

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 9, at 4:30 p.m. for the Work Session in the City Hall Conference Room, and at 5:30 p.m. for the Regular Meeting in the Council Chambers at City Hall, 504 N. Queen Street, Palestine, Texas, with the following people present:

Mayor Therrell Thomas; Mayor Pro Tem Vickey L. Chivers; Councilmembers Vernon Denmon, Jr., Joseph Thompson, Doug Smith, and Steve Presley; City Manager Wendy Ellis, City Secretary Teresa Herrera, and City Attorney Ronald Stutes.

Other staff present: Interim Police Chief Mike Alexander, Police Lt. Jeffrey Powell, Development Services Director Jeffrey Lyons, Main Street Manager Laura Westgate, Utilities Director Robert Sedgwick, and Fire Chief Alan Wilcher.

Mayor Pro Tem Chivers arrived at 4:40 p.m. Councilmember Harding was absent for the work session and regular meeting. A quorum of the City Council was present.

WORK SESSION

Mayor Thomas called the work session to order at 4:30 p.m.

Discussion and update regarding Police Department assessment and plan of action moving forward

Discussion was held regarding the Limited Assessment of the Palestine, Texas Police Department conducted by Daniel J. Busken with Texas Municipal Police Association (TMPA). Interim Police Chief Alexander informed that he did not read the assessment results at first. He waited five months to read them because he was conducting his own assessment of the department prior to reading the results from TMPA. Once, he read the TMPA assessment, he found that the assessments mirrored each other. Assessment showed that the department has absence of trust, fear of conflict, lack of commitment, avoidance of accountability, and inattention to results. Currently, the composition of the police department is the following: one police chief, two lieutenants, five sergeants, five corporals, five detectives, and 20 police officers. They are proposing the following: one police chief, two captains, three lieutenants, five sergeants, six corporals, six detectives, and 18 police officers.

Under the current composition there are a few people that have one too many responsibilities and it's very difficult to hold anyone accountable. The proposed reorganization will allow the City to centralize a lot its work and will be able to conduct investigations as needed for the City in other departments. The department will continue with its efforts in Community Policing, which is a priority for City Council. As part of the community policing the Code Enforcement officers have been moved to the Police Department the positions were removed from Development Services. Also, the Police Department will be fully staffed by the fall of 2015. Once is it fully staffed the overtime will reduce significantly. The department wants feedback from Council regarding the proposed composition and approval to move forward with changes.

The following were Councils concerns with proposed composition:

Mayor Thomas asked if the next police chief will agree with the proposed organization of the department. Interim Police Chief Alexander answered yes, if the right person is hired, someone who is interested in the community and the department. Council agrees with the changes but they question whether the City could afford the changes. The proposed changes would be additional \$250,000 per fiscal year.

Councilmember Denmon states that Chief Alexander was brought in to identify the issues and propose a plan of action. At this point he is presenting the plan and Council needs to allow him to make the changes to have a healthy and productive department.

Mayor Pro Tem Chivers expressed that she liked the reorganization and believes this will be a good move for the department.

Also, pay needs to be adjusted for the officers. Smaller communities are paying their officers more money than the City of Palestine. Most of the surrounding cities pay more than our department.

Discussion of proposed reorganization of possible new positions of drivers in Fire Department

This item was not discussed.

Discussion of City wide organization

This item was not discussed.

With no other business to come before the Council, the work session was adjourned at 5:26 p.m.

CALL TO ORDER – REGULAR MEETING

Mayor Thomas called the Regular Meeting to order at 5:30 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Mayor Thomas, and was followed by Pledge of Allegiance.

PUBLIC COMMENTS, PUBLIC RECOGNITION, AND ANNOUNCEMENTS

James Smith addressed Council regarding City Government.

Jacquelyn Roberts-Blair addressed Council regarding lease agreement between the City and Anderson County Veterans Service Center. She was concerned about the increase in rent.

James E. Sullivan, Jr. addressed Council regarding the issue of rent increase at Veterans Service Center at Palestine Mall.

Evelyn Cupit addressed Council regarding the contract renewal for Veterans Service Center. She said that the Veterans add value to the building.

City Manager Ellis introduced new Emergency Management Coordinator Scott Parkhurst. She added that Mr. Parkhurst is a former member of the U.S. Coast Guard for 24 years, certified trainer, and he will be the NIMS courses trainer. Mr. Parkhurst thanked Council for the opportunity to serve the City.

