

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, February 13, 2017, at 3:00 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 Bob Herrington; Mayor Pro Tem Joseph Thompson; Councilmembers Will Brule, Mitchell Jordan, Vickey L. Chivers, Doug Smith, and Steve Presley; City Manager Mike Alexander, Assistant City Manager Michael Hornes, City Secretary Teresa Herrera, and City Attorney Ronald Stutes.

Other staff present: Gary Grimes, PEDC Director Tom Manskey, Public Works Director Tim Perry, Communications Officer Nate Smith, Library Director Theresa Holden, PEDC Assistant Director Greg Laudadio, Finance Director Steve Groom, Deputy Public Works Director Rob Thames, and Deputy Public Works Director Felipe Garcia.

Councilmember Chivers arrived at 3:12 p.m. All Councilmembers were present for the work session. Councilmember Jordan was not present for the Regular Meeting.

**WORK SESSION**

Mayor Herrington called the work session to order at 3:00 p.m.

**Discuss original 1998 ballot language for economic development and full use of revenues for originally authorized purposes.**

Mayor Bob Herrington led the discussion. He informed that the public is upset about the water lines and the condition of City streets. Council needs to re-evaluate property taxes and where all the money is being used. In the past Council has wanted to keep property taxes low and in doing so the City's infrastructure has not been repaired.

Council discussed the following during work session all possible options for the use of the additional half-cent sales tax, supplemental budget appropriation from funds not included in the 2016-2017 Adopted Budget, new Palestine Police Department Policy and Procedures Manual, tax increment finance district, and received an update regarding illegal dumping and drainage systems by Councilmember Mitchell Jordan.

Mayor Herrington announced that Council would go into Closed Session pursuant to Section 551.071 to consult with attorney. The time was 4:39 p.m. to discuss the eligibility of Alex Patel as a candidate for City Council. Mayor Herrington reconvened Council in work session at 5:06 p.m.

With no other business to come before the Council the work session was adjourned at 5:06 p.m.

**CALL TO ORDER – REGULAR MEETING**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Betty Nickerson, and was followed by Pledge of Allegiance.

**PROPOSED CHANGES OF AGENDA ITEMS**

City Manager Alexander recommended that Closed Session Item No. 1 be pulled and discussed at a later meeting.

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

James Smith addressed Council regarding City Government including the curb and gutter and street sweeper. He explained that he would like to see more diversity on the Civil Service Commission.

Mayor Herrington read aloud Black History Month Proclamation.

Ricardo Rodriguez was recognized for life saving measures at Municipal Airport. Mr. Rodriguez administered first aid to city employee John Daniels, saving his life.

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

No action was taken.

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

Mayor Herrington thanked all city employees.

#### **ITEMS FROM COUNCIL**

Councilmember Brule recognized a nonprofit group WE CARE Palestine. Rev. Lynn Willhite informed that the goal of We Care Palestine is to connect caring people and turn neighborhoods into safe havens of friendship and support. The purpose is to create a city-wide neighborhood program in Palestine that connects people and resources, connects neighborhoods to the city, and provides for support for neighborhood organizations and improvements for the broader community. The benefits are to foster a greater sense of community by empowering residents to address specific concerns, improves communication between residents, engage community people and resources to help make neighborhoods better places to live, and results in more visually appealing neighborhoods.

Councilmember Presley provided an update regarding Texas State Railroad (TSRR). He informed that the Texas State Railroad Authority (TSRA) is a State created entity which is the liaison between the private party partnership and in the past they have hired operators to run the Texas State Railroad. TSRA is in the process of ending contract with current operator and soon will be looking for another operator for TSRR. TSRA is doing everything possible to keep TSRR open. TSRR will reopen in March 2017.

Mayor Herrington extended an invitation to all residents to attend, "Reimagine, Redefine, Revitalize' Palestine", town hall meeting on Tuesday, February 21st from 6 p.m. to 8 p.m. at Palestine Junior High School Cafeteria at 233 Ben Milam Road. The purpose of the meeting is to help steer the guidelines that will affect all residents, zoning regulations.

