

**GILMER CITY COUNCIL
REGULAR STATED SESSION
COUNCIL CHAMBERS, CITY HALL
TUESDAY, NOVEMBER 9th , 2021 5:15 P.M.
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
COUNCILMAN MARTY JORDAN, DISTRICT 2
COUNCILMAN BRIAN WILLIAMS, DISTRICT 3
COUNCILMEMBER JASMINE CUNNINGHAM, DISTRICT 4**

STAFF PRESENT:

**GREG HUTSON, CITY MANAGER
MARIA CISNEROS, CITY SECRETARY
MIKE MARTIN, CITY ATTORNEY
JERRY TAYLOR, FIRE CHIEF
MARK CASE, POLICE CHIEF**

OTHERS PRESENT:

**PHILIP WILLIAMS, GILMER MIRROR
RICHARD HENSON
DWIGHT BRANNON, ATTORNEY
HAYWARD RIGANO, ATTORNEY
HARRY M FOX**

MINUTES

**1. CALL TO ORDER
INVOCATION
ROLL CALL**

Mayor Tim Marshall called the meeting to order at 5:16 p.m. The invocation was led by Councilmember William Hornsby and Pledge of Allegiance was led by Councilmember Jasmine Cunningham.

2. CITIZEN COMMENT
No citizen comments

3. CONSENT AGENDA

- a. Consider approval of City Council minutes from October 12TH , 2021
- b. Consider approval of Gilmer Fire Department Report for October, 2021
- c. Consider approval of Gilmer Food Establishment Inspection Report for October, 2021
- d. Consider approval of Code Enforcement report October, 2021

e. Consider approval of Expense Report for September , 2021

Councilmember Jarom Tefteller made a motion to approve consent agenda items with a second by Councilmember William Hornsby and a vote of 7/0 for approval.

4. CONSIDER ACCEPTANCE OF CITY INVESTMENT REPORT FOR PERIOD ENDING SEPTEMBER 30,2021.

City Manager Greg Hutson addressed council and stated that the interest for certificates of deposit is at 1.00% others are over 2.00% and are all in good standing. Councilmember Jarom Tefteller made a motion to approve city investment with a second by Councilmember William Hornsby and a vote of 7/0 for approval.

5. CONSIDER AND DISCUSS FIRE DEPARTMENT FUNDS RECEIVED FROM TEXAS A&M FOREST SERVICE IN THE AMOUNT OF \$ 20,000.00 FOR PERSONAL PROTECTIVE EQUIPMENT.

Councilmember Jarom Tefteller made a motion to accept Gilmer VFD funds received from Texas A & M grant in the amount of \$20,000.00 for personal protective equipment. City will pay 10% of matching grant. Motion seconded by Councilmember Marty Jordan and a vote of 7/0 for approval.

6. CONSIDER DISCUSSION AND POSSIBLE ACTION AUTHORIZING THE GILMER FIRE DEPARTMENT TO APPLY FOR A GRANT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR A 75' AERIAL LADDER TRUCK AND MATTERS RELATED THERETO.

Fire Chief Jerry Taylor addressed council in regards to this matching grant which has been done in previous years, to the Federal Emergency Management Agency (FEMA) for an Aerial Laffer truck. The city's portion of the matching grant is 5%.

Councilmember Marty Jordan made a motion to authorize grant with a second by Councilmember Jarom Tefteller and a vote of 7/0 for approval.

7. CONSIDER DISCUSSION AND POSSIBLE ACTION AUTHORIZING THE GILMER FIRE DEPARTMENT TO APPLY FOR A GRANT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR RADIO AND EQUIPMENT AND MATTERS RELATED THERETO.

Fire Chief Jerry Taylor addressed council in regards to this 95/5 matching grant which has been done in previous years, to the Federal Emergency Management Agency (FEMA) for radio and other equipment.

Mayor Tim Marshall made a motion to approve with a second by Councilmember Jarom Tefteller and a vote of 7/0 for approval.

8. CONSIDER DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 21-026 AMENDING THE CITY BUDGET FOR THE CITY OF GILMER, TEXAS FOR THE ONE YEAR PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 PURCHASE DRUG TERMINATOR/INCINERATOR WITH DONATION FROM J&B TECHNOLOGIES IN THE AMOUNT OF \$ 4,670.00(ENCLOSURE).

Councilmember Jarom Tefteller made a motion to approve Ordinance No. 21-026 in the amount of \$4, 670.00 with a second by Councilmember Michael Chevalier and a vote of 7/0 for approval.

9. CONSIDER AND ACT ON APPROVING STREET CLOSURE FOR 2021 ARTWALK, "ART ON THE BRICKS," CELEBRATED ON THE GILMER SQUARE BEGINNING THURSDAY, NOVEMBER 11, 2021 FROM 5:00 P.M.-8:00 P.M. (ENCLOSURE).

- a. Titus Street and Cass St
- b. Buffalo at Trinity St
- c. Buffalo at East Marshall Street
- d. Davis Street at Hwy 154
- e. Simpson Street at Hwy 154

Councilmember Marty Jordan made a motion to approve street closure request for Artwalk 'Art on the Bricks' with a second by Michael Chevalier and a vote of 7/0 for approval.

10. CONSIDER AND ACT ON APPROVING STREET CLOSURE FOR 2021 YULEFEST CELEBRATES ON THE GILMER SQUARE BEGINNING SATURDAY, DECEMBER 4, 2021 FROM 9:00 A.M. – 9:00 P.M.

- a. Titus Street at Cass St.
- b. Buffalo at Trinity St
- c. Buffalo at East Marshall Street
- d. Davis Street at Hwy 154
- e. Simpson Street at Hwy 154

Councilmember Marty Jordan made a motion to approve street closure for 2021 Yulefest with a second by Councilmember Jarom Tefteller and a vote 7/0 for approval.

