

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, April 10, 2017 at 3:30 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 Bob Herrington; Mayor Pro Tem Joseph Thompson; Councilmembers Will Brule, Mitchell Jordan, Vickey L. Chivers, Doug Smith, and Steve Presley; Assistant City Manager Michael Hornes, City Secretary Teresa Herrera, and City Attorney Ronald Stutes.

Other staff present: Development Services Director Jeffrey Lyons, Public Works Deputy Director Felipe Garcia, Finance Director Steve Groom, Communications Officer Nate Smith, Public Works Director Tim Perry, and Community Services Director Patsy Smith.

Mayor Herrington, Councilmembers Chivers and Jordan were absent for the work session. All Councilmembers were present for the Regular Meeting.

WORK SESSION

With a quorum present, Mayor Pro Tem Thompson called the work session to order at 3:31 p.m.

Discuss mall pad sites.

Assistant City Manager Michael Hornes led the discussion. John Christon presented two options from the original proposal. He added that he is willing to purchase the two acres as proposed. Discussion was held. Council will address during its Regular Meeting.

Discuss Debard St. Cell Tower Lease Renewal Agreement.

Public Works Director Tim Perry led the discussion. He went back to Crown Castle and additional negotiations were made as directed by Council. Council thanked Mr. Perry for the additional negotiations with Crown Castle.

Discuss live streaming work sessions.

Communication and Best Practices Officer Nate Smith explained that he researched three options for live streaming work sessions. His objective was to present an option for the public to view work sessions with high quality at the lowest cost possible. There are three options: Option 1 – Facebook. There is no cost to use Facebook Live video. Depending on the strength of the web signal via Wi-Fi or mobile, video quality can vary. Option 2 – Livestream. Livestream’s premium subscription costs for video streaming is \$2,388. This will allow the city to stream as often as we want from both the council chambers with the Broadcaster Pro module and anywhere else with a cellphone. Option 3 – AV Capture All. The plus video package is \$399 a month, or \$4,788 a year. Council directed Staff to start live streaming with the option that is at no cost to the City and to place this item on the next regular meeting.

Discuss Steven Bennett Aquatics Pool Schedule for 2017.

Community Services Director Patsy Smith explained that the proposed schedule increased public swim hours.

Discuss renovations of Green’s Park.

Community Services Director Patsy Smith led the discussion. Green’s Park needs to be upgraded; she presented photos to show the condition of the park. Council directed staff to obtain three bids to make improvements to Green’s Park.

Discuss appointment to Farmers Market Advisory Committee.

Community Services Director Patsy Smith reminded Council that the committee was created. Now appointments need to be made to the committee.

Discuss ordinance regarding leash laws for the City of Palestine.

Assistant City Manager Michael Hornes explained that this item was discussed at the previous meeting and it is now being presented to Council for approval during the regular meeting.

Update regarding flood reimbursement.

Engineering Tech Greg Ellis gave a PowerPoint Presentation. He explained that \$500,000 was allocated for flood repairs. \$438,428 was spent on repairs and \$409,581 of those expenditures was submitted to FEMA. FEMA is going to reimburse \$309,808. The money will be allocated to the General Fund.

Discuss Tourism & Performing Arts Services contract expenditure with the City of Palestine and the Palestine Area Chamber of Commerce.

Marketing Director Mary Raum explained that \$8,400 for FY 2015-16 and \$8,400 for FY 2016-17 is due to the Palestine Area Chamber of Commerce per contract. Money needs to be transferred to pay this expense.

With no other business to come before the Council, the work session was adjourned at 4:57 p.m.

CALL TO ORDER – REGULAR MEETING

Mayor Herrington called the Regular Meeting to order at 5:31 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Finance Director Steve Groom, and was followed by Pledge of Allegiance.

PROPOSED CHANGES OF AGENDA ITEMS

Item 3 was pulled from Public Comments, Public Recognition, and Announcements. Item 3 and Item 5 were pulled from the Regular Agenda.

PUBLIC COMMENTS, PUBLIC RECOGNITION, AND ANNOUNCEMENTS

James Smith addressed Council regarding City Government. He spoke regarding Green's Park and applications for the Farmers' Market Committee.

Mayor Herrington read aloud National Library Week 2017 Proclamation and Dispatcher Proclamation.

Public Works Director Perry explained that they want to empower their employees and way to do so is by recognizing the employees that go above and beyond. Quarterly Employee Recognition for Public Works: Daniel Bentley, Greg Hearn, and Rosshaun Hall.

CONFLICT OF INTEREST DISCLOSURES

No action taken.

MAYOR'S REPORT

Mayor Herrington thanked City Employees, sponsors, and volunteers for all the effort that went into the Egg-Normous Easter Egg Hunt on Saturday, April 8 at the Palestine Athletic Complex.

ITEMS FROM COUNCIL

Councilmember Presley informed that the TSRA is negotiating with a new operator. Ridership has been down but with new operator it should go back up.

Councilmember Smith informed that the Texas Theater had a successful spring production and summer production is coming up.

Councilmember Presley informed of a meet and greet at South Jackson Church of Christ. They are trying to bring the community together and they are part of GREET Palestine.

Councilmember Chivers announced that the 2nd Town Hall will be held on Thursday, April 13th at Palestine ISD and 3rd Town Hall on Thursday, April 20th at Westwood ISD regarding Proposition 1, Citywide

Community Yard Sale on Saturday, April 29th at Palestine Mall, and The Friends of the Library will be hosting a book sale inside the Palestine Mall.

Councilmember Jordan provided information regarding Timber Drive Memorial scheduled for Sunday, April 30th at Timber Drive. Also, reminded everyone of Early Voting starting Monday, April 24th.

