

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, January 14, 2019 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
Mitchell Jordan, Mayor Pro Tem
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
Ronald D. Stutes, City Attorney

Others present: PEDC Director Gayle Cooper Public Works Director Tim Perry, Interim Finance Director Jim Mahoney, and other interested citizens;

with the following member absent: none.

WORK SESSION

With a quorum present, Mayor Presley called the work session to order at 3:30 p.m.

1) Discuss adding Municipal Development Corporation Sales Tax on the May 2019 ballot.
Councilman Joe Baxter led the discussion. An MDC focuses on workforce training and development, this will be ideal for long-term training and early childhood development programs within the city. Council heard from PEDC Director Gayle Cooper. She explained that MDC are formed for small communities.

2) Update on the Annual Audit for Fiscal Year 2017-2018.
Auditor Frank Campos informed that he hopes to present the audit the first meeting in March. He added that Finance Department is in a much better position this year.

3) Discuss plans for property at Old Memorial Hospital.
Council discussed the property at Old Memorial Hospital. Council directed staff to schedule a town hall meeting to hear from the community on Monday, February 18th at 6:00 p.m.

4) Discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Attorney. Councilwoman Larissa Loveless
Councilwoman Loveless led the discussion. Council will research evaluation forms from used by other cities and bring back sample evaluation forms to discuss at the next meeting.

5) Discuss current City Council Policies and Procedures. Mayor Steve Presley
Council agreed to tighten up on the rules. Councilwoman Goolsby explained that Council needs a clearly defined Code of Conduct.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Roy Duncan, and was followed by the Pledge of Allegiance.

PROPOSED CHANGES OF AGENDA ITEMS

There were no proposed changes.

PUBLIC COMMENTS, PUBLIC RECOGNITION, AND ANNOUNCEMENTS

AD Ethridge spoke regarding waste of tax payer dollars.

Gloria Perring spoke regarding the conduct of the city attorney.

James Smith spoke regarding City government.

CONFLICT OF INTEREST DISCLOSURES

No action was taken.

PUBLIC HEARING

- 1) Public hearing regarding a petition requesting to be annexed into the City limits of Palestine. The property is addressed to 2710 North State Hwy 155. Applicant J3 Group, LLC. dba Family Dollar Store. City Secretary Teresa Herrera

City Secretary Herrera provided a summary. The property is currently partially in the City, and this request is for the annexation of the entire property. This is the first of two public hearings.

Mayor Presley opened the public hearing at 5:47 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 5:47 p.m.

- 2) Public hearing regarding an application requesting to permanently close and abandon a portion of an alleyway between N. Fannin Street and N. Dechard Street. Public Works Director Tim Perry

Public Works Director Perry provided a summary. Nine notices were mailed. One notice was returned in favor and one against the request.

Mayor Presley opened the public hearing at 5:49 p.m. and asked for anyone speaking for or against the request to do so. Paul Torres spoke in favor of closing the alleyway. With no one else speaking, Mayor Presley closed the public hearing at 5:50 p.m.

- 3) Public hearing regarding a request for a zoning change allowing a duplex at 942 Esplanade Street. The property is currently zoned R-2, Single-Family, Medium Density proposing a change to MF-1, Multi-Family, Low Density. Applicant is Jerelean Boyd. Building Official Mark Miers

Building Official Miers provided a summary.

Mayor Presley opened the public hearing at 5:51 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 5:52 p.m.

MAYOR'S REPORT

Mayor Presley reported that he attended the opening of Darling Ingredient's Inc. in Grapeland, attended the City's Employee Appreciation lunch, and attended a meeting in Austin regarding property tax plans. Also, Polar Express had attendance record in 2018.

ITEMS FROM COUNCIL

Mayor Pro Tem Jordan reminded everyone that MLK Day is Monday and talked about Black History Month.

Councilwoman Chivers provided information regarding MLK Day Parade and event. Also, national recording artist, Art Sherrod, PHS alum visited the Palestine High School and performed at a charity Gospel Jazz Banquet at the Civic Center.

Councilman Baxter invited everyone to attend MLK Day Parade.

Councilwoman Goolsby expressed that she was glad to be back in Texas.

