



Mayor Tim Marshall
Councilmember Jerry Webb
Councilmember Jasmine Cunningham
Councilmember Jarom Tefteller

Mayor Pro-Tem Pete Herrmann
Councilmember Marty Jordan
Councilmember Michael Chevalier

MINUTES

The City of Gilmer Council Meeting convened in regular session at 5:15 P.M. on Tuesday, January 23, 2024, at Gilmer City Hall, 110 Buffalo St., Gilmer, Texas.

The following Councilmembers were present:

Mayor Tim Marshall
Councilmember Jerry Webb
Councilmember Jasmine Cunningham

Mayor Pro-Tem Pete Herrmann
Councilmember Michael Chevalier
Councilmember Marty Jordan

The following Councilmembers were absent:

Councilmember Jarom Tefteller

The following staff was present:

Greg Hutson, City Manager
Michael Martin, City Attorney
Lana Davidson, Police Chief
Monty Montgomery, Gilmer PD

Kimberly Smith, TRMC, MMC, City Secretary
Mary Bullock, Business Manager
Jason Murray, Gilmer PD
Stan Hayes, City Engineer

Other Attendees:

Phillip Williams, Gilmer Mirror
David Griffith, Attorney
Dana Carter, Live Gilmer
Jaci Watter, CUTX

Kevin Honeycutt, Gilmer Lawn & Garden
Cynthia Clark, UCCS
Chris Moore, Live Gilmer
Lindsey Hitt, CUTX

I. Call to Order Invocation Pledge of Allegiance

Mayor Tim Marshall called the meeting to order at 5:15 p.m. The invocation was led by Councilmember Jerry Webb, and the Pledge of Allegiance was led by City Manager Greg Hutson.

II. Public Comment**III. Announcements**

1. Mayor's announcements
2. City Manager's announcements
3. City Council Member's announcements – Councilmember Jerry Webb thanked Tefteller Law for paying the deposit on the room at the Civic Center for the Domestic Violence Seminar.

IV. Consent Agenda

The consent agenda consisted of City Council Minutes from January 9, 2024 and Expense Report for January 2024.

Mayor Pro-Tem Pete Herrmann made a motion to approve consent agenda items, with a second by Councilmember Jasmine Cunningham, and a vote of 6/0 for approval.

V. Items to Consider

1. Consider, discuss, and take possible action to approve the Quarterly City Investment Report for period ending December 31, 2023.

City Manager Greg Hutson briefly explained the Investment Report.

No action was taken.

2. Consider, discuss, and take possible action regarding the Risk it for Brisket event street closure from April 4 at 7:00 pm until Sunday, April 7, 2024 at 8:00 pm for the event on April 5-6, 2024.
 - a. Jefferson Street from Hwy 271 to Titus Street
 - b. Buffalo Street from Titus Street to Trinity Street
 - c. Simpson Street from Hwy 154 to Jefferson
 - d. Davis Street from Hwy 154 to Buffalo Street
 - e. Hwy 154 from Trinity to Hwy 271
 - f. Henderson Street from Hwy 154 to Harrison Street

Mayor Tim Marshall commented he is opposed to closing Hwy 154 because the proper signage is not placed. Councilmember Michael Chevalier made a comment that this is a big event similar to the Yamboree. Chris Moore, Live Gilmer, stated the road closures were made by their engineer and TxDot assigns for the signage.

Councilmember Marty Jordan made a motion to approve the street closure for the Risk it for Brisket event from April 4 at 7:00 pm until Sunday, April 7, 2024 at 8:00 pm, with a second by Councilmember Michael Chevalier, and a vote of 5/0 for approval, and 1 opposed.

3. Consider, discuss, and take possible action regarding Live Gilmer BBQ Event serving and charging for alcohol with special TABC Permit.

Councilmember Michael Chevalier made a motion to approve Live Gilmer to serve and charge for alcohol with a special TABC permit at their BBQ event, with a second by Councilmember Jasmine Cunningham, and a vote of 6/0 for approval.

4. Consider, discuss, and take possible action regarding the Chili Cookoff event street closure from March 1, 2024 at 6:00 pm until Sunday, March 3, 2024 at 10:00 am.
 - a. Simpson Street from Hwy 154 to Jefferson Street

Councilmember Jasmine Cunningham made a motion to approve the street closure from March 1, 2024 at 6:00 pm until Sunday, March 3, 2024 at 10:00 am for the Chili Cookoff, with a second by Councilmember Michael Chevalier, with a vote of 6/0 for approval.