Councilmember Chivers reported on the following:

- The Concerned Citizens Action Group of Anderson County invites residents to Celebrate Black History Month, "A Cultural Extravaganza 'Expo'" at Palestine Civic Center on Saturday, February 18th from 10 a.m. to 5 p.m.;
- 8th annual Mardi Gras Parade at 6 p.m. on Saturday, February 18th in the Palestine Main Street District;
- Coffee with a Cop on Wednesday, February 15th from 11 a.m. to 1 p.m. at Applebee's;
- Police Department is accepting applications for its citizens police academy, additional information contact Lt. Green with the City of Palestine; and
- Palestine Days in Austin for Palestine will February 22nd & 23rd. Contact Palestine Area Chamber of Commerce for additional information.

Mayor Pro Tem Thompson invites anyone wanting to work to join them at Davey Dogwood Park at the pavilion on Saturday, February 18th at 7:30 a.m. to help build the bike trails.

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

City Manager Alexander informed Council that department directors were present to address questions.

Councilmember Brule questioned the false alarms calls by Fire Department and wanted clarification for hiring process of new firefighters. The false alarms calls are part new ordinance to charge for those false alarm calls and only "Certified Firefighters" will be hired for the Fire Department.

Fire, Library, Finance (Municipal Court, Financial Summary, Quarterly Treasury, Water Billing, & Check Register), Web Metrics, and Development Services reports were provided.

Councilmember Presley pointed out that Texas Historical Commission recognized City of Palestine for Historic Preservation in Palestine. Summary statement: "Overall, the City of Palestine is doing an excellent job of meeting the CLG Program requirements, and is a leader in preservation for other Texas CLGs of similar size."

**BOARD APPOINTMENTS**

Consider the reappointment of Jim Wood with term to expire on September 30, 2019, to Civil Service Commission, as recommended by City Manager Mike Alexander.

Councilmember Presley made a motion, seconded by Councilmember Smith, to approve the reappointment as presented. Upon vote, motion carried unanimously 6-0.

Consider the appointment of non-voting member William Young to the Zoning Ordinance Steering Committee.

Councilmember Smith made a motion, seconded by Mayor Pro Tem Thompson, to approve the appointment as presented. Upon vote, motion carried unanimously 6-0.

Consider board reappointments with term to expire on September 30, 2018:

- a) Timothy Triplett to Place 5, Dr. John Dorsett to Place 6, and Mike Buoy to Place 7 to Airport Advisory Board;

Councilmember Presley made a motion, seconded by Councilmember Brule, to approve the reappointment as presented. Upon vote, motion carried unanimously 6-0.

- b) Isaac Wynn to Place 5 and James Smith to Place 6 to Building Standards Commission; and

Councilmember Presley made a motion, seconded by Councilmember Smith, to approve the reappointment as presented. Upon vote, motion carried unanimously 6-0.

- c) Dr. Zac Leslie to Place 1, Christie Scroggins to Place 3, Barbara Jordan to Place 5, and Bradley Hafner to Alternate 2 to Zoning Board of Adjustments and Appeal.

Councilmember Brule made a motion, seconded by Councilmember Smith, to approve the reappointment of Dr. Zac Leslie to Place 1, Christie Scroggins to Place 3, and Barbara Jordan to Place 5. Upon vote, motion carried unanimously 6-0.

Consider board reappointment to Texas State Railroad Authority of Hugh Summers to Place 1 with term to expire August 31, 2017 and of Griff Hubbard to Place 2 with term to expire August 31, 2018.

Councilmember Presley made a motion, seconded by Councilmember Smith, to approve the reappointment as presented. Upon vote, motion carried unanimously 6-0.

Consider the board appointment of Randi Hamilton to Place 4 with term to expire September 30, 2017 to Tourism Advisory Board.

Mayor Pro Tem Thompson made a motion, seconded by Councilmember Brule, to approve the appointment as presented. Upon vote, motion carried unanimously 6-0.

