

Minutes of the Worksession and Regular Meeting of April 14, 2008
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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, April 14, 2008 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

Councilmembers Baird and Chivers were absent for the worksession; a quorum of the Council was present.

WORKSESSION – 4:30 PM

Discussion of formation of Palestine Health Facilities Development Corporation

Members of Council and Tim Kozik of Cartmell Home discussed benefits and restrictions for the creation of a health facilities corporation in Palestine. City Attorney Ron Stutes advised Council that the entity is primarily created to allow financing of tax exempt bonds. Bylaws and Articles of Incorporation were reviewed.

Motion was made by Councilmember Presley to recess the worksession at 5:20 PM. Mayor Salter declared the worksession recessed.

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 David Haines of Trinity Church, and was followed by the Pledge of Allegiance.

PUBLIC RECOGNITION

Council expressed congratulations to Brad Thrift for recently attaining his 'C Surface Water Operator License'.

Council also expressed congratulations to Police Officers Nick Webb, John Herod and Richard Johnson for their promotions to Sergeant, and to Fire Fighters David Taylor on his promotion to Driver and David Giles on his promotion to Lieutenant.

Mayor Salter read aloud proclamations regarding National Public Safety Telecommunicator's Week, National Public Library Week and National Volunteer Week.

PUBLIC COMMENTS

Sid Lindholm addressed Council with questions regarding the zone change request from Historic Lofts, LLC.

PUBLIC HEARINGS

Public Hearing on Amendment to the Comprehensive Zoning Ordinance to Allow Nursing/Convalescent Homes as a Permitted Use in the RPO (Restricted Professional Office) District

Mayor Salter opened the public hearing. With no one requesting to speak, the public hearing was closed.

MAYOR'S REPORT

Mayor Salter reported that the city has received the Governor's fitness grant.

Councilmember Masonheimer advised that volunteers are needed May 1st – 3rd for the Texas Music Awards event being held in Palestine. She also advised that community support is needed for this event, and tickets may be purchased online.

CITY MANAGER'S REPORT

- 1) Presentation of Annual Audit by Sandersen, Knox & Belt
- 2) Municipal Court Monthly Report
- 3) Public Works Monthly Report
- 4) Main Street Monthly Report
- 5) Development Services Monthly Report
- 6) Fire Department Monthly Report
- 7) Report of City Attorney Fees

Nathan Krupke of Sandersen, Knox & Belt presented the annual audit report to Council.

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

CONSENT AGENDA

- 1) Minutes of the Worksession and Regular Meeting of March 10, 2008
- 2) Minutes of the Regular Meeting of March 24, 2008

Motion was made by Councilmember Chivers, seconded by Councilmember Yelverton, to approve all Consent Items, with corrections to minutes of the March 10, 2008 meeting, as submitted by Mayor Salter. Upon vote, motion passed unanimously.

REGULAR AGENDA

Consider a Resolution Authorizing Palestine Economic Development Corporation to Enter Into and Execute an Economic Development Agreement with Palestine Community Theater, Palestine Junior Service League and Palestine Library

PEDC Director Brian Malone presented the resolution to Council. Motion was made by Councilmember Presley, seconded by Councilmember Baird, to adopt **Resolution No. R-10-08**, as presented. Upon vote, motion passed unanimously.

Consider a Resolution Approving PEDC Budget Amendment for Funding of Façade Grant Program

PEDC Director Malone presented the resolution to Council. Motion was made by Councilmember Presley, seconded by Councilmember Masonheimer, to adopt **Resolution No. R-11-08** as presented. Upon vote, motion passed unanimously.

Discuss Zone Change Request from Historic Lofts of Palestine, L.L.C. for Lots 1-4 and 5B, Block Q, Railroad Addition and set Public Hearing on April 28, 2008

Motion was made by Councilmember Masonheimer, seconded by Councilmember Baird, to schedule a public hearing on April 28, 2008. Upon vote, motion passed unanimously.

Consider an Ordinance Amending the Comprehensive Zoning Ordinance by Amending Use Regulations Applicable in Zoning District RPO (Restricted Professional Office) District to Allow Nursing/Convalescent Homes as a Permitted Use

Development Services Director Warren Oakley presented the proposed ordinance to Council. After a brief discussion, Council expressed that it would be premature to make this change. No action was taken.

ITEMS FROM COUNCIL

Councilmember Baird thanked the Boy Scout troop that cleaned S. Jackson Street.

Councilmember Chivers commended Toni Graser for her outstanding work at the airport as indicated in a letter written to members of Council from Mr. Will Darroh of Richmond, Texas.

Mayor Salter congratulated all city employees on their promotions.

Councilmember Denmon commended the Code Enforcement Department and asked them to raise the bar higher. He inquired on responsibility of maintenance around fire hydrants and telephone poles in the city. He also advised that the sign at Steven Bennett Park is still down.

At 7:05 PM, Mayor Salter announced that Council was going into a Closed Session, pursuant to Texas Government Code Section 551.071 to consult with its attorney.

CLOSED SESSION

Discuss Promissory Note from XPAD, Inc. and related matters

RECONVENE INTO REGULAR SESSION

At 7:22 PM, Mayor Salter reconvened the Council into open session.

Take any action necessary related to the Promissory Note from XPAD, Inc. and related matters

No action was taken on this item.


ADJOURN

Motion was made by Councilmember Chivers to adjourn the regular meeting and reconvene into the worksession. Upon vote, motion passed unanimously.

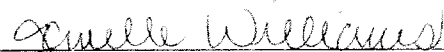
WORKSESSION

Discussion of updates to Development Code: Utility Extension Process, Sign Code, Landscaping, and Grading and Excavation

After a brief discussion, Council advised City Manager Brown to schedule a worksession on April 21, 2008 at 5:30 PM, to discuss updates to the Development Code. Motion was made by Councilmember Baird to adjourn at 7:30 PM. Upon vote, motion passed unanimously.


CAROLYN SALTER, MAYOR

ATTEST:


JANELLE WILLIAMS, CITY SECRETARY