

**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

**THE STATE OF TEXAS
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The Special Meeting of the City Council of the City of Trinity was held on October 15, 2009 at 6:00 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, Billy Joe Slaughter & Chris Dennis

City Manager: Phil Patchett

- 1. Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 6:00 p.m. and verified that a Quorum was present for the meeting.

- 2. New Business**

A. Discussion and Action regarding bidding opening and awarding of project for the 2009 Trinity Street Rehabilitation Project. Mayor Lyle Stubbs opened the bids in order they were received. They were as follows: A-1- \$217,231.40 for 2” base and \$200,944.08 for 1½” base.; Triumph- \$248,217.79 for 2 “ base and \$217,656.94 for 1 ½” base; Brown Paving- \$271,550.00 for 2 “ base and \$228,960.00 for 1 ½” base; Waters Construction- \$151,832.14 for 2” base and \$129,290.63 for 1 ½” base; Moore Bros.- \$323,129.55 for 2” base and \$279,080.18 for 1 ½” base; CCC- \$225,551.73 for 2” base and \$187,208.42 for 1 ½” base; Horton Excavating- \$248,697.95 for 2” base and \$249,909.45 for 1 ½” base. Mr. Delma Ellis said we would need a lab to do a compaction test on all of the roads. City Manager Phil Patchett stated the total cost for compaction tests for all of the roads will be \$6500.00. Waters Construction has their own lab. Councilman Neal Smith made the motion to award the job to Waters construction providing the costs and references check out. Also, to agree with the compaction test and knowing we will put in the base and provide the limestone. We will go with 2” on all streets. If Waters doesn’t pan out per references and costs, the 2nd choice would be to go with A-1 Construction. Mayor Pro-Tem Wayne Huffman 2nd the motion. Councilman Chris Dennis opposed the motion. All remaining members voted yea. Motion carried.

B. Discussion and Action concerning lease agreement with the City of Trinity and Dorcas Wills Baptist Church. Mayor Pro-Tem Wayne Huffman made the motion for a 40 year lease. Terms include that there wouldn’t be any permanent structure built on right-of-way. Either party has 30 days to relinquish the agreement. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

C. Discussion and Action regarding easement for driveway to lift station on FM 1617. City Manager Phil Patchett has spoke to Lois Edwards and she

is pleased with the easement of 40 ft. with the sewer line being the center of the easement. Councilman Neal Smith made the motion to approve it. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.

D. Discussion and Action concerning sanitary sewer easement on Bert Robert's property. Delma Ellis stated that to stop the ground from washing out on the FM 1617 side, there would need to be a gradual slope cut into the ditch which, we do not have the equipment to do this. The main agreement is regarding the existing sewer line going to the lift station. City Manager Phil Patchett said he would write up an attachment and add it to the existing agreement regarding putting a culvert on the road. Councilman Neal Smith made the motion to table the discussion. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

E. Discussion and Action regarding Police Department renovations. Police Chief Steven Jones discussed the rat problem in the attic at the Police Dept. The rats have chewed thru the telephone wires that go to the console and to the water tower. Chief Jones wants to move the dispatch area to another room. To move the console and radio, the cost would be \$400.00 to \$500.00. The cost if the wood and the paint would cost about \$250.00 to \$300.00 which would come out of the equipment fund. Councilman Clegg DeWalt made the motion to approve Chief Jones request to renovate the police department. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.

F. Citizen's Forum

3. **Adjourn.** –Special City Council meeting adjourned at 7:25 P.M.

Lyle Stubbs
Mayor

Phil Patchett
City Manager

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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 spilt 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

THE STATE OF TEXAS
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The Regular Meeting of the City Council of the City of Trinity was held on December 10, 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, Billy Joe Slaughter, Chris Dennis and Clegg DeWalt

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 for the Regular Meeting on November 12, 2009.** Mayor Pro-Tem Wayne Huffman made the motion to approve the minutes. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.
- 3. Approve bills for payment.** – Councilman Neal Smith made the motion to approve bills except for the Kenwood which was a duplicate, for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- 4. City Manager's Report** -- Our total funds as of December 10, 2009 is \$885,283.92. Our checking account balance is \$861,743.34. Accounts payable are \$106,507.29. Account receivables are \$96,024.77. The Municipal Court collected \$5,993.00 for the month of November 2009 with the OMNI Program collecting \$3,466.00 of that total. The sales tax collected for December 2009 is \$41,639.33. The Fire Department donations for the month of November 2009 were \$213.00. The water collections for the month of November 2009 were \$96,024.92. Total deposits for the month of November 2009 were \$225,986.61.

City Manager Phil Patchett stated that the City of Trinity should be receiving a 2nd allocation of \$898,601.00 from the Hurricane Ike Recovery Project. The final numbers should be out within a week. City Manager Phil Patchett also stated he has been working on a Sanitary Sewer Overflow Initiative Program, which has finally been approved by TCEQ. The council approved to participate in the program of December, 2008. We have until 2015 to complete the project or file for an extension. Mayor Pro-Tem Wayne Huffman wanted to know if any of the money from the Hurricane Ike Recovery Project could go towards fixing the sewer lines. City Manager Phil Patchett said that money is geared to go towards hurricane related projects. He said he would try to see if some of the money could go towards the sewer lines. Since the lines needed repair before the hurricane hit, it wouldn't be warranted as repair from the hurricane. Councilman Clegg DeWalt asked what actually failed during the hurricane as we have already spent the first allocation on generators. Mr. Patchett said we would add showers to the Community Center for when it is used as an evacuation center and upgrades to the community

center. In other news, City Manager Phil Patchett announced that Trinity Rural Water Supply is close to completing their water plant, which means we will lose them as a customer within 6 months. Lake Livingston Water Supply is also preparing to build a new water plant, so by 2012, we will also lose them as a water customer as well. However, it will help us out a lot as far as storage because they use about 92,000 gallons a day between the both of them. Also, the Supplemental Environmental Project was approved yesterday on 12/9/09 to do the tire clean-up. We should receive a letter from TCEQ within about 10 days.

5. Old Business

- A. Discussion and action on any grant related business.** City Manager Phil Patchett had an update from the engineer for TCDP Water System Improvements Grant. We have been approved on a small purchase procurement grant. They will come in to do one mobilization either the week before or after Christmas. They will be installing another 4000 ft. of 10 in. water line in addition to the 2000 ft. that is already installed at which time it will all be tied in.

New Business

- A. Discussion with Sharon Owens concerning H1N1 shot clinic.** Sharon Owens is with Texas Health Services and has opened a clinic at the Community Center Annex to give vaccinations for the H1N1 virus. She said the people at high risk are ages 6 months to 24 years and 24 -64 years with existing health problems. The elderly are not so much at high risk since they have a natural immunity. As of the time of the meeting, there have been 266 vaccinations given since they opened the doors on the 7th of December. Ms. Owens thanked Mr. Patchett in helping her get set up at the Community Center. Right now, they are targeting Houston and Trinity counties, but will take anyone that stops in.
- B. Discussion and Action regarding TXDOT Enhancement (STEP) proposed project.** City Manager Phil Patchett wanted to brief the council on where they are with this project. We are looking at approximately 7500 linear feet. The project cost is \$1.294 million and asked if TEIDC could match \$258,819 (20%) in 2011. The project wouldn't start until 2011. The project includes the rest of the downtown sidewalk, going out Hwy 19, San Jacinto St. tying in the sidewalk going to the elementary school and putting a pedestrian bridge over the deep ditch by the ball field, including a sidewalk to the ball field. The sidewalk would continue down the north side of Stadium St. to Hwy 19, back down to the Community Center. The sidewalk would then go past the historical church at FM 1617 to the Chamber of Commerce and tie into the sidewalk going into the low income housing project. This would also include 88 wheelchair ramps. Councilman Clegg DeWalt asked if this would include a sidewalk to the library. City Manager Phil Patchett recommended that if we are awarded, we could always do a change and add the sidewalk to the library to it. Councilman Neal Smith made the motion to go with the project. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- C. Discussion and Action with City Manager Phil Patchett concerning bids to**

rehabilitate the interior of \$150,000 gallon ground storage tank on Bell Street. City Manager Phil Patchett had previously asked the council about cleaning the storage tank out behind the community center because there has been discoloration in the water. The problem is the metal breaking down inside the storage tank. He has three bids to redo the interior of the tank. The bids are from Steel Tank Service for \$31,412.00, General Tank Service for \$29,789.00 and from Water Tower Maintenance for \$27,999.99. Mr. Patchett said they would drain the tank, sandblast it, clean it and put a 2 course epoxy coat (Sherwin Williams). We will then measure it and make sure it is between 10-12 mils. Mayor Pro-Tem Wayne Huffman made the motion to go with the lowest bid. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

D. Discussion and action regarding quotes on Fire Department improvements.

City Manager Phil Patchett said Fire Chief Hayne Huffman has put together a package for some improvements at the fire department at the cost of \$21,035.66. Chief Huffman is asking to replace the stove and deep fryer. The volunteer fire department has provided meals during times of disaster and also for the city employees as well as the firemen. Councilman Clegg DeWalt made the motion to approve the funds for the improvement. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.

E. Discussion and Action with TEIDC President Neal Smith in reference to taking applications and employing an Economic Director.

Councilman Neal Smith said the TEIDC have several projects they want to get started with the blessings of the council to proceed with these projects, but everything would come back to the council for final approval. One is hiring a full time director to oversee their projects and try to bring some new businesses into town.

F. Discussion and Action with TEIDC President Neal Smith concerning taking bids on utilities installation on 14 acre tract.

