

THE STATE OF TEXAS §
 COUNTY OF ANDERSON §
 CITY OF PALESTINE §

The City Council of the City of Palestine, Texas convened in a Worksession and Regular Meeting on Monday, January 12, 2009 at 4:30 PM, in the Council Chambers at City Hall, 504 N. Queen Street, Palestine, Texas, with the following people present:

CAROLYN SALTER	:	MAYOR
KATHI MASONHEIMER	:	COUNCILMEMBER
VERNON DENMON, JR.	:	COUNCILMEMBER
VICKEY L. CHIVERS	:	COUNCILMEMBER
JIM YELVERTON	:	COUNCILMEMBER
ANDREA BAIRD	:	COUNCILMEMBER
STEVE PRESLEY	:	COUNCILMEMBER
R. DALE BROWN	:	CITY MANAGER
JANELLE WILLIAMS	:	CITY SECRETARY
RONALD D. STUTES	:	CITY ATTORNEY

Councilmember Presley was absent for the worksession; a quorum of the Council was present.

WORKSESSION

Review of City Permit Fees

Discussion was held regarding various city permit fees, and how they compare to surrounding cities.

Mayor Salter declared the worksession adjourned at 5:30 PM.

CALL TO ORDER

Mayor Salter called the regular meeting to order at 5:35 PM.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Debra Whitesmith of Palestine Church of the Nazarene, and was followed by the Pledge of Allegiance.

MAYOR'S REPORT

Mayor Salter reported that Youth Advisory Council members are working on the bylaws, which will be reviewed by the City Manager and City Attorney. She advised that an ordinance creating the YAC and board appointments will be submitted to Council for approval in February.

Mayor Salter provided an update on the Texas Roundup and Governor's Fitness Grant activities. She advised that a fitness fair is scheduled for January 31st at the Civic Center.

CITY MANAGER'S REPORT

Police Chief Larry Coutorie reported that electronic ticket writers will be purchased with funds from Court Technology and Federal Forfeitures. Departmental reports for Police, Development Services, Library, and Municipal Court were provided. Reports for Texas Main Street Program Reinvestment and 2008 Certified Local Government were also provided.

BOARD APPOINTMENTS

Motion was made by Councilmember Presley, seconded by Councilmember Denmon, to reappoint David Mettauer to Palestine Economic Development Corporation, and to appoint Bob Snow (to replace Larissa Loveless), Susan Armstrong (to replace Duke Waggoner), and Rosemary Miller (to replace Cad Williams) to the Library Advisory Board. Upon vote, motion passed unanimously.

CONSENT AGENDA

- 1) Minutes of the Worksession and Regular Meeting of September 22, 2008
- 2) Minutes of the Worksession of September 29, 2008

Motion was made by Councilmember Baird, seconded by Councilmember Denmon, to approve Consent Items 1 and 2 as submitted. Upon vote, motion passed unanimously.

REGULAR AGENDA**Consider Award of Bid for Corrosion Inhibitor and Polymer (Bid #B2009-09 and B2009 10)**

Motion was made by Councilmember Denmon, seconded by Councilmember Baird, to award the bid for Corrosion Inhibitor to Simply Aquatics of Kirbyville, Texas, and the bid for Polymer to Ashland Water Technologies of Dublin, Ohio. Upon vote, motion passed unanimously.

Consider Approval of Proposed Landscaping Project at Mallard Street and Avenue A

Motion was made by Councilmember Denmon, seconded by Councilmember Chivers, to accept the proposed landscape plan as presented, subject to Staff comments and requirements. Upon vote, motion passed unanimously.

Consider Authorizing the City Manager to Execute a Land Lease for the Construction and Operation of a Hanger at the Palestine Municipal Airport by Acid & Cementing Services, Inc.

Motion was made by Councilmember Denmon, seconded by Councilmember Baird, to authorize the City Manager to execute a land lease for the construction and operation of a hanger at the Palestine Municipal Airport by Acid & Cementing Services, Inc. Upon vote, motion passed unanimously.

Consider Authorizing the City Manager to Execute a Letter of Agreement between Texas Main Street Program and the City of Palestine

Motion was made by Councilmember Presley, seconded by Councilmember Yelverton, to authorize the City Manager to execute the Letter of Agreement between the Texas Main

Street Program and the City of Palestine in order for Palestine to continue as a 2009 Official Texas Main Street City. Upon vote, motion passed unanimously.

Consider an Ordinance Requiring Swimming Pool Waste Water to be Discharged into the City Sewer System

Motion was made by Councilmember Baird, seconded by Councilmember Denmon, to adopt **Ordinance No. O-1-09**, amending Code of Ordinances Sec 22-207, Sec 802.1.4(b) which will require swimming pool waste water to be discharged into the city sewer. Upon vote, motion passed unanimously.

