

**REGULAR SESSION
GILMER CITY COUNCIL
TUESDAY, NOVEMBER 27, 2018, 5:15 P.M.
COUNCIL CHAMBERS, CITY HALL
110 BUFFALO, GILMER, TEXAS**

COUNCIL PRESENT: MAYOR TIM MARSHALL
COUNCILMAN WILLIAM HORNSBY, DISTRICT 1
COUNCILMAN MICHAEL CHEVALIER, AT-LARGE
COUNCILMAN BRIAN WILLIAMS, DISTRICT 3

COUNCILMAN ABSENT: COUNCILMAN JAROM TEFTELLER AT-LARGE
COUNCILMAN MARTY JORDAN, DISTRICT 2
COUNCILMEMBER TEATHEL HOLLIS, DISTRICT 4

STAFF PRESENT: GREG HUTSON, CITY MANAGER
MARIA CISNEROS, CITY SECRETARY
MICHAEL D MARTIN, CITY ATTORNEY
JERRY TAYLOR, FIRE CHIEF
MARK CASE, POLICE CHIEF

OTHERS PRESENT: ELERY ALEXANDER
JONATHAN MENDOZA
HUEY MITCHELL
W.T. TURNER
EDDIE TURNER
CHRIS RICCARDI
DALTON NELSON
TORI PETTY
PHILLIP WILLIAMS
GLENN EVANS, LONGVIEW NEWS JOURNAL
CATARINA TAMEZ
JENNIFER GUNN
CODY KETTE

MINUTES

**1. CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE**

Mayor Tim Marshall called the meeting to order at 5:17 p.m. The invocation was led by Councilman William Hornsby and the pledge was led by Councilman Michael Chevalier.

2. CITIZEN COMMENTS

Mayor announced a GIF Economic Development meeting at Upshur Rural on December 05, 2018.

3. CONSENT AGENDA (ENCLOSURE)

- a. Consider approval of City Council minutes from September 25, 2018
- b. Consider approval of Sales Tax report for October, 2018
- c. Consider approval of Expense report
- d. Consider approval of Financials for September, 2018
- e. Consider approval of Gilmer Fire Department report for September, 2018
- f. Consider approval of Code Enforcement report for September, 2018
- g. Consider approval of Gilmer Police Department report for September, 2018

City Manager Greg Hutson addressed current sales tax as higher at this point than it was last fiscal year. We have seen an increase in Sales Tax for November, 2018 by 6.99%. Overall Sales Tax has increased 2.22% for the months of October and November. Councilman Brian Williams made a motion to approve consent agenda with a second by Councilman William Hornsby and a vote of 4/0 for approval.

4. CONSIDER DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 18-031 AMENDING THE CITY BUDGET FOR THE CITY OF GILMER, TEXAS FOR THE ONE YEAR PERIOD BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019 TO RECORD INSURANCE PROCEEDS AND REPAIRS FOR FD VHF ANTENNA (ENCLOSURE).

Mayor Tim Marshall informed council of insurance proceeds for repairs to Fire Department VHF Antenna System. Cost for repairs is \$4,585.00 with a deductible of \$1,000.00 .

Councilman William Hornsby made a motion to approve ordinance No. 18-031 with a second by Councilman Michael Chevalier and a vote of 4/0 for approval.

5. CONSIDER AND ACT ON APPROVING EXPENDITURE FOR PUBLIC SAFETY DIGITAL REPEATER TO BE REIMBURSED BY HOMELAND SECURITY GRANT AWARDED TO CITY OF GILMER (ENCLOSURE).

Police Chief Mark Case addressed council about grant money status for public safety digital repeater that the police department will use to replace analog equipment. The police department is working on meeting FEMA standards for awarding of said grant. The city will purchase the repeater for the police department and Homeland Security will then reimburse the City of Gilmer.

Mayor Tim Marshall made a motion on approving expenditure for Public Safety Digital Repeater with a second by Councilman William Hornsby and a vote of 4/0 for approval.

6. CONSIDER TEMPORARILY CLOSING CITY STREETS:

- Buffalo St. from Titus to Trinity St.
- Jefferson St. from Titus to Highway 271 (N. Wood)
- Titus St. from Jefferson/Buffalo to Cass St.
- Silver Alley from Harrison to Hwy 154
- Davis Street from Hwy 154 to Buffalo St.
- Simpson Street from Hwy 154 to Jefferson St.

AND TEMPORARILY DETOURING A PORTION OF STATE HIGHWAY 154 [Highway 154 (Marshall and Tyler St.) from Highway 271 (N. Wood) to Trinity St.] FOR THE YULEFEST PARADE SATURDAY, DECEMBER 1ST, 2018. FROM 6:00 P.M. TO 6:45 P.M. (ENCLOSURE)

Councilman Brian Williams made a motion granting temporary closure of City Streets for Yulefest festival with a second by Councilman William Hornsby and a vote of 4/0 for approval.

7. CONSIDER CLOSING SILVER ALLEY FROM HARRISON STREET TO TYLER STREET ON SATURDAY, DECEMBER 1, 2018 AT 6:00 A.M. TO 10:00 P.M. FOR BREAKFAST WITH SANTA.