Councilman Neal Smith said there is a drainage problem there. The TEIDC board decided they need to hire an engineer to oversee the road and drainage issue. If the council approves this, City Manager is to get some figures together for this project.

G. Discussion and Action with TEIDC President Neal Smith regarding taking bids for road project on 14 acres.

Councilman Neal Smith said TEIDC wants to put a concrete road with a median for the utilities.

H. Discussion and Action with TEIDC President Neal Smith concerning purchase of 20 planter boxes and crape myrtles for downtown .

Councilman Neal Smith said the next request is to order 20 planter boxes for the downtown area to plant crape myrtles to beautify the city. Mr. Smith would like to have permission to pursue this project as well as the 3 previous requests. Councilman Billy Jo Slaughter suggested placing a garbage can near the planter boxes because people will be throwing their trash into the planter boxes. Councilman Clegg DeWalt made the motion to approve the four requests. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.

I. Discussion and Action regarding taking sealed bids for the sale of the 2003 Ford Crown Victoria Police car. Mayor-Pro Tem Wayne Huffman made the motion to approve taking bids. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.

J. Discussion and Action regarding clean-up with Kenneth Newton. Councilman Neal Smith asked about Terry & Michelle Waller at 200 N. Robb as to whether they had removed the red metal structure and moved the white wood frame building. Mr. Newton replied that they had moved them. Councilman Neal Smith asked if Mr. Durdin had responded to the summons that was mailed to him. Mr. Newton said that he had not and this was the third time he had been summoned. Mr. Smith inquired about what the procedure was with someone that does not respond to the summons. Mr. Newton said we could possibly issue a warrant and bring him to find out what his intentions are.

K. Discussion and Action concerning authorization to demolish the following structures:

- **Lot #11-EB. Barker addition on N. Lakefield Street**
Owned by Menzora Boston Councilman Neal Smith said he received a call from Ms. Boston earlier today. Fire Chief Hayne Huffman said if the city could go over there and use the heavy equipment and tear it down, push the trees on top of the house, it could be burned there.
- **Lot #42-Trinity TR.37 on Walker Street**
Owned by Ester Gordon City Manager Phil Patchett said we could move the house to the lot next door with the neighbor's permission and burn it there.
- **418 West San Jacinto Street**
Owned by Annette Mitchell This is a blue wood frame house that had previously burned. Councilman Neal Smith suggested that Fire Chief Hayne Huffman could go to these houses and figure out the cost to tear them down and burn them. Mr. Smith also suggested that Mr. Newton discuss with Mr. Huffman to see if they can be burned down.

Delma Ellis wanted to give a brief update on the road project. We are waiting on a compaction test on Ave A and Fifth St.. Ronnie Waters said the cracks on Ave. A will return after they do an overlay of 2 in. of asphalt within a year because there isn't a good base on it, just sand. Councilman Neal Smith wanted to know if there was a seal coat included in the bid for Ave. A. City Manager Phil Patchett said there was not, just a level up and an overlay.

L. Citizens' Forum

Executive Session: Council went into Executive session at 8:11 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. –Councilman Neal Smith made the motion to adjourn at 8:45 PM. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

Lyle Stubbs
Mayor

Phil Patchett
City Manager

**THE STATE OF TEXAS
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The Regular Meeting of the City Council of the City of Trinity was held on January 14, 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, Clegg DeWalt, Billy Joe Slaughter, Chris Dennis - Absent

City Manager: Phil Patchett

- 1. Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 7:04 p.m. and verified that a Quorum was present for the meeting.
- 2. Approval of minutes for Regular Meeting December 10, 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 Billy Joe Slaughter 2nd. the motion. All remaining members voted yea. Motion was carried. Councilman Clegg DeWalt questioned page 3 of the monthly bills as to what the initials BTD was. City Manager Phil Patchett stated that was Brazos Transport. Mayor Lyle Stubbs said that was the bus that takes people in town to their doctors appointments and such.
- 4. City Manager's Report** - Our total funds as of January 14, 2010 are \$860,836.51. Our checking account balance is \$810,009.78. Accounts payable are \$221,246.38. Account receivables are \$98,218.29. The Municipal Court collected \$6931.97 for the month of December 2009 with the OMNI Program collecting \$3471.00 of that total. The sales tax collected for January 2010 is \$37,128.76. The Fire Department donations for the month of December 2009 were \$209.00. The water collections for the month of December 2009 were \$95,591.46. Total Deposits for the month of December 2009 were \$244,699.07. City Manager Phil Patchett stated his report is to include the water situation this past week and to bring everybody up to date. The City had a tough 4 days and these things are what East Texas doesn't see and just not equipped for. City Manager Phil Patchett stated that there were a lot of circumstances that went into this and the freeze was number one. Number two the city had a storage tank being rehabilitated behind the Community Center. City Manager Phil Patchett stated that the water usage was up over a million gallons a day and we have never been equipped for that. The City was getting water from TRA up until Sunday when we put our tank back in service. City Manager Phil Patchett stated that he could not do it Saturday because he needed one more day for the tank floor to cure. City Manager Phil Patchett said he got in touch with the tank people and TCEQ and did an emergency fill up. We filled it up approximately a third of the way and had to drain it out. We super chlorinated it and refilled it and by the time the processed was

completed it was about another 6 or 7 hours. City Manager Phil Patchett stated that at that point with our water and TRA water we were still not making any headway. When we were finally starting to gain, the problem of getting water to the north there has to be enough head in this tank in town to push to the north. City Manager Phil Patchett stated that we were never able to get to that point. We were making a lot of headway when TRA ran out of water. We were not alone, the City of Groveton ran out of water, TRWSC, City of Lovelady. Many communities in East Texas were without water. We were not alone. City Manager Phil Patchett stated we did all we could and wanted to thank all the guys that worked so many hours. It's been a tiring situation and we will learn from this. One reason we are so set on putting this SCADA system in is so we can start gauging all our tanks and I think its going to be a big plus that we are going to get out of this Hurricane Ike recovery money. Councilman Clegg DeWalt asked what the City's normal usage was. City Manager Phil Patchett stated our normal usage is 525,000 gallons. Councilman Clegg DeWalt also asked where the other 425,000 gallons came in. City Manager Phil Patchett stated that our wells were able to produce 500 gallons per minute once we got up and going. Councilman Clegg DeWalt also stated that with everybody running their facets, did that have an impact on the shortage. City Manager Phil Patchett stated that had all the impact. What a lot of people don't understand that if you have a stream of water running to keep your pipes from freezing and you multiply it by 2000 facets and all the sudden you are putting out approximately 300,000 gallons a night and a lot of people just don't realize that. Councilman Clegg DeWalt asked the City Manager Phil Patchett about the old lift station by the old Ainsworth Ford, will that help us when it gets on line? City Manager Phil Patchett stated that in this case no. Pressure wise north of town, absolutely.

5. Old Business

A. Discussion and action on any grant related business. – City Manager Phil Patchett gave an update on the project out at the water wells. City Manager Phil Patchett stated that apparently Siemens dropped the ball on the aerator. It was to be delivered in December and now will not be here until February. They will be here in a couple of weeks and start putting in some of the liquid level controllers and the de-sander and start putting in pipe. Councilman Billy Joe Slaughter asked if Mr. Patchett had already stopped pumping from out the river. City Council Phil Patchett stated no, not until he can get TRA to start pumping 440 gallons a minute we have to hold off on this project. City Manager Phil Patchett stated that hopefully Monday we can start doing what we have to do. City Manager Phil Patchett also stated that he was planning on flushing most of the day tomorrow. Until TRA gives us 440 gallons, we will not be able to shut down because anything less than that, we won't be able to get by. Councilman Neal Smith asked City Manager Phil Patchett if he believed that getting the ground storage tank going a day early, did he think that was going to hurt the inside of the tank? City Manager Phil Patchett stated that he had talked to the tank people since then and if there is anything wrong, they were going to fix it anyway. Mayor Lyle Stubbs asked if we were going to have to empty it again. City Manager Phil Patchett said yes, we are going to have to empty it again and also stated that work cannot be done on the outside of the tank because the tank will sweat on the outside with water in it.

6. New Business

- A. Discussion and action with Neal Smith concerning TEIDC recommendation to repair 150,000 gallon elevated tank on West Pine Valley.** - Councilman Neal Smith stated that City Manager Phil Patchett checked on and found out that it is legal to spend Economic Development money on the project. Councilman Neal Smith took it before the Economic Development Board and the Board had approved to go forward with the project. City Manager Phil Patchett stated that the north elevated tank on Pine Valley, the tank people had looked at it and informed that the interior and exterior of that tank is in serious need of work. City Manager Phil Patchett stated that TCEQ had written the City up on the exterior of that tank. Mayor Pro-Tem Wayne Huffman asked if the tank would have to be shut down due to the repairs. City Manager Phil Patchett stated that yes but, the water would be re-routed. Councilman Billy Joe Slaughter asked if the tank feed the hospital. City Manager Phil Patchett stated yes, but we will have all that set up before we ever shut the tank down. We will put in a pressure reducing valve and pump straight out of the Rockdale pump into the system. City Manger Phil Patchett informed the Council that the cost for the repairs is \$70,000.00. We can do this in support of the hospital with the 4 million dollars in renovations they have done. This is the main selling point to the President of Economic Development Board in Austin. Mayor Pro-Tem Wayne Huffman made the motion to go forward with project. Councilman Clegg DeWalt 2nd. the motion. All remaining members voted yea. Motion was carried.
- B. Discussion and action regarding the 60.000 gallon storage tank on Crestway Street.** – City Manager Phil Patchett stated that Mayor Pro-Tem had requested that the City Manager get prices from the contractors while they were here to see what it would cost to put this tank back in service. City Manager Phil Patchett stated the price would be about \$30,000.00. The tank looks good, will have to redo interior and replace the pressure tank. Mayor Pro-Tem Wayne Huffman asked what it would cost to replace the pressure tank. City Manager Phil Patchett stated the pressure tank would cost about \$10,000.00. \$5,000.00 to purchase the tank and another \$5,000.00 to rehabilitate. Mayor Pro-Tem Wayne Huffman asked the City Manager if he had figured a way to get the water to it. City Manager Phil Patchett stated that he wanted to look at the water model and see elevation between the Pine Valley storage tank as far as feeding into that tank. City Manager Phil Patchett stated that we are low on our total storage capacity and putting the 60,000 gallon tank back in service would be a big plus for the City. Councilman Neal Smith stated our biggest question is not fixing the tank but getting the water to it. City Manager Phil Patchett stated the problem of feeding it off Rockdale, there is no way of feeding the elevated tank and this tank off the little 16,000 gallon storage tank at the same time. We need to see if we can feed it off the distribution system like we do the Rockdale tank. City Manager Phil Patchett stated that is where the water model comes in and that's why it's so important. Councilman Neal Smith made a motion to pursue project and bring back to council for final approval when all the final figures are together and thinks that the tank needs to be put back in service. Mayor Pro-Tem Wayne