Mayor Presley extended his condolences to the family of Frank Torma.

Mayor Pro Tem Jordan asked to have illegal dumping on the next agenda.

CITY MANAGER'S REPORT

City Manager Hornes informed that departments will be providing departmental strategic plans. Also, Finance is looking at a Citi credit card rewards program to earn rebates.

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

Finance (Municipal Court, Credit Cards, Check Register, Property Tax, and Sales Tax), Library, Community Services, and Fire departmental reports were provided.

BOARD APPOINTMENTS

- 1) Consider the reappointments of Ben Campbell to Place 5 and Charles Drane to Place 7 to Palestine Economic Development Corporation with term to expire December 31, 2020.

Mayor Pro Tem Jordan made a motion, seconded by Councilwoman Chivers, to approve the appointments as presented. Upon vote, motion carried unanimously 7-0.

- 2) Consider the appointment of Mike Ware to Place 3 replacing William Young on the Main Street Advisory Board with term to expire September 30, 2020.

Mayor Pro Tem Jordan made a motion, seconded by Councilman Baxter, to approve the appointment as presented. Upon vote, motion carried unanimously 7-0.

OPEN BIDS

- 1) Open Bid No. B2019-001 Partial Roof Replacement of Building 4, Public Works Facility.

Bids were received and opened for Bid No. B2019-001 Partial Roof Replacement of Building 4, Public Works Facility as follows:

Lessman Roofing & Sheetmetal LLC	Conroe, TX	\$61,583.64
Globus Management Group	Garland, TX	\$61,879
Austin Construction	Palestine, TX	\$47,736
All American Exteriors Specialist, Inc.	Irving, TX	\$68,481
ASAP Roofing and Construction	Tyler, TX	\$41,938
DK Haney Roofing	Fort Worth, TX	\$51,300
Longview Roofing LLC	Longview, TX	\$60,017
Advanced Roofing Services Inc.	Longview, TX	\$78,247

CONSENT AGENDA

- 1) Consider approval of minutes of the Work Session and Regular Meeting of October 8, 2018.
- 2) Consider approval of minutes of the Joint Meeting with PEDC of October 18, 2018.
- 3) Consider approval of minutes of the Work Session and Regular Meeting of October 22, 2018.
- 4) Consider approval of minutes of the Work Session of October 29, 2018.
- 5) Consider approval of invoices over \$25,000. Interim Finance Director Jim Mahoney

Councilwoman Chivers made a motion, seconded by Councilwoman Loveless, to approve the Consent Agenda as presented. Upon vote, motion carried unanimously 7-0.

REGULAR AGENDA

- 1) Second reading and consider approval of resolutions regarding Palestine Economic Development Corporation and City of Palestine notice of intention to grant \$75,000 to Shuffler Properties Ltd., property located at 710 W. Main Street and \$29,202 to Ye Olde Auction House, property located at 504/512 Main Street. PEDC Director Gayle Cooper

Mayor Presley read aloud the second reading of the resolutions. PEDC Director Cooper provided a summary. PEDC Board approved the request. These grants are to rehab buildings and are paid after the work is completed.

Mayor Pro Tem Jordan made a motion, seconded by Councilman Baxter, to approve **Resolution No. R-01-19** and **Resolution No. R-02-19** as presented. Upon vote, motion carried unanimously 7-0.

- 2) Consider authorizing the City Manager to enter into and execute an agreement with Ross|Gannaway, PLLC for general legal advice and counsel on employment and civil service matters. Risk Manager/Safety Coordinator Mike Phillips

City Manager Hornes provided a summary.

Councilwoman Loveless made a motion, seconded by Councilwoman Chivers, to authorize the City Manager to enter into and execute an agreement with Ross|Gannaway, PLLC for general legal advice and counsel on employment and civil service matters. Upon vote, motion carried 6-1 with Councilman Baxter voting nay.

- 3) Consider an ordinance for a zoning change at 942 Esplanade Street, from R-2, Single Family Detached, Medium Density District, to MF-1, Multi-Family, Low Density. Building Official Mark Miears

Building Official Miears provided a summary. Planning and Zoning Commission approved the request.