Discuss Final Report from Planning and Zoning Commission on Zone Change Request from RE (Residential Estate) to R-1 (Single Family Detached Low Density District) on Part of a 29.18 Acre Tract on Richland Drive and Set Public Hearing for January 26, 2009

Discuss Final Report from Planning and Zoning Commission on Zone Change Request from RE (Residential Estate) and I-2 (General Industrial District) to C-4 (Highway Commercial District), South Loop 256 Annexed Areas and a Portion of Willow Creek Business Park, Phase 1, Lot 1, Block 2, and Set Public Hearing for January 26, 2009

Discuss Final Report from Planning and Zoning Commission on Zone Change Request from RE (Residential Estate) to C-4 (Highway Commercial District), Annexed Areas Northwest of Medical Drive and East of Willow Creek Parkway, and Set Public Hearing for January 26, 2009

Discuss Final Report from Planning and Zoning Commission on a Specific Use Permit Request for a Used Tire Sales and Installation Shop on Property Zoned C-2 (Local Retail Commercial District) Located at 102 E. Palestine Avenue and Set Public Hearing for January 26, 2009

Motion was made by Councilmember Denmon, seconded by Councilmember Baird, to set public hearings for zone change requests and a specific use permit for January 26, 2009. Upon vote, motion passed unanimously.

Consider an Ordinance Approving Budget Amendments for Fiscal Year 2008-09

Motion was made by Councilmember Denmon, seconded by Councilmember Presley, to adopt **Ordinance No. O-2-09**, approving budget amendments as presented. Upon vote, motion passed unanimously.

Consider an Ordinance Adopting Changes to the Fee Schedule for City Services O-3-09

Motion was made by Councilmember Denmon, seconded by Councilmember Yelverton, to adopt **Ordinance No. O-3-09**, with a correction for impounding fees to \$20.00. Upon vote, motion passed unanimously.

Street Program and the City of Palestine in order for Palestine to continue as a 2009 Official Texas Main Street City. Upon vote, motion passed unanimously.

Consider an Ordinance Requiring Swimming Pool Waste Water to be Discharged into the City Sewer System

Motion was made by Councilmember Baird, seconded by Councilmember Denmon, to adopt **Ordinance No. O-1-09**, amending Code of Ordinances Sec 22-207, Sec 802.1.4(b) which will require swimming pool waste water to be discharged into the city sewer. Upon vote, motion passed unanimously.

Discuss Final Report from Planning and Zoning Commission on Zone Change Request from RE (Residential Estate) to R-1 (Single Family Detached Low Density District) on Part of a 29.18 Acre Tract on Richland Drive and Set Public Hearing for January 26, 2009

Discuss Final Report from Planning and Zoning Commission on Zone Change Request from RE (Residential Estate) and I-2 (General Industrial District) to C-4 (Highway Commercial District), South Loop 256 Annexed Areas and a Portion of Willow Creek Business Park, Phase 1, Lot 1, Block 2, and Set Public Hearing for January 26, 2009

Discuss Final Report from Planning and Zoning Commission on Zone Change Request from RE (Residential Estate) to C-4 (Highway Commercial District), Annexed Areas Northwest of Medical Drive and East of Willow Creek Parkway, and Set Public Hearing for January 26, 2009

Discuss Final Report from Planning and Zoning Commission on a Specific Use Permit Request for a Used Tire Sales and Installation Shop on Property Zoned C-2 (Local Retail Commercial District) Located at 102 E. Palestine Avenue and Set Public Hearing for January 26, 2009

Motion was made by Councilmember Denmon, seconded by Councilmember Baird, to set public hearings for zone change requests and a specific use permit for January 26, 2009. Upon vote, motion passed unanimously.

Consider an Ordinance Approving Budget Amendments for Fiscal Year 2008-09

Motion was made by Councilmember Denmon, seconded by Councilmember Presley, to adopt **Ordinance No. O-2-09**, approving budget amendments as presented. Upon vote, motion passed unanimously.

Consider an Ordinance Adopting Changes to the Fee Schedule for City Services O-3-09

Motion was made by Councilmember Denmon, seconded by Councilmember Yelverton, to adopt **Ordinance No. O-3-09**, with a correction for impounding fees to \$20.00. Upon vote, motion passed unanimously.

ITEMS FROM COUNCIL

Upcoming Activities and Report on Attendance at Texas State Railroad

Councilmember Presley reported that attendance was great for Polar Express, with ridership at 31,500. He added that Texas State Railroad is a great benefit to the community, and that Palestine should take advantage of this worldwide tourist attraction for local, regional and statewide tourism. He also reported on a Valentine's Day event and \$10.00 train rides for local residents. He advised that TSRR is on the way to getting the remainder of grant funds approved.

Councilmember Yelverton reported that teachers from Rusk took students to ride the train, and were raving about the experience. He commended Councilmember Presley for his hard work and the success of the TSRR.

At 6:44 PM, Mayor Salter announced that Council would go into Closed Session pursuant to Section 551.071 for Consultation with its Attorney.

CLOSED SESSION


Discuss XPAD Company, LLC, US Bankruptcy Court, Eastern District, Case No. 08-60291

RECONVENE INTO REGULAR SESSION

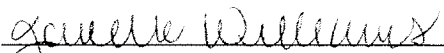
At 6:51 PM, Mayor Salter reconvened the Council into open session. No action was taken.

ADJOURNMENT

Motion was made by Councilmember Chivers to adjourn. Upon vote, motion passed unanimously. Mayor Salter declared the meeting adjourned at 6:52 PM.


CAROLYN SALTER, MAYOR

ATTEST:


JANELLE WILLIAMS, CITY SECRETARY