

CITY OF GLADEWATER  
CITY COUNCIL REGULAR SESSION  
MINUTES  
SEPTEMBER 19, 2013  
6:00 P.M.

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

STAFF PRESENT: Sean Pate, Melba Haralson, Wayne A. Smith, Farrell Alexander, Judy Hagle, Carl Laza, Paul Jaap, Bobby Toerck

GUESTS PRESENT: Sue Clifton-Moore, Robert Haberle, Robert Johnson, Nick D. Foster, Jimmy Williams, Mary Williams, Mark Carpenter, Robert Vine, Kristy Vine, Todd Clifton, Linda Wells, Michael Tolbert, Walter Derrick, Jim Bardwell

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

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

II. CITIZENS COMMENTS

- a) Sue Moore, 1413 E. Lake Drive, expressed concern over two contaminants in the water. She has been told they are being worked on but said that East Texas water is detrimental to your health.
- b) Mark Carpenter, 2301 Woodbine, said 1) he is disappointed that we are losing 50 years of experience in the Police Department with the retirement of Farrell Alexander, Clay Robertson and Fred Ellis. 2) He expressed concern over the nearly \$8 million of City debt. He believes we should use reserves to pay off some of the water debt. 3) He would like to know how much money the City is saving per year since taking the public works department back in-house. 4) He said the new board selection process is a good program and hopes it leads to new blood on the boards. He asked if the Council rubber stamps the boards' recommendations then what good is the program.

III. CONSIDERATION of Consent Agenda

- a) Minutes – August 15, 2013 and August 29, 2013
- b) Blanket Permit for the Chamber of Commerce 40<sup>th</sup> Annual Arts & Crafts Festival, September 21-22, 2013
- c) Agreement with Gladewater Independent School District for School Resource Officer
- d) Hotel Occupancy Tax Agreement with Gladewater Chamber of Commerce
- e) Engagement Letter for financial audit of fiscal year 2013
- f) Grant Contract with the Gladewater Youth Baseball Association
- g) Grant Contract with the Gladewater Youth Softball Association
- h) Grant Contract with the Gladewater Youth Track Association
- i) Grant Contract with the Gladewater Flag Football Association
- j) Fire Protection Agreement for Upshur County Emergency Services District #1
- k) Fire Protection Agreement for Upshur County Emergency Services District #1 as agent for the City of Union Grove
- l) Agreement for Private Animal Shelter Services with Humane Society of Northeast Texas
- m) Resolution finding and determining that a certain area of the City contains conditions which are detrimental to public health, safety and welfare of the community and constitutes a blighted area
- n) Resolution approving an application for funding through the Texas Department of Agriculture – Main Street Program
- o) Reimbursement to GEDCO for \$4,968.00 for Radical II Real Estate

Councilmember Burlison requested that Items D and K be set aside for separate discussion. Councilmember Watson moved to approve the remainder of the consent agenda, seconded by Councilmember Shipp. Carried 7-0.

With respect to Item D – Hotel Occupancy Tax Agreement with the Gladewater Chamber of Commerce, Councilmember Burlison stated the original articles of incorporation of the Chamber of Commerce were for 50 years, which should have expired in 1996. He asked if there is a new charter and if not, what entity we are giving funds to. He expressed concern over where the money is going. Mayor Pro-tem Owens said the Chamber of Commerce, GEDCO and the Main Street Board all are funded by the City and all promote Gladewater, but there are some overlapping functions. He said the Chamber of Commerce will be presenting an audit in the near future and we can revisit the issue then. Councilmember Niemann

added that the Chamber of Commerce has submitted reports to the City regarding the use of the Hotel Occupancy Tax funds. Councilmember Burlison stated he has a copy of those reports, but still questions whether those funds could be better utilized by the City. Councilmember Shipp said he wants to look at the audit before deciding. Councilmember Burlison concluded by saying he does not know if we are giving funds to a legitimate entity.

