

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
SEPTEMBER 16, 2010
6:00 P.M.

MEMBERS PRESENT: Mayor Walter Derrick, Mayor Pro-tem Jimmy Williams, Joe Derouen, Judith Burlison, Leon Watson, Scott Owens, J.D. Shipp

STAFF PRESENT: Melba Haralson, Richard Ross, Farrell Alexander, Dennis Jones

GUESTS PRESENT: Bob Myrick, Marsha Valdetero, Mary Jane Williams, Harold Wells, Mark Carpenter, Cody Jones, Delbert Burlison, Curtis Smalley, Joyce Hugman, Mark May, Lola May, Steven Best, Lon Welton, John Ussery, Bennie Cornutt, Elijah Anderson

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 Derouen

II. INTRODUCTION of staff

City Secretary/Interim City Manager Melba Haralson made the following introductions;

Dennis Jones, the new Superintendent for the Parks/Streets Department. Dennis previously has a combined total of 22 years working for the City in public works, streets and parks.

Joyce Hubbard is the new Project Manager for Veolia Water. She has been in this line of work for about 30 years, most of which is in Texas. She is AA certified.

III. CITIZENS COMMENTS

Bob Myrick, 508 N. Post, thanked the Council for their support of Ovarian Cancer Month. He has spearheaded the “Paint the Town Teal” campaign and is responsible for the teal ribbons all over town. He also expressed appreciation to many business owners and volunteers that assisted in this effort.

Mark Carpenter, 2301 Woodbine, commented on the need to reform GEDCO. He said he believed \$300,000 of taxpayer money should be spent as conservatively as possible and he is in favor of converting GEDCO from an 4A Corp to a 4B Corp. He said we are making progress with the fiscal year 2011 budget.

IV. CONSIDERATION of Consent Agenda

- a) Minutes – August 19, 2010 and September 2, 2010
- b) Contract with Gladewater Chamber of Commerce for services related to Hotel Occupancy Tax
- c) Contract with Gladewater Chamber of Commerce for Main Street Services
- d) Grant Contract with the Gladewater Youth Baseball Association
- e) Grant Contract with the Gladewater Youth Softball Association
- f) Grant Contract with the Gladewater Flag Football Association
- g) Grant Contract with the Gladewater Youth Track Association
- h) Agreement with Gladewater Independent School District for School Resource Officer
- i) Fire Protection Agreement for Upshur County Emergency Services District #1
- j) Fire Protection Agreement for Upshur County Emergency Services District #1 as agent for the City of Union Grove
- k) Blanket Permit and waiver of fees associated with park and lake use for 9th Annual East Texas Sports Fest September 18, 2010
- l) Resolution authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Rural Affairs

Mayor Pro-tem Jimmy Williams moved to approve, seconded by Councilmember Watson. Carried 7-0.

V. PUBLIC HEARING regarding demolition of structure located at Lot 1 Block 1, Lot 39, Silver City Addition #2 S347 (A8) in the vicinity of South Rodeo and West Commerce Streets

Mayor Derrick opened the public hearing at 6:08 p.m. There were no public comments.

- VI. CONSIDERATION of demolition of structure located at Lot 1 Block 1, Lot 39, Silver City Addition #2 S347 (A8) in the vicinity of South Rodeo and West Commerce Streets

Councilmember Owens moved to approve, seconded by Councilmember Derouen. Carried 7-0.

- VII. CONSIDERATION of GEDCO Board appointments

Councilmember Owens moved to accept the unanimous recommendation of the GEDCO Board to appoint Larry Clemens and Lola Beth May and to reappoint John Ussery each for 3 year terms. Motion was seconded by Councilmember Derouen. Carried 6-1 with Councilmember Burlison opposed. Mrs. Burlison stated she would like to see more nominees submitted than the number of vacancies next year. GEDCO Director Lon Welton explained there was one other applicant that came in after the vote was done. Councilmember Watson stated this is the first time he has known of the process of applying for the board.

- VIII. CONSIDERATION of GEDCO Budget for fiscal year 2011

Councilmember Burlison requested that next year the budget be presented with three columns so a comparison can be made to what was budgeted and actually spent in the previous year. Councilmember Owens concurred and referenced the format of the City budget. There was discussion and questions regarding various budgeted items for which GEDCO Chairman Steven Best, 144 Jimmy Lane, Kilgore and Vice Chairman Bennie Cornutt, 118 S. Center provided answers. Councilmember Watson requested the Council receive a report once a quarter to see what's been accomplished and where we are headed. Mr. Best and Mr. Cornutt said they would be happy to provide the Council with whatever they need. Councilmember Derouen, a former GEDCO Board member said they can report on what has been accomplished but cannot report on projected projects. Councilmember Owens said there needs to be an improvement in communication between GEDCO and the Council.

