

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

The City Council of the City of Palestine, Texas convened in a Regular Meeting on Monday, March 24, 2008 at 5:30 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

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

CALL TO ORDER – REGULAR MEETING 5:30 PM

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

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Utilities Director Robert Sedgwick, and was followed by the Pledge of Allegiance.

PUBLIC RECOGNITION

Council expressed congratulations to James Morgan for recently attaining his 'C Surface Water Operator License'.

Mayor Salter read aloud a proclamation regarding Child Abuse Prevention Month.

PUBLIC COMMENTS

Ricky Taylor, Dan Bochsler and April Johnston addressed Council, expressing that improvements are needed in the Tourism department.

PUBLIC HEARINGS

Public Hearing on Zone Change at 820 N. Church Street from C-2 (Local Retail Commercial District) to C-3 (General Retail Commercial District)

Mayor Salter opened the public hearing. Scott Thompson spoke in favor of the zone change. With no other person requesting to speak, the public hearing was closed.

Public Hearing on Zone Change at 2265 S. Sycamore Street from RE (Residential Estate District) to RPO (Restricted Professional Office)

Mayor Salter opened the public hearing. Robert Baldwin, a representative of the owner of the property, spoke in favor of the zone change. With no other person requesting to speak, the public hearing was closed.

Public Hearing on Specific Use Permit at Westwood I.S.D. for Electronic Pole Sign

Mayor Salter opened the public hearing. Shane Jones of WISD spoke in favor of the specific use permit. With no other person requesting to speak, the public hearing was closed.

MAYOR'S REPORT

Mayor Salter thanked everyone who made Dogwood Trails a success. She reported on a recently held public meeting regarding the juvenile curfew, advising that she and Police Chief Coutorie are going to visit the schools, and Council is to make a decision in the summer.

CITY MANAGER'S REPORT

Development Services Monthly Report
Library Monthly Report
Main Street Monthly Report
Report on City Wide Clean Up Day

City Manager Dale Brown advised Council that members of Staff were available for any questions regarding the departmental reports submitted.

Main Street Manager Neely Plumb thanked the volunteers who attempted to salvage architectural doors, windows, etc., and advised that more volunteers are needed for the next clean up day.

City Manager Brown advised that vandals hit the Library with graffiti over the weekend.

BOARD APPOINTMENTS

Marti Moronko introduced herself to the Council. Motion was made by Councilmember Denmon, seconded by Councilmember Yelverton, to appoint Marti Moronko to the Historical Landmarks Commission to replace Newell Kane. Upon vote, motion passed unanimously.

Jenny Wilborn introduced herself to the Council. Motion was made by Councilmember Masonheimer, seconded by Councilmember Baird, to appoint Jenny Wilborn to the Tourism Advisory Board to replace Lottie Jonas. Upon vote, motion passed unanimously.

CONSENT AGENDA

- 1) Consider Authorization to Purchase Plastic Garbage Bags

- 2) Consider an Ordinance Canceling the May 10, 2008 City Officer Election in Districts #1, #3 and #5 and Declaring the Unopposed Candidates Elected to Office

Motion was made by Councilmember Denmon, seconded by Councilmember Presley, to approve all Consent Items, adopting **Ordinance No. O-33-08**, as read by Mayor Salter. Upon vote, motion passed unanimously.

REGULAR AGENDA

Presentation of Proposed PEDC Community Development Grant Projects and First Reading of Resolution

PEDC Director Brian Malone read a resolution authorizing the Palestine Economic Development Corporation to enter into and execute an economic development agreement with the Palestine Community Theater, Palestine Junior Service League and the Palestine Library.

Presentation of Additional Funding for Façade Grant Program and First Reading of Resolution

PEDC Director Malone read a resolution authorizing the Palestine Economic Development Corporation to transfer \$115,000.00 from its general operating fund to the Façade Improvement Grant Program. Discussion followed.

Consider Approval of Freese and Nichols, Inc. Professional Services Amendment #8 and Authorize City Manager to Execute an Agreement for Services

Utilities Director Robert Sedgwick presented Professional Services Amendment #8 to Council. Motion was made by Councilmember Presley, seconded by Councilmember Denmon, to approve Amendment #8 in the amount of \$27,410.00 as presented, and authorize the City Manager to execute and agreement for these services. Upon vote, motion passed unanimously.

Consider Approval of a Professional Services Contract for Reagan Park Master Plan and Authorize City Manager to Execute an Agreement for Services

Public Works Director Ron Sullivan presented the Professional Services Contract to Council. Motion was made by Councilmember Baird, seconded by Councilmember Masonheimer, to authorize the City Manager to execute a Professional Services Contract with MHS Planning & Design for the preparation of a Master Plan for Reagan Park in the amount of \$32,450.00. Discussion followed. Upon vote, motion passed unanimously.

Consider Conditional Approval of Preliminary Plat, Gregg LP Addition

Development Services Director Warren Oakley presented the preliminary plat to Council. He advised that the Planning and Zoning Commission recommended denial of the plat. Director Oakley advised that Staff has met with the property owner to discuss options for providing sewer to the site. City Manager Brown presented Council with options for sewer service to this lot and other property in the area particularly along Park Avenue. Discussion followed.

Motion was made by Councilmember Presley, seconded by Councilmember Denmon, to conditionally approve the preliminary plat, with Option #2 and the following conditions:

Option #2 - Estimated costs for sanitary sewer: gravity system with developer's cost of \$24,700.00, city's cost of \$235,500.00, with a total cost of \$260,300.00.

Conditions: (1) show date of preparation of plat, (2) show the number of lots and blocks created in the title block, (3) show adjacent property owners across Loop 256, Highway 84 and FM 323, (4) show topographic features (2-foot contours), (5) show right-of-way of Loop 256, Highway 84 and FM 323, (6) show setbacks to the rear, interiors and sides of proposed lots, (7) label plat title "A COMMERCIAL SUBDIVISION", (8) applicant to address the extension of City sewer mains to serve the lots, and (9) applicant to verify with TXDOT that all lots will have access to the Loop and provide City Staff with a letter stating this.

Upon vote, motion passed unanimously.

Consider Conditional Approval of Final Plat, Hampton Inn Addition

Development Service Director Oakley presented the final plat to Council. He advised that the Planning and Zoning Commission recommended conditional approval with the following conditions: (1) Lots 1 and 2 shall have no access to Range Road in this phase of the development. (2) A set of the accepted construction plans detailing the public improvements to be attached with the approved final plat. (3) The developer's construction and the city's acceptance of the required public improvements; or (4) The developer providing the city with assurance, approved by the City Attorney that guarantees construction of the required improvements. The value of such assurances shall be based on an estimate of the cost to construct all public improvements, as determined by the developer's engineer and approved by the City Engineer. Assurance shall take the form of performance and payment bonds, cash deposits, certificates of deposit, in the name of the city irrevocable letters of credit, or other forms as may be approved by the City Attorney.

Motion was made by Mayor Salter, seconded by Councilmember Denmon, to conditionally approve the final plat of Hampton Inn Addition, with conditions as presented. Upon vote, motion passed unanimously.

Consider an Ordinance for a Zone Change at 820 N. Church Street from C-2 (Local Retail Commercial District) to C-3 (General Retail Commercial District)

Motion was made by Councilmember Presley, seconded by Councilmember Chivers, to adopt **Ordinance No. O-34-08** for a zone change at 820 N. Church Street as presented. Upon vote, motion passed unanimously.

Consider an Ordinance for a Zone Change at 2265 S. Sycamore Street from RE (Residential Estate District) to RPO (Restricted Professional Office)

Motion was made by Mayor Salter, seconded by Councilmember Denmon, to adopt **Ordinance No. O-35-08** for a zone change at 2265 S. Sycamore Street as presented. Upon vote, motion passed unanimously.

Consider an Ordinance for a Specific Use Permit at Westwood I.S.D. for an Electronic Pole Sign

Motion was made by Councilmember Yelverton, seconded by Councilmember Denmon, to adopt **Ordinance No. O-36-08** for a specific use permit as presented. Upon vote, motion passed unanimously.

Consider an Ordinance Approving Budget Amendments for Fiscal Year 2007-08

Finance Director Bobby Pennington presented budget amendments to Council as follows: Library Loan Star Grant (\$11,142.00), AFIS Grant (\$40,000.00), and Wastewater Easements (\$90,000.00). Motion was made by Mayor Salter, seconded by Councilmember Denmon, to adopt **Ordinance No. O-37-08** approving the budget amendments as presented. Upon vote, motion passed unanimously.

ITEMS FROM COUNCIL

Councilmember Presley reported on events at the Texas State Railroad. He advised that things are progressing slowly on grant money from the State.

Councilmember Yelverton reported on positive comments regarding clean up day and Dogwood Trails.

Councilmember Baird advised that clean up day was a big success.

Councilmember Masonheimer thanked volunteers, city staff members and police officers who helped with Dogwood Trails. She congratulated Tracy Paris for being crowned Dogwood Queen. She advised of upcoming events for next weekend, including the bike ride, which will go from Texas State Railroad Park to Davey Dogwood Park, the Dulcimer Festival and Hard Hat Tours. She also commented that it is imperative that the Visitor's Center be open during festivals.

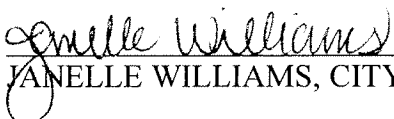
Councilmember Chivers thanked Lottie Jonas for her service on the Main Street Advisory Board. She thanked the new board members that were appointed.

ADJOURN

Motion was made by Councilmember Chivers to adjourn at 7:18 PM. Upon vote, motion passed unanimously.


CAROLYN SALTER, MAYOR

ATTEST:


JANELLE WILLIAMS, CITY SECRETARY