

CITY OF GLADEWATER  
CITY COUNCIL REGULAR SESSION  
MINUTES  
MARCH 15, 2012  
6:00 P.M.

MEMBERS PRESENT: Mayor Walter Derrick, Mayor Pro-tem Scott Owens, Jimmy Williams, Harold Wells, Delbert Burlison, Leon Watson, J.D. Shipp

STAFF PRESENT: Sean Pate, Melba Haralson, Wayne Smith, Judy Hagle, Farrell Alexander

GUESTS PRESENT: Denny Wheeler, James Murphy, Cathy Smith, Mary J. Williams, John Ringler, Judith Burlison, Bennie Cornutt, Glenn Evans, Pat Watson, Lana Niemann, Marsha Valdetero, Robert Johnson, Joyce Hubbard, Elijah Anderson

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

- a) Invocation – Councilmember Watson
- b) Pledge of Allegiance – Councilmember Shipp

II. CITIZENS COMMENTS

Mayor Derrick presented a proclamation to Librarian Judy Hagle to commemorate the 75<sup>th</sup> anniversary of Lee Public Library.

III. CONSIDERATION of Consent Agenda

- a) Minutes – February 16, 2012 and February 23, 2012
- b) Blanket Permit for Bricks & Bloom event March 31, 2012
- c) Blanket Permit for Gusher Days Festival April 20-22, 2012
- d) Contract with Gregg County for Election Services
- e) Fair Housing Month Proclamation
- f) Appointment of Labor Standards Officer for TxCDBG Contract #711210
- g) Designation of Fair Housing/Equal Opportunity/Section 504 Standards Officer for TxCDBG Contract #711210

Councilmember Burlison requested that Item D be removed for discussion.

Mayor Pro-tem Owens moved to approve the consent agenda with the exception of Item D, seconded by Councilmember Watson. Carried 7-0.

With regard to Item D, Councilmember Burlison received clarification that the term of the agreement was strictly for the May 12, 2012 election. Councilmember Watson moved to approve Item D, seconded by Councilmember Shipp. Carried 7-0.

IV. CONSIDERATION of options regarding repair/replacement of culvert on East Lake Drive

John Ringler, P.E. with KSA Engineers stated the 12” water main was approved but the culvert replacement was denied by R.U.S. He explained that it was originally approved by R.U.S. but was then denied it upon submission of the supplemental agreement. Mr. Ringler said we have spent all the loan funds and are now into the grant funds. After the 12” water main is replaced we will have approximately \$650,000 left in grant funds. He said the culvert replacement with professional services would be close to \$400,000. There was discussion regarding other scope of repair and funding options. City Manager Pate stated the repairs must be made but all we are considering tonight is whether to go ahead with design phase. Mr. Ringler asked for clarification on whether to stay with the R.U.S. supplemental agreement or start a new standard agreement.

Mayor Pro-tem Owens moved to revise the supplemental agreement for the 12” water main and to make a separate agreement for the design of the culvert replacement project. Motion was seconded by Councilmember Williams. Carried 7-0.

City Manager Pate suggested adding this item to a future workshop agenda for street repairs.

V. CONSIDERATION of curbside recycling program

Councilmember Burlison said he asked for this item to be placed on the agenda for consideration. Councilmember Shipp expressed concern that we have not been very successful in getting the word out to our citizens. He said this is a progressive move and he likes it but he doesn’t feel comfortable voting on it until he has a better feel for the general

consensus of the citizenry. Councilmember Burlison said he doesn't know of anyone that doesn't want it.

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Councilmember Wells said he has heard people complain that they don't want the extra \$2 per month fee. Councilmember Williams stated there is already a free recycle dumpster at the public works building and with this proposal there is no opt out option for those who don't want to participate, which he estimates to be about 80-90% based on the monthly recycle turnout. Mayor Pro-tem Owens agreed with Councilmember Williams stating he is getting mixed comments from citizens. He said that Gene Keenon of Allied Waste told him as the waste to the landfill diminishes we would need to go to one service per week instead of two.