City Manager Ellis informed that on an annual basis the City submits its application to the National Main Street Center for 10 Standards of Performance report to qualify for national recognition. The City has obtained a score of 95 or higher in the last 5 out of 6 years. The National Main Street Recognition Award was accepted by Main Street Manager Laura Westgate and Board Members: Mary Jean Mollard, Dana Mathews, Vicki Hills, and William Young.

Chief Alexander introduced Police Officer Clane Rice and welcomed him to the department.

OATH OF OFFICE FOR NEW POLICE OFFICER

Police Officer Clane Rice recited the Oath of Office, given by Municipal Court Judge William Curly.

CONFLICT OF INTEREST DISCLOSURES

Councilmember Thompson filed affidavit on abstention from voting on Item 3 of the Regular Agenda.

PUBLIC HEARING

Public Hearing regarding a specific use permit for a church at 410 and 412 McClellan Street

Development Services Director Lyons presented a summary of request. He said that twenty-six notices were mailed to adjacent property owners and only one was returned in favor of the request. None were returned in opposition. Mr. Bobby J. Thomas, the owner, has submitted a specific use permit request to construct a new

church at this location. Mayor Thomas opened the public hearing and asked for anyone speaking for or against the request to do so. Mr. Bobby J. Thomas spoke in favor. With no other speakers, Mayor Thomas closed the public hearing.

MAYOR'S REPORT

No report was provided.

ITEMS FROM COUNCIL

Councilmember Presley reported on the following events: 1) Valentine's Dinner Train on Saturday, February 14th, Palestine Depot; 2) Easter Egg Express on Saturday, March 28th & Sunday, March 29th and on Friday, April 3rd & Saturday, April 4th, Rusk Depot; 3) Dogwood Special Brunch Train on Sunday, March 29th, Palestine Depot; and 4) Steampunk Express (Cogs, Leather, Lace & Steam) on Friday, April 24th, Saturday, April 25th, & Sunday, April 26th, Palestine Depot. He added that the TSRR is adding new events to attract different age groups.

Mayor Pro Tem Chivers provided information regarding the City Wide Clean-up Day, March 14th and Coffee with a Cop, March 18th at Birds Egg Café from 8:00 a.m. to 10:00 a.m.

CITY MANAGER'S REPORT

City hosted a field trip for 140 2nd graders of Westwood Elementary. City Manager Ellis commended City staff on a job well. Also, for \$46 a month City residents receive 24 hour Fire and Police protection, Library services, parks & green spaces, city streets, building & health inspections, animal control, court services, emergency management, and airport, this information was presented by City Manager Ellis at the Rotary Club.

City Manager Ellis reported on the following activities: 1) Dogwood Trails Celebration, March 21st in downtown Palestine; 2) Egg-normous Easter Egg Hunt, March 28th at the Athletic Complex; and 3) Book Festival, March 28th at the Palestine Public Library.

Departmental reports for Development Services, Utilities, Municipal Court, and Public Works were provided. Also, City Attorney Fees report was provided.

BOARD APPOINTMENTS

Consider appointment of Dana Goolsby to fill unexpired term to place 3 to the Tourism Advisory Board replacing Jodi Harding

Councilmember Presley made a motion, seconded by Councilmember Harding, to approve the appointment as presented. Upon vote, motion carried unanimously.

CONSENT AGENDA

- 1) Consider approval of Minutes of the Work Session and Regular Meeting of December 8, 2014
- 2) Consider approval of Special Meeting of January 9, 2015
- 3) Consider approval of Minutes of the Work Session and Regular Meeting of January 12, 2015
- 4) Consider approval of Minutes of the Work Session and Regular Meeting of January 26, 2015
- 5) Consider approval of Minutes of the Work Session and Regular Meeting of February 9, 2015
- 6) Consider approval of Minutes of the Work Session and Regular Meeting of February 23, 2015

Mayor Pro Tem Chivers made a motion, seconded by Councilmember Thompson, to approve the Consent Agenda as presented. Upon vote, motion carried unanimously.

REGULAR AGENDA

Consider renewal of Lease for Veterans Historic Education Center at Palestine Mall

City Manager Ellis informed that Staff and Real Estate Committee recommends that Council continue the current lease at the same rate and duration. Council clarified that the information regarding rent increase was incorrect information. Councilmember Smith made a motion, seconded by Councilmember Presley, to renew

lease agreement for Veterans Historic Education Center at Palestine Mall with no changes from previous lease. Upon vote, motion carried unanimously.

