

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, May 8, 2017 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 Bob Herrington; Mayor Pro Tem Joseph Thompson; Councilmembers Will Brule, 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: Communications Officer Nate Smith, Finance Director Steve Groom, Marketing Manager Mary Raum, Public Works Director Tim Perry, Public Works Deputy Director Felipe Garcia, Public Works Deputy Director Rob Thames, Interim Police Chief John Herod, PEDC Assistant Director Greg Laudadio, and Development Services Director Jeffrey Lyons.

Mayor Herrington was absent for the work session. Councilmember Mitchell Jordan was absent for the work session and regular meeting.

**WORK SESSION**

With a quorum present, Mayor Pro Tem Thompson called the work session to order at 4:31 p.m.

Council discussed the Phase II of the Downtown Assessment Study, new vendor for usage as a radio tower for Police communications, creating the Community Assessment Committee, and Budget Timeline for Fiscal Year 2017-2018.

With no other business to come before the Council, the work session was adjourned at 5:17 p.m.

**CALL TO ORDER - REGULAR MEETING**

Mayor Herrington called the Regular Meeting to order at 5:35 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Interim Police Chief John Herod, and was followed by Pledge of Allegiance.

**PROPOSED CHANGES OF AGENDA ITEMS**

Items 1 & 2 were pulled from the Regular Agenda.

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

James Smith addressed Council regarding City Government and the power of working together.

Mayor Herrington read aloud National Preservation Month Proclamation and Peace Officers Memorial Day & Police Week Proclamation.

**CONFLICT OF INTEREST DISCLOSURES**

No action was taken.

**MAYOR'S REPORT**

Mayor Herrington congratulated all of the candidates that ran for office that placed their name on the ballot. He expressed that he was pleased with the results and that the future looks bright for Palestine. Voter turnout was higher than in the past.

**ITEMS FROM COUNCIL**

Councilmember Smith informed that Peace Officers Memorial Service will be Monday, May 15th at 3:00 p.m. at the corner of Avenue A and W. Oak Street.

Councilmember Presley informed that the Texas State Railroad has a new operator, The Western Group and they will have more involvement in the community.

Councilmember Chivers expressed that Lower Lake looks amazing and the Family Fish Day on Saturday was a big success.

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

Executive Director Marc Mitchell with Chamber of Commerce provided a recap of 2017 Dogwood Trails. His report included attendance, non-profit organizations that profited from funds generated from gate entry fees, there were approximately 1700 volunteer hours, number of vendors, parade route, entertainment, sponsors, and cost. The total expense was \$24,500. Also, next year will be the 80th Annual Dogwood Trails Celebration.

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

Departmental report for Web Metrics, Public Works (Streets, Fleet Maintenance, Solid Waste, Airport Operations, Utilities, and PW Administration), Criminal Investigation Division, Fire, and Development Services were presented.

### **CONSENT AGENDA**

- 1) Consider approval of invoices over \$25,000. Finance Director Steve Groom

Councilmember Brule made a motion, seconded by Councilmember Chivers, to approve the Consent Agenda. Upon vote, motion carried unanimously 6-0.

### **REGULAR AGENDA**

Consider an ordinance creating the Community Assessment Committee. Marketing Manager Mary Raum  
No action was taken.

Consider Phase II of the Downtown Assessment Study. PEDC Asst. Director Greg Laudadio  
No action was taken.

Consider expenditure in the amount of \$63,572.12 to purchase a Hydro-Excavator Trailer from E.H. Wachs.  
Deputy Public Works Director Felipe Garcia provided a summary. He explained that the equipment will be purchased through Texas State Buy Board. Also, this equipment will assist in locating gas lines, fiber optics, and anything else that could be a hazard to City crews or public.

Councilmember Presley made a motion, seconded by Councilmember Chivers, to approve the purchase of the Hydro-Excavator Trailer from E.H. Wachs in the amount of \$63,572.12. Upon vote, motion carried unanimously 6-0.

Consider a contract with new vendor for usage as a radio tower for Police communications.  
Interim Police Chief John Herod explained that the current radio tower has proven unreliable and according to studies is part of the overall problem with Police communications. He recommends a new tower; Zito Media has a tower in a good location on Loop 256. Also, the rent will be lower with new tower.

Councilmember Chivers made a motion, seconded by Councilmember Brule, to approve contract with new vendor for usage as a radio tower for Police communications. Upon vote, motion carried unanimously 6-0.

Consider a variance to allow an Alcoholic Beverage Permit to be issued at 1221 N. Link Street.  
Development Services Director Jeffrey Lyons provided a summary. Mayor Pro Tem Thompson made a motion, seconded by Councilmember Smith, to approve the variance to allow an Alcoholic Beverage Permit to be issued at 1221 N. Link Street. Upon vote, motion carried 4-2 with Councilmembers Brule and Chivers voting nay.

Consider setting date for the Official Canvass of the May 6, 2017 Officer & Special Election on Wednesday, May 10, 2017.

Councilmember Chivers made a motion, seconded by Councilmember Smith, to set date for the Official Canvass of the May 6, 2017 Officer & Special Election on Wednesday, May 10, 2017. Upon vote, motion carried unanimously 6-0.

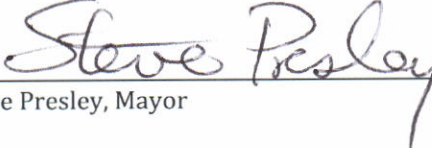
Consider an ordinance approving negotiated settlement between the Atmos Cities Steering Committee ("ACSA") and Atmos Energy Corp., Mid-Tex division regarding the company's 2017 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring reconciliation and rate adjustments if federal income tax rates change; terminating the RRM process for 2018 pending renegotiation of RRM terms and conditions; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC's legal counsel.

Councilmember Brule made a motion, seconded by Mayor Pro Tem Thompson, to approve **Ordinance No. O-16-17** as presented. Upon vote, motion carried unanimously 6-0.


**ADJOURN**

With no other business to come before the Council, the meeting was adjourned at 6:32 p.m.

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

  
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Steve Presley, Mayor

ATTEST:

  
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Teresa Herrera, City Secretary