

**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 November 12, 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 and Billy Joe Slaughter

City Manager: Phil Patchett

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 from the Regular Meeting October 8, 2009 and Special Meeting October 15, 2009.** Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion was carried.
3. **Approve bills for payment.** -- Councilman Clegg Dewalt made the motion to approve bills for payment. Councilman Chris Dennis 2nd the motion. Councilman Neal Smith stated Councilman Clegg Dewalt suggested the city buy an engraver for their tools to promote property accountability. All remaining members voted yay. Motion was carried.
4. **City Manager's Report** -- Our total funds as of November 12, 2009 are \$912,926.69. Our checking account balance is \$896,636.59. Accounts payable are \$87,133.68. Account receivables are \$101,729.87. The Municipal Court collected \$10,993.90 for the month of October 2009 with the OMNI Program collecting \$6,249.90 of that total. The sales tax collected for November 2009 is \$115,771.46. The Fire Department donations for the month of October 2009 were \$202.00. The water collections for the month of October 2009 were \$103,290.01. The total deposits for October 2009 were \$171,185.55. City Manager Phil Patchett stated the TRA Report shows that one month is left in their fiscal year and we are \$87,179 in the black so we should expect to receive a nice check in June 2010. Mr. Patchett also stated the city has had a crew from Bridge City repairing fire plugs. Mr. Patchett said the Mayor received a letter from Sudden Link stating the cable will be going up \$2.74.
5. **Old Business**
 - A. **Discussion and action on any grant related business.** City Manager Phil Patchett stated Horton Construction is finishing the installation of the first 2000 feet of line at the wells. They have installed footings & stands and are waiting on the aerator and de-sander. At this time we are waiting for the environmental clearance and will be ready to go on the small procurement project which will consist of another 1500-2000 feet of pipe.
6. **New Business**

- A. Discussion and action concerning Resolution #09-0011 authorizing the submission of a Energy Efficiency & Conservation Block Grant (EECBG).** City Manager Phil Patchett stated the EECBG is part of the American Recovery Reinvestment Act signed by the President in February 2009. The city's portion is \$20,000 which will be used for energy efficiency. There will not be any matching funds, GrantWorks Inc. will get \$1500 for the Administrative fees for writing the project. Mr. Patchett stated he would like to repair the problem at the library. With the money that is left he would like to combine some of the units at the City Hall. Councilman Neal Smith made the motion to accept. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.
- B. Discussion and action regarding Resolution #09-0012 a resolution that authorizes submission of an application to the Texas Department of Transportation for STEP (SAFETEA-LU) funds for assistance in constructing pedestrian walkways.** Joe Evans with Klotz Associates and Martha Drake with GrantWorks discussed this is the grant program that the city applied for in 2006. Mrs. Drake stated it is part of the Federal Highway Act that was allocated for 2006-2010 during the round of post Hurricane Katrina. When the applications were submitted, the federal government decided to take the money back & divert it to road repairs for Hurricane Katrina relief. The city can go with scope A which we originally applied for in 2006 which consisted of \$750,000 with a match of 20%. It included the sidewalks starting at the traffic signal going out one block in downtown which one side was completed this year and taking it all the way down to the community center. At that time the city committed to provide \$150,000 which is the starting point we are at right now. There is no maximum limit on the request so we can go higher if we want to. Or the city can go with Scope B and expand the project to get more of the scoring targets that TX Dot has out there. As far as looking at our finances, the city can use TEIDC for Community Development. As far as scheduling, these projects are not going to get fully underway until the 2011-2012 budget years. Mrs. Drake is asking for input on ideas as far as expanding the project such as, talking to the engineer about the width of the sidewalks and considering linking more pedestrian destinations. Mayor Lyle Stubbs stated Mr. Patchett could measure to see how much the \$750,000 would cover in feet. Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.
- C. Discussion and action with Brother Jason Burden and L.C. Courtney of Dorcas Wills Baptist Church regarding the approved lease agreement.** Brother Jason Burden stated they would like a 40 year lease with an option to renew and would like to close the street for the children's safety. Mayor Pro Tem Wayne Huffman suggested he would like the agreement to include the city would not be liable for anything that happens on the property while the church has it in their possession. He also stated he would like a clause that states if the church decided at anytime to close the property it would revert back to the city. Councilman Clegg Dewalt stated Brother Jason wanted to do away with the thirty day notice to abandon the property that would be predicated upon some gross negligence which Mr. Dewalt does not see that happening. City Manager Phil Patchett thinks that should be in the agreement to cover the city. Councilman Clegg Dewalt made the motion to approve. Councilman Neal Smith 2nd the motion. All remaining members voted yay. Motion carried.

- D. Discussion and action with Adolpho Bravo concerning damage to the John Deere mower at the Community Center.** The translator for Adolpho Bravo stated the contract did not state they would be responsible for damages outside of the community center but they have agreed to pay for the damages that were inside the community center. Mayor Lyle Stubbs stated we cannot make them pay for the damage outside of the community center since it was not in the contract and if no one has proof of how the damage was caused. Mayor Pro Tem Wayne Huffman made the motion to approve. Councilman Chris Dennis 2nd the motion. Councilman Neal Smith opposed. All other remaining members voted yay. Motion carried.
- E. Discussion and Action regarding Mrs. McKinley's recommendation concerning the Election of Board Members to the Trinity County's Appraisal District.** City Manager Phil Patchett stated in the past the votes are usually split equally among the board members Mrs. McKinley has recommended. Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.
- F. Discussion and Action concerning installation of a street light located at 106 Barker Street.** City Manager Phil Patchett stated there is a problem area at this location which is between Lakefield Street and Aspen Street Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Chris Dennis 2nd the motion. All remaining members voted yay. Motion carried.
- G. Discussion and Action with TEIDC Board President Neal Smith concerning Ginger Armbruster attending a TEIDC class.** Mayor Lyle Stubbs suggested this be discussed in executive session. Councilman Neal Smith made the motion to pay Ginger out of the city like we have always done in the past and if there are any other meetings the secretary will be paid out of Economic money, but this particular one she should be paid out of the city. Councilman Clegg Dewalt made the motion to pay Ginger out of Economic Development money and from this point on if there is any training that goes on it comes out of Economic Development. Mayor Pro-Tem Wayne Huffman suggested to let it go to the Economic Board and let them vote on it. Councilman Billy Joe Slaughter said if the city is not going to pay her then they need to instruct the Economic Board to pay her. Mayor Pro-Tem Wayne Huffman 2nd Councilman Clegg Dewalt's motion. Councilman Neal Smith opposed. All remaining members voted yay. Motion carried.
- H. Discussion and Action concerning clean-up with Kenneth Newton.** Mr. Newton stated there are two minor changes to his report. One, Mr. Hargrave is going to start clearing out the inside of the old bank building sometime this month. Second, the city received authorization to demolish a house on Walker Street which belongs to Ester Gordon. Police Chief Steven Jones is suggesting before we provide a moving permit that we ask to see their insurance & TxDot regulations. Mr. Newton stated from previous meetings he was to go to the locations where these mobile homes are located to inspect and approve the mobile homes before they are moved inside the city limits. Councilman Neal Smith stated if thought they had discussed if the mobile homes were outside of Trinity, the people would have to bring in pictures and a copy of the title. Mr. Newton said there is a problem with letting

these people know this information. Councilman Neal Smith stated no mobile homes need to come in the city and no permits are to be issued unless Mr. Newton gives authorization. Mr. Newton stated Mr. Greer with Trinity Discount Tire, said they are going to try to start moving tires but did not give a date. Bill Cannon is working with Texas Department of Health to get an inspection to check for asbestos so he can get a permit.

- I. Citizens Forum.** Vivian Rawls at 108 Emily Street stated she has some concerns about Emily Street being a hazard due to old houses, trees limbs are hanging over the street and grass that needs to be mowed. Mr. Patchett stated he would get the crew over there to trim the tree limbs and Mr. Newton stated he was having some problems with the owners of the old houses but is working on it. She also stated there is not enough lights on Emily Street. Councilman Neal Smith said since Emily Street is such a small street that Entergy probably wouldn't install any more lights but they may could increase the wattage on the bulbs. Napoleon Shaw stated the grass needs to be mowed on Emily Street so people can see cars coming down the street. Mr. Shaw also stated the potholes on Lakefield Street and Tom Street are bad and need to be fixed. Julia McMichael stated she is a member of the Chamber of Commerce. They are going to do the Christmas parade again which will start at Avalon Nursing home and will end at Old Red on December 5, 2009. They have paid for a group out of Dallas to come down to do caricatures for the children. Events will take place December 4, 2009 and December 5, 2009. Ms. McMichael asked if the city could donate any money they would appreciate it. Councilman Neal Smith suggested donating \$1,000.00, all other council members agreed.

Executive Session:

A. Discussion concerning personnel under Gov. Code 551.074.

- 7. Reconvene in open session: 9:35 PM**

A. Action necessary as a result of Executive Session pending Gov. Code 551.074.

- 8. Adjourn:** Meeting was adjourned at 9:45 PM.

Lyle Stubbs
Mayor

Phil Patchett
City Manager