

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, March 22, 2010 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	:	COUNCILMEMBER
VERNON DENMON, JR.	:	COUNCILMEMBER
VICKEY CHIVERS	:	COUNCILMEMBER
JAMES H. YELVERTON	:	COUNCILMEMBER
ANDREA BAIRD	:	COUNCILMEMBER
STEVE PRESLEY	:	MAYOR PRO TEM
R. DALE BROWN	:	CITY MANAGER
JANELLE WILLIAMS	:	CITY SECRETARY
RONALD D. STUTES	:	CITY ATTORNEY

All Councilmembers were in attendance; a quorum of the Council was present.

#### **WORKSESSION**

Mayor Herrington called the worksession to order at 4:03 PM.

Discussion was held regarding: Approval of an Expenditure for Repair of Lights for Athletic Fields in the Amount of \$24,500.00; an Ordinance Approving an Amendment to Section 4.6 Zoning Use Graphs of the Palestine Zoning Ordinance, to allow Single Family, Two Family Residential and Multifamily by Specific Use Permit in the Central Business District; an Ordinance Approving Amendments to the Schedule of On-Street Parking; and a Resolution Finding and Exception to the Competitive Bidding Requirements and Authorizing the City Manager to Execute a Contract for Emergency Replacement of the Sewer Line under Crockett Road.

With no other business to come before the Council, the worksession was adjourned at 4:31 PM

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

Mayor Herrington called the regular meeting to order at 5:32 PM.

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

The invocation was given by Councilmember Denmon, and was followed by the Pledge of Allegiance.

#### **PUBLIC COMMENTS, PUBLIC RECOGNITION AND ANNOUNCEMENTS**

Isaac Wynn addressed the Council regarding a letter of apology that he received.

James Smith addressed Council regarding the inappropriate racist email that circulated in the Police Department.

**PUBLIC HEARINGS**

Public Hearing on an Amendment to Section 4.6 Zoning Use Graphs of the Palestine Zoning Ordinance, to allow Single Family, Two Family Residential and Multifamily by Specific Use Permit in the Central Business District

Mayor Herrington opened the public hearing. With no speakers regarding the amendment, the public hearing was closed.

**MAYOR'S REPORT**

Mayor Herrington reported that he was a guest judge at the Dogwood Trails pageant on March 11th. He thanked Heather Hrebec and the crew at the Civic Center for hosting a great event.

Mayor Herrington addressed recent comments made regarding an email circulated in the police department. He reported that Carmelita Pope-Freeman with the Department of Justice, Community Relations Division, will be attending the April 12<sup>th</sup> Council meeting to talk about community oriented programs they provide that help local communities resolve conflicts and restore stability.

Mayor Herrington reported that the Dogwood Trails parade has been rescheduled for Saturday, March 27<sup>th</sup> at 10:00 a.m.

Mayor Herrington reported that he was a judge of the arts show at the Museum of East Texas Culture held earlier today. He commended the students for fantastic artwork.

**CITY MANAGER'S REPORT**

City Manager Brown reported on a broadband letter of support submitted to the East Texas Council of Governments.

A Departmental report for Economic Development was provided.

**OPEN BIDS**

Bids were received and opened for Vegetation Control Management Program (Bid #2010-13):

Edko, LLC, Tyler, TX	\$25,815.33
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**CONSENT AGENDA**

- 1) Consider an Ordinance Canceling the Election in Districts 1, 3 and 5 and Declaring Unopposed Candidates Elected to Office
- 2) Minutes of the Worksession and Regular Meeting of February 22, 2010
- 3) Minutes of the Worksession and Regular Meeting of March 8, 2010
- 4) Consider Approval of Annual Investment Policy

Motion was made by Councilmember Denmon, seconded by Councilmember Baird, to approve Consent Items one through four as presented, adopting **Ordinance No. O-17-10**. Upon vote, motion passed unanimously.

**BOARD APPOINTMENTS**

Discussion was held regarding role of the Civil Service Commission and current openings on the commission. Motion was made by Councilmember Denmon, seconded by Councilmember Chivers, to postpone appointment of Robert McKelvey to the Civil Service Commission. Upon vote, motion failed 2-5, with Mayor Herrington and Councilmembers Baird, Masonheimer, Presley, and Yelverton voting nay.

Discussion was held regarding scheduling a training session to give the council a better understanding of civil service.

Motion was made by Councilmember Presley, seconded by Councilmember Masonheimer, to reappoint Robert McKelvey to the Civil Service Commission, based on his prior service and the quality of his service, and knowing that we have another position open so that we can entertain other possibilities and educate ourselves and make sure that we have the highest quality Civil Service Commission within the city. Upon vote, motion passed 5-2, with Councilmembers Denmon and Chivers voting nay.

### **REGULAR AGENDA**

#### Consider Approval of an Expenditure for Repair of Lights for Athletic Fields in the Amount of \$24,500.00

Community Services Director Roy Crouch advised Council that copper wire was recently stolen from the ball field light poles at Palestine Athletic Complex. He also advised that a police report and an insurance claim were filed, and the insurance carrier will be sending a check to the city in the amount of \$20,957.00. Motion was made by Councilmember Denmon, seconded by Councilmember Presley, to accept a quote from Buddy's Electric in the amount of \$24,500.00. Upon vote, motion passed unanimously.

#### Consider an Ordinance Approving an Amendment to Section 4.6 Zoning Use Graphs of the Palestine Zoning Ordinance, to allow Single Family, Two Family Residential and Multifamily by Specific Use Permit in the Central Business District

Motion was made by Councilmember Baird, seconded by Councilmember Chivers, to adopt **Ordinance No. O-18-10** as presented by Development Services Director Warren Oakley. Upon vote, motion passed unanimously.

#### Consider an Ordinance Approving Amendments to the Schedule of On-Street Parking

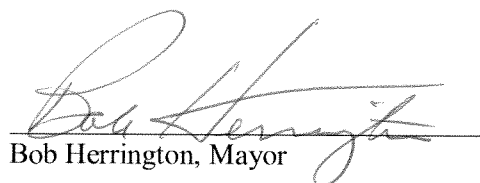
Motion was made by Councilmember Baird, seconded by Councilmember Chivers, to adopt **Ordinance No. O-19-10** as presented by Public Works Director Ron Sullivan. Upon vote, motion passed unanimously.

#### Consider a Resolution Finding and Exception to the Competitive Bidding Requirements and Authorizing the City Manager to Execute a Contract for Emergency Replacement of the Sewer Line under Crockett Road


Motion was made by Councilmember Presley, seconded by Councilmember Chivers, to adopt **Resolution No. R-07-10** as presented by Utilities Director Robert Sedgwick. Upon vote, motion passed unanimously.

### **ADJOURNMENT**

With no other business to come before the Council the meeting was adjourned at 6:35 PM.

  
Bob Herrington, Mayor

ATTEST:

  
Janelle Williams, City Secretary