

**GILMER CITY COUNCIL  
REGULAR STATED SESSION  
COUNCIL CHAMBERS, CITY HALL  
THURSDAY, MARCH 8<sup>TH</sup>, 2022 5:15 P.M.  
110 BUFFALO, GILMER, TEXAS**

**COUNCIL PRESENT:**

**MAYOR TIM MARSHALL  
COUNCILMAN JAROM TEFTELLER, AT-LARGE  
COUNCILMAN MICHAEL CHEVALIER, AT-LARGE  
MAYOR PRO-TEM WILLIAM HORNSBY, DISTRICT 1  
COUNCILMAN MARTY JORDAN, DISTRICT 2  
COUNCILMAN EDWIN P HERRMANN, DISTRICT 3  
COUNCILMEMBER JASMINE CUNNINGHAM, DISTRICT 4**

**STAFF PRESENT:**

**GREG HUTSON, CITY MANAGER  
MARIA CISNEROS, CITY SECRETARY  
MIKE MARTIN, CITY ATTORNEY  
LISA LONG, CIVIC CENTER**

**OTHERS PRESENT:**

**PHILIP WILLIAMS, GILMER MIRROR  
DWIGHT BRANNON  
HARRY FOX  
HOWARD RIGANO**

**MINUTES**

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

Mayor Tim Marshall called the meeting to order at 5:15 p.m. The invocation was led by Councilmember William Hornsby and Pledge of Allegiance was led by Councilmember Marty Jordan

**2. CITIZEN COMMENT**  
No citizen comments

### **3. CONSENT AGENDA**

- a. Consider approval of City Council minutes from February 17<sup>th</sup>, 2022
- b. Consider approval of City Council minutes from February 22<sup>nd</sup>, 2022
- c. Consider approval of Gilmer Fire Department Report February, 2022
- d. Consider approval of Gilmer Police Department Report February, 2022
- e. Consider approval of Expense Report

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

### **4. CONSIDER APPROVAL OF DATES FOR SPRING CLEAN-UP FOR THE CITY OF GILMER**

Councilmember Jarom Tefteller made a motion to approve spring clean-up date with a second by Councilmember William Hornsby and a vote of 7/0 for approval.

### **5. CONSIDER AND ACT ON APPROVAL OF ORDINANCE NO. 22-011 DECLARING UNOPPOSED CANDIDATES IN THE MAY 7, 2022 GENERAL ELECTION; CANCELLING SAID ELECTION; PROVIDING ISSUANCE OF A CERTIFICATE OF ELECTION TO EACH CANDIDATE.**

Councilmember Jarom Tefteller made a motion to approve Ordinance No. 22-011 declaring unopposed candidates in the May 7, 2022 general election Councilmember District One Jerry Webb, Councilmember Jasmine Cunningham District Four, Councilmember-At-Large Michael Chevalier all will be appointed on the first City Council meeting in May, 2022 this was seconded by Councilmember Michael Chevalier and a vote of 7/0 for approval.

### **6. CONSIDER AND ACT ON APPROVING CLOSURE OF THE FOLLOWING CITY STREETS FOR GOURDARZI & YOUNG EASTER EGG HUNT EVENT FROM 7:00 A.M. UNTIL 4:00 P.M. ON SATURDAY, APRIL 16, 2022**

- a. Jefferson St at Hwy 271
- b. Buffalo Street at Titus St
- c. Simpson St. at Hwy 154/Tyler St

Councilmember Jarom Tefteller made a motion to approve street closure for the Easter Egg Hunt with a second by Councilmember William Hornsby and a vote of 7/0 for approval.

### **7. CONSIDER AND ACT ON APPROVING CLOSURE OF THE FOLLOWING CITY STREETS FOR ART ON THE BRICKS, ARTWALK FROM 8:00 A.M. UNTIL 7:00 P.M. ON SATURDAY, MAY 21, 2022**

- a. Jefferson St. at Hwy 271
- b. Titus St at Buffalo St
- c. Buffalo St at Davis St
- d. Simpson St. at Hwy 154/Tyler St.
- e. Davis St. at Hwy 154/Tyler St.

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



**8. CONSIDERS DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 22-002 GRANTING ALL RIGHTS TO THE USE OF CERTAIN STREET RIGHT -OF-WAY, INCLUDING SIDEWALKS, IN THE CITY DURING THE RISK IT FOR THE BRISKET FESTIVITIES**

Councilmember Edwin P. Herrmann made a motion to approve resolution no. 22-002 with a second by Councilmember Marty Jordan and a vote of 7/0 for approval.

**9. CONSIDER DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 22-008 AMENDING THE CITY BUDGET FOR THE CITY OF GILMER, TEXAS FOR THE ONE YEAR PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 TO REPAIR 2017 PD FORD EXPLORER AND RECOGNIZE INSURANCE PROCEEDS IN THE AMOUNT OF \$7,646.96**

Mayor Tim Marshall made a motion to approve Ordinance No. 22-008 in the amount of \$7,646.96 with a second by Councilmember Marty Jordan and a vote of 7/0 for approval.

