

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, August 9 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
ADAM HARDING	:	COUNCILMEMBER
VERNON DENMON, JR.	:	COUNCILMEMBER
VICKEY CHIVERS	:	COUNCILMEMBER
ANDREA BAIRD	:	COUNCILMEMBER
R. DALE BROWN	:	CITY MANAGER
JANELLE WILLIAMS	:	CITY SECRETARY
RONALD D. STUTES	:	CITY ATTORNEY

Councilmembers Yelverton and Presley were absent for the worksession and regular meeting; a quorum of the Council was present.

#### **WORKSESSION**

Mayor Herrington called the worksession to order at 4:05 PM.

Discussion was held regarding the following: Proposed Budget for Fiscal Year 2010-11; Approval of Quarterly Investment Report; Approval of Economic Development Quarterly Financial Report; Discuss a Proposed Tax Rate for Fiscal Year 2010-11 and Schedule Public Hearings on Proposed Tax Rate; Rejection of the High Bid from Mrs. Patricia Davis for the Purchase of the Senior Citizen's Building and Awarding the Bid to the Next Highest Bidder or Approving a New Closing Date for Mrs. Davis for Purchase of the Senior Citizen's Building; an Ordinance Approving Budget Amendments for Fiscal Year 2009-10; and Approval of a Replat of Lots 1, 2, 3, 4 and 5, Block 8 of the Original Town of Palestine, creating Lot 1-R being located at the northeast corner of N. Church Street and E. Poplar Street; a Preliminary Report from the Planning and Zoning Commission regarding a Zoning Change Request from C-3 (General Retail Commercial District), RPO (Restricted Professional Office), MF-1 (Multiple Family Low Density District, MF-2 (Multiple Family Medium Density District), and R-2 (Single Family Detached Medium Density District), to RP District (Reagan Park Mixed Use District) being generally located in an area bound by the centerline of Crockett Road and Hunter Drive to the east, the centerline of Jolly Street to the south, the east right-of-way of Union Pacific Railroad and the centerline of S. Queen Street to the west, and the centerline of Hoxie Street and the southern right-of-way line of Union Pacific Railroad to the north.

With no other business to come before the Council, the worksession was adjourned at 5:10 PM.

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

Mayor Herrington called the regular meeting to order at 5:34 PM.

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

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

**PUBLIC COMMENTS, PUBLIC RECOGNITION AND ANNOUNCEMENTS**

Bobbie Diggs addressed Council with a question of why there are no minorities in the fire department.

James Smith addressed Council regarding racial issues and the investigation of a racist email that was circulated in the police department.

Elaina Fields addressed Council regarding a requirement that she to dedicate a drainage easement on her property before the replatting process can be completed.

Council recognized city employees as follows: Janelle Williams for attaining certification as a Texas Registered Municipal Clerk; Robert Thomas and Troy Harbison for attaining a "C" Water Distribution Operator's License Certification; and Doug Whitten for attaining a "B" Water Distribution Operator's License Certification.

Mayor Herrington presented Commendations to Palestine Police Department Officers Marcos Lara, Brandon "Cody" Dobbs, William Martin, Mark Harcrow, Jeremy Jenkins, Katie Perkins, Kris Davis; Detectives David Kassaw and Nathan Allen and acting Sergeant Detective James Muniz; Sergeants John Herod, Larry Boyer; Lieutenant Kenneth Ingram; and Dispatcher Ashley Barnes for their individual and team efforts during a recent investigation of the robbery at Wal-Mart Supercenter.

**PUBLIC HEARINGS**

Public Hearing regarding a Replat of Lots 1, 2, 3, 4 and 5, Block 8 of the Original Town of Palestine, creating Lot 1-R being located at the northeast corner of N. Church Street and E. Poplar Street

Mayor Herrington opened the public hearing at 5:59 p.m. With no speakers regarding the replat, the public hearing was closed at 6:00 p.m.