Huffman 2nd. the motion. All remaining members voted yea. Motion was carried.

- C. Discussion and action regarding repaving the East side of City Hall.** – City Manager Phil Patchett stated that he was asked to get some prices on the, behind the fire station and Councilman Slaughter and asked to get a price on the entire alley. The contractor gave two different proposals and that's why there were two different items on the agenda. Mayor Lyle Stubbs stated that there were two different bids and council will have to vote on one at a time. City Manager Phil Patchett stated that these are the prices for the council to look at and discuss. Councilman Neal Smith stated that the first one is \$9,996.25. Councilman Neal Smith stated that he was not against the project what-so-ever. Every street here needs to be paved. But before we borrowed this \$500,000.00 to pave these streets, we sent the City Manager and Public Works Director out to pick the streets and they brought us back a list and we are working off that list. This needs to be done but it's a luxury as far as I'm concerned and if we have money left when we get through with the paving, then I'm all for it 100%. Councilman Neal Smith stated that he doesn't think this ought to be done first before the streets on the list are done. Mayor Pro-Tem Wayne Huffman stated that his understanding is that we authorized \$151,000.00 for the Waters bid. Now, he gives back a little over \$16,000.00 and we actually thought we spent. Mayor Pro-Tem Wayne Huffman stated that his understanding was that City Council agreed to pave part of the Fire Department in front. Mayor Pro-Tem Wayne Huffman stated that you can get it all done for less than \$14,000.00 and you really haven't spent any money that we set aside for the rest of the streets because Mr. Waters gave it back. Councilman Clegg DeWalt asked Mayor Pro-Tem Wayne Huffman why Mr. Waters gave the money back. Mayor Pro-Tem Wayne Huffman said he didn't know. City Manager Phil Patchett stated that Mr. Water's footages were less and that Mr. Waters was honest. Mayor Pro-Tem Wayne Huffman stated as far as the public is concerned, we haven't taken a dime out of what we set aside for the streets. This money here you could say it's a gift. Councilman Clegg DeWalt asked if it way the East corner that was so bad? Councilman Billy Joe Slaughter stated he was asking about a bid in front of the Fire Department and was looking at the rest of it and asked for two different bids, one on each one of them. Councilman Billy Joe Slaughter stated that he agreed with Mayor Pro-Tem Wayne Huffman that it needs fixing. Councilman Billy Joe Slaughter stated you have a business behind us that is real busy and you got a church right there, you got a police station, fire department and a city hall and it would help everybody and that would be for all the citizens, not just one of the streets fixed, taxes went up for everybody. Councilman Neal Smith stated that I agree that it's a good project and I'm all for it but I don't think we should pave it before we pave the list of streets that we already have in order and it's got nothing to do with what Mr. Waters gave back or anything else, that is still tax payers money. Mayor Pro-Tem Wayne Huffman stated that is right and this is tax payer's property and everything here is. Now, if we were talking about paving something and taking the money out of the other, I would agree with you. But I do not agree with you on this. Mayor Pro-Tem Wayne Huffman made the motion to Waters Construction to go ahead with the project. Councilman Billy Joe Slaughter 2nd. the motion. Councilman Clegg DeWalt stated that Councilman Neal Smith is saying that is

coming out of borrowed money that we borrowed to pave the roads. Councilman Neal Smith stated he was exactly right. Councilman Clegg DeWalt asked, do we have that kind of money in a rainy day fund? City Manager Phil Patchett stated that the City has a \$75,000.00 budget aside from this \$500,000.00 in this physical budget. Councilman Clegg DeWalt asked, so we have \$75,000.00 in this budget, we can use this money and not use the borrowed money. Councilman Clegg DeWalt agrees that it has to be done. Councilman Billy Joe Slaughter stated it doesn't matter how it's paid for we just need to do it. Councilman Clegg DeWalt stated that as an accountant, it's a clean method to use monies other than the borrowed money. Remaining members voted yea. Councilman Neal Smith opposed. Motion was carried.

D. Discussion and action regarding repaving the Fire Station Drive on the East side of the building. - Mayor Pro-Tem Wayne Huffman made the motion that we do it. Councilman Billy Joe Slaughter 2nd. the motion. Remaining members voted yea. Councilman Neal Smith stated that he feels that this project should be done after all the list of streets is done. Councilman Clegg DeWalt stated that after the streets are done or comes out of our line item budget. Councilman Neal Smith stated yes. Remaining members voted yea. Councilman Neal Smith opposed. Motion carried. Councilman Billy Joe Slaughter asked when we could get started on this project. City Manager Phil Patchett stated he would call contractor tomorrow and will get an estimated time when they could begin.

E. Discussion and action regarding Resolution #10-0001 authorizing submission of an application to the Texas Park's & Wildlife Department for 2010 Local Park Grand Program's Small Community Program funds. – City Manager Phil Patchett stated that this was basically a resubmission of the application that was submitted last year to the Parks and Wildlife down at the ball field. Mayor Pro-Tem Wayne Huffman asked if the City had been turned down on the grant. City Manager Phil Patchett stated that yes the City did get turned down but had down some tweaking and saw where we missed a few points. Mayor Pro-Tem Wayne Huffman asked if this was the same project as before. City Manager Phil Patchett stated that it was the same project. City Manager Phil Patchett stated that he knows what the criteria is and that we will meet it. Mayor Pro-Tem Wayne Huffman asked if this was a matching grant and how much it is. City Manager Phil Patchett stated yes it is a matching grant. The match is \$75,000.00 and is the same as last year. City Manager Phil Patchett stated the grant is to replace all the lights at the bigger ball field, rock climbing in the play areas and a walkway from the elementary school to the play area, and the culvert. Mayor Pro-Tem Wayne Huffman asked when the deadline was to apply. City Manager Phil Patchett stated that the deadline to apply was the 31st. and we won't know anything until August. Mayor Pro-Tem Wayne Huffman made the motion to apply for the grant. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. None opposed. Motion carried.

F. Discussion and action regarding Ordinance #10-0001 declining to approve a rate change requested in Entergy Texas Inc. statement of intent filed with the City of Trinity on December 30, 2009 - Stan Foley spoke with City

Council in reference of intent to raise rates for all Entergy customers. When the intent was filed with the Public Utility Commission, as the City has original jurisdiction that is filled with all 65 cities within the service territory. The utilities commission has up to one year to approve. The hearing will not start until mid-year. Therefore you are looking until 2011 before any changes will happen. When a case is filed with the City, it has 35 day to take some form of action. The City has 3 options available. Option 1, City could approve rates. Option 2, City could suspend the rates up to 90 days. Option 3; deny rates, until the Public Utility hearing. Mayor Pro-Tem Wayne Huffman made the motion to deny rates. Councilman Clegg DeWalt 2nd. the motion. No other discussion. All remaining members voted yea. None opposed. Motion carried.

- G. Discussion and action with Ken Newton regarding cleanup. – Ordinance**
Officer Ken Newton spoke in front of City Council and reported that Mr. Durdins property on Clegg St. has been cleaned up. Mr. Newton also report on the property at 3rd. and Thompson St. that belongs to Margaret Miller. Mr. Newton spoke to Ms. Miller who said she has issued an eviction notice to the renters because they are not paying the rent. Mr. Newton said that Ms. Miller has given the City permission to put a condemned notice on the residence until someone takes action on it. Mr. Newton also informed City Council of the house on Railroad St., Randall Parker out of Austin was hired to refurbish the inside and outside of the house by the property owner.

Citizens Forum. City Manager Phil Patchett wanted to take the time to thank Waters Construction and Delma Ellis on a job well done. Councilman Neal Smith stated that it was the best paving job that has ever been done since he has been on Council. Councilman Neal Smith also stated that by having Delma Lee's knowledge and being out on the streets has made a difference. Councilman Neal Smith stated that the City crew needs to be commended for the job that they have done through this water deal. Councilman Billy Joe Slaughter stated that we have hired an honest company now, they gave us back \$16,000.00 that they had over bid.

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.** –Councilman Neal Smith made the motion to adjourn. Billy Joe Slaughter 2nd. the motion. All remaining members voted yea. None opposed. Motion carried. Mayor Lyle Stubbs adjourned the meeting at 7:48 p.m. There was no other discussion.