James Murphy of Allied Waste said they could do a 6 month pilot program at no cost to the city then we can look at other options. Councilmember Shipp said he liked that idea as it would give more time to get the word out. Councilmember Watson said a recycle service is being provided now at no cost to citizens; once a month at City Hall plus permanent recycle bin at the City barn. Councilmember Burlison responded the cost comes with the hard work of a lot of volunteers. Mayor Derrick asked Mr. Murphy how long it would take to implement a pilot program, to which Mr. Murphy replied they could start next month. Councilmember Williams said we want to do what is best for our citizens so there is no need to rush through this. Councilmember Wells said Gene Keenon gave good programs at the Lions Club and Rotary Club but still not many people know about it. There was further discussion on how the pilot program works. Councilmember Wells pointed out that a lot of elderly people won't be able to get a recycle cart to the curb.

Councilmember Shipp moved to table, seconded by Councilmember Watson. Carried 7-0.

### VI. CONSIDERATION of amendment to contract with Allied Waste Systems

City Manager Pate stated this is a 5 year renewal and he recommended approval. Mayor Pro-tem Owens moved to approve, seconded by Councilmember Watson. Carried 7-0.

### VII. PRESENTATION / DISCUSSION regarding 9-1-1 addressing

City Manager Pate explained staff had met with Kim Wheeler of ETCOG regarding several discrepancies in 9-1-1 addressing throughout the city. He said the problem is wide spread and we will need to have a public hearing. Ms. Wheeler will attend next month's council meeting.

No action taken.

### VIII. CONSIDERATION of revision to Lake Gladewater Subdivision leases

City Manager Pate said it has been requested that we add 99-year term language to our lake leases to satisfy FHA requirements as follows; "*This Lease Agreement, hereinafter referred to as "Lease" shall be for a term from \_\_\_\_ to \_\_\_\_, subject to the renewal provisions hereinafter provided.*" The renewal provisions include payment of the annual lease. This language was approved by City Attorney Gary Shaver.

Councilmember Burlison moved to approve, motion seconded by Councilmember Shipp. Carried 7-0.

### IX. CONSIDERATION of establishing a Gladewater Steering Committee

City Manager Pate said the proposal for a steering committee came out of the recent retreat.

#### Gladewater Steering Committee

##### Mission:

*To study, analyze, and recommend programmatic changes for the betterment of Gladewater.*

##### Members:

*City Manager*

*GEDCO Executive Director*

*Citizen/Business Owner*

- *Ex-Officio Members to be added in the future*

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*The steering committee serves as an advisory board to City Council. Any and all monetary commitments and executive action rests solely with the City Council of Gladewater.*

Duties:

1. *Make recommendations to City Council in regards to both monetary and programmatic commitments.*
2. *Study current issues and problems that are hindering both the re-development as well as the sustainability of the community.*
3. *Analyze the effectiveness of current programs and streamlining where necessary.*
4. *Conduct monthly meetings to discuss progress of the committee and provide updates to both committee members as well as City Council.*
5. *Conduct as well as moderate quarterly meetings with City Council, City Boards and Commissions, and any other parties with vested interest in the future of Gladewater.*

It was proposed that Lana Niemann, owner of Rockett Realty be appointed to serve as the third committee member.

There was lengthy discussion and disagreement regarding the role of the committee, its size and member composition. Councilmember Burlison wanted a homeowner to be added to the committee. It was argued that Lana Niemann is a homeowner. Councilmember Wells suggested that each council member pick a representative to serve. Mayor Pro-tem Owens said the committee needs to be small and nimble and ex-officio members can be added as needed. Councilmember Shipp said homeowners can participate as ideas are brought to the Council. Councilmember Williams said there are more people interested now in the progression of Gladewater than ever before and we need to keep the momentum going. He said if we get too many on the committee we will end up with a room full of conversation and nothing accomplished.

Councilmember Williams moved to approve the Gladewater Steering Committee as presented with a maximum limit of 5 people. As a matter of clarification Mayor Pro-tem Owens explained that would be three committee members and up to two ex-officio members. Councilmember Watson seconded the motion. Motion carried 6-0-1 with Councilmember Burlison abstaining.

Robert Johnson, GEDCO Director reiterated that this committee is not a voting body. Its function is only to bring back challenges to the Council. The committee has strategic skill sets within it so we can accomplish objectives. He said this was recommended by Russell Gallahan of the State Comptroller's office so that our planning efforts don't just sit on a shelf. He said the Council is the engine and the committee has no spending authority.