Mayor Pro-tem Owens moved to approve the Hotel Occupancy Tax agreement with the Chamber of Commerce. Motion was seconded by Councilmember Shipp. Carried 6-1, with Councilmember Burlison opposed.

With respect to Item K - Fire Protection Agreement for Upshur County Emergency Services District #1 as agent for the City of Union Grove, Councilmember Burlison asked how the amount is derived. City Manager Pate replied it is calculated either by population or coverage area, but believes there is a certain amount of money assigned per resident. Councilmember Burlison said he would like a written explanation.

Councilmember Shipp moved to approve the Fire Protection agreement, seconded by Councilmember Niemann. Carried 6-0-1, with Councilmember Burlison abstaining due to lack of information.

IV. CONSIDERATION of fiscal year 2013 budget adjustments

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

V. CONSIDERATION of Ordinance to amend budget for fiscal year 2013

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

VI. CONSIDERATION of Ordinance to adopt and approve budget for fiscal year 2014

Councilmember Burlison moved to delete \$10,000 Façade grant from the budget. He said we don't need to give money to downtown merchants before we take care of downtown. Motion died for lack of a second.

Mayor Pro-tem Owens moved to adopt the budget, seconded by Councilmember Shipp. Record vote was taken. Ayes: Niemann, Shipp, Owens, Watson, Wells, Anderson. Nays: Burlison. Carried 6-1.

VII. 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 2014

Councilmember Burlison moved to approve, seconded by Councilmember Shipp. Record vote was taken. Ayes: Niemann, Shipp, Owens, Watson, Wells, Burlison, Anderson. Nays: none. Carried 7-0.

VIII. PUBLIC HEARING regarding a request from Lana Niemann for a Restricted Commercial zoning for a restaurant to be located at Lots 4B, 5 & 6, NCB 56, more commonly known as 109 W. Commerce Street

Mayor Wells opened the public hearing at 6:20 p.m.

City Secretary Haralson stated the request was unanimously approved by the Planning & Zoning Commission.

Mark Carpenter expressed approval and said it is a progressive step.

Councilmember Burlison asked why we had to consider these requests on a case by case basis rather than blanket approve for the whole city. City Secretary Haralson stated our ordinances require two public hearings; one before Planning & Zoning and another before the City Council. City Manager Pate added it also depends on the zoning and proximity to churches or schools.

With no other public comments, the public hearing was closed at 6:22 p.m.

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- IX. CONSIDERATION of a request by Lana Niemann for a Restricted Commercial zoning for a restaurant to be located at Lots 4B, 5 & 6, NCB 56, more commonly known as 109 W. Commerce Street

Councilmember Watson moved to approve the request, seconded by Councilmember Shipp. Carried 7-0.

- X. CONSIDERATION of Gladewater Economic Development Corporation budget for fiscal year 2014

Robert Johnson, GEDCO Director gave a presentation of GEDCO accomplishments over the past year and an overview of the budget for fiscal year 2014. GEDCO President Todd Clifton said this is a conservative budget, but they hope to make a significant impact on Gladewater. He said we not only need jobs, but quality jobs. Mr. Clifton said he is looking forward to 2014 and expressed appreciation to the board and to Robert Johnson.

Councilmember Burlison asked how many jobs GEDCO created in 2013. Mr. Johnson replied 53 jobs. Councilmember Burlison expressed opposition to giving money to existing companies.

Councilmember Watson moved to approve the budget, seconded by Councilmember Anderson. Carried 6-1, with Councilmember Burlison opposed.

- XI. CONSIDERATION of Gladewater Economic Development Corporation board appointments

Mayor Pro-tem Owens moved to appoint Nick Foster to the GEDCO Board. Councilmember Burlison stated there are two applicants that have business experience. GEDCO Director Robert Johnson said the GEDCO Board recommends the reappointment of Larry Clemens and the appointment of Walter Derrick, as he has over 20 years experience on the Council. Councilmember Burlison seconded Mayor Pro-tem Owens' motion to appoint Nick Foster. Motion failed 3-4, with Owens, Watson and Burlison in favor and Niemann, Shipp, Wells and Anderson opposed.