Lyle Stubbs
Mayor

Phil Patchett
City Manager

**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 February 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, 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 January 14, 2010.** Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion was carried.
- 3. Approve bills for payment.** -- Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Chris Dennis 2nd the motion. All remaining members voted yay. Motion was carried.
- 4. City Manager's Report** -- Our total funds as of February 11, 2010 are \$873,599.53. Our checking account balance is \$755,584.36. Accounts payable are \$106,318.12. Account receivables are \$107,796.33. The Municipal Court collected \$13,300.60 for the month of January 2010 with the OMNI Program collecting \$7,364.00 of that total. The sales tax collected for February 2010 is \$145,819.81. The Fire Department donations for the month of January 2010 were \$215.00. The water collections for the month of January 2010 were \$99,857.27. The total deposits for January 2010 were \$304,605.71. City Manager Phil Patchett stated they closed the H1N1 Expansion Clinic on January 29, 2010. It was open five days a week from December 7, 2009 thru January 29, 2010. They vaccinated 846 individuals during that time and wanted to thank the city for all their help. Mr. Patchett stated he met with Brandon Reese of Congressman Brady's office along with Major Williamson with the U.S. Army concerning innovative readiness training program that was discussed about nine months ago. They went over some projects that Mr. Patchett would like them to consider and some they would like the city to consider. One of the projects that Mr. Patchett suggested was for the city to supply the pipe to finish the transmission line from the water wells to the ground storage tank and have the army provide the labor. Another suggestion was the city buying the material and the soldiers doing the labor to relocate the water line on Church Street. Also, depending on TDRA with round two funding, Mr. Patchett suggested having showers built at the community center. Mr. Reese and Major Williamson suggested to bringing a mobile dental center which would make an immediate impact on the citizens concerning healthcare. Mr. Patchett stated he is open to suggestions the Mayor and City Council may have also. Mr. Patchett stated the work has been completed on the ground storage tank and work has begun on the north elevated tank on Rockdale. The city purchased 423,000 gallons a day from TRA and a portion of that is when the ground storage tank

was down so we are \$49,000 in the red which is almost identical to where we were last month.

5. Old Business

- A. Discussion and action on any grant related business.** City Manager Phil Patchett stated the city has signed a contract with TDRA concerning Phase 1 of the Hurricane Ike Recovery Project. Mr. Patchett also stated Horton Construction started with the small procurement portion of our CDBG Project but could only work a couple of days due to the river being out of the banks.

6. New Business

- A. Discussion and action with Mr. Rippey of the First United Methodist Church regarding protection of the southeast corner of the church building alongside the 20ft alley running west onto Elm Street.** Mr. Rippey stated there is a one way street on the southside of their activity center and it goes from west to east. There is a one way sign posted on Elm Street but is obliterated by a tree so it is not visible from the north side. Mr. Rippey would like a wrong way sign posted on the other end of the alley where the two alleys come together. He also suggested putting a 2ft x 12ft guardrail up running east and west which would consist of treated lumber and he thinks that would make it more enforceable. Councilman Neal Smith made the motion to allow the church to put the guardrail up. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yay. Motion carried.
- B. Discussion and action with Mr. Rippey concerning possible building construction alongside the alley in Block 9 in-line with the existing building which is a one story frame house now used by the church for rummage sales.** Mr. Rippey asked if they could build on the south side right along the alley line in line with the house. Councilman Neal Smith made the motion to allow it. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yay. Motion carried.
- C. Discussion and action regarding 36” culvert at Cowboy Church parallel with Pegoda Road.** City Manager Phil Patchett stated Brother Ron Conatser is having a problem with the culvert which is a 30” concrete culvert that is falling apart. There is a tremendous amount of water that comes thru there but the culvert is on private property. Delma Ellis stated the culvert needs to be upgraded from a 30” culvert to a 36” culvert so it will carry the water that is coming through there now. Mr. Patchett is asking the Mayor and Council to replace 240ft of pipe if Brother Conatser supplies it and the city do the labor which would cost him \$7,200.00 Councilman Clegg Dewalt stated it would behoove the city to do this since it carries the water out of the city from that side of town. The council agreed they do not mind doing the work since it is city drainage but the city should not have to buy the pipe because it is on private property. Councilman Clegg Dewalt made the motion for the city to install the pipe that Brother Conatser purchases. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yay. Motion

carried.

D. Discussion and action with Bert Roberts concerning his property. Councilman Neal Smith asked the city's responsibility is to fix the culvert and at FM 1617, we have not agreed to build a road all the way down to the creek. Mr. Patchett stated that is correct. Mr. Roberts stated he would like the ruts and holes built up and leveled back down and some ditches cut on the side. He has dirt and would like the city to haul in the dirt to build a road base. If the water in the creek is tested and if it is spring water and not sewer water then he will forego the culvert in the branch. Mr. Roberts understands that his three easements have been sent over to his attorney. The first easement is from Avalon, the second is the one that goes to the branch and the third one is on the four inch line he let the city lay. Councilman Clegg Dewalt confirmed if the water tests negative for sewer he just wants a 24" culvert and the road base. Mr. Roberts stated no, he just wants a 15" culvert and the road base. Mr. Roberts said he would sign all three agreements if the ruts and wholes are repaired, a culvert is put in at the top, and have the road base built. Mayor Pro Tem Wayne Huffman made the motion to have an understanding with Mr. Roberts tonight that when the city does these three things Mr. Roberts will sign the agreements. Councilman Neal Smith 2nd the motion. All other remaining members voted yay. Motion carried.

E. Discussion and Action concerning Weisinger Water Well, Inc. recommendations concerning water well #2. City Manager Phil Patchett stated Weisinger Water Well is replacing our bottom water well which is part of the CDBG grant. They sent a camera all the way down the well and their recommendations are to wire brush the screens, go in and scrape them, super chlorinate the well itself and go in and jet it. Mr. Patchett agrees with the recommendations. Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.

F. Discussion and Action regarding opening of bids for 2003 Ford Crown Victoria. The city received two bids, one for \$705 from Howard Kinsel and \$800 from Ricky Kimble. Councilman Neal Smith made the motion to sell it to Ricky Kimble. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yay. Motion carried.

G. Discussion and Action concerning Homeland Security Grant Program (SHSP) in the amount of \$8,000 and submission of equipment request for radio replacement in the amount of \$6,167.76 for the TVFD. City Manager Phil Patchett stated the city received a homeland security grant for \$8,000.00. The Fire Department has ten old midland radios and two handhelds that need to be replaced because they will not go to narrowband. The Police Department also has two radios that will not go to narrowband. The total cost for this with Nalcom including the work and installation is \$6,167.76 and the grant is \$8,000.00 with no match. Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.

- H. Discussion and Action regarding order calling the May 8, 2010 general election for the City of Trinity.** Councilman Neal Smith made the motion to call it. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.
- I. Discussion and Action concerning the two designated week days for which early voting will be held 12 hours.** City Manager Phil Patchett stated that in the past the 12 hour days are held the first day of early voting and that Friday. This year that would make the 12 hour days fall on Monday, April 26, 2010 and Friday, April 30, 2010. Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.
- J. Discussion and Action regarding renewal of agreement with Trinity County for lease of Auto Mark voting machine.** Councilman Neal Smith asked if it was mandatory that the city has this machine. City Manager Phil Patchett stated it is mandatory for the HAVA. Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.
- K. Discussion and Action concerning the next phase of the Road Rehabilitation Project.** City Manager Phil Patchett stated the roads listed are up to the Council's discretion if they want to make any changes. The roads are Israel Otis Street, Walker Street, Tenth Street, Lakefield Street, Pinecrest Road, Elizabeth Street, Rankin Drive, Stadium Street and Maple Street. Mr. Patchett said most of these roads are going to have to be tore up and they will be stabilized. Councilman Neal Smith asked which streets have water lines under them. Mr. Patchett stated he took Church Street off the list due to the water line being under it. Israel Otis Street has an 8" plastic water line and the other streets are fine. Councilman Clegg Dewalt would like to see Stadium Street done first since that is the first street families see when they come to the baseball games. Mr. Patchett stated he talked to Ronnie Waters about Madison Street from the intersection of Elm Street to Hwy 19, Ronnie said it would be \$11,000.00 for a 2" asphalt overlay. Councilman Neal Smith asked if Phase 2 would use all the money left over from Phase 1. Mr. Patchett stated yes, that a guesstimate of the bids would be around \$330,000.00 for chip and seal. Councilman Billy Joe said we could bid the hot mix first. Councilman Neal Smith stated he would like to see the council consider getting prices on tearing the streets up and stabilizing and then either bid them out for chip and seal or asphalt. Mr. Patchett stated that too many that do not chip and seal so they cannot bid both chip and seal and asphalt. He said if the council wants to asphalt some of the streets and chip and seal the others then the council needs to make that decision. Councilman Neal Smith stated this last paving job is the best one the city has ever had since he has been involved with the city. The Mayor suggested Israel Otis Street should be first because it is the worst street on the list. Mayor Pro-Tem Wayne Huffman made the motion to tear up and stabilize and bid both chip and seal and asphalt. Councilman Neal Smith 2nd the motion. All remaining members voted yay. Motion carried.

L. Discussion and Action concerning clean-up with Kenneth Newton.

Councilman asked Mr. Newton if the people receiving third notices have been summons to court. Mr. Newton stated that was the next thing to do, there are steps he has to take before he can summons someone to court. Councilman Billy Joe Slaughter stated the city needs to take care of the old city jail and repair the roof.