5. Consider, discuss, and take possible action to approve the Boutique Crawl street closure on February 12, 2024 from 3:00 pm until 8:30 pm.
 - a. Davis Street between Buffalo Street and Hwy 154

Mayor Tim Marshall made a motion to approve the street closure for the Boutique Crawl on February 12, 2024 from 3:00 pm until 8:30 pm, with a second by Councilmember Michael Chevalier, with a 6/0 vote for approval.

6. Consider, discuss, and take possible action to approve the Upshur County Crimestoppers to purchase an Enhanced Diversion Device for the Gilmer Police Department with attached policy and TML Insurance information.

Police Chief Lana Davidson explained the information that was requested from the previous meeting.

Mayor Tim Marshall made a motion to approve the purchase of an Enhanced Diversion Device for the Gilmer Police Department with the policy and TML Insurance information, with a second by Councilmember Marty Jordan, with a 6/0 vote for approval.

7. Consider, discuss, and take possible action to look over the preliminary plans for Grass Pro Outdoors and matters related thereto.

Stan Hayes, Hayes Engineering, gave a brief presentation regarding the flooding issues with the property that Grass Pro Outdoors plans to build on.

David Griffith, Attorney, stated that Kevin Honeycutt has an engineer, and they are currently working to alleviate the problems that Stan Hayes mentioned. Mr. Griffith's question was, if Kevin Honeycutt applies for a building permit, will it be approved or not so we can move forward with the project. City Attorney Mike Martin stated if they have their own engineer, then Kevin and their engineer would be liable with issues and not the city.

Councilmember Michael Chevalier made a motion to approve to apply for a permit and Mr., Honeycutt's engineer and the city's engineer can work out the details, with a second by Councilmember Marty Jordan, with a 6/0 vote for approval.

8. Consider, discuss, and take possible action to approve Resolution R24-001 designating the Gilmer Mirror as the newspaper of record for the City of Gilmer, Texas.

Mayor Pro-Tem Pete Herrmann made a motion to approve Resolution R24-001 designating the Gilmer Mirror as the newspaper of record for the City of Gilmer, Texas, with a second by Councilmember Marty Jordan, with a 6/0 vote for approval.

9. Consider, discuss, and take possible action to approve Ordinance 24-002 an Ordinance of the City of Gilmer, Texas adopting the provisions, policies and fees for city Water and Sewer charges and fees for the City Sanitation Services providing for definitions; providing fixed minimum monthly base charge(s), providing rates based on the amount of water consumption during a monthly period; providing for billing and collections; providing rates based on schedule of services; providing for the authorized and prohibiting unauthorize connections, disconnection, initiation, discontinuance or resumption of Water and Sewer Facilities or service within the City of Gilmer, Texas; providing for the authorized and prohibiting the unauthorized solid waste disposal within the City of Gilmer, Texas; providing for miscellaneous fees; providing for a cross-connection control program; providing a savings clause; and providing for repeal of ordinances in conflict.

Councilmember Michael Chevalier made a motion to approve Ordinance 24-002 an ordinance of the City of Gilmer, Texas adopting the fee schedule, with a second by Councilmember Marty Jordan, with a 6/0 vote for approval.

10. Consider, discuss, and take possible action to approve the Order of Election to be held May 4, 2024.

Considerar, discutir y tomar posible acción para aprobar el Orden de Elección que se celebrara 4 de mayo de 2024.

Councilmember Michael Chevalier made a motion to approve the Order of Election to be held May 4, 2024, with a second by Councilmember Marty Jordan, with a 6/0 vote for approval.

11. Consider, discuss, and take possible action to approve Ordinance 24-003 Call for a General Election to elect Councilmembers from District(s) One, Four and At-Large for two-year terms in the City of Gilmer, Texas to be held on Saturday, May 4, 2024, establishing date of the Election(s), providing for Early Voting; Designating Polling Place; appointing Election Judge(S); providing for compensation of Election Workers; finding and determining that the meeting at which this ordinance was passed complied with the Texas Open Meetings Act; making other findings and provisions related to the subject; and providing an effective date.

