

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, August 13, 2018 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:

Steve Presley, Mayor
Larissa Ray Loveless, Councilwoman
Vickey L. Chivers, Councilwoman
Joe Baxter, Councilman
Dana Goolsby, Councilwoman
Ann Connor, Councilwoman

Michael Hornes, City Manager
Teresa D. Herrera, City Secretary

Others present: Development Services Director Jeffrey Lyons, Public Works Director Tim Perry, Communications Officer Nate Smith, and other interested citizens;

with the following member absent: Mayor Pro Tem Mitchell Jordan and Councilwoman Chivers was absent during the work session. City Attorney Ronald Stutes was not present.

WORK SESSION

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

City Council held discussion on the following: the Proposed Budget and Strategic Goals for Fiscal Year 2018-2019; Waste Connections contract; the final draft copy of the amended Financial Oversight Advisory Committee ordinance and potential modifications to the draft; and resolutions asking the Texas Municipal League to seek introduction and passage of two bills that would apply to sales tax on remotely ordered sales.

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 Presley called the Regular Meeting to order at 5:33 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by City Manager Michael Hornes, and was followed by the Pledge of Allegiance.

PROPOSED CHANGES OF AGENDA ITEMS

Development Services Director Jeffrey Lyons requested that the public hearing and Item # 2 from the Regular Agenda be pulled.

PUBLIC COMMENTS, PUBLIC RECOGNITION, AND ANNOUNCEMENTS

Community Services Director Patsy Smith presented Adam Harding with an Achievement Award for his contributions to Parks and Recreation.

Community Services Director Patsy Smith recognized Palestine Junior Service League for their contributions to Reagan Park Splash Pad and presented them with a plaque, accepted by Tarah Thompson and Nikki Chaffin.

PEDC Asst. Director Greg Laudadio recognized and presented a Beautification Award to "His Grace African Market".

James Smith spoke regarding local government and his involvement in the community. He thanked those that helped clean the slave cemetery.

Edward Reid spoke regarding City budget to include the department's budget. He asked that Council look into the budget.

Nicholas Hardin spoke regarding solutions to save money and requested a meeting with Human Resources.

CONFLICT OF INTEREST DISCLOSURES

No action was taken.

PUBLIC HEARING

Public hearing regarding a specific use permit to allow a tattoo parlor at 219 W. Main Street. (Development Services Director Jeffrey Lyons)

Item pulled.

MAYOR'S REPORT

Mayor Presley reported on events that he attended and provided information on Operation Read scheduled for September 15th from 7 a.m. to 7 p.m.

ITEMS FROM COUNCIL

Councilwoman Loveless thanked everyone who attended Palestine ISD's Back-to-School celebration at Reagan Park.

Councilwoman Chivers wished all students a safe school year.

Councilman Baxter informed that the Police Department won the Battle of the Badges Blood Drive.

Councilwoman Connor provided information regarding Comedy Night on August 18th at First Palestine United Methodist Church with Comedian Cleto Rodriguez.

CITY MANAGER'S REPORT

City Manager Hornes provided a summary of changes to the proposed budget.

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

Community Services, Development Services, Fire, Library, and Finance (Property Tax, Financial Summary, & Check Register) departmental reports were provided.

Councilwoman Chivers asked if there will be any upgrades to Larry Street Park and wants a status on the ramp at the lake. Staff answered that the basketball court will be redone and the grant money will be used to rebuild the ramps at the lakes.

Council asked for a document that summarizes all the parks.

Councilman Baxter wants a park built in the Westwood area. City Manager explained that Staff will look into an area to buy to build a park.

Mayor Presley asked how many wrecks the Fire Department responses to per month. Fire Chief answered 20 to 30 wrecks per month. Mayor asked that Staff look into a way to bill for services provided by Fire Department.

Council requested the Sales Tax Report from Finance.

OPEN BIDS

Bids were received and opened for the Water Meter Replacement as follows:

Core & Main
Meter Install Group
Ferguson Waterworks Meter and Automation

CONSENT AGENDA

- 1) Consider approval of minutes of the Work Session and Regular Meeting of July 9, 2018. (Communications and Best Practices Officer Nate Smith)
- 2) Consider approval of invoices over \$25,000. (Senior Accountant Jim Mahoney)

Councilwoman Chivers made a motion, seconded by Councilwoman Loveless, to approve the Consent Agenda as presented. Upon vote, motion carried unanimously 6-0.

REGULAR AGENDA

- 1) Consider approval of an agreement with Schaumburg & Polk Inc. for Professional Services for Palestine boating access improvements at Lower and Upper City Lakes.

Community Services Director Patsy Smith provided a summary. Texas Parks and Recreation Boating Access Grant was awarded to the City. She is asking that Council approve the agreement with SPI.

Councilwoman Loveless made a motion, seconded by Councilwoman Chivers, to approve the agreement with Schaumburg & Polk Inc. for Professional Services for Palestine boating access improvements at Lower and Upper City Lakes. Upon vote, motion carried unanimously 6-0.

- ~~2) Consider an ordinance granting a specific use permit allowing a tattoo parlor at 219 W. Main Street. (Development Services Director Jeffrey Lyons)~~

Item was pulled.

- 3) Discuss and take any necessary action regarding proposed amended Financial Oversight Advisory Committee Ordinance.

Councilman Baxter made a motion, seconded by Councilwoman Goolsby, to adopt **Ordinance No. O-30-18**, removing expiration date. Upon vote, motion carried 5-1 with Councilwoman Chivers voting nay.

- 4) Discuss and take any action necessary regarding HOT funds: specifically Performing Arts Center.

PEDC Director Cooper provided a summary and asked for directive from Council. Copies of the plan were provided. Marketing Manager Raum presented a wind-down plan, if Council decides to not fund the Performing Arts Center. She added that there are contracts through June 23, 2019; the Nutcracker is scheduled for December. And she clarified that Tourism Advisory Board has not approved the plan presented. City Manager Hornes explained that at a previous meeting Council voted to put the Civic Center out for bid. Council did not receive any bids for the property. Council expressed that there are many challenges with the building.

Public Works Director Perry informed that Staff will evaluate the building to make sure that it is safe to honor contracts already booked. Staff will provide an update regarding the safety issues.

Councilwoman Loveless made a motion to follow the wind-down plan presented for the Performing Arts Center and to honor contracts through June 23, 2019. Motion died for lack of a second.

Councilman Baxter made a motion, seconded by Councilwoman Loveless, to follow the wind-down plan presented and to contract a commercial realtor to sale the building after June 23, 2019. Lengthy discussion was held. Upon vote, motion carried unanimously 6-0.

- 5) Consider amending Hotel Occupancy Tax Policy to remove the cap of \$10,000 per event/function per year.

Marketing Manager Raum provided a summary. She is proposing that the \$10,000 per event/function per year cap be removed.

Councilwoman Chivers made a motion, seconded by Mayor Presley, to remove the cap of \$10,000 per event/function per year. Lengthy discussion was held. Councilwoman Chivers withdrew her motion and Mayor Presley withdrew his second to the motion.

Councilman Baxter made a motion, seconded by Councilwoman Connor, to change the cap amount to \$15,000 per event/function per year. Upon vote, motion carried unanimously 6-0.

- 6) Discuss and take any action necessary regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Attorney.

Mayor Presley explained that the City has incurred a lot of legal cost these past years. Council will perform a formal evaluation at a future meeting.

- 7) Consider the adoption of resolutions asking the Texas Municipal League to seek introduction and passage of two bills that would apply to sales tax on remotely ordered sales. (addendum)

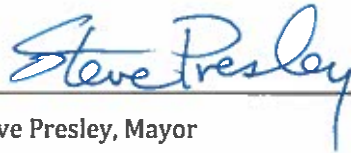
Mayor Presley provided a summary.

Councilwoman Loveless made a motion, seconded by Councilwoman Chivers, to adopt **Resolution No. R-26-18** and **Resolution No. R-27-18** as presented. Upon vote, motion carried unanimously 6-0.

ADJOURN

With no other business to come before the Council, the meeting was adjourned at 8:11 p.m.

PASSED AND APPROVED THIS 8TH DAY OF OCTOBER, 2018.



Steve Presley, Mayor

ATTEST:



Teresa Herrera, City Secretary