**MAYOR'S REPORT**

Mayor Herrington advised that his daughter got married this month. He thanked Dan Manual and Dogwood Jamboree group for attracting out of town visitors to our city. He advised that anyone interested in serving on a city advisory board should submit an application to the

**CITY MANAGER'S REPORT**

City Manager Dale Brown provided Council with an update on the Library and PREP Center. He advised that work has begun on remodeling of the old Goody's building for the Library, and the lease has been signed by the schools for the PREP Center.

Departmental reports were provided for Municipal Court, Development Services, and Public Works. Development Services Director Warren Oakley provided a detailed monthly report for the Development Services Department. A report of City Attorney fees was also provided.

**CONSENT AGENDA**

- 1) Consider Approval of Quarterly Investment Report
- 2) Consider Approval of Economic Development Quarterly Financial Report

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

**REGULAR AGENDA**

Discuss and Adopt Proposed Tax Rate for Fiscal Year 2010-11 and Schedule Public Hearings on Proposed Tax Rate

Motion was made by Councilmember Denmon, seconded by Councilmember Baird, to adopt a proposed tax rate of \$0.639000 for budget year 2010-11 and set public hearings on August 30 and September 6, 2010. Upon vote, motion passed unanimously taken by a roll call vote:

Herrington - aye  
Baird - aye  
Denmon - aye  
Chivers - aye  
Harding - aye

Consider Rejection of the High Bid from Mrs. Patricia Davis for the Purchase of the Senior Citizen's Building and Awarding the Bid to the Next Highest Bidder or Approving a New Closing Date for Mrs. Davis for Purchase of the Senior Citizen's Building

Motion was made by Councilmember Chivers, seconded by Councilmember Denmon, to extend the closing date 30 days, and set a firm September 9<sup>th</sup> closing date or Council will consider other options. Upon vote, motion passed unanimously.

Consider an Ordinance Approving Budget Amendments for Fiscal Year 2009-10

Motion was made by Councilmember Baird, seconded by Councilmember Harding, to adopt **Ordinance No. O-42-10** approving budget amendments as presented by Finance Director Pennington. Upon vote, motion passed unanimously.

Consider Approval of a Replat of Lots 1, 2, 3, 4 and 5, Block 8 of the Original Town of Palestine, creating Lot 1-R being located at the northeast corner of N. Church Street and E. Poplar Street

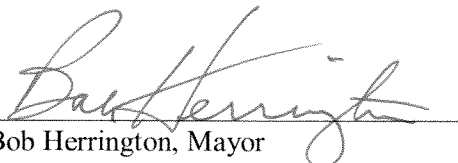
Motion was made by Councilmember Baird, seconded by Councilmember Harding, to approve the replat as presented by Jeffrey Lyons, subject to the correct FEMA flood map panel number and date reflected on the replat. Upon vote, motion passed unanimously.

Discuss a Preliminary Report from the Planning and Zoning Commission regarding a Zoning Change Request from C-3 (General Retail Commercial District), RPO (Restricted Professional Office), MF-1 (Multiple Family Low Density District, MF-2 (Multiple Family Medium Density District), and R-2 (Single Family Detached Medium Density District), to RP District (Reagan Park Mixed Use District) being generally located in an area bound by the centerline of Crockett Road and Hunter Drive to the east, the centerline of Jolly Street to the south, the east right-of-way of Union Pacific Railroad and the centerline of S. Queen Street to the west, and the centerline of Hoxie Street and the southern right-of-way line of Union Pacific Railroad to the north, and Schedule a Joint Public Hearing of the City Council and the Planning and Zoning Commission on September 13, 2010

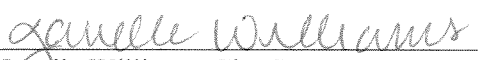
Discussion was held regarding the proposed Reagan Park Mixed Use District. Motion was made by Councilmember Harding, seconded by Councilmember Chivers, to schedule a joint public hearing of City Council and Planning and Zoning Commission on September 13, 2010. Upon vote, motion passed unanimously.

**ADJOURNMENT**

With no other business to come before the Council, the meeting was adjourned at 6:30 PM.

  
Bob Herrington, Mayor

ATTEST:

  
Janelle Williams, City Secretary