

**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 October 8, 2009 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, Clegg DeWalt, Chris Dennis, Billy Joe Slaughter

City Manager: Phil Patchett - Absent

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 7:09 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for Regular Meeting September 10, 2009 and special meeting September 24, 2009.** Councilman Neal Smith made the motion to approve. Councilman Clegg DeWalt 2nd. the motion. All remaining members voted yea. Motion was carried.
3. **Approve bills for payment.** – Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd. the motion. All remaining members voted yea. Motion was carried.
4. **City Manager’s Report -- Mayor Lyle Stubbs gave City Manager’s report:** Our total funds as of October 8, 2009 are \$381,889.01. Our checking account balance is \$365,240.79. Accounts payable are \$94,709.28. Account receivables are \$104,072.37. The Municipal Court collected \$5,872.00 for the month of September 2009 with the OMNI Program collecting \$3020.00 of that total. The sales tax collected for October 2009 is \$38,261.82. The Fire Department donations for the month of September 2009 were \$206.00. The water collections for the month of September 2009 were \$102,880.97. Total Deposits for the month of September 2009 were \$237,437.10.
5. **Old Business**
 - Discussion and action on any grant related business.** – Mayor Lyle Stubbs stated that the repairs to the well are being done now.
6. **New Business**
 - A. **Discussion and action on passing Ordinance #09-0006 an ordinance closing, vacating and abandoning a portion of Elizabeth Street in the City of Trinity, Texas.** Mayor Pro-Tem Wayne Huffman made the motion to table discussion until the Special Meeting to give City Manager Phil Patchett and Mr. Courtney an opportunity to work on the wording of the Ordinance. Councilman Billy Joe Slaughter 2nd. the motion. All remaining members voted yea. Motion

was carried.

B. Discussion and action concerning the driveway to the lift station on FM 1617. Councilman Neal Smith made the motion to table discussion and action until the Special Meeting due to Councilmember's not aware of this item. Councilman Clegg DeWalt 2nd. the motion. All remaining members voted yea. Motion was carried.

C. Discussion and action regarding the Sanitary Sewer easement on Bert Roberts' property. Mayor Pro-Tem Wayne Huffman made the motion to table discussion. Councilman Neal Smith 2nd. the motion. All remaining members voted yea. Motion was carried.

D. Discussion and action concerning power outages on Charles Street. Councilman Neal Smith spoke to Council. Councilman Neal Smith would like for Council to write a letter to Entergy in an effort to help speed up claims process. Councilman Neal Smith made the motion to sign the letter to PUC and Entergy. Councilman Billy Joe Slaughter 2nd. the motion. All remaining members voted yea. Motion carried.

E. Discussion and action concerning clean-up with Ken Newton. Mr. Newton stated that Mr. Otis Taylor would like the City to Demo a house on his property on Washington St. Mr. Newton also stated that Mr. Taylor would have to pay the City to have demo done. City Manager Phil Patchett has an estimate of what it would cost. Mr. Newton informed City Council that Mr. Goodin has begun demo on 7th. st. Mr. Newton informed City Council that the 2 story house on S. Clegg St. is owned by Loraine Smith who lives in Dallas. Ms. Smith has retained Ms. Mary Lynn Winnett to oversee the property. Ms. Winnett is currently in the process of having the house refurbished. Mr. Newton stated that he had 2 summonses issued last month. One was issued to Mr. Durdin and one to Mr. Dunn. Councilman Neal Smith asked Mr. Newton if the brick house on the corner of Parker and Hwy. 94 had been condemned. Mr. Newton replied no it had not. Mayor Lyle Stubbs stated that it had already been condemned. Councilman Neal Smith stated it was condemned years ago. Councilman Neal Smith thought that Ms. Smith owned the house. Mr. Newton informed council that James Kelly out of Houston owns the house. Mr. Newton informed council that the house on Emily St. (3rd. house on right) owned by Ms. Bertha English needs to be condemned. Mr. Newton stated he has been unable to locate Ms. English. No one is living at the address. Mr. Newton stated that the property on Church St. belongs to Ann Taylor and that there is now a lien on the property. Mayor Lyle Stubbs stated that he had spoke to Ms. Taylor in the past and informed her that she would have to get permission from her sister before the City could help with the demo. Councilman Neal Smith stated that the City should collect the cost before demo begins. Councilman Clegg DeWalt stated that only as a last resort should taxpayer's money be used to demo condemned property. Mr. Newton suggested that on complicated issues, City Council should be involved and make final decisions on how to collect on cost of City involvement. Mr. Newton stated that the property on the corner of Calvin and Cannon Streets is

owned by Ms. Booker who is alive and well in Avalon. Ms. Booker's brother will be coming in from Beaumont to obtain permission from Ms. Booker to demo the house. Action to Ken Newton: speak with A.J. Brown on the old Masonic Lodge owned by Mary Chapel Church. Action to Ken Newton: check on Doublewide Mobile Home on Israel Otis. Ken Newton to speak with Menzora Boston in reference to who owns 2 story house on Lakefield St... City Council would like to obtain permission to burn house down. Mayor Lyle Stubbs set Special Meeting in reference to Bid Opening for road project. Meeting set for October 15, 2009 at 6:00 p.m. Councilman Neal Smith made the motion to accept date and time. Mayor Pro-Tem Wayne Huffman 2nd. the motion. All remaining members voted yea. Motion carried.

Citizens Forum. No speakers.

7. Executive Session:

A. Discussion concerning personnel under Gov.Code 551.074.

8. Reconvene in open session:

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

9. Adjourn. –Mayor Lyle Stubbs adjourned the meeting at 8:05 p.m. There was no other discussion.

Lyle Stubbs
Mayor

Phil Patchett
City Manager