M. Citizens Forum. Eugene Harbin stated there are tree limbs hanging over Fairdale Street and would like the city to trim them. He also said the city dug up that street and would like it to be repaired. Napoleon Shaw asked if the city could clean the ditches on Lakefield Street. He said water just stands in the ditch at the corner of Lakefield Street and Tom Street. Wade Greer stated the tree limbs are covering up the street light and would like the city to trim the limbs so it would not be so dim in that area.

Executive Session: 8:27 PM

A. Discussion concerning personnel under Gov. Code 551.074.

7. Reconvene in open session: 8:50 PM

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

8. Adjourn: Meeting was adjourned at 8:55 PM.

**Lyle Stubbs
Mayor**

**Wayne Huffman
Mayor Pro-Tem**

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

The Emergency Meeting of the City Council of the City of Trinity was held on February 16, 2010 at 6:30 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, and Billy Joe Slaughter

City Manager:

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 6:30 p.m. and verified that a Quorum was present for the meeting.

2. **New Business**

A. Discussion and action concerning personnel. Mayor Lyle Stubbs and members of the council thought the city had a night deposit bag that was being taken to the bank every day and deposits were being made daily. However, the city has not been utilizing the night deposit bag and if a deposit was not made the money was locked up in the City Hall. The city received a night deposit bag from First National Bank today and from this point forward the city will be making deposits daily and any working money that is in the drawer at the end of the day will be put in the night deposit bag and taken to the bank and picked up the following business day.

Building Inspector Ken Newton stated Trinity Arms Apartment #32 had a leak and it appeared it might be underneath the foundation. Mr. Newton stated he made a proposal in writing with the Manager of the apartments, Lucile Glosson that if she hired a plumber to find the leak and if it is on city property the city would repair it and pay the cost of the plumber. Ms. Glosson hired Mr. Parker on January 22, 2010 and suggested him to follow the city's suggestion which was to find the leak inside the apartment in the sewer line. Mr. Parker supposedly spent five hours doing so and did not find a leak. On January 27, 2010, Mr. Parker wanted someone from the water department to be onsite and Steve Alexander and Mr. Parker found a busted elbow on the city water line and Steve repaired it. Mr. Newton stated Mr. Parker stayed onsite and watched Steve repair the elbow which took three hours and did not provide any assistance. Mr. Parker has invoiced Trinity Arms \$90 an hour for eight hours plus a \$75 service call. Mayor Stubbs stated that Trinity Arms did not comply with the witness onsite and that should nullify the written proposal. The Mayor does not feel like Mr. Parker did anything worth \$795. Councilman Neal Smith stated the city did not make any agreement with Mr. Parker to pay him and that Ms. Glosson is the one that hired him. The Mayor and Council agreed to let Mr. Newton take care of this situation and send the letter he has prepared for Ms. Glosson.

Executive Session: 7:08 PM

A. Discussion concerning personnel under Gov. Code 551.074.

3. Reconvene in open session: 8:19 PM

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

Councilman Billy Joe Slaughter made the motion to temporarily suspend Phil Patchett without pay. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yay. Motion was carried.

4. Adjourn: Mayor Pro-Tem Wayne Huffman made the motion to adjourn. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion was carried. Meeting was adjourned at 8:27 PM.

Lyle Stubbs
Mayor

Wayne Huffman
Mayor Pro-Tem

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

The Special Meeting of the City Council of the City of Trinity was held on February 22, 2010 at 4:00 p.m. in the Fire Station at 203 South Elm Street 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

Interim City Manager: Buddy Drake

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 4:00 p.m. and verified that a Quorum was present for the meeting.

2. **New Business**

A. **Discussion and action regarding Special Audit.** Mayor Lyle Stubbs stated the auditors were at the City Hall working on the audit from October 2009 through February 2010. Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Clegg Dewalt 2nd the motion. Councilman Neal Smith stated it has been brought up to have a separate audit for Economic Development. Mr. Smith stated the Economic Development Board requested to have an audit done by the same firm. Amend the previous motions. Councilman Clegg Dewalt made the motion to audit the Economic Development. Mayor Pro-Tem Wayne Huffman 2nd the motion. Councilman Chris Dennis was under the impression that a different firm would do the special audit instead of our regular auditors. Mayor Stubbs stated this firm was already scheduled to do the 2008-2009 audit in March so he thought it would be good for the same firm to do the special audit also. All remaining members voted yay. Motion was carried.

B. **Discussion and Action concerning the employment of Floyd Drake as an interim city superintendent.** Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Billy Joe Slaughter 2nd the motion. Councilman Chris Dennis asked what exactly the council was looking at with "interim". Mr. Dennis stated that temporary in our terms usually means interim now and permanent next week. Mayor Stubbs stated that would be up to the council and that the interim as of right now is to get us through this storm. Mr. Dennis stated he appreciates Mr. Drake for what he is doing for the city but just wanted to have an understanding. Mr. Drake stated it will be an interim basis until the city council takes further action. All remaining members voted yay. Motion was carried.

Mr. Drake asked the Mayor and Council to ride with Delma when they had time to look at the infrastructures that are around the city. Mr. Drake and Delma met with the engineer and got them up to date on where everything is at. The city will not get the \$513,000 from FEMA in cash they would get it in work.

Executive Session:

C. Discussion concerning personnel under Gov. Code 551.074.

5. **Reconvene in open session:**

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

6. Adjourn: Councilman Neal Smith made the motion to adjourn. Mayor Pro-Tem 2nd the motion. All remaining members voted yay. Motion was carried. Meeting was adjourned at 4:40 PM.

Lyle Stubbs
Mayor

Wayne Huffman
Mayor Pro-Tem

**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 3rd meeting changed from Emergency to Special Meeting. Councilman Clegg DeWalt 2nd 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 2nd 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 2nd 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 2nd 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 2nd 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 2nd 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 2nd 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 2nd 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

Lyle Stubbs
Mayor

Buddy Drake
Interim City Manager

**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 April 8, 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, Clegg Dewalt, Chris Dennis and Billy Joe Slaughter

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 from the Regular Meeting March 11, 2010.** Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Neal Smith 2nd the motion. All remaining members voted yay. Motion was carried.
3. **Approve bills for payment.** – Councilman Billy Joe Slaughter made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yay. Motion was carried.
4. **City Manager’s Report** -- Our total funds as of April 8, 2010 are \$887,349.79. Our checking account balance is \$725,671.69. Accounts payable are \$102,859.49. Account receivables are \$132,187.80. The Municipal Court collected \$6,531.40 for the month of March 2010 with the OMNI Program collecting \$2,297.00 of that total. The sales tax collected for April 2010 is \$39,481.47. The Fire Department donations for the month of March 2010 were \$217.00. The water collections for the month of March 2010 were \$100,289.74. The total deposits for March 2010 were \$174,560.33. Interim City Manager Buddy Drake stated one of the paddlewheels went out at the Wastewater Treatment Plant. Mr. Drake said the city is receiving \$513,000 for disaster relief and are trying to get two paddlewheels with that money. Delma Ellis stated they have to get a paddlewheel as soon as possible because the one they repaired is not going to hold up much longer. Mr. Drake is going to check to see if the city can go ahead and use the disaster relief money for the paddlewheel that went out. If we cannot use the money yet, the city may have to repair or purchase a new paddlewheel and try to get reimbursed with the relief money.
5. **Old Business**
 - A. **Discussion and action on any grant related business.** Interim City Manager Buddy Drake stated the water well line should be finished up soon. Mr. Drake also stated the city had a sidewalk grant for 4ft wide sidewalks but the grant only funded a minimum of 5ft wide sidewalks. Mr. Drake stated he took it upon himself to change the width to 5ft and if we are approved the grant will be over a million dollars. It changed the total cost of the grant about \$28,000 and our part around \$5,000 or \$6,000.

6. New Business

- A. Discussion and action with Stan Foley of Entergy concerning Ordinance #10-0002 regarding approving the change in rates requested in Entergy Texas, Inc.'s Statement of Intent filed with the City of Trinity March 25, 2010.** Stan Foley stated a notice was filed with the city on March 25, 2010 regarding a change rates, specifically a refund of costs. This has to do with the reallocation of cost to generate electric power by all of the Entergy companies. When this was done there was a portion of the monies that was sent back to Texas customers. This ordinance will approve a rate refund that will go into effect for all customers within the city limits of Trinity that are Entergy customers. The refund will be for four months, May through August. Councilman Neal Smith made the motion to approve. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yay. Motion carried.
- B. Discussion and action regarding approval of TEIDC's commitment of funds to repair the 65,000 gallon storage tank on Crestway Street.** Interim City Manager Buddy Drake stated he attended the TEIDC meeting on March 29, 2010 and asked for these monies and it was approved for \$32,500 plus plumbing. Councilman Neal Smith made the motion approve it. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yay. Motion carried.
- C. Discussion and action concerning appointment of election judge for the General Election Day May 8, 2010.** Mayor Pro-Tem Wayne Huffman made the motion to appoint Glenda Patton. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yay. Motion carried.
- D. Discussion and action regarding approval of streets for the Street Rehabilitation Project.** Interim City Manager Buddy Drake stated the engineers, Delma Ellis and his self were working on specs that will be proposed to the council for bids. The streets they are proposing are Israel Otis, Walker Street, Elizabeth Street, Rankin Drive, Caroline Street and Tenth Street. Mr. Drake said the city has \$350,000 left for the street rehabilitation project. Seal coat will be a little less than \$350,000 and hot mix will be a little more than \$350,000. Mr. Ellis stated all the streets need to be stabilized so they will have a base. Councilman Billy Joe Slaughter stated Stadium Street need to be repaired. Mr. Drake stated he has another appointment with the TEIDC Board and it looks like it will be more affirmative. Mr. Ellis stated you can get a square foot price on the stabilization which consists of mixing & putting the cement stabilization down and putting it to grade, a square foot price on chip and seal, a two course chip and seal and a square foot price on the asphalt. Then you can decide which streets you want to do and how much you want to do. Mayor Pro-Tem Wayne Huffman agreed with Mr. Ellis and thinks that is the way we need to go. Mayor Lyle Stubbs said to go ahead and get a price on all of it by the square foot then we can decide. Councilman Neal Smith made the motion to go ahead and get prices on the stabilization, chip and seal and the asphalt then bring it back to the council. Mayor Pro-Tem Wayne Huffman 2nd the motion. All other remaining members voted yay. Motion carried.

- E. Discussion and Action concerning clean-up with Kenneth Newton.** Councilman Neal Smith asked Mr. Newton if we got any of these places ready for the Fire Department that they could take care of. Mr. Newton said the only thing that has been holding the process up is the weather. Mr. Drake stated going from a nonregulated city to a code enforced city is a hard slow patient job. He stated Mr. Newton's personality that he has seen is perfect for that transition time.
- F. Citizens Forum.** Johnnie Parker stated the city needs to enforce the codes. He thinks the home owners need to be responsible for their property and pay for the expenses instead of using tax payers' money to clean the property up. Billy Coleman asked how Lakefield was removed from the list. The Mayor stated it was not removed and it was still on the list. The Mayor also stated he wanted to get prices on all the streets on the list not just the five Mr. Drake listed. Mr. Coleman stated Lakefield was not one of the streets that Mr. Drake named. Councilman Neal Smith stated Mr. Drake named five streets we were going to get prices for and the Mayor stated he wanted to get prices on all the streets that are on the list. Napoleon Shaw appreciated Mr. Ellis for removing the water out of his ditches. He also stated he wanted Lakefield paved.

Executive Session:

- A. Discussion concerning personnel under Gov. Code 551.074.**
7. **Reconvene in open session:**
A. Action necessary as a result of Executive Session pending Gov. Code 551.074.
8. **Adjourn:** Meeting was adjourned at 7:45 PM.

Lyle Stubbs, Mayor

Buddy Drake, Interim City Manager

**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 May 13, 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, Clegg DeWalt, Billy Joe Slaughter, Chris Dennis

Interim City Manager: Buddy Drake

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 7:03 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for Regular Meeting April 8, 2010.** – Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Clegg DeWalt 2nd. the motion. All remaining members voted yea. Motion was carried.
3. **Approve bills for payment.** – Councilman Neal Smith made the motion to approve bills for payment. Councilman Billy Joe Slaughter 2nd. the motion. All remaining members voted yea. None opposed. Motion was carried.
4. **City Manager's Report** - Our total funds as of May 13, 2010 are \$822,570.05. Our checking account balance is \$659,804.37. Accounts payable are \$82,009.54. Account receivables are \$111,907.20. The Municipal Court collected \$7472.00 for the month of April 2010 with the OMNI Program collecting \$4,224.00 of that total. The sales tax collected for May 2010 is \$116,947.71. The Fire Department donations for the month of April 2010 were \$220.00. The water collections for the month of April 2010 were \$95,474.17. Total Deposits for the month of April 2010 were \$161,722.20. Councilman Clegg DeWalt had one question: the \$822,570.05 includes the three hundred and fifty thousand dollars in time warrants? Interim City Manager Buddy Drake stated that yes it was.

5. Old Business

Discussion and action on any grant related business. – Interim City Manager Buddy Drake stated he did not have anything at this time.

6. New Business

- A. **Discussion and action Canvass of May 8, 2010 City Election.** – Interim City Manager Buddy Drake addressed council and audience. Interim City Manager Buddy Drake presented the tally sheets to City Council. On Saturday May the 8th. 859 people voted total. 765 people voted in person, 93 mail ballots, 1 provisional ballot, 339 ballots left. In early voting 499 voted in person, 93 mail ballots, and 1 provisional. On Election Day, 266 voted in person, 1 ballot defaced. 1200 ballots

were purchased. In the yellow envelopes is a list of people that signed in to vote whether early voting or Election Day. Councilman Billy Joe Slaughter made the motion to canvass. Councilman Clegg DeWalt asked Interim City Manager Buddy Drake what a provisional ballot was. Interim City Manager Buddy Drake stated that is when a voter is not on the list of voters. Councilman Neal Smith 2nd. the motion. All remaining members voted yea. None opposed. Motion carried.

- B. Swearing in of Mayor and City Council Positions 1, 2 and 3.** – Interim City Manager Buddy Drake swore in the duly elected Mayor Lyle Stubbs, Councilman Chris Dennis, Councilman Clegg DeWalt and Councilman Wayne Huffman. The Mayor and Councilman elect took their oath.
- C. Comments from newly elected Mayor and Council members.** – Councilman Clegg DeWalt addressed the audience thanking everyone and looking forward to serving the City of Trinity for the next two years and thanked the Mayor and City Councilman in their ongoing effort to put their own personal agendas aside and do what’s best for the City. Councilman Chris Dennis addressed the audience stating that he would “like to thank everyone who voted for me and even those who did not, I am your councilman and it is my wish and has been since I was first elected up here to work with these guys, with the Chamber and everybody else involved with the business of the City for the best interest of the City.” “Thank you once again, God bless.” Mayor Lyle Stubbs stated “I would like to thank ya’ll for the ones who supported me and the ones who didn’t. I’m still your Mayor and I’ll do my best, as I’ve always tried to do and I appreciate it. Thank you council, Buddy, and do our best to do the job. Thank you.” Councilman Wayne Huffman stated “I just want to thank everybody. I’m going to serve everybody as well as I can. I appreciate the opportunity to serve Trinity. That’s what I am here for and I just want to thank everybody that helped me. Thank you.”
- D. Discussion and action concerning appointment of Mayor Pro-Tem.** – Mayor Lyle Stubbs stated “at this time I would like to appoint Councilman Wayne Huffman as Mayor Pro-Tem.” Councilman Neal Smith made the motion to accept Councilman Wayne Huffman as Mayor Pro-Tem. Councilman Billy Joe Slaughter 2nd. the motion. All remaining councilman voted yea. None opposed. Motion carried.
- E. Discussion and action regarding appointment of Municipal Judge. -** Mayor Lyle Stubbs stated “at this time I like to appoint Howard Kinsel, reappoint.” Mayor Pro-Tem Wayne Huffman made the motion to reappoint Howard Kinsel as Municipal Judge. Councilman Billy Joe Slaughter 2nd the motion. No other discussion. All remaining councilman voted yea. None opposed. Motion carried. Howard Kinsel was sworn in by Interim City Manager Buddy Drake as City of Trinity Municipal Judge.
- F. Discussion and action concerning appointment of elected official to serve on DETCOG Board of Directors** – Mayor Pro-Tem Wayne Huffman made the motion that Councilman DeWalt accepts the position. Councilman Neal Smith 2nd. the motion. No other discussion. All in favor. None

opposed. Motion carried. Councilman Clegg DeWalt thanked the council.

G. Discussion and action regarding appointment of Linda Walker and James Hollingsworth to the Blanche K. Werner Public Library Commission. – Councilman Neal Smith made the motion to appoint. Councilman Clegg DeWalt 2nd. the motion. No other discussion. All in favor. None opposed. Motion carried.

H. Discussion and action concerning construction contract award to Weisinger Water Wells for CDBG Contract #728680. – Martha Drake with Grantworks addressed council and audience. Ms. Drake stated she was here in place of Katherine Dewarte who is the contract manager on this project. Martha stated that there was a little bit of money left over for the water line project for the existing Community Development Grant in the sum of \$4900.00. That money is being used to do some work on the water well itself, to do some cleaning of the screens and repairs on the pump at the actual well. As soon as that activity is finished then your project will be closed and you will be ready to apply for the next round of money which is coming up with a deadline of September 30th. As long as it was a smaller amount below the bidding threshold which is now \$50,000.00, you can do small purchase procurement which was getting 3 verbal bids from local providers and then it was the lowest responsible bidder on those. Interim City Manager Buddy Drake stated that he wanted the City Council to apply in the next CDBG round to finish that line coming into town. Bring new lines in from the wells into the ground storage. Mayor Lyle Stubbs asked if it was 5800ft. Interim City Manager Buddy Drake stated it was 5800ft. or 5700ft. or something like that. Councilman Neal Smith informed Interim City Manager that the City had changed out some of that line in the past but did not know how much. Councilman Neal Smith wanted to know how much more line we are talking about at this time? Interim City Manager Buddy Drake stated that we were about half way in, I don't know about it. Probably close to 5000ft. left unless there is something new in there. Mayor Lyle Stubbs asked Delma Ellis if they got all the way to the Subdivision? Public Works Director Delma Ellis stated that they were about 700 or 800ft. short of the subdivision. Delma Ellis stated that he had asked James Flournoy to look into it and he was told that they would be bringing wheel to measure it. Delma Ellis stated that he had measured and the best he could come up with is 8 tenths of a mile. Councilman Neal Smith stated that if he understood right, he thought that line from the storage tank, shipped all the way into ground storage. Councilman Neal Smith also stated that he had talked to you before the meeting about the line being reduced down to a 4" or 6" or whatever. Interim City Manager Buddy Drake stated that was not the transmission line, it was the reduction around the wells. Public Works Director Delma Ellis stated that it was reduced at the de-sander. Also, there are 10" lines coming out of the wells going into old aerator. When they come up with the new line their come

down from the 10" line and reduce down into a 6", then down to a 4" to go into the de-sander. The engineer stated that there shouldn't be a problem with reducing the lines at the de-sander. Councilman Neal Smith asked when the lines leave the wells, and gets to the ground storage, it's going to be a 10" line all the way. Interim City Manager Buddy Drake stated "I think so." Councilman Neal Smith made the motion to go ahead and accept the contract. Mayor Pro-Tem Wayne Huffman 2nd the motion. All in favor. None opposed. Motion carried.

- I. Discussion and action regarding Resolution #10-0004 authorizing conditions exist within the designated Historic Commercial District of the City which is detrimental to the public health, safety and welfare of the community and, therefore, are declared to constitute a blighted area.** Martha Drake with Grantworks addressed City Council and the audience stating that this is the first step in the City's attempt to secure round two of down town sidewalk improvements money. As you may remember this is part of the Community Development Block Grant Global Program that has many different funds under. We had a public hearing earlier this evening to discuss briefly some of the other programs that are in the CDBG umbrella. This one tonight that you will consider is called the Texas Capital Fund Downtown Revitalization. It's the same grant program that did the Hwy. 19 sidewalk from Hwy. 97 to Main Street a couple of years ago. Yesterday we had the monitoring visit from the state agency, they came to insure that all the files were in order and the expenditures were all eligible and so that completes that project. It now makes you eligible to apply for the next round of money coming up. The deadline is June 8th. We will know by the end of June if you are within the funding range again. But as part of that overall CDBG program, typically your grants are aimed at what is called National Program Objective of low to moderate individuals. If you will recall for the water lines, at least 51 percent of the community had to be of low to moderate income for the City to qualify for that grant. This National Program Objective for the sidewalk grant is the elimination of slum or blighted conditions. There are a couple of conditions (1) if the area to be improved is within a census designated enterprise zone which has a poverty rate of 20 percent or more, it automatically qualifies as a blighted area. The second factor, to be considered a slum area, the public facilities, the public infrastructure facilities have to be of condition that are dangerous to pedestrians, employees of the businesses, things like that. While you're making a determination of the Public Infrastructure facility, this determination has no effect on the actually privately owned businesses. The money can only be spent within a designated historic commercial district. In order to be able to apply for the downtown money, you have to make this determination that there are slum and blighted conditions. Interim City Manager Buddy Drake stated what we are proposing to do on the next application is finish that one around the corner, finish that down to the alley and then come back and go down the other side of the street and go towards the post office. Martha Drake stated that "right it would be the North side of Main Street from Hwy. 19 to the alley. We had one citizen during

the public hearing suggest that perhaps the City could consider going all the way to Railroad St. That person will remain nameless. It has something to do with a rainy puddle in front of the business down there. It would be the North side from Hwy. 19 to the alley to connect to the post office to make that block in front of the pharmacy and drug store.” Interim City Manager Buddy Drake stated or wherever you guys want to do it, I just think that is where the business foot traffic is from Robb down towards post office. Martha Drake also stated “typically this \$150,000.00 grant plus \$45,000.00 match which is the next agenda item; there is \$175,000.00 of it that is for construction and engineering and that usually does only 1 block, on side of the street. So, in this case, it would basically be 2 half blocks on the North side of Main St.” Mayor Pro-Tem Wayne Huffman made the motion to approve resolution #10-0004 authorizing \$150,000.00 for sidewalk improvements. Councilman Billy Joe Slaughter 2nd the motion. No other discussion. All in favor. None opposed. Motion carried.

- J. Discussion and action concerning Resolution # 10-0005 authorizing submission of an application for funding through the Texas Department of Agriculture’s Texas Capital Fund – Downtown Revitalization Program and authorizing the Mayor to act as the City’s Executive Officer and Representative in all matters.** Mayor Pro-Tem Wayne Huffman made the motion to approve Resolution #10-0005. Councilman Billy Joe Slaughter 2nd. the motion. No other discussion. All in favor. None opposed. Motion carried.
- K. Discussion and action regarding Resolution # 10-0006 adopting a Public Access Plan for use during construction of public infrastructure projects funded through the Texas Capital Fund Downtown Revitalization Program.** Martha Drake addressed City Council and audience stating “once again this is basically a program requirement. In the early years of this program the state agency got many, many complaints from businesses who said they didn’t care that our frontage was being blocked, they basically, during our busy time of the year they continued to tear up the sidewalks, so the state came up with an idea that they would require the community to publish a local access plan so that you actually are aware that businesses can be impacted by the public infrastructure construction. And, basically what it says that when they did what they did last time with mostly good Success, they demolished and removed in sections so that access to the businesses was not impeded for any long period of time. This also says that the City will give notice to the businesses prior to the start of construction. So, that when the bid ad is in the newspaper it is appropriate that the City post something at the City Hall to let citizens know. It is an effort so that citizens and business owners have the opportunity to come to the pre-construction conference and express their concerns. The other thing that the public access plan pledges is that you won’t do construction during the heaviest shopping times. Councilman Neal Smith made the motion to approve Resolution #10-0006. Mayor Pro-Tem Wayne Huffman 2nd. the motion. No further discussion. All

in favor. None opposed. Motion carried.

L. Discussion and action concerning contract with Westwood Shores Property Owner's Association regarding solid waste collection. -

Mayor Lyle Stubbs asked Councilman Clegg DeWalt if he had done the study on that. Councilman Clegg DeWalt stated that he had. Mayor Lyle Stubbs stated "Here is what I am going to suggest that we do since we never started picking up any garbage yet. We have already signed a contract with them. We are going to have to pick it up for a while to see if we are going to actually make any money or not. Councilman Clegg DeWalt addressed City Council and the audience. Councilman Clegg DeWalt stated that he was asked to work up a profit and loss statement and I have never worked up one before the activity is even begun. So, I asked my friend Phillip Morrison to assist me on this. I got his approval on everything before we went to print because I do not have the expertise to come up with these figures. Councilman Clegg DeWalt reported that he and Buddy Drake met with Mr. Morrison regarding the garbage pick-up at Westwood Shores. I requested Mr. Morrison then put into this matter. I am going to present this data in a bullet presentation. Bullet – The City of Trinity has agreed with Westwood Shores to pick up their garbage for \$1600.00 a month for 3 pick-ups a week. Bullet – Presently WWS is taking their garbage via 16 ft. trailer to Lake Area Trash disposal. WWS is averaging 50 yards of garbage a week. This does not include Marina Village who with the summer coming up will be taking their garbage to WWS. We used the City of Trinity March 31, 2010 receipt from Santek Environmental which is located in Leggett Tx. That's 100 miles round trip from Trinity and calculated that it cost the City of Trinity \$6.88 to dispose of a compressed cubic yard. That means it cost \$138.00 for our small garbage truck which holds 20 compressed yards and it cost \$172.00 for the large truck which is a 25 compressed yard garbage truck. However, it just makes more sense it would be more cost effective to use the large truck. Our most accurate estimates for the pickup disposal of WWS garbage per month is the following: it's going to cost \$688.00 for dump fees. It's going to cost \$168.00 for truck fuel. Diesel cost approximately \$3.00 a gallon. The trucks average from 6 to 7 miles per gallon and it's a 100 mile round trip for 4 weeks. I came up with a conservative figure for the depreciation of our garbage truck. Our new garbage truck, the large one cost \$124,459.66. It was purchased in May 2007. State property accounting normally dictates that garbage trucks are depreciated straight line for 10 years. That means that the acquisition cost is divided by 120 incremental months. The depreciation expense for the large garbage truck is a \$1037.16 per month. It's going to cost in personnel, \$120.00. That's one employee driving the garbage truck at \$10.00 an hour, the 3 hour round trip. Total expenditures per month for WWS garbage pickup and disposal is \$1358.00. Councilman Clegg DeWalt stated that we could conceivably make \$242.00 a month. That is if we don't blow out a \$200.00 tire, if the price of

diesel does not continue to rise, if the garbage disposal rate does not increase and the most important point if Westwood Shores does not produce any more than 50 yards of non - compacted garbage per week. The depreciation figure is very conservative. Phil and I based depreciation and fuel on a \$1.50 per mile and it's going to come into play due to the additional trips to the land fill for WWS garbage. For presentation purposes only I split out fuel and depreciation. The five garbage bins costing \$1050.00 a piece equals \$5250.00. At \$1600.00 a month it would take 22 months to recoup the cost of the garbage bins. If we got \$2000.00 a month it would take 8 months to recoup the cost of our garbage bins. Cindy Beasley stated at the last City Council meeting she would be open for discussion to increase the monthly charge. And I believe for the City of Trinity to realize a profit to cover the depreciation on City equipment and to provide a service to those individuals living at WWS I think that \$2000.00 a month would be fair. Councilman Clegg DeWalt asked Ms. Beasley if she would like to say anything. Ms. Beasley stated that yes she would like to say something. First and foremost, I am offended. Because we were stuck on the agenda and I was not notified. Councilman Clegg DeWalt stated on behalf of the City, I apologize if you were offended in any way. It was not meant to be. I got to believe it was a complete oversight. Mayor Lyle Stubbs stated, what I recommend that we table this for the time being. We are going to see once we start picking up; we'll see how we are going to come out. Then as we discussed it and agreed upon, if we need more money, you said you were flexible and I'm sorry we didn't call you. Mayor Pro-Tem Wayne Huffman addressed Mr. Morrison stating that when this deal came about, they weren't hauling garbage to ya'll. It came up after we voted to do the job. I probably never would have been for it if I knew ya'll was going to be doing local business. We done signed a contract with them. That's the point, we voted on it up here and Mr. DeWalt did too. Councilman Clegg DeWalt stated, when I voted for it I said emphatically stated I wanted a profit loss statement worked up. Mayor Pro-Tem Wayne Huffman stated "Mr. DeWalt, you have figured all the garbage truck on WWS. Is that correct, 120 months? We are using that truck everyday in Trinity. You cannot give all the depreciation to WWS. Councilman Clegg DeWalt stated, we only gave a third. Phillip Morrison stated all we gave is enough to just haul WWS garbage. We just depreciated to WWS garbage; we did not depreciate it to City's garbage. We based all of our numbers on an average of 50 loose yards a week where, in last week we got 61 this week we already got 75. Councilman Billy Joe Slaughter stated that as its hauling WWS garbage, it's hauling our garbage also. Mr. Morrison said that you still got to figure that you are still going to be picking up one full truck a week regardless of where else you're going. Councilman Clegg DeWalt stated, gentleman, I think the best approach here is to table this. Get into this operation and see if we can prove or disprove these figures. As far as straight line depreciation, as far as an accounting term, that truck is going to depreciate a \$1000.00 a month if you never turn it on. We just allocated \$300.00 for depreciation to WWS. It's just a third of its normal depreciation. I think the best approach is just start this operation and then prove or disprove these figures. Again, I was tasked with the unenviable request to come up with this and this is our best presentation. Mayor Pro-Tem Wayne Huffman made the motion to table it. Councilman Clegg DeWalt 2nd. the motion. Councilman Neal Smith asked how long we are going to table it. Mayor Pro-Tem