Councilmember Owens moved to approve the budget, stating he is pleased with the progress, seconded by Councilmember Derouen. Carried 5-2 with Councilmember Watson and Councilmember Burlison opposed.

Councilmember Watson stated he learned at the TML Conference that 4A Corporations are outdated and should not be considered for the future. He said GEDCO needs to be a 4B Corporation.

- IX. CONSIDERATION of renewal, extension and amendment of lease agreement with East Texas Medical Center for city owned property located at Abstract 56, Martha Dillard Survey, Tract 35, more commonly known as 445 South Tyler Street

Mayor Pro-tem Williams complimented staff for an excellent job in renegotiating the contract and moved to approve the lease agreement at \$1,000 per month. Motion was seconded by Councilmember Shipp. Carried 7-0.

- X. CONSIDERATION of casting ballot for Texas Municipal League Intergovernmental Risk Pool Board of Trustees

Interim City Manager Haralson recommended casting votes for all incumbents except for Place 7 for which Lawanna Williams from Kilgore is running. She said it would be beneficial to have local representation on that board.

Councilmember Watson moved to cast ballot as recommended by Ms. Haralson, seconded by Councilmember Owens. Carried 7-0.

- XI. CONSIDERATION of committee recommendations regarding lease of Lake Gladewater store and Lake Warden house and issues related thereto

Mayor Derrick stated the committee consisted of himself, Councilmember Owens and Lake Board Chairman Sam Chenoweth and they met in two sessions. Councilmember Owens said they looked over the facilities and recommend the existing store be leased out at \$400 per month plus utilities and the lessee be granted 10% commission on ramp and pavilion permits. An ad is to be placed in the newspaper for the right to lease the store for one year. The committee will meet and interview the applicants and bring a recommendation back to the Council. The warden will begin working under the police department and needs an office to write reports, etc. The front part of the house will be used as office space on a temporary basis. The committee is looking at the possibility of enclosing the covered area in front of the restrooms for future office space and leaving the house open for future development or another potential revenue source. Mayor Derrick said the enclosed area has the same view of the beach area and boat dock that the store has. He also said part of screening applicants for the right to lease the store will include a credit check.

Lake Warden Richard Ross, 1602 Lakeshore Drive asked the Council if they would be purchasing his inventory from the store on October 1st. Mayor Derrick replied he had no recollection of the Council stating they would purchase the inventory, however whoever leases the store may want to purchase the inventory just as Mr. Ross did when he took over the store. Mayor Pro-tem Williams said Mr. Ross does not have to vacate the store on October 1st but that will be the beginning of the transition time. Mr. Ross asked if he will operate the store until the new owner comes in. Mr. Williams said the Council is not unreasonable. Councilmember Owens said we need an itemized inventory list with wholesale, not retail prices. Mr. Ross said he can do that when we get ready to change over. Mayor Derrick said the City is not depriving you of a right to make a living and doesn't know who would buy his inventory. Mr. Ross said it was his understanding that the City would buy him out on October 1st since he is being forced to close the store. Councilmember Derouen stated the store is going to rent for \$400 per month and asked Mr. Ross if he was interested, to which Mr. Ross said he wasn't.

Councilmember Owens moved to proceed according to the committee's recommendations. Motion was seconded by Councilmember Burlison. Carried 7-0.

- XII. CONSIDERATION of authorizing KSA Engineers to prepare report and cost estimates for drainage repairs under GISD Middle School track and practice field

Councilmember Owens moved to authorize KSA Engineers to do an itemized cost study as soon as possible. Motion was seconded by Councilmember Derouen. Carried 7-0.

- XIII. CONSIDERATION of ordinance to amend the Budget for fiscal year 2010

Mayor Pro-tem Williams moved to approve the budget amendments as presented, seconded by Councilmember Burlison. Carried 7-0.

- XIV. CONSIDERATION of revised street overlay list for fiscal year 2010 and fiscal year 2011 street paving programs

There was discussion regarding which streets should be paved this year. Dennis Jones, Street Superintendent stated his priority is Dean, Gay and Eleanor Streets.

Mayor Pro-tem Williams moved to give authority to Dennis Jones to spend the budgeted \$200,000 on streets he deems necessary. Motion was seconded by Councilmember Watson. Carried 7-0.

- XV. CONSIDERATION of ordinance adopting and approving the Budget for fiscal year 2011

Interim City Manager Haralson stated two items have been added to the final budget since the budget workshop at the Council's request; \$100,000 allocated for street paving from fiscal year 2010 and \$6,150 in additional matching funds for the TCDP grant for the Dallas force main.

Councilmember Burlison requested that \$1,440 in grant matching funds for 5 laptops, projector and screen for the library also be added to the budget. She said the Friends of the Library have been asked to put up those funds and they will not let the opportunity pass, however she believed the City should provide the match.

