

**THE STATE OF TEXAS  
COUNTY OF TRINITY  
CITY OF TRINITY**

The Regular Meeting of the City Council of the City of Trinity was held on March 11, 2010 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

**Mayor:** Lyle Stubbs

**Mayor Pro-Tem:** Wayne Huffman

**Councilman:** Neal Smith, Billy Joe Slaughter, Chris Dennis and Clegg DeWalt

**Interim City Manager:** Buddy Drake

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting on February 11, 2010, Emergency Meeting February 16, 2010 and Special Meeting February 22, 2010.** Mayor Pro-Tem Wayne Huffman made the motion to approve the minutes with the correction of the 3<sup>rd</sup> meeting changed from Emergency to Special Meeting. Councilman Clegg DeWalt 2<sup>nd</sup> the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** -- Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Billy Joe Slaughter 2<sup>nd</sup> the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of March 11, 2010 is \$1,004,856.60. Our checking account balance is \$849,754.86. Accounts payable are \$84,548.01. Account receivables are \$98,290.50. The Municipal Court collected \$13,162.00 for the month of February 2010 with the OMNI Program collecting \$6,362.00 of that total. The sales tax collected for March 2010 is \$38,622.04. The Fire Department donations for the month of February 2010 were \$208.00. The water collections for the month of February 2010 were \$99,488.52. Total deposits for the month of February 2010 were \$396,279.82.
5. **Old Business**
  - A. **Discussion and action on any grant related business.** Interim City Manager Buddy Drake stated he has been working on the FEMA budget of \$513,000. He is asking what the grant is going to pay for, what needs to be done if there is anything left over from these projects and how much the engineering costs will be on each on project. He is also still trying to isolate the elevated storage as far as getting it painted. Mr. Drake informed the council that he had been able to hire a wastewater operator with a B license and a water operator with a C water license and a D sewer license. He will be working on hiring some more licensed personnel.
6. **New Business**
  - A. **Discussion with Ms. Kay Kendrick concerning Donate Life Month.** Kay Kendrick was not present at the meeting.

- B. Discussion and Action regarding Resolution #10-0002 to authorize the city to use the night depository and designate persons to act as agents to deposit and pick up the night depository bag.** Councilman Neal Smith made the motion to pass the resolution. Mayor Pro-Tem Wayne Huffman 2<sup>nd</sup> the motion. All remaining members voted yea. Motion carried. Interim City Manager Buddy Drake said that since the auditors knew there hadn't been a daily deposit, they failed the council.
- C. Discussion and Action concerning Resolution #10-0003 to designate signators for the Texas Community Development Block Grant Program Disaster Relief Contract DRS010188.** Interim City Manager Buddy Drake said this was the \$513,000.00 he had mentioned earlier. The State will administer the grant. Mr. Drake was hoping he would have information as to where the work would be done and when. Councilman Neal Smith made the motion to approve the resolution. Councilman Clegg DeWalt 2<sup>nd</sup> the motion. All remaining members voted yea. Motion carried.
- D. Discussion and action regarding appointment of election judge for the General Election Day May 8, 2010.** Interim City Manager Buddy Drake asked the council to table the appointment until the next meeting. Mayor Pro-Tem Wayne Huffman made the motion to table the appointment until the next meeting. Councilman Neal Smith 2<sup>nd</sup> the motion. All remaining members voted yea. Motion carried.
- E. Discussion and Action concerning the appointment of voting clerk for early voting for the May 8, 2010 election.** Interim City Manager Buddy Drake stated that state law mandates that the City Secretary run the early voting and would like to appoint Joyce Baker as the voting clerk. Mayor Pro-Tem Wayne Huffman made the motion to appoint Joyce Baker as voting clerk for the early voting. Councilman Neal Smith 2<sup>nd</sup> the motion. All remaining members voted yea. Motion carried.
- F. Discussion and Action concerning contract with Westwood Shores Property Owner's Association regarding solid waste collection.** Mayor Lyle Stubbs said that former City Manager Phil Patchett had already obligated the city to go with this contract and the Mayor didn't see any problem with it since it was a money making opportunity. The Mayor had asked Jennifer to order five 8 yd. dumpsters at the cost of \$1150.00 each and we have already received them. Interim City Manager Buddy Drake said that Westwood's current solid waste collector had told them it would be illegal for us to pick up their garbage since we had exempt plates for the city. He called the Texas Municipal League and found out it is not illegal. It is in our Extra Territorial Jurisdiction (ETJ) and the City of Trinity has one-half mile. The dumpsters will be emptied 3 times a week which equals \$1699.00 a month with a discount of \$90.00 since the dumpsters are all together. Our investment should be made within 3 ½ months. The cost would be approximately be \$127.00 per load at the landfill. Westwood Shores is also flexible with the price of \$1600.00 should we need to give them a little less of a discount. The contract allows a 30 day termination notice for either party, so if it turns out not to be a profitable venture, we would be able to terminate the contract and likewise, if Westwood Shores is not happy with our service, they can also terminate the contract. This is a 3 year contract effective April 1, 2010. Mayor Pro-Tem Wayne Huffman made the motion that we go into the contract. Councilman Billy Joe Slaughter 2<sup>nd</sup> the motion. All remaining members voted yea. Motion carried.

- G. Discussion and Action regarding contract with Klotz Associates concerning the renewal of the wastewater permit.** Interim City Manager Buddy Drake stated the wastewater permit is up next year. The cost is \$2900.00 plus testing fees. Mayor Pro-Tem Wayne Huffman made the motion to renew the contract. Councilman Billy Joe Slaughter 2<sup>nd</sup> the motion. All remaining members voted yea. Motion carried.
- H. Discussion and Action concerning clean-up with Kenneth Newton.** Mr. Newton asked the Mayor if he had received any response from Ms. Lawson regarding the Trinity Arms Apartments and the Mayor answered no. Councilman Neal Smith said he had recently driven through the complex and saw water running across the pavement and asked if it was from city leaks or their leaks. Mr. Newton answered we didn't know yet. The initial inspection showed that the leak was believed to be underneath the house. The third inspection made by the plumber hired by Trinity Arms and city employees found that the leak was right up against the house in the joint that came out from one meter and made a 90° turn and went to another meter which is city line. The plumber found other leaks, but no one has called us to make any inspections there for the charges they are incurring on the city.
- I. Citizens' Forum** Lois Saldana wanted to say that she made the decision on her own to run for Mayor. Another gentleman by the name of Billy Joe asked about the decision made concerning the contract with Westwood Shores as to why a couple of council members were not aware of the contract being made. The Mayor explained that is why it was brought before the council and should turn out to be a profitable venture. As Cindy Beasley explained that although Westwood Shores is actually out of the city limits, the general population of Westwood Shores does their shopping and pays tax dollars to the City of Trinity, so the City should be making the money for the solid waste collection. Billy Joe was mainly asking as to why all of the city council was not aware of it until this meeting. The Mayor told him the council had the opportunity to accept it or not.

**Executive Session:** Council went into Executive session at 7:40 PM

**A. Discussion concerning personnel under Gov.Code 551.074.**

**7. Reconvene in open session:**

**A. Action necessary as a result of Executive Session regarding personnel under Gov.Code 551.074.**

**8. Adjourn.** The meeting was adjourned at 8:10 PM

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**Lyle Stubbs**  
Mayor

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**Buddy Drake**  
Interim City Manager