approve drafting of the ordinance, seconded by Councilmember Burlison. Carried 6-0.

VII. CONSIDERATION of accepting sludge from the City of Winnsboro

City Manager Stokes said Chris Meeks, Veolia Project Manager brought to his attention the City of Winnsboro is currently sending their sludge to the City of Paris and they are looking at other options. Accepting their sludge would be a small money making opportunity for us and there is no problem with TCEQ. We would check for chemicals before receiving and we can dispose of the sludge through Vital Earth Resources.

Councilmember Owens said he appreciated Chris Meeks for thinking outside the box as long as the City would not be out any cost for transportation or disposal so we can keep the profit margin.

Councilmember Burlison said she checked and it's environmentally safe. Mayor Pro-tem Ussery said we need to remember to thank Chris Meeks for this.

Councilmember Owens moved to authorize staff to negotiate to accept sludge from the City of Winnsboro and bring back to Council. Motion was seconded by Mayor Pro-tem Ussery. Carried 6-0.

VIII. CITY MANAGER'S REPORT

- a) Grants update
- b) Special projects update
- c) Navajo Resources negotiations update
- d) FY 2010 Budget calendar update
- e) Certificate of Obligations update
- f) Audit of Municipal Court

City Manager Stokes gave the following report;

- a) Grants update
 - 1. We received a \$10,000 grant from Sabine River Authority to help with repairs to the Lake Gladewater dam. We appreciate Gregg County and Richard Ross for their assistance.
 - 2. NRA grant – Chief Alexander picked up the new trailer purchased with these grant funds and has it outside for inspection.
 - 3. SWAC grant - We had the first preliminary meeting for a litter abatement officer.
 - 4. Water Treatment Plant – There are obstacles. Five weeks ago we signed documents with Austin Bank as the paying agent for the RDA loan. After several weeks of negotiation, Austin Bank has declined. There is no negative reflection on Austin Bank, this is just a specialized service that they are not equipped to handle. We now will be using Regions Bank and will need to re-adopt the ordinance to make that change.
 - 5. 2007 HOME grant – The houses are getting started.
 - 6. TIGER grant - We applied for this grant to widen Hwy 80. TxDOT is not doing any of these grants. We can apply directly to Washington D.C. but it's highly unlikely we would be funded. We should give up on this one.
 - 7. We will be getting more money from Hurricane Ike.
- b) Special projects update
 - 1. We are locked into the current lease rate for the ETMC building for another 4 years. Although voluntary, Tony Myers said they may consider an increase after 15 months.
 - 2. Lon Welton has put together specs for the downtown restroom renovation project. This will move forward to FY 2010 budget.
 - 3. Street paving project – Chris Meeks found that there is no base on Eddy Street and we may need to look at doing a change order to the project for base work on several streets. We can either amend by \$36,000 or scale back the number of streets to be done this year.
 - 4. Lake Gladewater dam – Todd Estes has had no correspondence with TCEQ in the last 3 weeks, so this has also been bumped to the FY 2010 budget.
 - 5. The pavilion construction has started at the cemetery.
 - 6. NIMS requires that Council and key staff undergo training and take a test by 9/30/09 if we are to continue to be eligible for grants. Fire Chief Smith can give this training individually or as a group. It will take 1- 1½ hours. September is already full of meetings.
- c) Navajo Resources negotiations update – They are still interested, but there is a delay due to the loss of a staff person.
- d) FY 2010 Budget calendar update – The calendar changed favorably because we are adopting a tax rate that is lower than the effective rate. There are no public hearings required on the tax rates
- e) Certificate of Obligations update – A list of debt service obligations was provided in the council packet.
- f) Audit of Municipal Court – The State Comptroller's Office performed an audit on the municipal court and we got a glowing report. Praise goes out to Court Clerk Tamara Alex and Judge Carolyn Kizer.

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IX. CITIZENS COMMENTS

Delbert Burlison, 3067 E. Lake Drive said he would like to make an observation about Gladewater. We have a beautiful town but we need to attract younger, affluent people. It would help to bring in an athletic oriented venue such as a bike and walking trail starting at Lake Gladewater Park going across the dam and continuing along E. Lake Drive all the way to Fir Drive. There are 4-5 property owners to convince. If he goes to them and gets permission, he would like to get on the October agenda to show the City the work he's done. He spoke to Upshur County Judge Dean Fowler, who said the City would have to take the lead since it is inside the City limits. He said there are grants available that people don't aggressively seek, so that may be a possibility.

X. ADJOURN

Councilmember Meadows moved to adjourn at 7:08 p.m. Adjourned by consensus.

WALTER DERRICK, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY