

**GILMER CITY COUNCIL
TUESDAY, JANUARY 14, 2020 5:15 P.M.
COUNCIL CHAMBERS, CITY HALL
110 BUFFALO, GILMER, TEXAS**

COUNCIL PRESENT:

**MAYOR TIM MARSHALL
MAYOR PRO-TEM WILLIAM HORNSBY, DISTRICT 1**

**COUNCILMAN MICHAEL CHEVALIER, AT-LARGE
COUNCILMAN JAROM TEFTELLER, AT-LARGE
COUNCILMEMBER TEATHEL HOLLIS, DISTRICT 4
COUNCILMAN BRIAN WILLIAMS, DISTRICT 3**

COUNCIL ABSENT:

COUNCILMAN MARTY JORDAN, DISTRICT 2

STAFF PRESENT:

**GREG HUTSON, CITY MANAGER
MARIA CISNEROS, CITY SECRETARY
MIKE MARTIN, CITY ATTORNEY
STEPHANIE ELLIS, DIRECTOR OF FINANCE
HERMAN MONTGOMERY, GPD
PAM PYEATT, HUMAN RESOURCE**

OTHERS PRESENT:

**W.T. TURNER
EDDIE TURNER
PHILLIP WILLIAMS
HUEY MITCHELL
ARTHUR HILL
MIKE DMYTURKO
CHRIS WHITFIELD
DEBORAH BANKSTON
STEVE DEAN
BRENDA JEFFREY
RON & JUDY NORWOOD**

MINUTES

**1. CALL TO ORDER
INVOCATION
PLEDGE**

Mayor Tim Marshall called the meeting to order at 5:16 p.m. The invocation was led by Councilman William Hornsby and pledge of allegiance led by City Attorney Mike Martin.

2. **CITIZEN COMMENT**

3. **CONSENT AGENDA (ENCLOSURE)**

- a. Consider approval of City Council minutes from November 12, 2019
- b. Consider approval of Gilmer Fire Department Report for November, 2019
- c. Consider approval of Gilmer Fire Department Report for December, 2019
- d. Consider approval of Gilmer Police Department Report for November, 2019
- e. Consider approval of Gilmer Police Department Report for December, 2019
- f. Consider approval of Gilmer Food Establishment Inspection Report for November, 2019
- g. Consider approval of Gilmer Food Establishment Inspection Report for December, 2019
- h. Consider approval of Code Enforcement report November, 2019
- i. Consider approval of Code Enforcement report December, 2019
- j. Consider approval of Expense report for period of October thru December, 2019
- k. Consider approval of Financials for October, 2019
- l. Consider approval of Financials for November, 2019
- m. Consider approval of Financials for December, 2019

City Manager Greg Hutson reported that sales tax for Fiscal year to date is up 10.63% from last Fiscal year.

Councilman Brian Williams made a motion to approve consent agenda items with a second by Councilman William Hornsby and a vote of 6/0 for approval.

4. **CONSIDER AND DISCUSS AIRPORT MASTER PLAN PRESENTATION BY COFFMAN & ASSOCIATES AND MATTERS RELATED THERETO**

Mike Dmyterko with Coffman Associates presented council with the airport master plan. The official copy will be used to request funds for airport projects in the future.

5. **CONSIDER AND ACT ON ADOPTING AIRPORT MASTER PLAN PRESENTED BY COFFMAN & ASSOCIATES AND MATTERS RELATED THERETO**

Councilman William Hornsby made a motion to adopt airport master plan with a second by Councilmember Teathel Hollis and a vote of 6/0 for approval.

6. **CONSIDER DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO.20-001 DESIGNATING *THE GILMER MIRROR* AS THE NEWSPAPER OF RECORD FOR THE CITY OF GILMER, TEXAS**

Councilman Jarom Tefteller made a motion to approve resolution no. 20-001 designating The Gilmer Mirror as the newspaper of record with a second by Councilman William Hornsby and a vote of 6/0 for approval.

7. **CONSIDER AND ACT ON APPOINTMENTS TO THE FOLLOWING BOARDS AND COMMISSIONS:**

- a. **Four (4) Park Advisory Board members**
Ben Dodd, Emma Smith, Lucy Winn, Todd Stansbury.
- b. **Two (2) Board of Adjustments members**
Randy Duke, appointed to 2-year term and one vacancy
- c. **Seven (7) Cemetery Advisory Board members**
John McWhorter, Lavelle Crow, Troy Murray, Bonnie Gorman, Julia Davis, Bill Starnes, one vacancy
- d. **Two (2) Planning & Zoning Commission member**
Todd Stansbury, Joe Newsom
- e. **Two (2) Gilmer Housing Authority**
John McWhorter, Don Ford

Mayor and City Councilmembers received a listing of the 2020 Board appointments. Councilman Jarom Tefteller made a motion to appoint each person listed for the positions with a second by Councilmember Teathel Hollis and a vote of 6/0 for approval.

- 8. CONSIDER AND ACT ON RECOMMENDATION PERTAINING TO AIRPORT BOARD MEMBER VACANCY(S).**
- a. John McWhorter
 - b. Steve Dean

Councilman Jarom Tefteller made a motion to appoint each person listed for the positions with a second by Councilman William Hornsby and a vote of 6/0 for approval.

- 9. CONSIDER DISCUSSION AND POSSIBLE ACTION REGARDING MARTIN LUTHER KING (MLK) DAY "WALK" AND MATTERS RELATED THERETO.**

Mayor Tim Marshall addressed the 5th annual Martin Luther (MLK) Day walk that will be held Saturday, January 18th at 10 a.m. The route will begin at the First United Methodist Church parking area on Buffalo Street and end at Moses Chapel Church.

Councilman William Hornsby made a motion to approve the request and for the Gilmer Police Department and Gilmer Fire Department to assist with safety of the participants, with a second by Councilman Jarom Tefteller and a vote of 6/0 for approval.

- 10. CONSIDER DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 20-005 AMENDING THE CITY BUDGET FOR THE CITY OF GILMER, TEXAS FOR THE ONE YEAR PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 TO RECORD INSURANCE PROCEEDS FROM DAMAGE TO HWY 271 LIGHT POLE FROM ACCIDENT IN THE AMOUNT OF \$3,506.75.**

Councilman Jarom Tefteller made a motion to approve ordinance no. 20-005 to record insurance proceeds for light pole with a second by Councilmember Teathel Hollis and a vote of 6/0 for approval.

- 11. CONSIDER DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 20-002 AMENDING THE CITY BUDGET FOR THE CITY OF GILMER, TEXAS FOR THE ONE YEAR PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 TO TRANSFER FUNDS FROM STREETS FUND TO GENERAL FUND FOR 2019 STREET IMPROVEMENT PROJECT IN THE AMOUNT OF \$127,193.00.**

Councilman Jarom Tefteller made a motion to approve ordinance no. 20-002 to transfer funds for 2019 street improvements with a second by Councilman William Hornsby and a vote of 6/0 for approval.

- 12. CONSIDER DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 20-003 AMENDING THE CITY BUDGET FOR THE CITY OF GILMER, TEXAS FOR THE ONE YEAR PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020 TO TRANSFER FUNDS FROM 2015 BOND TO ENTERPRISE FUND FOR REPAIRS TO SLIT CASE HORIZONTAL PUMP REPAIR AT HARRISON STREET PUMP STATION IN THE AMOUNT OF \$15,498.56.**

Councilman Jarom Tefteller made a motion to approve ordinance no. 20-003 for Harrison Street pump repair with a second by Councilman William Hornsby and a vote of 6/0 for approval.

- 13. CONSIDER AND DISCUSS INCREASE IN CENTERPOINT ENERGY RATES FOR THE NORTH EAST TEXAS AREA.**

Council discussed the amount of rate increase.

- 14. CONSIDER AND DISCUSS UBER/LYFT TRANSPORTATION IN THE CITY LIMITS AND MATTERS RELATED THERETO**

Council briefly discussed benefits of ride sharing.

