

CITY OF GLADEWATER  
CITY COUNCIL REGULAR SESSION  
MINUTES  
FEBRUARY 21, 2013  
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, Farrell Alexander, Paul Jaap

GUESTS PRESENT: Bryan Muench, Robert Haberle, Cindy Wood, Shelia Faggans, Elijah Anderson, Pat Watson, Chris Martin, Brandt McPherson, Marsha Valdetero, Karen Jacks, Linda Wells, Brent T. Abernathy, Diane Turner, Erin Muench, Rhonda Owens, Janie Webb and family, Mark Carpenter, Janet Amiri, Justin Smith

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 Watson

II. CITIZENS COMMENTS

None

III. CONSIDERATION of Consent Agenda

- a) Minutes – January 17, 2013
- b) Resolution reviewing and ratifying the Investment Policy
- c) Interlocal Agreement between the City of Longview, City of Gladewater and East Texas Council of Governments for transit service
- d) Interlocal Agreement with Upshur County for assistance with construction, improvement, maintenance and repair of roads within the boundaries of Gladewater located in Upshur County
- e) Contract for Election Services with Gregg County
- f) Resolution supporting legislative activities of the Cities Advocating Reasonable Deregulation (CARD) during the 83<sup>rd</sup> Legislative Session of the Texas Legislature with regard to regulation of electric utilities

Councilmember Burlison requested that Item C be pulled out to consider separately. Councilmember Watson moved to approve the Consent Agenda with the exception of Item C, seconded by Councilmember Burlison. Carried 6-0.

With regard to Item C; Councilmember Burlison stated there has been a change that he was not aware of until a few hours ago. He said there is a problem with TxDOT and the bus service may be delayed a week. He moved to approve on the condition the cost is pro-rated if the service cannot start on March 1<sup>st</sup>. Motion was seconded by Councilmember Watson. Carried 6-0.

IV. CONSIDERATION of fiscal year 2012 Financial Audit

Karen Jacks, CPA said the financial statements were accurate and fairly presented. They have rendered a clean opinion, which is the highest opinion that can be rendered. She congratulated staff then gave an overview of the audited financial statement.

Councilmember Burlison moved to approve, seconded by Councilmember Watson. Carried 6-0. Mayor Pro-tem Owens expressed appreciation to City Secretary Haralson and staff.

V. CONSIDERATION of Resolution authorizing submission of request to Texas Department of Housing and Community Development for participation in the HOME Homeowner Rehabilitation Assistance Program Reservation System

Janet Amiri, HOME Project Manager for Traylor & Associates gave a brief presentation on the HOME program and application for 2012 funding. Shelia Faggans, 404 E. Eddy addressed the Council, giving honor to God and thanks to the City for the new home she received through the HOME grant program.

Mayor Pro-tem Owens asked if there was any cost to submit. Mrs. Amiri stated there was not and also THCA has waived the city's match through August 2013.

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

- VI. CONSIDERATION of request to release lien filed October 11, 2011 for demolition of structure at 105 East Broadway

Cindy Wood, 111 PR 3415, Big Sandy stated she has been trying since November 2012 to locate the owners of the above referenced property. She said there are back taxes due from 2010 and there is a demolition lien against the property for \$15,300. She does not believe the property owners have the ability to pay the lien. Ms. Wood said she wants to try to buy the property and open a beauty salon. She is considering whether to have an older building moved (that is currently on Pacific Street and has been closed for 10 years), or build a new one if moving the older building is cost prohibitive.

After lengthy discussion,, Councilmember Niemann moved to deny the request at this time until further information is presented regarding a definitive plan. Motion was seconded by Mayor Pro-tem Owens. Carried 6-0.

- VII. PUBLIC HEARING regarding a request to re-plat a portion of Lots 6-A and 6-B, Section E-1 of the Lake Gladewater Subdivision

Mayor Wells opened the public hearing at 6:44 p.m.

Brent Abernathy, 1613 E. Lake Drive, explained that about 65' of his driveway encroaches on John Black's property. The property line needs to be adjusted to clear the driveway. Mr. Black is in complete agreement with the request.

