

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, November 23, 2015 at 4:00 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 Pro Tem Adam Harding; Councilmembers Mitchell Jordan, Vickey L. Chivers, Joseph Thompson, Doug Smith, and Steve Presley; Interim City Manager Mike Alexander, City Secretary Teresa Herrera, and City Attorney Ronald Stutes.

Other staff present: Development Services Director Jeffrey Lyons, Building Official Mark Miers, Water/Waste Water Superintendent Curtis Logan, Utilities Director Robert Sedgwick, Interim Finance Director Becky Roseberry, Customer Service Clerk Victoria Minton, Special Projects Coordinator Heather Powell, Fire Chief Alan Wilcher, and Police Captain James Muniz.

Others present: Will Brule, Isaac Wynn, Alex Nemer, and James Davis.

Mayor Bob Herrington was absent for the work session and regular meeting. Councilmember Jordan arrived at 5:25 p.m. A quorum was present.

#### **WORK SESSION**

Mayor Pro Tem Adam Harding called the work session to order at 4:07 p.m.

#### **Discuss adoption of the 2012 Edition of the International Existing Building Code and 2012 Edition of the International Property Maintenance, and 2011 National Electrical Code with local amendments.**

Building Official Miers provided Council with an update on significant changes to the 2012 International Existing Building Code:

- Smoke alarms in existing portions of a building.
- Automatic sprinkler protection.
- Smoke alarms in new construction.
- Fire wall alternatives.

#### **2012 International Property Maintenance Code**

- Gates if provided and hardware shall be maintained in good condition.
- Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements.
- Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

#### **2011 National Electrical Code**

- To amend the definition for Intersystem Bonding Termination Article 100. To allow for a termination point for other bonding conductors in addition to communication systems that are required by the various model codes.
- To change the wording in Article 110.2 to add clarity and provide more positive options for enforcement and approval of unlisted equipment.
- To change the wording in Article 210.12 and add exception to Article 230.71(A). This is currently the accepted installation practice of the region. No noteworthy complaints have surfaced. It is more reasonable than the NEC requirements. It allows more than six disconnects grouped at one location. This also allows designers more flexibility in the placement of electrical meters and main service disconnects.
- Delete Article 240.91.

- To add an exception to Article 300.11 to provide limited support of raceways and cables by ceiling grid support wire.
- To change the wording in Article 310.15(B)(7) to provide a more reasonable margin of safety for dwelling service and feeder conductor allowable ampacities.
- To change the wording in Article 505.7(A) to better identify who is qualified to implement Zone Classification Systems.
- To change the wording in Article 680.25(A) to allow for more flexibility of wiring methods associated with this type of installation.

Development Services Director Lyons informed that Development Services Department would enforce all the changes.

Discuss products and services offered by Mueller Systems and discuss any other options for improving water infrastructure, metering, and related equipment, water conservation equipment, fixtures, or practices for city facilities, and funding options for such projects.

Fred Quintero with Mueller Systems provided Council with information regarding products and services that Mueller Systems offers. Their products are manufactured, assembled and tested using the most modern technologies, with emphasis on multi-station computerized machining and robotic assembly stations. Mr. Quintero did not submit an RFQ in the summer.

With no other business to come before the Council, the work session was adjourned at 5:28 p.m.

#### **CALL TO ORDER - REGULAR MEETING**

Mayor Pro Tem Harding called the Regular Meeting to order at 5:34 p.m.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given and was followed by Pledge of Allegiance.

#### **PUBLIC COMMENTS, PUBLIC RECOGNITION, AND ANNOUNCEMENTS**

Dana Goolsby addressed Council regarding discrimination and behavior of City leaders.

Police Captain Muniz recognized Officers Kaylyn Griffin, Mark Harcrow, Joseph Hesseltine, Daniel Lacey, Jason Lewis, and Michael Miller for their promotion to Corporal.

#### **CONFLICT OF INTEREST DISCLOSURES**

No action was taken.

#### **MAYOR'S REPORT**

No report presented.

#### **ITEMS FROM COUNCIL**

Recognition by Council

- Mayor Pro Tem Harding and Councilmember Presley recognized Citizens in the Community that continuously perform good deeds without recognition.
- Councilmember Smith recognized Palestine Fire Department – Dive Team who helped recover the four bodies in pond at Tennessee Colony.

Councilmember Presley reported on the following activities at the Texas State Railroad:

- 33,000 tickets have already been sold for Polar Express.

Update on Community Events

- Councilmember Smith reminded everyone to Buy Local, Eat Local, and Shop Local.
  - December 5 - Breakfast with Santa at 8:30 a.m.
  - December 5 - Christmas Parade of Light and Lighting of the Courthouse at 7:00 p.m.

- December 6 - Anderson County Community Chorus will perform at the Palestine High School Auditorium at 2:00 p.m.
- Texas Theatre production FrUiTcAkEs will take place the weekend of December 10, 11, 12, & 13, 2015.
- Councilmember Chivers reminded everyone of Christmas in Palestine, Toys for Tots box in the lobby, and Freedom Fellowship Church is hosting a canned food drive.
- Councilmember Jordan congratulated the 10 Youth Boys of Palestine for their win of their Super Bowl over Corsicana. Also, Dogwood Youth Sports will have sign-ups at Wendy's.
- Mayor Pro Tem Harding encouraged people to volunteer for City events. Also, Dogwood Jamboree will take place December 5 at the Civic Center.
- Councilmember Presley reminded everyone to get flu shots.

### **CITY MANAGER'S REPORT**

Interim City Manager Alexander informed that Department Directors were present to answer any questions from Council regarding the reports submitted.

City attorney fees; departmental reports for Utilities and Municipal Court were provided.

### **CONSENT AGENDA**

- 1) Consider approval of minutes of the Work Session and Regular Meeting of November 9, 2015.
- 2) Consider approval of purchase of a 700 gallon back-up sewer jet trailer.

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

### **REGULAR AGENDA**

Consider an Ordinance granting to Oncor Electric Delivery Company LLC, its successors and assigns, an electric power franchise to use the present and future streets, alleys, highways, public utility easements, public ways, and public property of the City of Palestine, Texas.

City Attorney Stutes provided Council with a brief summary on items 1 and 2. Franchise revenue for Oncor as of November 10<sup>th</sup> is \$511,174; one more payment is expected of about \$209,000 for total amount for the year of \$720,174. Franchise revenue for Atmos as of November 10<sup>th</sup> is \$114,590; one more payment is expected of about \$22,000 for total amount for the year of \$136,590.

Councilmember Presley made a motion, seconded by Councilmember Thompson, to adopt **Ordinance No. O-46-15**, as presented. Upon vote, motion carried unanimously.

Consider an Ordinance granting to Atmos Energy Corporation, a Texas and Virginia Corporation, its successors and assigns, a franchise to construct, maintain, and operate pipelines and equipment in the City of Palestine, Texas, for transportation, delivery, sale, and distribution of gas in, out of, and through said city for purposes.

Councilmember Chivers made a motion, seconded by Councilmember Thompson, to adopt **Ordinance No. O-47-15**, as presented. Upon vote, motion carried unanimously.

Consider an Ordinance amending Section 22-41 and Section 22-44 of the Palestine Code of Ordinances adopting the 2012 Edition of the International Existing Building Code and 2012 Edition of the International Property Maintenance, and 2011 National Electrical Code with local amendments.

Development Services Director Lyons provided Council with a summary. These changes will improve the City's ISO rating. Councilmember Presley made a motion, seconded by Councilmember Thompson, to adopt **Ordinance No. O-48-15**, and to add "or Licensed Professional Architect" to Article 505.7(A). Upon vote, motion carried unanimously.

Consider authorizing Fire Chief to move forward with the purchase of a new fire truck.