- 15. CONSIDER AND DISCUSS HOUSE BILL 3834 WHICH REQUIRES THAT ALL LOCAL GOVERNMENT EMPLOYEES AND ELECTED OFFICIALS IN THE STATE OF TEXAS RECEIVE CERTIFIED INFORMATION SECURITY TRAINING BY JUNE 14, 2020.**

City Manager Greg Hutson informed council of state requirement for certification training of information security.

16. CONSIDER AND ACT ON APPROVING ORDINANCE NO. 20-004 AMENDING ORDINANCE NO. 19-035, EXHIBIT "F", AMENDING NON-EXCLUSIVE COMMERCIAL ROLL-OFF.

City Manager Greg Hutson addressed amending the non-exclusive commercial roll-off ordinance no. 19-035 exhibit "F", updating fees to; a 20-yard open top \$100.00 per haul and \$75.00 recyclable per haul, 30-yard open top \$125.00 per haul and \$100.00 recyclable per haul, 40-yard open top \$140.00 per haul and \$120.00 recyclable per haul and adding 25-yard open top \$115.00 per haul and \$85.00 recyclable per haul.

Councilman Jarom Tefteller made a motion to approve ordinance no.20-004 amending non-exclusive commercial rolloff with a second by Councilman William Hornsby and a vote of 6/0 for approval.

17. CONSIDER AND ACT ON AUTHORIZING THE MAYOR TO EXECUTE RELEASE OF PAVING LIEN DATED JULY 23, 1953.

Councilman Jarom Tefteller made a motion to authorize Mayor Tim Marshall to execute release of lien with a second by Councilman William Hornsby and a vote of 6/0 for approval.

18. CONSIDER AN EXECUTIVE SESSION UNDER ARTICLE NUMBER(S) §551.074 PERSONNEL MATTERS REGARDING MUNICIPAL JUDGE HEALTH INSURANCE BENEFITS AND MATTERS RELATED THERETO

Councilman Brian Williams made a motion to enter into executive session with a second by Councilman William Hornsby and a vote of 6/0 for approval. Time entered in executive session at 6:17 p.m. Councilman William Hornsby made a motion to enter regular session with a second by Councilman Brian Williams and a vote of 6/0 for approval. Time entered in regular session at 6:55 p.m.

19. CONSIDER DISCUSSION AND POSSIBLE ACTION RELATED TO PERSONNEL MATTERS REGARDING MUNICIPAL JUDGE HEALTH INSURANCE BENEFITS AND MATTERS RELATED THERETO

Councilman Jarom Tefteller made a motion to allow City Manager Greg Hutson and City Attorney Mike Martin to meet with Municipal Judge to settle and resolve insurance matter with a second by Councilmember Teathel Hollis and a vote of 6/0 for approval.

20. CONSIDER AN EXECUTIVE SESSION UNDER ARTICLE NUMBER(S) §551.071 DELIBERATION WITH CITY ATTORNEY REGARDING COMTEMPLATED LITIGATION TO ADDRESS NEIGHBORHOOD NOISE ISSUES AND MATTERS RELATED THERETO

Councilman Brian Williams made a motion to enter into executive session with a second by Councilman William Hornsby and a vote of 6/0 for approval. Time entered in executive session at 6:17 p.m. Councilman William Hornsby made a motion to enter regular session with a second by Councilman Brian Williams and a vote of 6/0 for approval. Time entered in regular session at 6:55 p.m.

21. CONSIDER DISCUSSION AND POSSIBLE ACTION RELATED TO DELIBERATION WITH CITY ATTORNEY REGARDING COMTEMPLATED LITIGATION TO ADDRESS NEIGHBORHOOD NOISE ISSUES AND MATTERS RELATED THERETO

Councilman Jarom Tefteller made a motion to allow City Manager Greg Hutson and City Attorney Mike Martin to work with noise violators regarding noise issues with a second by Councilmember Teathel Hollis and a vote of 6/0 for approval.

22. ADJOURN

Councilmember Teathel Hollis made a motion to adjourn with a second by Councilmember William Hornsby and a vote of 6/0 for approval.

Meeting Adjourned at 7:00 p.m.

Tim Marshall

Tim Marshall, Mayor

ATTEST:

Maria Cisneros

Maria Cisneros, City Secretary