With no other public comments, Mayor Wells closed the public hearing at 6:45 p.m.

- VIII. CONSIDERATION of request to re-plat a portion of Lots 6-A and 6-B, Section E-1 of the Lake Gladewater Subdivision

Mayor Pro-tem Owens moved to grant the request, seconded by Councilmember Niemann. Carried 6-0.

- IX. CONSIDERATION of request for support for Gladewater/Union Grove Youth Baseball Association

Bryan Muench and Justin Smith, representing the Gladewater Youth Baseball Association asked for the Council's support to maintain and improve Perryman Fields. He said the fencing, lights, concession stands and restrooms all are in desperate need of repair. He said we need a place where kids can play safely and if something isn't done within the next 5 years the fields will not be usable.

Mayor Wells commented that Perryman Field is in better shape than he thought as compared to the pictures (that Mr. Muench provided). City Manager Pate stated the school may be going for bonds in the near future and field improvements may be potentially included. Mayor Pro-tem Owens said we increased the budget this year to \$2,500 for each (youth sports) entity. He said he would like to see us put money into another facility at another location rather than invest a great deal into property we don't own. Councilmember Shipp reiterated that funds were increased this year from \$1,500 to \$2,500 for softball, baseball, football and track. He said we need to step back and look at the whole situation; that we would set a precedent if we do more for one group than another. He said we should see how other cities are helping with youth sports groups. Councilmember Niemann agreed and said that our youth are very important, but the problem is that there is no plan of action. She recommended they get with City Manager Sean Pate to formalize a plan. Councilmember Burlison asked if we can expect money from Union Grove. Justin Smith replied no; that Union Grove isn't actually a city and there is no tax revenue. Councilmember Burlison stated we all want a safe field for the kids but don't want all of it to fall on the backs of Gladewater taxpayers. City Manager Pate added that softball has the same issues. Mayor Wells said he thinks they may be able to find individual sponsors so that it doesn't have to be done with tax dollars. Mayor Wells offered to do a walk-thru with them and help find sponsors.

No action taken.

X. CONSIDERATION of 2012 Traffic Contact Report

Police Chief Farrell Alexander presented a report with the ethnic breakdown of citations and traffic stops. He said there were no profiling complaints during the year.

Councilmember Shipp moved to approve the report, seconded by Councilmember Watson. Carried 6-0.

XI. EXECUTIVE SESSION pursuant to Government Code §551.074 to evaluate employment and benefit status of City Prosecutor

The Council adjourned into executive session at 7:14 p.m.

XII. RECONVENE into open session and take any action necessary regarding employment and benefit status of City Prosecutor

The Council reconvened into open session at 7:40 p.m.

Mayor Pro-tem Owens moved to increase City Prosecutor, Barry Wallace's salary to \$1,500 per month. Motion was seconded by Councilmember Burlison. Carried 6-0.

XIII. CITY MANAGER REPORT

- a) Update on Dallas Force Main project – The lone easement we were waiting for out of Dallas has finally been signed.
- b) Update on Texas Capital Fund Main Street project – The project is nearing completion with approximately \$10,000 in savings. We will do a change order in order to extend the sidewalk around the corner of Dean Street in front of the museum. To reduce costs, we recommend changing the period lights to one bulb instead of five on the side streets.
- c) Update on water and sewer analysis – The water analysis is done and has been reviewed by staff. KSA is completing the sewer analysis. If all goes well a meeting with our financial advisor will be scheduled in March with staff and in early-mid April for Council.
- d) Update on Siemens project – They did find a project. The contract is now being reviewed by our city attorney. There will be a special council workshop on March 18<sup>th</sup>. In the meantime, staff is working to validate projected savings.
- e) Update on ETMC contract – They understand the City's position of wanting an opt-out clause. They are redrafting a contract for review, which will be similar to Gilmer's.

XIV. ADJOURN

Councilmember Shipp moved to adjourn at 7:48 p.m., seconded by Councilmember Niemann. Adjourned by consensus.

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HAROLD R. WELLS, MAYOR

ATTEST:

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MELBA HARALSON, CITY SECRETARY