CITY MANAGER'S REPORT

Assistant City Manager Hornes informed that City Manager Mike Alexander is on vacation and he is filling in for him. Also, department directors are present to address questions regarding reports.

John Christon provided an update on mall pad sites and presented two options for the pad sites. He explained that the change was needed because the original proposal from the City was not allowed due to restrictions from existing tenants. Aarons has the right to visibility portal, Burks has protected parking area, and JC Penny's has parking restrictions. Also, he will need a letter from the City authorizing him to address the tenants.

Library, Police CID, Web, Public Works, Development Services, PEDC, and Fire departmental reports were provided.

Councilmember Jordan asked for an update on illegal dumping. Community Services Director Smith informed that they have partnered with the Police Department and Code Enforcement's schedule is being adjusted to allow them to work weekends. Also, more citations are being issued. Illegal dumping is being tackled.

CONSENT AGENDA

- 1) Consider approval of invoices over \$25,000.00. Finance Director Steve Groom

Mayor Pro Tem Thompson made a motion, seconded by Councilmember Smith, to approve the Consent Agenda as presented. Upon vote, motion carried unanimously 7-0.

REGULAR AGENDA

Consider Debard St. Cell Tower Lease Renewal Agreement.

Public Works Director Tim Perry explained that with the direction by City Council additional negotiations were done with Crown Castle and were changes to the lease: 1) as of June 1, 2019, rent will increase to \$1,020 per month an increase of 42%; 2) four renewal terms, with the final renewal term expiring on May 31, 2039; 3) \$5,000 conditional signing bonus within 60 days of execution of this amendment; 4) 24 months' notice, if City decided to terminate the agreement; and 5) an additional \$400 per month per future broadband subleases.

Councilmember Presley made a motion, seconded by Councilmember Smith, to approve Debard Street Cell Tower Lease Renewal Agreement as presented. Upon vote, motion carried unanimously 7-0.

Consider Steven Bennett Aquatics Pool Schedule for 2017.

Community Services Director Patsy Smith explained that the Parks Board had approved the Steven Bennett Aquatics Pool Schedule for 2017. This year's schedule allows for more public swim time. Mayor Pro Tem Thompson made a motion, seconded by Councilmember Chivers, to approve Steven Bennett Aquatics Pool Schedule for 2017 as presented. Upon vote, motion carried unanimously 7-0.

Consider renovations of Green's Park.

No action taken.

Consider ordinance regarding leash laws for the City of Palestine.

Assistant City Manager Michael Hornes explained that the 2017 Master National Retriever Club will be held at the BigWoods on the Trinity, Tennessee Colony from October 12-22, 2017. The ordinance being proposed will be temporary for Upper and Lower Lakes, only. Mayor Pro Tem Thompson made a motion, seconded by

Councilmember Chivers, to adopt **Ordinance No. 0-13-17** as presented. Upon vote, motion carried unanimously 7-0.

Consider Tourism & Performing Arts Services contract expenditure with the City of Palestine and the Palestine Area Chamber of Commerce.

No action taken.

Consider Hotel Occupancy Tax Funding Application Approval – Camino 205: Texas Gravel Adventure.

Marketing Director Mary Raum explained that the Tourism Advisory Board met and reviewed the application by Dave Morrow for the El Camino 205: Texas Gravel Adventure. The application requested funding for advertising costs of \$3,500. The event will be held on September 23rd and it is an all-day event.

Councilmember Presley made a motion, seconded by Councilmember Jordan, to approve Hotel Occupancy Tax Funding Application Approval – Camino 205: Texas Gravel Adventure in the amount of \$3,500. Upon vote, motion carried unanimously 7-0.

CLOSED SESSION

Mayor Herrington announced that Council will go into Closed Session pursuant to Section 551.072 regarding deliberation of real property. The time was 6:28 p.m.

- 1) Discuss the purchase, exchange, lease, or value of real property; specifically, Palestine Mall
- 2) Discuss the purchase, exchange, lease, or value of real property; specifically, TxDot Maintenance Yard

RECONVENE IN REGULAR SESSION

Mayor Herrington reconvened Council in open session at 7:08 p.m.

Mayor Pro Tem Thompson made a motion, seconded by Councilmember Jordan, to accept option A with the two lots closer to eastside of Palestine Mall parking lot and add an additional 30 days to the contract to allow time for closing; and directed Staff to draft a letter allowing our buyer to discuss details of leases with Palestine Mall tenants. Upon vote, motion carried unanimously 7-0.

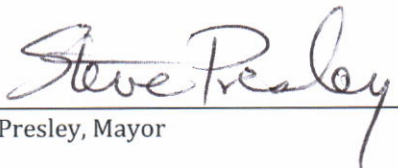
Councilmember Chivers exited the Council Chambers at 7:27 p.m.

Public Works Director Perry explained that we currently do not have space at City owned buildings. The TxDot Maintenance Yard building is available to purchase. Renovations to warehouse were discussed and the project was estimated at \$75,000 to \$100,000. Many options were considered to accommodate all City employees. Mayor Pro Tem Thompson made a motion, seconded by Councilmember Brule, to approve the purchase of the old TxDot Maintenance building for \$90,000. Upon vote, motion carried 5-1 with Councilmember Jordan voting nay.

ADJOURN

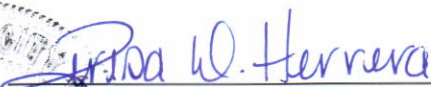
With no other business to come before the Council, the meeting was adjourned at 7:38 p.m.

PASSED AND APPROVED THIS 12TH DAY OF JUNE, 2017.



Steve Presley, Mayor

ATTEST:



Teresa Herrera, City Secretary