**OPEN BIDS**

Open Bid#: B2017-PW-02 Town Creek Wastewater Treatment Grit Removal Improvements.

The following bids were received and opened:

J.S. Haren Company	Athens, TX	\$766,000
Duplichain Contractor LLC	Alto, TX	\$692,900
AAA Sanitation, Inc.	Tyler, TX	\$753,050

Open Addendum to Bid Water Treatment Plant Gravity Filter Rehabilitation.

The following bid was received and opened:

Lamarc, Inc. General Contractors	Seven Points, TX	\$726,364
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**CONSENT AGENDA**

- 1) Consider approval of minutes of the Special Meeting of November 21, 2016.
- 2) Consider an Ordinance amending Article VIII, "Alarm Systems," of Chapter 22, "Buildings and Building Regulations." Interim Police Chief John Herod
- 3) Consider approval of invoices over \$25,000. Finance Director Steve Groom

Councilmember Smith made a motion, seconded by Councilmember Chivers, to approve Consent Agenda as presented adopting **Ordinance No. O-06-17**. Upon vote, motion carried 5-0 with Mayor Pro Tem Thompson abstaining from voting.

**REGULAR AGENDA**

Discuss and take action regarding original 1998 ballot language for economic development and full use of revenues for originally authorized purposes.

Mayor Bob Herrington informed that lengthy discussion was held during work session and there was no action to take at this time.

Consider all possible options for the use of the additional half-cent sales tax.

Council directed the City Attorney to draft language for a proposition on the May 6, 2017 ballot. Item will be discussed at the February 27, 2017 Council Meeting.

Consider approval of new Palestine Police Department Policy and Procedures Manual.

Councilmember Brule made a motion, seconded by Councilmember Chivers, to approve the new Palestine Police Department Policy and Procedures Manual. Upon vote, motion carried unanimously 6-0.

Consider approval of Bat and Pigeon Abatement Grant Application in the amount of \$5,500.

Asst. PEDC Director Greg Laudadio presented a summary. Councilmember Presley made a motion, seconded by Councilmember Brule, to approve the Bat and Pigeon Abatement Grant Application in the amount of \$5,500 to Frank and Tracey Torma for property located at 116 W. Main Street. Upon vote, motion carried unanimously 6-0.

Consider an ordinance for supplemental budget appropriation from funds not included in the 2016-2017 Adopted Budget.

Finance Director Steve Groom presented a summary. Mayor Pro Tem Thompson made a motion, seconded by Councilmember Chivers, to approve **Ordinance No. O-07-17**, amendment appropriating funds for expenditures from the Equipment Replacement Fund, Fund 540, \$400,000 for vehicle purchase, the General Fund, Fund 010, of \$700,000 for police communications equipment and the Perpetual Cemetery Fund, Fund 400, up to \$188,000 for capital expenditures. Upon vote, motion carried unanimously 6-0.

**CLOSED SESSION**

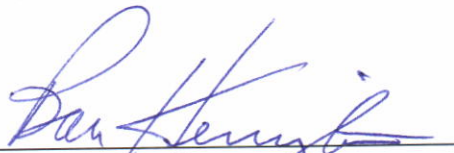
Mayor Herrington announced that Council will not go into Closed Session pursuant to 551.071 to consult with attorney. City Attorney Stutes clarified that he had advised the Council that Council has no power to make a determination regarding the residency of Council Candidate Alex Patel.

- 1) ~~Discuss Police Department Composition including the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of Police Department employees.~~
- 2) Discuss the eligibility of Alex Patel as a candidate for City Council.

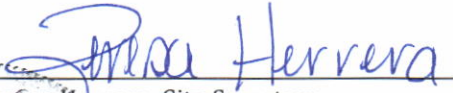
**ADIJOURN**

With no other business to come before the Council, the meeting was adjourned at 6:51 p.m.

PASSED AND APPROVED THIS 24TH DAY OF APRIL, 2017.

  
Bob Herrington, Mayor

ATTEST:



Teresa Herrera, City Secretary