Councilman Brian Williams made a motion granting temporary closure of Silver Alley for breakfast with Santa with a second by Councilman Michael Chevalier and a vote of 4/0 for approval.

8. CONSIDER DISCUSSION AND POSSIBLE ACTION AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT FOR PLAN REVIEW SERVICES WITH BERNIE SMITH FOR GILMER HIGH SCHOOL (ENCLOSURE).

City Manager Greg Hutson addressed council regarding proposed agreement between Bernie Smith and the City of Gilmer to provide plan review services for the new Gilmer ISD High School. The maximum plan review fee is \$2,134.00.

Councilman William Hornsby made a motion to authorize the City Manager Greg Hutson to execute agreement with a second by Councilman Michael Chevalier and a vote of 4/0 for approval.

9. CONSIDER DISCUSSION AND POSSIBLE ACTION AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT FOR INSPECTIONS SERVICES WITH BERNIE SMITH FOR GILMER HIGH SCHOOL (ENCLOSURE).

City Manager Greg Hutson addressed council regarding proposed agreement between Bernie Smith the city to provide inspections services for the new Gilmer ISD High School. Based upon 46 miles of travel, time at site and inspection report preparation, site inspection fee would be \$390.00 for each inspection. This fee includes travel, site inspection and inspections report.

Councilman Michael Chevalier made a motion to authorize the City Manager Greg Hutson to execute agreement with a second by Councilman Brian Williams and a vote of 4/0 for approval.

10. CONSIDER DISCUSSION AND APPROVAL AUTHORIZING CITY MANAGER TO EXECUTE PROFESSIONAL SERVICES AGREEMENT WITH BOJORQUEZ LAW FIRM FOR P&Z LEGAL SERVICE ON AS NEEDED BASIS (ENCLOSURE).

City Manager Greg Hutson addressed the council stating the firm will serve as Special Counsel and will advise, assist and advocate the City's interests as it relates to land us, planning and zoning and other related areas.

Councilman Michael Chevalier made a motion to authorize the City Manager Greg Hutson to execute agreement with Bojorquez Law Firm with a second by Councilman Brian Williams and a vote of 4/0 for approval.

11. CONSIDER DISCUSSION AND POSSIBLE ACTION REGARDING DIXON CEMETERY EASEMENT AGREEMENT.

Mayor Tim Marshall discussed agreement and the Cities' desire to obtain a 20-foot easement along the northern property line of a property owned by Billy J. Davidson which adjoins the subject property to the north, said easement to allow access to the Dixon Cemetery by the City and by the public.

Councilman Brian Williams made a motion to approve easement with a second by Councilman William Hornsby and a vote of 4/0 for approval.

12. CONSIDER AND ACT ON CANCELLATION FOR DECEMBER 25, 2018, COUNCIL MEETINGS (ENCLOSURE)

Councilman Brian Williams made a motion to approve cancellation for December 25, 2018 council meeting with a second by Councilman Michael Chevalier and a vote of 4/0 for approval.

13. CONSIDER AN EXECUTIVE SESSION UNDER ARTICLE NUMBER(S) §551.072 REAL PROPERTY ACQUISITION AND DELIBERATION, AND ARTICLE NUMBER §551.071 PENDING OR COMTEMPLATED LEGAL ACTION.

Councilman Michael Chevalier made a motion to enter in executive session with a second by Councilman Brian Williams and a vote of 4/0 for approval.

Time entered into executive session was 5:44 p.m.

14. CONSIDER DISCUSSION AND POSSIBLE ACTION RELATED TO DELIBERATION REGARDING REAL PROPERTY AND CONSULTATION WITH CITY ATTORNEY DISCUSSED IN THE EXECUTIVE SESSION AND MATTERS RELATED THERETO.

Mayor Tim Marshall made a motion to enter regular session with a second by Councilman William Hornsby and a vote of 4/0 for approval. Time entered into regular session was 6:04 p.m.

Mayor Tim Marshall addressed that there are three items that need to be addressed and they are:

1. Authorize City Manager Greg Hutson and City Attorney Michael D. Martin to negotiate acquisition with Northeast Texas District Baptist Association regarding Abney Street Park. Mayor Tim Marshall made a motion to approve negotiation with a second by Councilman Michael Chevalier and a vote of 4-0 for approval.
2. Approve acquisition of land as it relates to Yamboree Park land of 12.5 acres was purchased from John Collier, north of north end of Yamboree Park in the amount of \$69, 816.50 to be used for the parks masterplan. Councilman Brian Williams made a motion to approve acquisition with a second by Councilman William Hornsby and a vote of 4/0 for approval.
3. Negotiation with Gilmer ISD Superintendent Rick Albritton in regards to Inspections fee and plan review fees. Councilman Brian Williams made a motion approving City Manager Greg Hutson to negotiate and a second by Councilman William Hornsby and vote of 4/0 for approval.

15. ADJOURN

Councilman Brian Williams made a motion to adjourn with a second by Councilman William Hornsby and a vote of 4/0 for approval.

Meeting adjourned 6:10 p.m.



Tim Marshall
Tim Marshall, Mayor

ATTEST:

Maria Cisneros

Maria Cisneros, City Secretary