- X. DISCUSSION and POSSIBLE CONSIDERATION of ordinance to re-identify handicap parking area along the eastern side of Center Street between E. Upshur and Quitman

Councilmember Burlison requested that a handicap parking area be established on the east side of Center Street instead of the west side as it is now to facilitate handicapped patrons to the Whisenhunt Center.

Councilmember Williams moved to approve, seconded by Councilmember Burlison. Carried 7-0.

- XI. CONSIDERATION of Ordinance to amend Land Usage §154.035 (A) (1) - Oil District - Use Regulations of the Gladewater Code of Ordinances to delete Telecommunications Towers and Equipment

City Manager Pate stated our City Attorney Gary Shaver recommended this change due to new federal regulations limiting cities ability to place restrictions on locations of wireless communication towers.

Councilmember Williams moved to approve, seconded by Councilmember Watson. Carried 7-0.

- XII. CONSIDERATION of Ordinance to amend Traffic Code §70.99 – Penalty of the Gladewater Code of Ordinances to delete Sections C and D

City Manager Pate explained that this eliminates contradictions and enables the municipal judge to set fines within the judicial system.

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Councilmember Burlison moved to approve the ordinance, seconded by Mayor Pro-tem Owens. Carried 7-0.

- XIII. CONSIDERATION of Ordinance to amend Traffic Code Schedule IV (A) of the Gladewater Code of Ordinances to designate east bound Saunders Street as a permanent one-way street from Eleanor Street to Roden Lane

City Manager Pate explained the need for the ordinance and said it had support of the property owners, school superintendent and police department.

Mayor Pro-tem Owens moved to approve, seconded by Councilmember Burlison. Carried 7-0.

- XIV. CONSIDERATION of Ordinance to amend Ordinance #0-12-02 adopted February 16, 2012 which amended Gladewater Code of Ordinances §92.02 (X) – Fireworks

City Manager Pate said the ordinance adopted last month caught the attention of NRA with regard to the small arms ammo. He said our intent was never to harm someone who likes to reload their own ammo and uses black powder. Our objective was to restrict fireworks within the city limits. Councilmember Shipp recommended the ordinance be amended to comply with Title 7 Section 229 of the Local Government Code.

Mayor Pro-tem Owens moved to strike reference to small arms and ammunition from current ordinance and refer to Title 7 Section 229 of the Local Government Code. Motion was seconded by Councilmember Burlison. Carried 7-0.

- XV. CONSIDERATION of Ordinance to delete Parks and Recreation - Lake Gladewater §93.10 – Fireworks Display Regulations from the Gladewater Code of Ordinances

Councilmember Burlison moved to approve, seconded by Councilmember Watson. Carried 7-0.

- XVI. EXECUTIVE SESSION pursuant to Government Code §551.074 to discuss Street/Parks Superintendent position

The Council recessed into executive session at 7:53 p.m.

- XVII. RECONVENE into open session and take any action necessary regarding Street/Parks Superintendent position

The Council reconvened into open session at 8:35 p.m. and took no action.

- XVIII. CITY MANAGER REPORT regarding grants, special projects and announcements

1. The new water treatment plant is up and running. The old plant will be decommissioned shortly. Presently we are buying chemicals to operate both plants.
2. We will schedule a workshop for mid-late April for streets and animal control ordinance.
3. We are applying for the Exxon grant once again for 3 summer interns; 2 for parks/streets and 1 for library. Provision of the grant is that the applicants must be full time students.
4. We met with Retail Coach today and have a solid plan for 2012. They are updating our demographics, trade and contact information. We are working with real estate, local and national developers.
5. Mayor Pro-tem Owens announced that March 23<sup>rd</sup> at 4:30 they will have an unveiling of Brad Gaudet's marker at Gladewater Memorial Park Cemetery with a hamburger fellowship to follow at his home.

6. The annual ceremony to honor Medal of Honor recipient Travis E. Watkins will be March 24<sup>th</sup> at noon at Gladewater Memorial Park Cemetery.
7. The Fire Department received a grant from Texas Forest Service for \$7,240.

XIX. ADJOURN

Councilmember Shipp moved to adjourn at 8:45 p.m., seconded by Councilmember Watson. Adjourned by consensus.

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WALTER DERRICK, MAYOR

ATTEST:

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MELBA HARALSON, CITY SECRETARY