Councilmember Owens moved to adopt the budget with the two items of \$100,000 for streets and \$6,150 additional match for TCDP grant for Dallas force main and put the library issue on the next agenda. Motion was seconded by Councilmember Burlison. Carried 7-0.

XVI. RATIFICATION VOTE to adopt fiscal year 2011 Budget with increased property tax revenue

Mayor Pro-tem Williams moved to ratify, seconded by Councilmember Watson. Carried 7-0.

XVII. CONSIDERATION of ordinance levying taxes for the use and support of the general government and for retirement of general obligation bonded indebtedness through an interest and sinking fund for fiscal year 2011

Councilmember Owens moved to adopt the tax rate of .552706 for maintenance and operations and .059612 for interest and sinking for a total rate of .612318/\$100 valuation. Motion was seconded by Mayor Pro-tem Williams. Carried 7-0.

XVIII. CONSIDERATION of ordinance restricting the sale, delivery, offer or gift of restricted substances, use or possession of restricted smoking material and the use or possession of restricted smoking paraphernalia

Chief Alexander briefly explained the ordinance and said it is recommended by the Texas Police Chief's Association until something can be adopted by the Texas State Legislature.

Councilmember Burlison moved to adopt the ordinance, seconded by Councilmember Derouen. Carried 7-0.

XIX. CITY MANAGER REPORT

- a) Grants
- b) Special Projects
- c) Announcements

Interim City Manager Melba Haralson gave the following report;

- a) Grants
 - 1. SECO Grant –air conditioning units have been replaced at the police department and new light fixtures are well underway.
 - 2. HOME grant – Closings are scheduled in the next week or so for 3 homes. We requested a 6 month extension in order to get certifications done for the other 2 homeowners.
 - 3. Lone Star Grant – we have received official notification that we were awarded \$4,342 for the library with no match.
 - 4. In addition, we have been awarded \$5,760 from the Texas State Library and Archives Commission with a \$1,440 match, which the Friends of the Library has been requested to help with. Congratulations to Judy Hagle for her diligence in securing these grants.
- b) Special Projects
 - 1. The bonding company is still reviewing the claim we filed on Dual Construction for the defective work on the Gay Avenue drainage project. However our attorney David Watson has requested a special council meeting to be held on Thursday, Sept. 30th at 6:00 regarding potential litigation.
 - 2. A pre-bid conference was held yesterday for the spillway repairs to the Lake Gladewater dam. The bid opening will be at 2:00 on Sept. 23rd and if all goes well we will be awarding the bid at the October council meeting.

c) Announcements

1. Annual TML Conference is in Corpus Christi October 26-29th. As it happens every year, within 5 minutes of opening up reservations they were sold out of rooms. We are still trying to secure rooms. Allied Waste would like to host a dinner on Tuesday night and needs to know how many of you will be able to attend, since that is most likely the day you will be traveling.
2. The TML Region 15 Fall meeting will be next Wednesday, Sept 22nd at 6:30 p.m. in Tyler. In need to RSVP by tomorrow!
3. Joyce Hubbard, new Project Manager for Veolia has notified us that she is making some changes to chemical feed rates at the water plant in an effort to resolve the ongoing chlorine issue. She is increasing the potassium permanganate feed rate in the raw to meet the organic load and the polyphosphate feed for a few days. They will start flushing the system after that. We have an outstanding violation with TCEQ on this issue and hopefully this will clear it up.
4. Good news! TCEQ granted our request for an exception to the roof slope on the clear well, which saved the city \$250,000. They did set out procedures to be followed for maintenance and after rain events, which has been forwarded to Veolia staff.
5. Congratulations are in order for John Choice. According to the last TCEQ inspection there were no violations noted at the sewer plant. That is the result of a lot of hard work and John and Veolia staff is to be commended.
6. Mark your calendars for the special council meeting we must have on Thursday, September 30th at 6:00 to consult with our attorney on Dual Construction.
7. This weekend is the Arts & Crafts Festival at Broadway Elementary campus, and it is also the 9th annual East Texas Sports Fest out at Lake Gladewater.
8. On a personal note; this concludes my last city manager report. I would like to say it has been a privilege to serve the city in this capacity for what will be almost 7 months by the time Sean gets here. A lot has been accomplished, from Veolia contract negotiations, to the election, to budget, to numerous grant projects, creation of the streets/parks department, and reorganization of the Lake Department, Lake Store, etc. I appreciate all the support from the council, staff, citizens, Veolia, contractors and engineers, etc. I'm looking forward to working with Sean and hopefully taking a little time off soon.

XX. ADJOURN

Councilmember Shipp moved to adjourn at 7:32 p.m.

Councilmember stated he is disappointed in the Council for approving the GEDCO budget of \$357,000 and said we need to watch every penny closely.

Adjourned by consensus.

WALTER DERRICK, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY