



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, February 13, 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 Jarom Tefteller

### The following Councilmembers were absent:

Councilmember Marty Jordan

### The following staff was present:

Greg Hutson, City Manager  
Michael Martin, City Attorney

Kimberly Smith, TRMC, MMC, City Secretary  
Mary Bullock, Business Manager

### Other Attendees:

Phillip Williams, Gilmer Mirror

- 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 Attorney Michael Martin.

- II. **Public Comment**

- III. **Announcements**

1. Mayor's announcements
2. City Manager's announcements

## 3. City Council Member's announcements

**IV. Consent Agenda**

1. City Council Minutes from January 23, 2024
2. Code Enforcement Report for January 2024
3. Police Department Report for January 2024
4. Fire Department Report for January 2024
5. Expense Report for January 2024
6. Financials for January 2024
7. Gilmer Police Department Racial Profiling Report for 2023

Mayor Pro-Tem Pete Herrmann made a motion to approve consent agenda items, with a second by Councilmember Michael Chevalier, and a vote of 5/0 for approval.

**V. Items to Consider**

1. Consider, discuss, and take possible action to approve a Warrant Recall from March 1 – April 30, 2024, waiving the warrant fee if payment arrangements are made (enclosure).

Mayor Pro-Tem Pete Herrmann made a motion to approve a Warrant Recall from March 1 – April 30, 2024, waiving the warrant fee if payment arrangements are made, with a second by Mayor Tim Marshall, and a vote of 4/0 for approval.

2. Consider, discuss, and take possible action to approve Work Order No. GI-22-09 for professional services to Hayes Engineering, Inc in the amount of \$49,000.00 for maintenance to tanks at Harrison (2), Ruby, Mockingbird, and Mountain.

Councilmember Michael Chevalier made a motion to approve Work Order No. GI-22-09 for professional services to Hayes Engineering, Inc in the amount of \$49,000.00 for maintenance to tanks at Harrison (2), Ruby, Mockingbird, and Mountain, with a second by Councilmember Jerry Webb, and a vote of 4/0 for approval.

3. Consider, discuss, and take possible action to approve the recommendation made by Planning & Zoning Commission regarding the plat submitted by Tony Putman ABS A200 Hereford, William H. Tract 140-1, 11.84 Acres, block 1 0.483 acres, lot 2 block 1 0.368 acres, lot 3, block 1 0.345 acres.

Tabled, no Planning & Zoning quorum.

4. Consider, discuss, and take possible action to approve Bubble Bar to sell alcohol at the Valentine's Gala at the Yamboree Event Center on Saturday, February 10, 2024, starting at 5:30 pm.

Mayor Pro-Tem Pete Herrmann made a motion to Bubble Bar to sell alcohol at the Valentine's Gala at the Yamboree Event Center on Saturday, February 10, 2024 starting at 5:30 pm, with a second by Councilmember Michael Chevalier, with a vote of 4/0 for approval.

5. Consider, discuss, and take possible action to approve Ordinance 24-006 Drought Contingency Plan required from TCEQ every five (5) years for review by Title 30 Texas Administrative Code Chapter 288.

Mayor Tim Marshall made a motion to approve Ordinance 24-006 Drought Contingency Plan required from TCEQ every five (5) years for review by Title 30 Texas Administrative Code Chapter 288, with a second by Mayor Pro-Tem Pete Herrmann, with a 4/0 vote for approval.

6. Consider, discuss, and take possible action to approve Ordinance 24-007 Public Records adding Records Control Schedule with the Texas State Library and Archives Commission (TLAC).

Councilmember Jarom Tefteller entered the meeting at 5:19 pm.

Councilmember Michael Chevalier made a motion to approve Ordinance 24-007 Public Records adding Records Control Schedule with the Texas State Library and Archives Commission (TLAC), with a second by Mayor Tim Marshall, with a 5/0 vote for approval.

7. Consider, discuss, and take possible action to approve Ordinance 24-008 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, 3 Aeration Pumps at the WWTP in the amount of \$110,580.00.

Mayor Pro-Tem Pete Herrmann made a motion to approve to Ordinance 24-008 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, 3 Aeration Pumps at the WWTP in the amount of \$110,580.00, with a second by Councilmember Michael Chevalier, with a 5/0 vote for approval.

8. Consider, discuss, and take possible action to approve Ordinance 24-009 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, for repairs of residential property of Mr. Phillip Bruins due to sewer backup in the amount of \$45,770.96.

Councilmember Michael Chevalier made a motion to approve Ordinance 24-009 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, for repairs of residential property of Mr. Phillip Bruins due to sewer backup in the amount of \$45,770.96, with a second by Mayor Pro-Tem Pete Herrmann, with a 5/0 vote for approval.

9. Consider, discuss, and take possible action to approve Ordinance 24-010 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, purchasing 3 lift station pumps at WWTP and Westside Lift Station in the amount of \$40.352.00.

Mayor Tim Marshall made a motion to approve Ordinance 24-010 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, purchasing 3 lift station pumps at WWTP and Westside Lift Station in the amount of \$40.352.00, with a second by Councilmember Jerry Webb, with a 5/0 vote for approval.

10. Consider, discuss, and take possible action to approve Ordinance 24-011 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, for engineering services for water tank maintenance in the amount of \$49,000.00.

Mayor Pro-Tem Pete Herrmann made a motion to approve Ordinance 24-011 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, for engineering services for water tank maintenance in the amount of \$49,000.00, with a second by Councilmember Michael Chevalier, with a 5/0 vote for approval.

11. Consider, discuss, and take possible action to approve Ordinance 24-012 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, for sewer line rework on North & Myra Streets in the amount of \$22,375.00.

Councilmember Michael Chevalier made a motion approving Ordinance 24-012 amending the City Budget for the City of Gilmer, Texas for the one-year period beginning October 1, 2023 and ending September 30, 2024, for sewer line rework on North & Myra Streets in the amount of \$22,375.00, with a second by Councilmember Jerry Webb, with a 5/0 vote for approval.

## **VI. Executive Session**

1. Consider and take action to enter into Executive Session under Article Number §551.074, Personnel Matters-Evaluation of the City Manager as required by the City Charter, and Article Number §551.071 Consultation with City Attorney regarding possible litigation.

Mayor Pro-Tem Pete Herrmann made a motion to enter into executive session, with a second by Councilmember Michael Chevalier, with a 6/0 vote for approval.

Councilmember Jasmine Cunningham entered the meeting at 5:34 pm.

## **VII. Adjourn Executive Session**

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

Meeting adjourned at 6:20 pm.

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

1. Consider, discuss, and take possible action related to personnel matters – evaluation of the City Manager and personnel matters.

No action taken.

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

No action taken.

## **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 6:21 p.m.

  
Tim Marshall, Mayor

ATTEST:

  
Kimberly Smith, TRMC, MMC, City Secretary

