

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
AUGUST 16, 2012
6:00 P.M.

MEMBERS PRESENT: Mayor Harold Wells, Mayor Pro-tem Scott Owens, Leon Watson, Lana Niemann, Delbert Burlison, J.D. Shipp

STAFF PRESENT: Sean Pate, Melba Haralson, Paul Jaap, Wayne A. Smith, Farrell Alexander

GUESTS PRESENT: Robert Haberle, Stan Holden, Tom Stamper, Brian Wilkinson, Alfred Lacy, George Taylor, Laura Talley, Jim Talley, Pat Watson, Ken Cunningham, Don Martin, John Choice, Linda Wells, Elijah Anderson, Paul Hall, Michael Tolbert, Peggy Morris

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

- a) Invocation – Mayor Pro-tem Owens
- b) Pledge of Allegiance – Councilmember Burlison

II. CITIZENS COMMENTS

None

III. CONSIDERATION of Consent Agenda

- a) Minutes – July 19, 2012 and July 26, 2012
- b) Blanket permit for 39th Annual Arts & Crafts Festival to be held September 15-16, 2012
- c) Blanket permit for 10th Annual POWER Sports Fest to be held at Lake Gladewater September 15, 2012

Councilmember Watson moved to approve the consent agenda, seconded by Mayor Pro-tem Owens. Carried 6-0.

IV. CONSIDERATION of request by POWER, Inc. to waive fees associated with park and lake use for 10th Annual POWER Sports Fest

Mayor Pro-tem Owens moved to approve, seconded by Councilmember Watson. Carried 6-0.

V. CONSIDERATION of complaint from Peggy Morris regarding City response to dumping on her property

Mrs. Morris, 104 Morgan Road, stated her neighbor has dumped a big pile of junk on her property. She has complained to the police and she believes the officers did not handle the situation properly. She has taken her neighbor to small claims court and to Upshur County District Court and all cases were dismissed. She believes the court cases were dismissed unjustly and cannot get any help with anyone making her neighbor remove the junk pile. She said has made threats against her and her dog.

Councilmember Niemann suggested that we ask the City Manager to have code enforcement to look at it one more time. Mayor Pro-tem Owens said City Manager Pate has offered to have community service personnel to clean it up if she will sign a release. Mrs. Morris said she doesn't want convicts on her property. Councilmember Shipp asked her if she was refusing help to which she replied it will take a front end loader and there is a danger of snakes, etc. Councilmember Burlison said we want to solve this problem for you and asked that City Secretary Haralson draw up an release of liability agreement. Mayor Wells said he will help along with the youth to remove the debris.

VI. CONSIDERATION of Ordinance to re-plat Lots 57, 58 & 59 of Section E-2 of the Lake Gladewater Subdivision

George Taylor of Land Surveying Services explained the need for replat of these lots. Councilmember Burlison said he had spoken with the owner of Lot 57 and he did not want the extra 15 feet added to his property.

Councilmember Burlison then moved to keep the east line of Lot 57 the same and give Lot 58 the additional 15 feet or whatever clearance is needed to go 5 feet past the storage building. Motion seconded by Councilmember Watson. Carried 6-0.

VII. PRESENTATION from Champion EMS regarding ambulance service

Tom Stamper, Director of Government and Community Affairs for Good Shepherd Health System, along with Stan Holden and Brian Wilkinson of Champion EMS gave a presentation regarding their services and asked for an opportunity in the future to contract with the City.

VIII. CONSIDERATION of extension of Clarksville City Wastewater Contract

Mayor Pro-tem Owens said he is not opposed to giving a short term extension until the end of the year, however believes they should pay an access fee of \$2,000 per month through the end of the year to do so. He then gave a history of the litigation that cost both cities a lot of money; the citizens of Gladewater are out \$250,000. He said the court gave them 5 years to build their plant, with a 3 year extension, which we granted. He said we are under no obligation to extend. They had ample time and failed to get it done.

Councilmember Burlison said we can't really collect on past history. Councilmember Shipp said it's a matter of gain versus loss. If we charged \$2,000 per month from now until December, what would that \$8,000 gain cost us with our neighbor? The greater gain would be to heal the relationship between the communities. City Manager Pate said he wasn't here then but feels it could have been handled differently. There is a problem with perception. Gladewater probably had a black eye after the fight and it's not worth it. There may come a time that we will need to work with them.

Mayor Pro-tem Owens said we were not elected to look after the folks in Clarksville City and \$2,000 per month is not a great amount of money. Councilmember Burlison said the City gives away a lot of services like fire protection to Upshur County and Smith County. He said we should impose an extra fee to carry them.

Councilmember Shipp said perhaps we could implement a fee if it goes beyond January 2013, then moved to extend the contract as is until January 1, 2013. Should an extension be needed beyond that we will assess a fee to be determined. Motion was seconded by Councilmember Niemann. Carried 6-0.

IX. CONSIDERATION of Southern Corridor Irrigation Plan

City Manager Pate explained we have had an issue for low residual on the south side ever since we stopped selling water to Starville. Since then we've had a rigorous flushing program of about 20,000-25,000 gallons per week. He said certain property owners have proposed investing in an irrigation system to assist the City in maintaining a steady volume of water flowing through the system. City staff will determine the customers eligible for the program by using geographic location, hydraulic analysis, as well as volume versus pressure analysis.

The agreement calls for the customer to pay a tap fee, have a separate metered account and pay the base rate for up to 20,000 gallons and the normal rate for gallons used after that. The agreement also calls for the customer to use a minimum of 15,000 gallons per month year round.

Mayor Pro-tem Owens said if we need 3 or 4 customers to participate, if not we could adjust the volume. Councilmember Shipp agreed that we need to limit participation according to our needs.

Veolia Interim Project Manager Don Martin said this appears to be the best approach on a short term basis.

Mayor Pro-tem Owens moved to adopt the plan presented along Highway 271 south of the airport and leave it to staff to adjust the volume per customer as needed to keep residuals in accordance with TCEQ regulations. Motion was seconded by Councilmember Burlison. Carried 6-0.

X. CONSIDERATION of Ordinance to amend and adopt §32.080 – Social Media Policy of the Gladewater Code of Ordinances

City Manager Pate briefly explained the need for the policy and said it covers both City accounts and personal accounts as it all is a reflection on the City.

Mayor Pro-tem Owens moved to adopt the policy, seconded by Councilmember Shipp.
Carried 6-0.

- XI. CONSIDERATION of Resolution suspending the effective date for ninety days in connection with the rate increase filing of Southwestern Electric Power Company (SWEPCO)

Councilmember Burlison moved to approve, seconded by Councilmember Watson.
Carried 6-0.

- XII. CONSIDERATION of Ordinance establishing a processing or handling fee to be collected at point of sale for use of a credit card to pay municipal fee, fine, court cost or other charge

Councilmember Burlison moved to approve, seconded by Councilmember Watson.
Carried 6-0.

- XIII. CONSIDERATION of changing date of regular City Council meeting in November 2012

City Manager Pate said the TML Conference is in conflict with the regular City Council meeting date in November and requested the meeting be moved to either November 8th or November 29th since a quorum of the Council will be attending the conference.

Mayor Pro-tem Owens moved to reschedule the November meeting to November 29th.
Motion was seconded by Councilmember Niemann. Carried 6-0.

- XIV. CITY MANAGER REPORT - City Manager Sean Pate gave the following report;

- a) Update on FY 2011-2012 and FY 2012-2013 Budgets
We are working on end of year adjustments and end of year purchases. We hope to have a healthy contingency reserve for next year. Budget adjustments will be ready for the September meeting. A public hearing for the upcoming budget will be held on August 30th.
- b) Update on water treatment plant grant and improvements
These projects should be completed next fiscal year.
- c) Update on Main Street grant
KSA Engineers made a presentation to the Main Street Board. They will process change orders for handicap parking and bring to the City Council for approval next month.
- d) Update on Gay Avenue repairs
Paul Jaap and his crew is working diligently on these repairs and should be completed in 1-2 weeks.
- e) Update on Dallas Force Main grant
The survey is complete and KSA is working on land acquisition for right-of-way. An archeological study is required.

- XV. ADJOURN

Councilmember Shipp moved to adjourn at 7:39 p.m., seconded by Councilmember Niemann. Adjourned by consensus.

HAROLD R. WELLS, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY