

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, December 14, 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: Fire Chief Alan Wilcher, Emergency Management Coordinator Scott Parkhurst, Development Services Director Jeffrey Lyons, and Health Inspector Ricky Dorsey.

Others present: Will Brule, Isaac Wynn, Jennifer Sheridan, and Alex Nemer.

Mayor Bob Herrington was absent.

WORK SESSION

Mayor Pro Tem Harding called the work session to order at 4:11 p.m.

Discuss repealing Chapter 58 Article II, Health and Sanitation, of the Palestine Code of Ordinances, and adopting a new Chapter 58 Article II, Health and Sanitation, to implement changes to state laws relating to food establishments.

Health Inspector Dorsey provided Council with a summary. Any business that is considered a food service establishment either permanent or temporary must obtain a health permit prior to operating. All permanent food service establishments and food retail stores are required to renew their health permits at the end of each calendar year. Temporary food service establishments such as food vendors operating at festivals receive a one-time health permit good for the duration of the event. Food Establishment permits fees cover the cost of two yearly inspections and any required plan reviews and consultations with the applicant. The permit fees are based on the type of the business such as retail food, permanent or mobile food establishments and temporary food establishments.

Discuss amendments to the fees for food service establishments as found in Appendix B, Fee Schedule, of the City of Palestine Code of Ordinances.

Development Services Director Lyons explained that in addition to updating the health and sanitation ordinance, the Health Inspector has reviewed the existing food establishment fees and is recommending increasing those fees and consolidating the list of establishment types as shown in the fee schedule. Staff has included a table comparing Palestine's food establishment fees with Jacksonville, Corsicana and Waxahachie and a table showing Palestine's existing food establishment fees and the recommended increases. We have not been able to determine if these fees have ever been increased in the past but it is reasonable to assume that they have not changed in at least 20 years.

Discuss Fire Protection and Hazardous Material Response Services Agreement with the Baze Chemical Facility in Anderson County.

Lengthy discussion was held regarding this item. The Baze Chemical Facility is within the City's ETJ; therefore, the fire department is required to respond to any fire at the facility. Baze is proposing to buy 12 special chemical protection suits for the Fire Department and buy additional suit annually. Baze is asking that the City remove the \$25,000 annual payment to the City. The contract will be approved at a regular City Council meeting.

With no other business to come before the Council, the work session was adjourned at 5:21 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 by Councilmember Smith, and was followed by Pledge of Allegiance.

PUBLIC COMMENTS, PUBLIC RECOGNITION, AND ANNOUNCEMENTS

John Ballard McDonald addressed Council regarding Marketing Director Breezy Lake-Wolfe.

New Police Officers: Gricelda Ariciaga, Clifton Farris, and Zachary Smith were recognized.

CONFLICT OF INTEREST DISCLOSURES

No action was taken.

MAYOR'S REPORT

No report.

ITEMS FROM COUNCIL

City Council recognized Mike Kelly for investing his time at Westwood ISD by helping the students plant a garden. Mr. Kelly informed that the fruits of the garden were donated to the community.

Councilmember Presley provided an update on The Polar Express at Texas State Railroad.

Councilmember Chivers reminded everyone of the Angel Tree for Elderly in the lobby and wished everyone a Merry Christmas.

Councilmember Smith informed the community of various events during the Holiday Season.

Mayor Pro Tem Harding wished everyone a Merry Christmas.

CITY MANAGER'S REPORT

Interim City Manager Alexander informed that department directors were present to answer any question from the reports provided to Council.

City Attorney fees and departmental reports for Municipal Court, Police CID, Development Services, Library, and Public Works were provided.

City Attorney Stutes provided a brief update from Charter Review Committee and a report was also provided to Council.

OPEN BIDS

Bids were received and opened for Water and Wastewater Chemicals Bid # B2016-01.

Brenntag Southwest, Inc. – St. Gabriel, LA
F2 Industries, LLC. – Smyrna, TN
Affinity Chemical, LLC. – Dallas, TX
Univar – Kent, WA
Calgon Carbon Corporation Moon Town, PA
Chemtrade Chemicals – Parsippany, NJ
Carus Corporation – Peru, IL
Polydyne, Inc. – Riceboro, GA
Geo Specialty Chemicals – Little Rock, AR
Shannon Chemical – Exton, PA
Fort Bend Services, Inc. – Stafford, TX
SW Chemical Services – McAlester, OK

Pennco, Inc. – Sealy, TX
Commercial Chemical Products – Houston, TX
Chameleon Industries Inc. – Mesquite, TX

REGULAR AGENDA

Consider authorizing Utilities to go out for Request for Engineering Qualifications for Water Plant Filter Rehabilitation.

Utilities Director Sedgwick provided Council with a summary. Councilmember Thompson made a motion, seconded by Councilmember Chivers, to authorize Request for Engineering Qualifications for Water Plant Filer Rehabilitation. Discussion was held. Upon vote, motion carried unanimously.

Consider authorizing Public Works the purchase a Noram Motor Grader Model 65E from Buy Board in the amount of \$154,447.78.

Public Works Director Perry provided Council with a summary. Councilmember Thompson made a motion, seconded by Councilmember Smith, to authorize the purchase. Discussion was held. Upon vote, motion carried unanimously.

Consider authorizing the City Manager to negotiate and execute a contract with Schaumburg & Polk to provide Engineering Services for the Community Development Block Grant.

Public Works Director Perry provided Council with a summary. Councilmember Presley made a motion, seconded by Councilmember Thompson, to authorize the City Manager to negotiate and execute a contract with Schaumburg & Polk to provide Engineering Services for the Community Development Block Grant. Discussion was held. Upon vote, motion carried unanimously.

Consider authorizing the City Manager to enter into a contract with Traylor and Associates to provide Grant Administration Services for the Community Development Block Grant.

Public Works Director Perry provided Council with a summary. Councilmember Presley made a motion, seconded by Councilmember Jordan, to authorize the City Manager to enter into a contract with Traylor and Associates to provide Grant Administration Services for the Community Development Block Grant. Discussion was held. Upon vote, motion carried unanimously.

Consider a month to month lease for Suite #25 at the Palestine Mall with Bernard Becker dba TEXAMERA.

Interim City Manager Alexander provided Council with a summary. Councilmember Presley made a motion, seconded by Councilmember Chivers, to approve a month to month lease at the Palestine Mall with Bernard Becker dba TEXAMERA. Discussion was held. Upon vote, motion carried unanimously.

Consider a month to month lease for area by Bishops' BBQ (Common Concourse Area) at Palestine Mall with Ashly McGruder.

Interim City Manager Alexander provided Council with a summary. Councilmember Thompson made a motion, seconded by Councilmember Chivers, to approve a month to month lease for area by Bishops' BBQ (Common Concourse Area) at Palestine Mall with Ashly McGruder. Upon vote, motion carried unanimously.

Consider approval of a Fire Protection and Hazardous Material Response Services Agreement with the Baze Chemical Facility in Anderson County, Texas, and 84 East Volunteer Fire Department.

No action was taken. Discussion was held.

Consider an Ordinance repealing Chapter 58 Article II, Health and Sanitation, of the Palestine Code of Ordinances, and adopting a new Chapter 58 Article II, Health and Sanitation, to implement changes to state laws relating to food establishments.

Development Services Director Lyons provided Council with a summary. Councilmember Thompson made a motion, seconded by Councilmember Smith, to approve **Ordinance No. O-50-15**, as presented. Discussion was held. Upon vote, motion carried unanimously.

Consider an Ordinance amending the fees for food establishments as found in Appendix B, Fee Schedule, of the City of Palestine Code of Ordinances.

Development Services Director Lyons provided Council with a summary. Councilmember Smith made a motion, seconded by Councilmember Chivers, to table this item until after the Closed Session. Upon vote, motion carried unanimously.

CLOSED SESSION

Mayor Pro Tem Harding announced that Council would go into Closed Session pursuant to Section 551.071 regarding consultation with attorney, pending or contemplated litigation, Section 551.074 regarding personnel matters, and Section 551.087 regarding economic development negotiations. The time was 7:01 p.m.

- 1) Discuss Project Storage.
- 2) Discuss Project Clean Coat.
- 3) Discuss Project Hot Pepper.
- 4) Discuss separation agreement and release with Wendy Ellis.
- 5) Discuss potential candidates for Interim Finance Director.

Councilmember Jordan left the meeting at 8:30 p.m.

RECONVENE IN REGULAR SESSION

Mayor Pro Tem Harding reconvened the Council into open session at 9:05 p.m.

Consider an Ordinance amending the fees for food establishments as found in Appendix B, Fee Schedule, of the City of Palestine Code of Ordinances.

Development Services Director Lyons provided Council with a summary. Councilmember Presley made a motion, seconded by Councilmember Chivers, to approve **Ordinance No. 0-51-15**, as presented. Upon vote, motion carried unanimously.

Councilmember Thompson made a motion, seconded by Councilmember Smith, to allow PEDC to fund \$10,000 to Project Storage. Upon vote, motion carried unanimously.

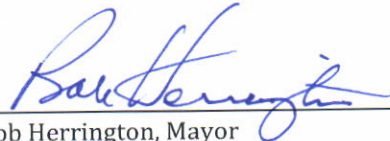
Councilmember Thompson made a motion, seconded by Councilmember Smith, to allow PEDC to fund \$25,000 to Project Clean Coat. Upon vote, motion carried unanimously.

Councilmember Smith made a motion, seconded by Councilmember Thompson, to approve an additional agreement and release with Wendy Ellis. Upon vote, motion carried unanimously.

ADJOURN

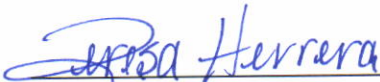
With no other business to come before the Council, the meeting was adjourned at 9:15 p.m.

PASSED AND APPROVED THIS 8TH DAY OF FEBRUARY, 2016.



Bob Herrington, Mayor

ATTEST:



Teresa Herrera, City Secretary