

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 28, 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

WORKSESSION – 4:30 PM

Mayor Salter called the worksession to order at 4:35 PM. Councilmembers Baird and Denmon were absent; a quorum was present.

Discussion of Master Plan for UT Tyler-Palestine Campus

UT Tyler Board Member David Barnard presented the Council with a master plan for UT Tyler-Palestine Campus. He asked the Council to consider transferring land to the college that was previously committed by the Council of 2005. He also advised on what sort of help they may need from the city in the future, including donation of additional property and parking issues. Greg Lasson, UT Tyler's Vice President of Business Affairs, spoke to Council regarding the ripple of excitement for this project throughout the college system. Discussion followed.

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. Councilmember Denmon was absent; a quorum was present.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by David Fawcett of Antioch Baptist Church, and was followed by the Pledge of Allegiance.

PUBLIC COMMENTS

Former Mayor George Foss introduced Jonda Kubecka, Public Health Nurse for Department of State Health Services, and Sarah Minton, Program Director of Palestine Resource Center, to Council. Ms. Kubecka provided information on the Hypertension Coalition that meets on the fourth Thursday of the month from 12:00-1:00 PM. They are interested in raising awareness of community and individual hypertension problems in Anderson County, and would like to begin blood pressure screenings in the workplace beginning with the city. Ms. Minton advised that they intend to attack hypertension in the same manner that diabetes was targeted. They are holding health fairs at the churches on Sunday targeting hypertension, diabetes and obesity. Anyone interested may contact Sarah Minton at the Palestine Resource Center at 903-729-7505.

Mayor Salter reported that the city received the Governor's Fitness Grant and would like coordinate with the wellness program. She advised that Leah Ventilla will be the grant coordinator.

James Smith addressed Council with concerns of the cleanliness of streets in the community.

PUBLIC RECOGNITION

Mayor Salter read aloud proclamations regarding Knights of Columbus 100th Anniversary, Tourism Week and Water Awareness Week.

PUBLIC HEARINGS

Public Hearing on Zone Change for Historic Lofts of Palestine, L.L.C., Lots 1-4 and 5B, Block Q, Railroad Addition

Persons who spoke in favor of the zone change:

Paul Fitch, Developer of the project – Winston-Salem, NC
 Carl Avera – 941 Micheaux
 Jean Mollard – 400 N. Queen Street
 Neely Plumb – 216 S. Magnolia Street
 Pat Abston – 709 S. Sycamore Street

Persons who spoke against the zone change:

Mike Alldredge – 421 S. Magnolia Street
 Mike Alldredge on behalf of Bill Morman (sent opposition in writing)
 Elaine Triplett – 1002 E. Angelina Street
 Ron Eaton – 301 S. Magnolia Street

CITY MANAGER'S REPORT

- 1) Library Report
- 2) Quarterly Tourism Report
- 3) Report on Airport's Non-Primary Entitlement Funds
- 4) Update on Off Site Sewer for Gregg LP Addition

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

Public Works Director Ron Sullivan advised Council that he plans on making application for \$150,000 in grant funds for pavement rehabilitation of aprons and taxiways, and shoulder grading. A future budget amendment will be required for the city's portion of \$15,000.

City Manager Brown advised Council that state law is still being researched regarding the city's participation in building the off site sewer project for Gregg LP Addition. The Council may have to re-examine how the line will be built.

CONSENT AGENDA

- 1) Minutes of the Worksession and Regular Meeting of April 14, 2008
- 2) Minutes of the Worksession of April 21, 2008
- 3) Consider Accepting a Quote for Contract Services for Herbicide Application

Motion was made by Councilmember Yelverton, seconded by Councilmember Masonheimer, to approve all Consent Items as presented. Upon vote, motion passed unanimously.

REGULAR AGENDA

Consider Donation of a 3.44 Acre Tract in the William Smith Survey, A-712 and John Crist Survey, A-165 to the University of Texas System for the University of Texas at Tyler, Palestine Campus

Motion was made by Councilmember Presley, seconded by Councilmember Yelverton, to authorize the donation of a 3.44 acre tract in the William Smith Survey, A-712 and John Crist Survey, A-165 to the University of Texas System for the University of Texas at Tyler, Palestine Campus subject to the following reservations: (1) that the tract be used for the purposes of an institution of higher learning and that if facilities of higher learning are not built on or adjacent to the property by the year 2020 that it revert back to the ownership of the city, and (2) that if at some future date the tract or adjacent tracts cease to be used for an institution of higher learning that the tract will revert back to the ownership of the city. Upon vote, motion passed unanimously.