**10. CONSIDER DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 22-009 AMENDING THE CITY BUDGET FOR THE CITY OF GILMER, TEXAS FOR THE ONE YEAR PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 TO MOVE SEWER LINE UNDER FOOTBALL FIELD, TO NEW LOCATION IN THE AMOUNT OF \$17,140.00 GILMER ISD WILL PAY HALF OF THE COST**

Councilmember Jarom Tefteller made a motion to approve Ordinance No. 22-009 in the amount of \$17,140.00 with a second by Councilmember Jasmine Cunningham and a vote of 7/0 for approval.

**11. CONSIDER DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 22-010 AMENDING THE CITY BUDGET FOR THE CITY OF GILMER, TEXAS FOR THE ONE YEAR PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 FOR RELAID SEWER LINE AT WARREN STREET TO CORRECT SEWER BACKUP PROBLEM IN THE SEWER LINE DUE TO INCORRECT LAYING OF GAS LINE IN THE AMOUNT OF \$6,000.00**

Councilmember Edwin P. Herrmann made a motion to approve Ordinance No. 22-010 in the amount of \$6,000.00 with a second by Councilmember Marty Jordan and a vote of 7/0 for approval.

**12. CONSIDER DISCUSSION AND POSSIBLE ACTION TO REVISE GILMER CIVIC CENTER GENERAL LEASE AGREEMENT/RULES/REGULATIONS FOR TEXAS MUNICIPAL LEAGUE EVENT ONLY**

Civic Center Director Lisa Long addressed Council regarding the requested changes per Texas Municipal League on general lease agreement for their upcoming event.

Councilmember Jarom Tefteller recommended to add under rules and regulations, right of refusal that the City of Gilmer reserves the right of refusal or modification in whole in part; for any event up to 60 days prior to event. City Attorney Mike Martin recommended all modification to be made except section N. Once modifications have been made civic center agreement will be submitted to City Attorney for approval and review.

Mayor Tim Marshall made a motion to approve modifications for general lease agreement/rules/regulation with the approval of City Attorney Mike Martin with a second by Councilmember William Hornsby and a vote of 7/0 for approval.

**13. CONSIDER DISCUSSION AND POSSIBLE ACTION TO AMEND GILMER CIVIC CENTER RENTAL RATES**



Mayor Tim Marshall made a motion to amend Gilmer Civic Center rental rates with a second by Councilmember Jarom Tefteller and a vote of 7/0 for approval.

**14. CONSIDER DISCUSSION AND POSSIBLE ACTION TO INCREASE HOURLY RATE FOR ONSITE CERTIFIED PEACE OFFICER WHEN REQUIRED DURING ANY PUBLIC OR PRIVATE EVENT AT GILMER CIVIC CENTER**

Mayor Tim Marshall made a motion to approve increase hourly rate for onsite certified peace officer with a second by Councilmember Jasmine Cunningham and a vote of 7/0 for approval.

**15. CONSIDER AN EXECUTIVE SESSION UNDER ARTICLE NUMBER(S) §551.071 CONSULTATION WITH CITY ATTORNEY CONCERNING POTENTIAL LAWSUIT**

Councilmember Edwin P. Herrmann made a motion to enter into executive session with a second by Councilmember Jasmine Cunningham and a vote of 7/0 for approval. Time entered into executive session 5:47 p.m. Councilmember William Hornsby made a motion to enter regular session with a second by Councilmember Jasmine Cunningham and a vote of 7/0 for approval. Time entered into regular session 6:33 p.m. City Manager Greg Hutson stepped out of meeting at 6:10 p.m.

**16. 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 #15).**

City Attorney Mike Martin recommended to Council to pass ordinance no. 22-012 amending ordinance no. 18-020 and ordinance no 18-026 of the code of ordinances with one addition section 4, prerequisites of Licensing, (A) 8. "Sweepstakes" game room businesses shall make available for review copy of a document that shall detail the amount of payment to the charity or charities for which such room is soliciting donations to the City Manager by each January 31<sup>st</sup> for the preceding year. Documentation supporting this amount shall be available to the City Manager and City Attorney upon request. This provision shall take place only if all parties agreed to this.

Councilmember William Hornsby made a motion to approve recommendation from City Attorney Mike Martin with a second by Councilmember Michael Chevalier and a vote of 7/0 for approval.

**17. ADJOURN**

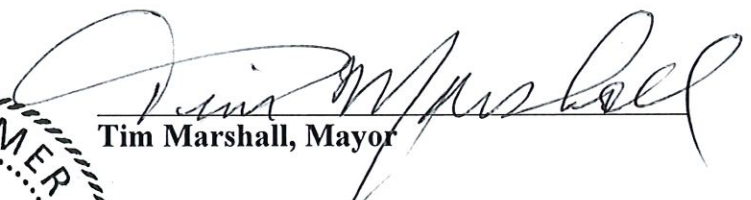
Councilmember Edwin P. Herrmann made a motion to adjourn with a second by Councilmember Michael Chevalier and a vote of 7/0 for approval.

Meeting adjourned at 6:35 p.m.

**ATTEST:**

  
Maria Cisneros, City Secretary



  
Tim Marshall, Mayor