Consider an Ordinance amending Specialty Seniority Pay for Newly Hired Officers with prior full time paid Law Enforcement Experience

Police Lt. Powell presented a summary of the amendments to the current ordinance. The Police Department seeks to attract candidates with previous police experience and allow the incoming officer to obtain the equivalent Seniority Step Pay System. The candidate must endure a one year probationary period. Councilmember Denmon made a motion, seconded by Councilmember Thompson, to adopt **Ordinance No. O-08-15**, amending specialty seniority pay for newly hired Officers with prior full-time paid Law Enforcement experience. Upon vote, motion carried unanimously.

Consider request from Mr. Sussdorf to utilize City property located next to the historic jail for future placement of a bell tower

Councilmember Thompson filed a conflict of interest disclosure with the city secretary. Community Services Director Crouch presented a summary of request. Mr. Sussdorf addressed Council and provided project details. Mr. Sussdorf is requesting to utilize City property located next to the historic jail to install a bell tower. Parks Board members voted and passed on the bell tower. This project is of no expense to the City. The project is being funded by private donations. Council asked if the Anderson County Master Gardeners' had been informed of the request to install the bell tower. Community Services Director Crouch answered no. Councilmember Denmon made a motion, seconded by Councilmember Smith, to approve request from Mr. Sussdorf to utilize City property located next to the historic jail for future placement of a bell tower with stipulation to return at a later date with more details and drawings related to the project. Upon vote, motion carried unanimously.

Consider an Ordinance for a specific use permit for a church at 410 and 412 McClellan Street

Development Services Director Lyons informed Council that the property is currently four separate lots which will need to be combined into one single lot prior to development. This lot size will limit the size of the church building due to the area needed for landscaping, setbacks, and public parking. They will be required to have off-street parking. The Planning and Zoning Commission recommended approval of the specific use permit subject to the following conditions: 1) the specific use permit is not transferrable to any other owner or entity; and 2) the specific use permit is null and void if a building permit has not been obtained two years after approval. Mayor Pro Tem Chivers made a motion, seconded by Councilmember Thompson, to adopt **Ordinance No. O-09-15**, allowing for a specific use permit for a church at 410 and 412 McClellan Street with stipulations as recommended by the Planning and Zoning Commission. Upon vote, motion carried unanimously.

Consider an Ordinance approving a Budget Amendment for Fiscal Year 2014-2015 for Main Street

Main Street Manager Westgate informed Council that Main Street budget incurred a lot of the expenses from the skating rink which brought in revenue for the City. Also, revenue earned to cover expenses, zero impact on budget just moving money from one line item to another line item. There is a profit amount left over of \$830.47. Councilmember Presley made a motion, seconded by Councilmember Thompson, to adopt **Ordinance No. O-10-15** as presented. Upon vote, motion carried unanimously.

CLOSED SESSION

Mayor Thomas announced that Council would go into Closed Session pursuant to Section 551.072 regarding real estate and Section 551.074 regarding personnel matters. The time was 6:26 p.m.

- 1) Discuss the possible sale of City owned property;
- 2) Discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager;
- 3) Discuss the appointment of an interim finance director, possible adoption of procedures for searching for a new finance director, possible use of a search firm to recruit candidates, possible appointment of a search committee, discussion of candidates for the finance director position, discussion of the finance director duties and job description, discussion of the desirable

characteristics of a new finance director, possible terms of a contract with a new finance director, or possible appointment of a new finance director.

RECONVENE IN REGULAR SESSION

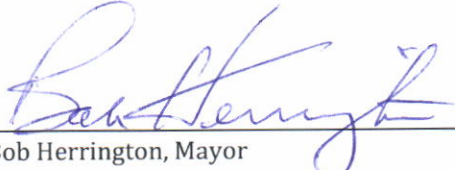
Mayor Thomas reconvened the Council into open session at 8:56 p.m.

Councilmember Denmon made a motion, seconded by Councilmember Smith, to allow the city manager to hire a search firm to search for a finance director. Upon vote, motion carried unanimously.

ADJOURN

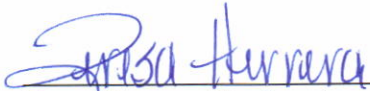
With no other business to come before the Council, the meeting was adjourned at 8:56 p.m.

PASSED AND APPROVED THIS 8TH DAY OF JUNE, 2015.



Bob Herrington, Mayor

ATTEST:



Teresa Herrera, City Secretary