11. CONSIDER DISCUSSION AND POSSIBLE ACTION REGARDING LIVE GILMER FALL FEST EVENT SERVING & CHARGING FOR ALCOHOL WITH SPECIAL TABC PERMIT BEGINNING FRIDAY, NOVEMBER 12, 2021 AND ENDING ON SATURDAY, NOVEMBER 13, 2021.

Councilmember Marty Jordan made a motion to approve Live Gilmer request with a second by Councilmember Jarom Tefteller and a vote of 7/0 for approval.

12. CONSIDER AND ACT ON AUTHORIZING THE MAYOR TO EXECUTE RELEASE OF ASSESSMENT LIEN DATED NOVEMBER 13, 1992.

Mayor Tim Marshall made a motion to execute release of lien dated November 13, 1992 with a second by Councilmember Jasmine Cunningham and a vote of 7/0 for approval.

13. CONSIDER AND ACT ON APPROVAL OF RESOLUTION NO. 21-014 CASTING VOTES FOR TWO-YEAR TERM POSITION(S) ON THE UPSHUR COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.

No Action Taken

14. CONSIDER ACTION TO CANCEL NOVEMBER 23, 2021; DECEMBER 28, 2021; COUNCIL MEETINGS.

Councilmember William Hornsby made a motion to approve cancellation of meetings with a second by Mayor Tim Marshall and a vote of 7/0 for approval.

15. CONSIDER DISCUSSION AND POSSIBLE ACTION REGARDING CITY OFFICIALS' AND EMPLOYEES' CHRISTMAS LUNCHEON AND/OR TURKEY GIVE-AWAY.

Mayor Tim Marshall made a motion to approve turkey give away with a second by Councilmember William Hornsby and a vote of 7/0 for approval.

16. CONSIDER AND ACT ON AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT FOR ELECTRICAL SERVICES WITH HILL ELECTRIC COMPANY 2021-2022

Councilmember William Hornsby stepped out of meeting at 5:47 p.m.

Councilmember Marty Jordan made a motion to authorize the City Manager to execute contract for electrical services with a second by Councilmember Jarom Tefteller and a vote of 6/0 for approval.

17. CONSIDER AND ACT ON AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT FOR JANITORIAL SERVICES AT THE GILMER POLICE DEPARTMENT FOR 2021-2022.

Councilmember Marty Jordan made a motion to authorize City Manager to execute contract for Gilmer Police Dpt. janitorial services with a second by Mayor Tim Marshall and a vote of 6/0 for approval

18. CONSIDER AN EXECUTIVE SESSION UNDER ARTICLE NUMBER(S) §551.071 CONSULTATION WITH CITY ATTORNEY CONCERNING POTENTIAL LAWSUIT AND §551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT.

Councilmember Michael Chevalier made a motion to enter into executive session with a second by Councilmember Brian Williams and a vote of 6/0 for approval. Time entered into executive was 5:50 p.m. Councilmember Jarom Tefteller made a motion to enter into regular session and a vote of 7/0 for approval. Time entered into regular session 7:02 p.m.

Councilmember William Hornsby walked back into meeting at 5:51 p.m.

Councilmember Michael Chevalier walked out of meeting at 5:51 p.m. and back at 5:52 p.m.

19. CONSIDER DISCUSSION AND POSSIBLE ACTION RELATED TO DELIBERATION REGARDING CONSULTATION WITH CITY ATTORNEY CONCERNING POTENTIAL LAWSUIT DISCUSSED IN THE EXECUTIVE SESSION AND MATTERS RELATED THERETO (SEE ITEM #18).

No Action Taken

20. CONSIDER DISCUSSION AND POSSIBLE ACTION RELATED TO DELIBERATION REGARDING ECONOMIC DEVELOPMENT DISCUSSED IN THE EXECUTIVE SESSION AND MATTERS RELATED THERETO (SEE ITEM #18).

Richard Henson with 903 Development, LLC. requested water and sewer infrastructure and annexation for development of new subdivision off of State Highway 155. Annexation will be brought to council at a later date.

Councilmember Jarom Tefteller made a motion to approve access to tie to City water and sewer for development of new subdivision with the approval from the Public Works Director Kenneth Harris, with a second by Councilmember Brian Williams and a vote of 7/0 for approval.

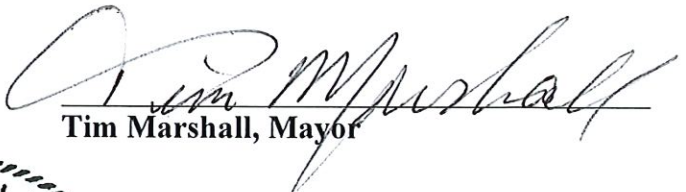
Richard Henson with 903 Development, LLC. asked the city to cover 50 % of cost to relocate 8" sewer main on Warren St. Total cost of relocating is \$32,000.00. City share of cost would be \$16,000.00. City Share of cost would come from City funds and/ or EDC.

Councilmember Jarom Tefteller made a motion to accept proposal to reroute 8" sewer line with a second by Councilmember William Hornsby and a vote of 7/0 for approval.

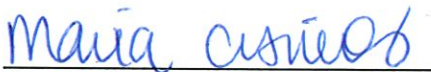
21. ADJOURN

Councilmember Brian Williams made a motion to adjourn with a second by Councilmember William Hornsby and a vote of 7/0 for approval.

Meeting adjourned at 7:05 p.m.


Tim Marshall, Mayor

ATTEST:


Maria Cisneros, City Secretary