Considerar, discutir y tomar posible acción para aprobar la Ordenanza 24-003 Convocatoria de una Elección General para elegir un concejales de los Distritos Uno, Cuatro y At-Large por períodos de dos años en la Ciudad de Gilmer, Texas, que se celebrará el sábado 6 de mayo de 2023, estableciendo la fecha de la(s) Elección(es), prever la votación anticipada; designar el lugar de votación; nombrar a los jueces electorales; prever la indemnización de los trabajadores electorales; determinar que la reunión en la que se aprobó esta ordenanza cumplió con la Ley de Reuniones Abiertas de Texas; formular otras constataciones y disposiciones relacionadas con el tema; y proporcionar una fecha de entrada en vigor.

Councilmember Marty Jordan made a motion approving Ordinance 24-003 Call for a General Election to elect Councilmembers from District(s) One, Four, and At-Large for two-year terms to be held on Saturday, May 4, 2024, establishing date of the Election(s), providing for Early Voting; Designating

Polling Place, appointing Election Judge(s); providing for compensation of Election Workers, with a second by Councilmember Michael Chevalier, with a 6/0 vote for approval.

12. Consider, discuss, and take possible action authorizing the City Manager to approve the joint election agreement between the City of Gilmer and the Gilmer Independent School District and between the City of Gilmer and Upshur County Elections Office for the General Election to be held on May 4, 2024 (Enclosure).

Considerar, discutir y tomar posibles acciones que autoricen al Administrador de la Ciudad a aprobar el acuerdo de elección conjunta entre la Ciudad de Gilmer y el Distrito Escolar Independiente de Gilmer y entre la Ciudad de Gilmer y la Oficina de Elecciones del Condado de Upshur para las Elecciones Generales que se celebrarán el 4 de mayo de 2024 (Apéndice).

Councilmember Marty Jordan made a motion authorizing the City Manager to approve the joint election agreement between the City of Gilmer and the Gilmer Independent School District and between the City of Gilmer and Upshur County Elections Office for the General Election to be held on May 4, 2024, with a second by Councilmember Michael Chevalier, with a 6/0 vote for approval.

13. Consider, discuss, and take possible action to approve Ordinance 24-004 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, to cover replacing pump #1 at Elementary School in the amount of \$14,561.00.

Councilmember Marty Jordan made a motion to approve Ordinance 24-004 amending the City Budget for the City of Gilmer, Texas to cover replacing pump #1 at Elementary School in the amount of \$14,561.00, with a second by Councilmember Michael Chevalier, with a 6/0 vote for approval.

14. Consider, discuss, and take possible action to approve Ordinance 24-005 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, to cover replacing a pump at Wastewater Sewer Plant Lift Station in the amount of \$13,175.00.

Councilmember Marty Jordan made a motion to approve Ordinance 24-005 amending the City Budget for the City of Gilmer, Texas to cover replacing a pump at Wastewater Sewer Plant Lift Station in the amount of \$13,175.00, with a second by Councilmember Michael Chevalier, with a 6/0 vote for approval.

VI. Executive Session

1. Consider and take action to enter into Executive Session under Article Number §551.071, Consultation with City Attorney concerning Article Number §551.072 Real Estate Deliberation regarding Real Property.

Councilmember Michael Chevalier made a motion to enter into executive session, with a second by Councilmember Jasmine Cunningham, with a 6/0 vote for approval.

VII. Adjourn Executive Session

Councilmember Michael Chevalier made a motion to adjourn executive session, with a second by Councilmember Jerry Webb, with a 6/0 vote of approval.

VIII. Convene Regular Meeting – (In accordance with Texas Government Code, Subchapter D).

- 1. Consider, discuss, and take possible action related to deliberation regarding Real Property discussed in the executive session and matters related thereto.

Mayor Pro-Tem Pete Herrmann made a to approve the expenditure to repair the damages to Phillip Bruins house from the sewage backup, with a second by Councilmember Jerry Webb, with a 6/0 vote for approval.

IX. Adjournment

Councilmember Jerry Webb made a motion to adjourn, with a second by Councilmember Jasmine Cunningham, and a vote of 6/0 for approval.

Meeting adjourned at 6:07 p.m.


 Tim Marshall, Mayor

ATTEST:


 Kimberly Smith, TRMC, MMC, City Secretary

