

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, October 12, 2009 at 4:00 PM for the Worksession in the Council Conference Room, and at 5:30 PM for the Regular Meeting in the Council Chambers at City Hall, 504 N. Queen Street, Palestine, Texas, with the following people present:

BOB HERRINGTON	:	MAYOR
KATHI MASONHEIMER	:	COUNCIL MEMBER
JAMES H. YELVERTON	:	COUNCIL MEMBER
ANDREA BAIRD	:	COUNCIL MEMBER
STEVE PRESLEY	:	MAYOR PRO TEM
R. DALE BROWN	:	CITY MANAGER
JANELLE WILLIAMS	:	CITY SECRETARY
RONALD D. STUTES	:	CITY ATTORNEY

Councilmember Presley was absent for the worksession; Councilmembers Chivers and Denmon were absent for the worksession and regular meeting. A quorum of the City Council was present.

#### **WORKSESSION**

Mayor Herrington called the worksession to order at 4:30 PM.

Discussion was held regarding: Late Hours Sales of Alcoholic Beverages ; Regulations Banning Smoking in Public Places; Revisions to Development Code regarding Off-Street Parking and Driveway Standards; Planning and Zoning Commission Final Report regarding a Zoning Change from RE Residential Estate to C-4 Highway Commercial District and R-1 Single Family Detached Low Density District on Properties Located on US Highway 287 South, Renner Road and County Road 145; an Ordinance Amending the Schedule of On-Street Parking in the Downtown Area; a Resolution declaring the Main Street District as a Slum/Blight Area; and a Resolution to apply for the 2009 TCF Main Street Grant.

With no other business to come before the Council, the worksession was adjourned at 5:26 PM.

#### **CALL TO ORDER – REGULAR MEETING 5:30 PM**

Mayor Herrington called the regular meeting to order at 5:30 PM.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Steve Neel of Grace Bible Church, and was followed by the Pledge of Allegiance.

#### **PUBLIC RECOGNITION**

Councilmember Masonheimer was recognized by Mayor Herrington for leading the efforts in getting Texas State Technical College to locate in Palestine.

Councilmember Presley was honored by the Council for being voted the 2009 Citizen of the Year.

**MAYOR'S REPORT**

Mayor Herrington reported on monthly activities:

- visited Westwood Primary with the Fire Department for fire safety course
- attended John H. Reagan ceremony
- attended Court Drive Church of Christ's food bank dedication

**CITY MANAGER'S REPORT**

Departmental reports for Police, Development Services, Municipal Court, Fire, Public Works and Library were provided.

**BOARD APPOINTMENTS**

Motion was made by Councilmember Presley, seconded by Councilmember Baird, to appoint Ben Campbell to Main Street Advisory Board. Upon vote, motion passed unanimously.

**CONSENT AGENDA**

- 1) Consider Award of Bid for Flex Base (Bid #2010-01)
- 2) Consider Award of Bid for Water/Wastewater Chemicals (Bid #2010-02)
- 3) Consider Award of Bid for Wastewater Facilities for Loop 256 and US Highway 84 Area (Bid #B2009-20)
- 4) Consider a Resolution in Support of the Neches Composting Facility Grant Application
- 5) Consider Declaring Property as Surplus and Authorize City Manager to Dispose of in an Appropriate Manner

Motion was made by Councilmember Yelverton, seconded by Councilmember Masonheimer, to approve Consent Agenda items one through five as presented, adopting **Resolution No. R-25-09**. Upon vote, motion passed unanimously.

**REGULAR AGENDA**

Discuss Planning and Zoning Commission Final Report regarding a Zoning Change from RE Residential Estate to C-4 Highway Commercial District and R-1 Single Family Detached Low Density District on Properties Located on US Highway 287 South, Renner Road and County Road 145

Motion was made by Councilmember Baird, seconded by Councilmember Yelverton, to set a public hearing on October 26, 2009. Upon vote, motion passed unanimously.

Consider an Ordinance Amending the Schedule of On-Street Parking in the Downtown Area

Motion was made by Councilmember Presley, seconded by Councilmember Masonheimer, to adopt **Ordinance No. O-63-09** amending the schedule of on-street parking in the Downtown area with clerical errors corrected. Upon vote, motion passed unanimously.

Consider a Resolution declaring the Main Street District as a Slum/Blight Area

No action was taken on this item.

Consider adopting a Resolution to apply for the 2009 TCF Main Street Grant

No action was taken on this item.

**ITEMS FROM COUNCIL**

Councilmember Presley reported on upcoming activities and attendance at the Texas State Railroad:

- Thomas and Friends runs in Rusk two weekends
- Pumpkin Patch Express runs on October 31<sup>st</sup>

- Polar Express – Champions for Children runs in November
- Regular Polar Express runs through December

Councilmember Baird provided an East Texas Council of Governments meeting update:

- ETCOG is applying for a grant to clean blighted sites – if received, the city will be eligible to apply
- There will be a hotline to report illegal dumping
- The Police Department will receive \$76,000 in Homeland Security Grant

Mayor Herrington announced that Council will go into Closed Session pursuant to Section 51.072 regarding real estate at 5:54 PM.

**CLOSED SESSION**

Acquisition of Real Estate

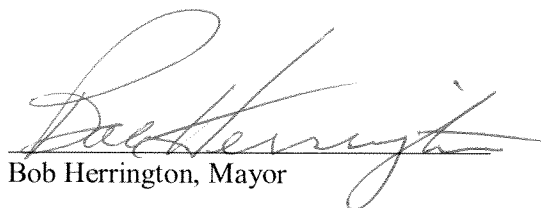
Councilmember Yelverton left the meeting at 7:22 PM.

**RECONVENE INTO REGULAR SESSION**

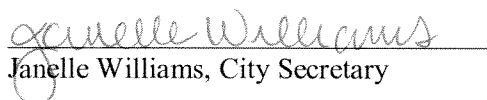
Council reconvened into open session at 7:22 PM. No action was taken regarding Acquisition of Real Estate

**ADJOURNMENT**

With no other business to come before the Council the meeting was adjourned at 7:22 PM.

  
Bob Herrington, Mayor

ATTEST:

  
Janelle Williams, City Secretary