

CITY OF GLADEWATER
CITY COUNCIL REGULAR SESSION
MINUTES
MAY 22, 2014
6:00 P.M.

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

STAFF PRESENT: Sean Pate, Melba Haralson, Casey Chambers, Michael Kirkwood, Rob Vine, Paul Jaap, Wayne Smith

GUESTS PRESENT: Gary Clark, Pat Watson, Nick Foster, Shelia Faggans, J.T. Hoye, Elaine Roddy, Patrick Lincoln, Michael Tolbert, Linda Wells, Norma Lacy, Alfred Lacy, Sharon Gordon, Marilyn Kelley-Bolden, Kathy Cannon, Tommie Whitaker, Glenda Whitaker, Clandette Clay, Jalan Wells, Ann Clay

- 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 Anderson

Mayor Wells read a tribute to Councilmember Delbert Burlison, who passed away on May 16, 2014. Council and staff expressed heart felt sentiments for his dedication and service to the City.

- II. OATH OF OFFICE for Harold Wells, Leon Watson and Lana Niemann

City Secretary Melba Haralson administered the Oath of Office and presented each with a Certificate of Election.

- III. CONSIDERATION of appointment of Mayor Pro-tem

Councilmember Niemann moved to appoint Councilmember Shipp as the Mayor Pro-tem, seconded by Councilmember Anderson. Carried 5-0-1, with Shipp abstaining.

Councilmember Niemann explained that Scott Owens has been an excellent Mayor Pro-tem and possibly the most valuable person on the council given his tenure, however J.D. Shipp also has a lot to offer and this appointment would give him additional experience.

- IV. CITIZENS COMMENTS

None

- V. CONSIDERATION of Consent Agenda

- a) Minutes – April 17, 2014
b) Blanket Permit for G.I.S.D. Summer Feeding Program at Bumblebee Park
c) Blanket Permit for Chamber of Commerce Independence Day fireworks display on July 3, 2014
d) Blanket Permit for G.I.S.D. 2014 graduation ceremony fireworks display on June 6, 2014
e) Blanket Permit for annual Juneteenth Parade for June 14, 2014
f) Ratification of Investment Policy
g) Resolution authorizing the appeal of the Texas Public Utility Commission's March 6, 2014 Order on Rehearing approving a rate increase for Southwestern Electric Power Company

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

- VI. PUBLIC HEARING regarding a request from J.T. Hoye for restricted commercial zoning to sell beer and wine for on-premise consumption at William W. Avery Survey A-231, more commonly known as 1820 South Tyler Street

Mayor Wells opened the public hearing at 6:15 p.m.

Sharon Gordon, Marilyn Kelley-Bolden, J.T. Hoye, Gary Clark and Tommy Whitaker all spoke in favor of the request. All speakers basically stated this will be a barbeque restaurant serving beer or wine with meals and it will be a good business for the community.

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Councilmember Owens said there is no reason not to approve the request. His only concern is that we don't go backwards and cited the incident when a Gladewater Police Chief was killed out there. He said the new developments look good and the area is being cleaned up.

Councilmember Watson agreed but said this is not a beer joint, it is an eating establishment.

Councilmember Niemann stated that Mr. Hoyer has greatly improved the property. Mayor Wells added that Chief Vine and the police department will patrol the area.

With no other public comments, the public hearing was closed at 6:27 p.m.

- VII. CONSIDERATION of a request from J.T. Hoyer for restricted commercial zoning to sell beer and wine for on-premise consumption at William W. Avery Survey A-231, more commonly known as 1820 South Tyler Street

Councilmember Shipp moved to approve the restricted commercial zoning, seconded by Councilmember Anderson. Carried 6-0.

- VIII. CONSIDERATION of downtown pavilion project

City Manager Pate referred to a sketch by artist and Main Street Board member Monty Graham. He said this will be a 20' x 25' pavilion between the public restrooms and the oil derrick. Mr. Pate asked the Council to approve contingent upon approval from Union Pacific Railroad Real Estate Commission.

Councilmember Owens so moved, seconded by Councilmember Watson. Carried 5-0-1, with Niemann abstaining as she was part of the project.

- IX. CONSIDERATION of GEDCO and City joint infrastructure projects

City Manager Pate said there are two projects that GEDCO can assist the city with. First, sidewalk replacement on Commerce Street from Center to Main; cost \$39,925. Secondly, GEDCO has agreed to assist in future street projects on major thoroughfares that tie to businesses. The upcoming seal coat project meets this criteria and has a cost of \$75,000.

Mr. Pate said that by GEDCO doing these projects it allows the City to build the splash pad for about \$49,000, which will close out the master plan for Bumblebee Park.

Councilmember Watson moved to approve, seconded by Councilmember Anderson. City Manager Pate further explained that GEDCO will pay the City for the seal coat project and we will amend the budget at the end of fiscal year. Councilmember Owens requested that in the future he would like things like this to be done in proper sequence rather than do a budget amendment. Motion passed 5-0-1, with Niemann abstaining as she is on the GEDCO board and had a part in putting the project together.

- X. CONSIDERATION of awarding bid for the Chip Seal project

Public Works Director Paul Jaap said he advertised for the chip seal project for Melba, Lee and Hendricks Streets but due to an omission in the plan preparation he pulled the project and will re-bid it. City Manager Pate added that we save money by not having to contract this out to an engineer and we can put the savings back into the project.

- XI. CONSIDERATION of awarding bid for the Manholes, Water and Sewer Line Replacement project

Paul Jaap stated only one bid was received. Duplichain Contractors, LLP turned in a base bid of \$1,658,000. He said the engineer's estimate was \$1,046,170 so that is \$711,830 over and he did not recommend awarding the project. He said he will break the project up into three separate projects; 2 water and 1 sewer and will re-bid. He said it should be ready to come back to Council next month and he will seek assistance from Gregg County.

Councilmember Owens moved to decline the bid and authorize Paul Jaap to modify the projects and re-bid. Motion was seconded by Mayor Pro-tem Shipp. Carried 6-0.

- XII. CONSIDERATION of a request from Patrick Lincoln to hold "Jazz in the Park" events at Lake Gladewater Park

Patrick Lincoln, lifetime resident of Gladewater, presented his request to hold Jazz in the Park events every Sunday afternoon throughout the summer. City Manager Pate stated he will only use the pavilion when it's not reserved or in use and this will enhance the park environment.

Mayor Wells questioned what kind of insurance he will have. Mr. Lincoln replied that there was no need. Councilmember Owens said we need to be sensitive to the volume of music.

Cathy Cannon addressed the Council, stating she used to live in Orlando, Florida and the jazz festival there started as a small event and continued to grow. She saw this as an opportunity to partnership to provide educational information and brochures on healthy living.

Councilmember Niemann said Lake Gladewater is a hidden gem and she is receptive to the idea. She said for the past 3-6 months the Reinvestment Committee has been working on several ideas to go on the lake.

Councilmember Owens recalled several years ago we tried to do a "Movie in the Park" event but weather was not conducive.

Councilmember Watson affirmed that there is no alcohol allowed at the park.

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

- XIII. CONSIDERATION of ordinance designating Hurley Avenue as a one-way street in an east bound direction from Canfield Street to the intersection of Maple Avenue and to prohibit parking on Hurley Avenue

Chief Rob Vine explained that Hurley Street is narrower than most and it two-way traffic is not good especially with emergency vehicles or school buses. He said it would also be good for law enforcement reasons to have no parking along the street.

Stan Wood, who resides on Jeanette Street said the street is only about 18' wide and with school buses, garbage trucks and parking on the street it is a dangerous situation.

Mayor Wells commented there are way too many cars parked on the street and he is proud of Councilmember Owens for cleaning up his neighborhood.

Mayor Pro-tem Shipp moved to approve, seconded by Councilmember Anderson. Carried 5-0-1, with Owens abstaining.

- XIV. CONSIDERATION of ordinance prohibiting the sale, use, and possession of electronic cigarettes, liquid nicotine and associated paraphernalia to minors and prohibiting self-service merchandising

City Manager Pate explained this ordinance came up through court and it is to prohibit the sale and use by minors.

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

- XV. CONSIDERATION of ordinance adopting a Water Conservation and Drought Contingency Plan

City Manager Pate said we are required to update this plan every five years.

Councilmember Owens moved to approve the ordinance, seconded by Councilmember Niemann. Carried 6-0.

- XVI. EXECUTIVE SESSION pursuant to Government Code 551.074 for annual performance evaluation of City Prosecutor

The Council recessed into executive session at 7:11 p.m.

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- XVII. RECONVENE into open session and take any action necessary regarding performance evaluations of City Prosecutor

The Council reconvened into open session at 8:05 p.m. Councilmember Owens moved to accept the resignation of City Prosecutor Barry Wallace, stating that his private practice is taking more of his time. Motion was seconded by Mayor Pro-tem Shipp. Carried 6-0.

XVIII. CITY MANAGER REPORT

- a) Update on projects – A Main Street board nomination will be presented to the Council next month.
- b) Update on GoBus service – Now that Gladewater is part of the Longview Metropolitan Planning Area funding has been lost for ETCOG to provide GoBus service to Gladewater as of June 15th. The service could be continued at a cost but is not feasible based on ridership.
- b) Update on Main Street Manager position – Kathi Corwin has been hired as the new Main Street Manager. She will start June 2nd and is moving here from Indiana. She has lots of energy and passion for the job and we are excited to work with her. She will temporarily office at the Chamber of Commerce

XIX. ADJOURN

Mayor Pro-tem Shipp moved to adjourn at 8:10 p.m., seconded by Councilmember Anderson. Adjourned by consensus.

HAROLD R. WELLS, MAYOR

ATTEST:

MELBA HARALSON, CITY SECRETARY