Councilwoman Chivers made a motion, seconded by Mayor Pro Tem Jordan, to approve **Ordinance No. O-01-19** as presented. Upon vote, motion carried unanimously 7-0.

- 4) Consider approval of the Tax Abatement Policy. PEDC Director Gayle Cooper

PEDC Director Cooper provided a summary. There are no changes being recommended at the time. Policy was discussed.

Mayor Pro Tem Jordan made a motion, seconded by Councilwoman Loveless, to approve the Tax Abatement Policy as presented. Upon vote, motion carried unanimously 7-0.

- 5) Consider the request received to permanently close and abandon a portion of an alleyway between N. Fannin Street and N. Dechard Street. Public Works Director Tim Perry

Public Works Director Perry provided a summary. Staff recommends that Council deny the request.

Councilwoman Chivers made a motion, seconded by Mayor Pro Tem Jordan, to approve **Ordinance No. O-02-19** permanently close and abandon a portion of an alleyway between N. Fannin Street and N. Dechard Street. Upon vote, motion carried unanimously 7-0.

- 6) Consider approval of organizational restructure of Waste Water Treatment Plant. Public Works Director Tim Perry

Public Works Director Perry provided a summary. Staff suggests the organizational chart for the Waste Water Treatment Plant be allocated as follows: one Plant Supervisor, one Chief Plant Operator, three Plant Operators with one of those Operators also serving as Pretreatment Coordinator; and by creating an organizational ladder as provided, the City will be in full compliance of TCEQ rules and regulations.

Councilwoman Goolsby made a motion, seconded by Councilwoman Connor, to approve of the organizational restructure of Waste Water Treatment Plant. Upon vote, motion carried unanimously 7-0.

- 7) Consider adopting revised Travel Policy. City Manager Michael Hornes

City Manager Hornes provided a summary; this policy includes the purchasing cards. Discussion was held.

Councilwoman Goolsby made a motion, seconded by Councilwoman Chivers, to adopt the policy as presented. Upon vote, motion carried unanimously 7-0.

8) Consider adopting revised Purchasing Policy. City Manager Michael Hornes
City Manager Hornes provided a summary.

Councilwoman Loveless made a motion, seconded by Councilwoman Goolsby, to adopt the policy as presented. Upon vote, motion carried unanimously 6-1 with Councilwoman Connor voting nay.

9) Consider an ordinance amending Article II, Police Reserve Force, of Chapter 66, Law Enforcement. Asst. Police Chief Mark Harcrow
Asst. Police Chief Harcrow provided a summary. These officers are unpaid, usually retired or working in another field, who are utilized to supplement the department's operations. Discussion was held. These changes will allow the department to rebuild the reserve force with those who wish to serve on a voluntary basis.

Councilman Baxter made a motion, Councilwoman Chivers, to approve **Ordinance No. 0-03-19** as presented. Upon vote, motion carried unanimously 7-0. Upon vote, motion carried unanimously 7-0.

10) Consider contracting with SGR to recruit candidates to hire an Interim Human Resource Director. City Manager Michael Hornes
City Manager Hornes provided a summary.

Mayor Pro Tem Jordan made a motion, seconded by Councilwoman Chivers, contract with SGR to recruit candidates to hire an Interim Human Resource Director. Upon vote, motion carried unanimously 7-0.

11) Discuss and take any action necessary regarding current City Council Policies and Procedures. Mayor Steve Presley
Item was discussed in work session. No action was taken.

12) Discuss and take any action necessary regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Attorney. Councilwoman Larissa Loveless
Item was discussed in work session. No action was taken.

CLOSED SESSION

Mayor Presley announced that Council would go into Closed Session pursuant to Section 551.074 regarding personnel matters. The time was 7:24 p.m.

- 1) Hear a complaint against an officer or employee of the city.

RECONVENE IN REGULAR SESSION

Mayor Presley reconvened Council into open session at 8:17 p.m.

No action taken.

ADJOURN

With no other business to come before the Council, the meeting was adjourned at 8:17 p.m.

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

Steve Presley, Mayor

ATTEST:

Teresa Herrera, City Secretary

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