Councilmember Niemann moved to appoint Walter Derrick, seconded by Councilmember Shipp. Motion carried 4-3 with Niemann, Shipp, Wells and Anderson in favor and Owens, Watson and Burlison opposed.

Councilmember Niemann explained that all applicants were carefully considered. Some had several board interests so they will still be considered for other boards. Mark Carpenter said he is a strong supporter of the airport and would appreciate being considered for that board. Mayor Pro-tem Owens commented there was short notice for advertising and applications but it is very heartening to see four applicants.

Mayor Pro-tem Owens moved to reappoint Larry Clemens, seconded by Councilmember Anderson. Carried 7-0.

- XII. CONSIDERATION of Second Amendment to Water Services Contract with Warren City

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

- XIII. CONSIDERATION of Resolution to nominate Upshur County Appraisal District Board of Directors

Mayor Pro-tem Owens moved to nominate Darrell McKnight to the Upshur County Appraisal District Board of Directors, seconded by Councilmember Watson. Carried 7-0.

- XIV. CONSIDERATION of Resolution to nominate Gregg County Appraisal District Board of Directors

- XV. Mayor Pro-tem Owens moved to nominate A.P. Merritt to the Gregg County Appraisal District Board of Directors, seconded by Councilmember Shipp. Carried 7-0.

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XVI. EXECUTIVE SESSION pursuant to Government Code §551.074 regarding;

- a) Police Chief position
- b) Main Street Manager position

The Council recessed into executive session at 7:00 p.m.

XVII. RECONVENE INTO OPEN SESSION and take any action necessary regarding Police Chief position and Main Street Manager position

The Council reconvened into open session at 8:30 p.m. No action was taken.

XVIII. CITY MANAGER REPORT

- a) Announcements
  1. Introduction of Robert Vine, new Police Chief for the City of Gladewater.
  2. Chief Farrell Alexander has postponed his retirement for a few weeks to work with Chief Vine during the transition.
  3. October 19<sup>th</sup> is the Fall Clean Up Day. There will be no tire recycling trailer available.
  4. Councilmember Burlison announced there is a possibility of a 2-year grant to continue the bus route to Longview, but the grant application is due in by next week.
  5. Since the Chamber of Commerce is not continuing the agreement for Main Street Manager services, Main Street Board Chairman Lana Niemann and City Manager Sean Pate will serve as interim until the position is filled.
  6. September 24<sup>th</sup> there will be a retirement reception in honor of Farrell Alexander, Clay Robertson and Fred Ellis at the Gladewater Former Students Building.
- b) Update on Siemens water meter project  
Installation of new water meters will begin in October.
- c) Update on Council Committees
  1. The Reinvestment Committee recently had its first meeting and is considering options on a couple different properties.
  2. The Ambulance/EMS Committee will meet soon.

Councilmember Watson announced that the Council talked last year about how to get more people involved, but tonight we did the same thing as in the past with the GEDCO Board appointments. He said this was a travesty and it should not have happened. We missed two opportunities tonight to get new people involved.

Councilmember Niemann said this was only one board and the process has not failed. She asked applicants not to get discouraged.

Councilmember Shipp said he felt if he did not support the nominations made by the Boards then he would be questioning the integrity and judgment of the Board. He said if there is a reason to vote against an appointment then that needs to be revealed.

XIX. ADJOURN

Councilmember Shipp moved to adjourn at 8:42 p.m., seconded by Mayor Pro-tem Owens. Adjourned by consensus.

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HAROLD R. WELLS, MAYOR

ATTEST:

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MELBA HARALSON, CITY SECRETARY