Consider an Ordinance for a Zone Change for Historic Lofts of Palestine, L.L.C., Lots 1-4 and 5B, Block Q, Railroad Addition

Motion was made by Councilmember Presley, seconded by Councilmember Masonheimer, to adopt **Ordinance No. O-38-08** changing the zoning from MF-1 Multi-family Low Density District and C-3 General Commercial District to MF-2 Multi-family Medium Density to allow for a multi-family development (apartments) on Lots 1, 2, 3, 4 and 5B, Block Q, Railroad Addition. Upon vote, motion passed 4-2 with Councilmembers Baird and Chivers voting nay.

Consider Freese and Nichols Professional Services Agreement Dated October 12, 2004-Amendment #9

No action was taken on this item.

Consider Cost Overrun for Grouting the Voids under the Lower Lake Spillway

Motion was made by Councilmember Yelverton, seconded by Councilmember Chivers, to authorize staff to amend the budget for this project by \$1,670.00 and authorize the payment of an additional \$9,320.00 to RTR Construction, Inc. of Grand Saline, Texas for the cost overruns for grouting the voids under the Lower Lake Spillway. Upon vote, motion passed unanimously.

Consider an Ordinance Placing Stop Signs on McCullough at Park, on Ross at Lamar and on Red Oak at Fort Houston

Public Works Director Ron Sullivan advised that an engineering study was done on placement of the proposed stop signs, and notice will be sent to property owners regarding the change. Motion was made by Councilmember Chivers, seconded by Councilmember Baird, to adopt **Ordinance No. O-39-08** directing the placement of stop signs on McCullough at Park, on Ross at Lamar and on Red Oak at Fort Houston. Upon vote, motion passed unanimously.

Consider a Resolution Requesting an Amendment to the Texas Capital Fund Contract, Number 725012, between the Texas Department of Agriculture and City of Palestine

Public Works Director Sullivan advised that the 9,000-gallon wet well as designed by WFA is sufficient. Motion was made by Councilmember Presley, seconded by Councilmember Masonheimer, to adopt **Resolution No. R-12-08** requesting an amendment to the Texas Capital Fund Contract, Number 725012. Upon vote, motion passed unanimously.

Consider Authorizing the City Manager to Request Proposals for Operation of a Senior Citizens Center

Motion was made by Mayor Salter, seconded by Councilmember Baird, to authorize the City Manager to solicit proposals for the provision of the senior activity program for the city. Upon vote, motion passed unanimously.

Consider Creation of Palestine Health Facilities Development Corporation

Motion was made by Councilmember Baird, seconded by Councilmember Masonheimer, to tentatively approve **Resolution No. R-14-08** and authorize Mayor Salter to recommend board of directors and incorporating officers, to be presented at the next meeting. Upon vote, motion passed unanimously.

Consider a Resolution Authorizing Continued Participation with the Steering Committee of Cities Served by Oncor Electric Delivery Company

Motion was made by Councilmember Baird, seconded by Councilmember Chivers, to adopt **Resolution No. R-13-08** providing continued support and authorizing the payment of .10 cents per capita to the Steering Committee. Upon vote, motion passed unanimously.

Consider Establishing Date for Second Council Meeting of May 2008

Motion was made by Mayor Salter, seconded by Councilmember Masonheimer, to hold one Council meeting for the month of May, on the third Monday (May 19th) beginning at 4:30 PM with a worksession on the Development Code. Upon vote, motion passed unanimously.

ITEMS FROM COUNCIL

Councilmember Presley reported that the American Cancer Society's Relay for Life will be held on May 16th at Westwood High School Stadium from 7:00 PM to 7:00 AM. They are in need of volunteers and sponsors from \$100.00 up. Anyone interested may contact Sara McDonald at 903-724-4178.

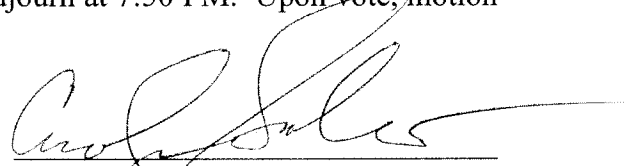
Councilmember Masonheimer reported that the Texas Music Awards will be held on Saturday, May 3rd starting at 2:00 PM, with the red carpet starting at noon. Anyone interested in volunteering for this event should contact Susan Cottle-Leonard at the CVB.

Councilmember Chivers encouraged residents and churches to participate in the wellness program.

Mayor Salter welcomed new employees who have come to work for the City of Palestine, congratulated those who have received promotions, encouraged those who have received transfers and wished them the best of luck in their new positions.

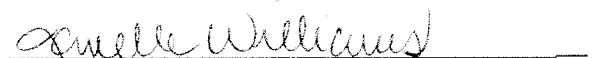
ADJOURN

Motion was made by Councilmember Chivers to adjourn at 7:50 PM. Upon vote, motion passed unanimously.



CAROLYN SALTER, MAYOR

ATTEST:



JANELLE WILLIAMS, CITY SECRETARY