

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 Tuesday, November 13, 2018 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:

Steve Presley, Mayor  
Mitchell Jordan, Mayor Pro Tem  
Larissa Ray Loveless, Councilwoman  
Vickey L. Chivers, Councilwoman  
Ann Connor, Councilwoman

Michael Hornes, City Manager  
Teresa D. Herrera, City Secretary  
Ronald D. Stutes, City Attorney

Others present: Public Works Director Tim Perry, Communications Officer Nate Smith, Municipal Court Administrator Courtney Acklin, Interim Finance Director Carl Currie, PEDC Director Gayle Cooper, and other interested citizens;

with the following member absent: Councilwoman Dana Goolsby and Councilman Joe Baxter. Mayor Pro Tem Mitchell Jordan arrived at 5:05 p.m.

**WORK SESSION**

With a quorum present, Mayor Presley called the work session to order at 4:00 p.m.

Discuss Enterprise Fleet Management’s proposal for the City of Palestine. City Manager Michael Hornes  
Discussion was held regarding Enterprise Fleet Management’s proposal for the City of Palestine.

Discuss illegal dumping within the City. Mayor Pro Tem Mitchell Jordan  
Illegal dumping was discussed. Mayor Pro Tem Jordan informed Council that he has reached out to a local security company. The company is going to install cameras in high traffic dump sites; no cost or commitment by the City.

Discuss Utility billing amendments. Interim Finance Director Carl Currie  
Utility billing amendments were discussed. The following changes are being proposed: increase the late charge from three percent to ten percent; increase the disconnection charge to \$50 and remove the \$25 reconnection charge; increase the NSF check fee to \$35; decrease the tampering fee to \$50; and add a section for adjustments for leaks. Council directed Staff to add tampering definition to the proposal. Staff will present at a future meeting.

With no other business to come before the Council, the work session was adjourned at 5:27 p.m.

**CALL TO ORDER – REGULAR MEETING**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Clint Bass, Christ Community Church, and was followed by the Pledge of Allegiance.

**PROPOSED CHANGES OF AGENDA ITEMS**

There were no proposed changes.

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

Glenn Carlyle addressed Council regarding sewer and sewer surcharges; Mountain Pure water bills.

**CONFLICT OF INTEREST DISCLOSURES**

No action was taken.

**PUBLIC HEARING**

Public hearing regarding a request for a zoning change of six parcels in the 1800 Block of Murchison Street, from R-2 Residential Medium Density to R-3 Residential High Density Zoning District. Applicant, Jeffrey Johns. Building Official Mark Miears explained that Mr. Johns submitted the request to rezone the vacant lots. Planning and Zoning Commission denied the request and recommend that the zoning district remain R-2, Residential Medium Density. Eight notices were mailed to property owners within 200-ft of the properties proposed to be rezoned. One notice was returned in opposition. None were returned in favor of the request.

Mayor Presley opened the public hearing at 5:47 p.m., and asked for anyone speaking for or against the request to do so. Eric Kolder with Christ Community Church, Vernon Denmon Jr., and James Smith spoke in opposition; with no one else speaking, Mayor Presley closed the public hearing at 5:54 p.m.

Public hearing regarding a specific use permit to allow a double-wide mobile home at 519 Future Street. Applicant, Crystal Roberts.

Building Official Mark Miears explained that a request was received for a double-wide mobile home. Current zoning allows this request by specific use permit. 15 notices were mailed to property owners within 200-ft of the location. None have been returned in favor or in opposition.

Mayor Presley opened the public hearing at 5:55 p.m., and asked for anyone speaking for or against the request to do so. With no one speaking, Mayor Presley closed the public hearing at 5:55 p.m.

**MAYOR'S REPORT**

Mayor Presley provided a report. Provided information regarding The Dogwood Jamboree in December and Polar Express at the Texas State Railroad.

**ITEMS FROM COUNCIL**

Mayor Pro Tem Jordan provided an update on Diabetes Awareness Event on November 14<sup>th</sup>. Also, Crossroads Family Care provided information regarding their facilities and services they offer.

Councilwoman Chivers thanked all the Veterans. Also, she reported on upcoming events.

**CITY MANAGER'S REPORT**

Jennifer Bertram with Enterprise Fleet Management gave a PowerPoint presentation of Enterprise Fleet Management's proposal for the City of Palestine.

Community Services Director Patsy Smith explained the health permitting process for Farmers Market and festivals. Health Inspector complies with Texas Food Establishment Rules which have been adopted by the City. Applications must be returned seven days in advanced. She added that self-contained mobile food units are allowed at the Farmers Market.

City Manager Hornes explained that Staff is actively working on City's credit card policy and looking for ways to revise it to make it better. Councilwoman Connor informed that she has many questions regarding purchases on the credit cards. She asked that Council address credit card purchases at the next work session. Mayor Presley recommended that Council meet with the city manager regarding purchases. Councilwoman Loveless requested that credit card statements be posted online of the sake of transparency.

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

Community Services, Development Services, Library, Tourism, Municipal Court, and Fire departmental reports were provided.

Councilwoman Loveless asked for an update on the sale of timber at the Community Forest. City Manager Hornes answered that he is working with Buster Robinson with Texas A&M Forest Service; no cost estimates have been provided.

City Manager Hornes informed that, big dead, tree at the Farmers Market will be removed; it is liability to keep it there.

Mayor Pro Tem Jordan asked that Parks Dept. consider a basketball court at the multipurpose courts at Reagan Park. Community Services Director Smith answered that the Parks Board is considering the different options.

Mayor Presley asked for an update on cost recovery for the fire department. Fire Chief Davis answered he is still working on the item; item will be on the December agenda.

Mayor Presley asked to hear the new plan for Code Enforcement moving forward at the next meeting.

#### **BOARD APPOINTMENTS**

- 1) Consider appointments with term to expire September 30, 2020:
  - a. Johnny Haley to Place 5, Airport Advisory Board replacing Timothy Triplett;
  - b. Mark D. McEachran to Place 2, Historic Landmarks Commission replacing Robb Stewart;  
and
  - c. Richard Bishop to Place 5, Parks Advisory Board replacing Anne Coleman.

Mayor Pro Tem Jordan made a motion, seconded by Councilwoman Loveless, to approve the appointments as presented. Upon vote, motion carried unanimously 5-0.

#### **CONSENT AGENDA**

- 1) Consider approval of minutes of the Work Session and Regular Meeting of August 27, 2018.
- 2) Consider approval of minutes of the Work Session and Special Meeting of September 4, 2018.
- 3) Consider approval of minutes of the Work Session and Regular Meeting of September 10, 2018.
- 4) ~~Consider approval of minutes of the Work Session and Regular Meeting of September 24, 2018.~~  
(not included in the packet- item pulled)
- 5) Consider approval of invoices over \$25,000. Senior Accountant Jim Mahoney
- 6) Consider authorizing the City Manager to enter into a contract with UniFirst for mats for City facilities. Senior Accountant Jim Mahoney
- 7) ~~Consider authorizing the City Manager to enter into a contract with CenturyLink for internet service. City Manager Michael Hornes~~

Councilwoman Chivers made a motion, seconded by Mayor Pro Tem Jordan, to approve the Consent Agenda items 1, 2, 3, 5, & 6, as presented. Upon vote, motion carried unanimously 5-0.

#### **REGULAR AGENDA**

Consider authorizing the City Manager to enter into a contract with CenturyLink for internet service. City Manager Michael Hornes (pulled from the Consent Agenda)

Mayor Presley directed Staff to ask for a favored nations clause to the agreement. City Manager Hornes will look into it.

Mayor Pro Tem Jordan made a motion, seconded by Councilwoman Loveless, to authorize the City Manager to enter into a contract with CenturyLink for internet service. Upon vote, motion carried unanimously 5-0.

- 1) Consider an ordinance a request for a zoning change of six parcels in the 1800 Block of Murchison Street, from R-2 Residential Medium Density to R-3 Residential High Density Zoning District. Applicant, Jeffrey Johns. Building Official Mark Miars

Mayor Pro Tem Jordan made a motion, seconded by Councilwoman Loveless, to deny the request for a zoning change of six parcels in the 1800 Block of Murchison Street, from R-2 Residential Medium Density to R-3 Residential High Density Zoning District. Upon vote, motion carried unanimously 5-0.

- 2) Consider an ordinance for a specific use permit to allow a double-wide mobile home at 519 Future Street. Applicant, Crystal Roberts. Building Official Mark Miars

Mayor Pro Tem Jordan made a motion, seconded by Councilwoman Chivers, to adopt **Ordinance No. O-44-18** as presented. Upon vote, motion carried unanimously 5-0.

**CLOSED SESSION**

Mayor Presley announced that Council would go into Closed Session pursuant to Section 551.072 deliberation regarding real property and Section 551.074 regarding personnel matters. The time was 7:37 p.m.

- 1) Discuss J.C. Penny Company, Inc. lease at Palestine Mall.
- 2) Discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City employees; specifically the Finance Director.

**RECONVENE IN REGULAR SESSION**

Mayor Presley reconvened Council into open session at 8:08 p.m.

No action was taken.

**ADJOURN**

With no other business to come before the Council, the meeting was adjourned at 8:08 p.m.

PASSED AND APPROVED THIS 11TH DAY OF FEBRUARY, 2019.

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Steve Presley, Mayor

ATTEST:

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Teresa Herrera, City Secretary