

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, May 18, 2009 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

All Councilmembers were in attendance; a quorum was present.

**WORKSESSION – 4:30 PM**

Mayor Salter called the worksession to order at 4:30 PM.

Revisions to Development Code regarding signs and off-street parking were discussed. Council requested that a public forum be held regarding the sign ordinance.

Motion was made by Councilmember Baird to recess. The worksession was recessed at 5:25 PM.

**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 Paul Jones of Court Drive Church of Christ, and was followed by the Pledge of Allegiance.

**PUBLIC RECOGNITION**

Fire Chief Henry York was recognized by the Council for his 40<sup>th</sup> anniversary with Palestine Fire Department.

**OFFICIAL CANVASS OF THE MAY 9, 2009 CITY OFFICER ELECTION**

Motion was made by Councilmember Denmon, seconded by Councilmember Masonheimer, to approve the official canvass of the May 9, 2009 City Officer Election. Upon vote, motion passed unanimously.

**OATH OF OFFICE FOR NEWLY ELECTED OFFICIALS**

Municipal Court Judge Bill Curley administered the Oath of Office to new elected Councilmembers Vernon Denmon, Jr., James H. Yelverton, and Steve Presley.

**MAYOR'S REPORT**

Mayor Salter extended additional thank yous to staff members for their efforts to serve the city well during her tenure as Mayor.

Mayor Salter advised that she will not be resigning as previously indicated at the April 27, 2009 Council meeting.

Mayor Salter expressed concerns from the tennis association regarding the tennis courts at Reagan Park being taken out before a new tennis facility goes in.

**CITY MANAGER'S REPORT**

Public Works Director Ron Sullivan reported that the city has recently benefited from several donations from both the local Wal-Mart Store and Wal-Mart Distribution Centers. The Wal-Mart Store donated 18 pallets of St. Augustine sod toward the recent playground improvements that the Junior Service League initiated in Reagan Park, Wal-Mart Distribution Center 6036 refurbished the restrooms at the Athletic Complex, and the Transportation Division and the store combined efforts to donate 40 pallets of Bermuda sod toward the improvements in Reagan Park.

Departmental Reports for Municipal Court, Development Services, Library, Police, Fire, Main Street and Public Works were provided.

**BOARD APPOINTMENTS**

Motion was made by Councilmember Presley, seconded by Councilmember Yelverton, to appoint Councilmember Andrea Baird as Advisor to the Youth Advisory Council. Upon vote, motion passed unanimously.

**CONSENT AGENDA**

- 1) Consider a Resolution to Accept an Equipment Only Grant in the Amount of \$51,408.00 for the Purchase of Mobile Computers for Patrol Vehicles
- 2) Consider a Resolution to Accept an Equipment Only Grant in the Amount of \$51,139.12 for the Purchase of Mobile Video Camera Systems
- 3) Consider Award of Bid #2009-12 for Gasoline and Diesel Fuel
- 4) Consider an Ordinance Calling for a Runoff Election to be held on June 13, 2009 for the purpose of Electing a Mayor
- 5) Minutes of the Special Meeting of March 12, 2009
- 6) Minutes of the Worksession and Regular Meeting of March 23, 2009
- 7) Minutes of the Special Meeting of March 26, 2009
- 8) Minutes of the Regular Meeting of April 13, 2009
- 9) Minutes of the Worksession and Regular Meeting of April 27, 2009

Motion was made by Councilmember Chivers, seconded by Councilmember Baird, to approve Consent Items 1 through 9 as presented, adopting **Resolution No.'s R-16-09** and **R-17-09**, and **Ordinance No. O-27-09**. Upon vote, motion passed unanimously.

**REGULAR AGENDA****Consider an Amendment to Mountain Pure Water Tax Abatement Agreement**

Discussion was held by Council, Staff and Mountain Pure Water Representatives John Stacks, Tracy Bush and Garland Cotton regarding the tax abatement agreement. Motion was made by Councilmember Denmon, seconded by Mayor Salter, to approve the revised tax abatement agreement with Mountain Pure TX, LLC. Upon vote, motion passed 6-1 with Councilmember Baird voting nay.

After further discussion, motion was made by Councilmember Chivers, seconded by Councilmember Denmon, authorizing the City Manager to make typographical corrections in alignment with the original agreement. Upon vote, motion passed unanimously.

**Consider Approval of PEDC Strategic Plan**

After discussion motion was made by Mayor Salter, seconded by Councilmember Denmon, to adopt the PEDC Strategic Plan dated January 2009, with conditions: (1) to incorporate the implementation matrix document into the strategic plan, (2) that PEDC report to Council on a quarterly basis on progress, to include progress and development of five major goals: Clean Energy, Target Industries, Logistics and Distribution, Healthcare, and Tourism. Upon vote, motion passed unanimously.

**Consider an Ordinance Placing Stop Signs at Various Locations in the Homestead Addition**

Motion was made by Councilmember Denmon, seconded by Councilmember Baird, to adopt **Ordinance No. O-28-09** as presented by Public Works Director Ron Sullivan. Upon vote, motion passed unanimously.

**Consider an Amendment to Parks Ordinance Designating the North Tennis Courts as Multi-Purpose Courts**

Motion was made by Councilmember Presley, seconded by Councilmember Yelverton, to approve a revision to the Parks Ordinance designating the north tennis courts as multi-purpose courts as presented by Public Works Director Sullivan (Section 86-134 Prohibited Acts, (2) Use any facility for a purpose other than the purpose for which it was designed, constructed or as posted). Upon vote, motion passed unanimously.

**Consider Renewal of Farmer's Market Contract**

After discussion, motion was made by Mayor Salter, seconded by Councilmember Presley, to remand this item to Main Street Advisory Board and Main Street Manager Neely Plumb to assemble a study group and report to Council with recommendations, and to authorize the City Manager to extend the contract on a month to month basis as he sees fit. Discussion was held regarding banning Mr. Abrams from the Farmer's Market. Upon vote, motion passed unanimously.

**Discuss Final Report from Planning and Zoning Commission on Zoning Change from I-1 (General Industrial District) to R-1 (Single Family Detached Low Density District) and set a Public Hearing on June 8, 2009**

Motion was made by Councilmember Baird, seconded by Councilmember Masonheimer, to set a public hearing on the zone change for June 8, 2009. Upon vote, motion passed unanimously.

Council reconvened into the Worksession. Discussion was held regarding Off-Street Parking. Council reconvened into Open Session at 7:05 PM.

Consider an Ordinance Amending Development Code Regarding Signs, Off-Street Parking and Driveway Standards

Motion was made by Councilmember Presley, seconded by Councilmember Masonheimer, (1) to adopt **Ordinance No. O-30-09**, amending Article 17.2 of Ordinance O-20-92, Temporary Parking Lots, adding the wording 'no significant amount of dust', and (2) to table Development Code Sections regarding Signs and Driveway Standards. Upon vote, motion passed unanimously.


**ITEMS FROM COUNCIL**

Councilmember Presley reported on activities at the Texas State Railroad including the Little Engine That Could event, adding that TSRR is the international home of the Little Engine.


Councilmember Denmon reported on an upcoming Memorial Day event that will be held at the Texas State Railroad, including re-enactors, military train rides, helicopter rides, and other all day activities.

**ADJOURN**

Motion was made by Councilmember Denmon to adjourn at 7:25 PM. Upon vote, motion passed unanimously.

  
CAROLYN SALTER, MAYOR

ATTEST:

  
JANELLE WILLIAMS, CITY SECRETARY