Wayne Huffman asked if Ms. Beasley had obtained her permits yet. Ms. Beasley stated that she had spoken to Mr. Drake earlier; I'm still waiting on TCEQ to give us our permits. Once we get our permits, then we can set the dumpsters. Ms. Beasley also stated that after 90 days, bring back to City Council, you should have a good idea of what the cost is going to be. Mr. Phillip Morrison stated that WWS is pretty much the main commercial customer we have, if the City is going to have one, we are closing the transfer station. It's not making us any money; there is no reason to keep it open. We are serving about a thousand homes a week. Councilman Neal Smith asked Ms. Beasley, did you consider going to him first before the City or is that an option? Ms. Beasley stated, we had actually spoken to the City about 2 years ago about providing dumpsters for us. But, had a contract with Pro-Star Waste and as soon as my contract came up, well 30 days prior to the contract coming up is when I contacted Mr. Patchett about the City providing us with dumpsters because honestly, we wanted away from Pro-Star Waste. We wanted to spend the money locally. Councilman Neal Smith stated as he understood it, the only money we got tied up in it at this time is the 5 dumpsters. If Ms. Beasley can carry back to her board and see if they would consider going with the Morrison's, save a business and we wouldn't be in this trap here anyway. That's just my thinking on it. Mayor Pro-Tem Wayne Huffman stated that their not willing to haul it. Councilman Neal Smith stated it's not a feasible deal from what I heard in this report for the City. I hate to lose a business and I realize they're in the business, in the garbage business and I wish there was some way that this could work out where we could save the business and accommodate Westwood Shores. Councilman Chris Dennis stated it was a 3 year contract with the option if one party or the other, if not satisfied, can get out of it. Councilman Clegg DeWalt stated to the Mayor that the City could make a little money on this and it would be helping our family out at Westwood Shores that spend their money locally and it's not going to hurt the Morrison's. I think we can make a little money on this, but I would like the 3 months to prove it. It might be good for everybody. Mayor Pro-Tem Wayne Huffman made the motion to table for the time being. Councilman Clegg DeWalt 2nd the motion. All were in favor. None opposed. Motion carried.

M. Discussion and action on making the City Hall Complex a nonsmoking building. – Mayor Pro-Tem Wayne Huffman made the motion to make the City Hall Complex a non-smoking complex effective immediately. Councilman Clegg DeWalt 2nd. the motion. Councilman Neal Smith opposed. All remaining members were in favor. Motion carried.

N. Discussion and action regarding medical expenses for Juan Guajardo totaling \$5,496.60 while in Trinity Police Department custody. – Police Chief Jones stated that when someone is in our custody, we are responsible for their medical bills. This gentleman had to be transferred to the hospital and had a legitimate medical problem and the City is responsible for that bill. Councilman Neal Smith asked how long he was in our jail before he had to be carried to the hospital. Police Chief Steve Jones stated it was for that night. Councilman Neal Smith wanted to know if it was a County case or a City case. Police Chief Steve Jones stated it was

a State case. Councilman Neal Smith asked if the prisoner should have been transferred to the county. Police Chief Jones stated no, the prisoner gets magistrate by our Judge in the morning and then the County has 3 days to pick them up. Police Chief Jones also stated that hospital management is to get together with the City and work out a deal instead of the City getting a sky rocketed hospital bill. Bill for indigent care to cut the cost. Mayor Pro-Tem Wayne Huffman made the motion to table. Councilman Neal Smith 2nd the motion. No further discussion. All remaining members were in favor. Motion carried.

O. Discussion and action authorizing acceptance of sealed bids for the street rehabilitation project. - Mayor Lyle Stubbs stated that council was going to skip this item because we are going to have to have a special meeting on the streets. We had some figures wrong so we will possibly have a special meeting on Monday. Interim City Manager Buddy Drake stated, let's make it for 6:00p.m. on Monday.

P. Discussion and action with Kenneth Newton concerning the City paying Johnnie Parker for his services at Trinity Arms Apartments.

Ordinance Officer Ken Newton stated that the repairs were conducted after the leak was discovered by the plumber and one of our City employees. The \$95.00 per hour service charge for the plumber hired by the apartments is the expense the apartment management feels like the City should pay. Had the management of the apartments conducted themselves in such a way that the investigation by the plumber would have been to satisfy the City that it was not their line, but our line, they wouldn't have investigated the apartment that was in question and spent 5 hours trying to find a leak there which wasn't there. Had they investigated their own lines and proved that it wasn't theirs than that would have left the City to address our lines in a different manner. The City has repaired the fault and during that time, the day it was repaired, the plumber spent 3 hours on the job. It took 2 hours to repair it so, in my opinion; the apartment is liable for everything except for 2 hours. The plumber has been short changed in a manner of speaking; he hasn't gotten a penny out of it to my knowledge. Interim City Manager Buddy Drake asked if we pay the plumber or pay the apartments. Ordinance Officer Ken Newton stated that we pay the apartments because we made a deal with the apartments. Councilman Billy Joe Slaughter asked what the total number of hours was. Ordinance Officer Ken Newton stated that he believed it was a total of 8 hours. Councilman Neal Smith stated that we had spoke about this the month before last and that Ordinance Officer Ken Newton stated that the City had no responsibility into that, of the hiring of him and you said that the City worker fixed the leak once it was found. Councilman Neal Smith asked who hired Mr. Parker. Ordinance Officer Ken Newton stated that the apartments did. The agreement was that the apartment management hire a plumber of their choice and find that leak if it's on your property. If it's not, it must be on our property and you find it and then we will address the repairs of it using your plumbers' decision of where that leak is. They spent the first 5 hours the first day of the job under the management of the apartments searching inside the apartment trying to find a leak. Councilman Chris Dennis asked how many letters were drafted. Ordinance Officer Ken Newton stated that he believes he has written three. Councilman

Chris Dennis stated that he had read one letter that had said if the plumber that she hired found a leak to be the City's responsibility, or not theirs, the City would absorb all of the cost. Ordinance Officer Ken Newton stated that yes if they would have followed the letter of that letter. If they had searched the property, find the leak. Councilman Billy Joe Slaughter asked Ken Newton if the City had a water leak. Ordinance Officer Ken Newton stated that it was proved that the leak was on the apartment side of the meter. But, what it was, there was one line going towards the apartments going to two different meters. They join at a junction. Right at the apartment foundation, and when we went out there to look at that, we dug that hole in there, it looked like grey water. Councilman Chris Dennis asked Ordinance Officer Ken Newton, at the final determination, was it our leak? Ordinance Officer Ken Newton stated that it was determined that was the City's leak. Mayor Pro-Tem Wayne Huffman stated that the best he could remember between you and her, they didn't follow instructions. Ordinance Officer Ken Newton stated that they didn't follow instructions as it was supposed to be done. Councilman Clegg DeWalt asked how much money we are talking about. Ordinance Officer Ken Newton stated that we are talking about \$190.00. I believe \$95.00 an hour and he was there, the repairs took 2 hours. Councilman Clegg DeWalt asked in your opinion we owe for two hours. How much is the total bill that is being submitted to the City? Councilman Chris Dennis stated that maybe he needs to read the letter again, but the letter he read in his limited understanding, that's our bill. If she is so insistent that is not her leak, go get a plumber and find it. If it's not your leak, then we will absorb the cost. Ordinance Officer Ken Newton stated she sent the plumber inside the apartment which is their property, not ours and spent 5 hours looking for a leak that wasn't going to change anything. Councilman Neal Smith said, so what you are saying is the time that the plumber was out there, with the City employee and fixed it was the two hours on the outside of the building? Ordinance Officer Ken Newton stated yes. The first day, he didn't have an eye witness of the City, for the City to be present, to witness the search for the leak. The first day the City wasn't there. We didn't even know he was there. Mayor Pro-Tem Wayne Huffman stated that was what he was referring to, they didn't follow the guidelines. Councilman Neal Smith stated that our employee did tell them to go hire a plumber and then it comes down to like it is, we do owe those two hours. Councilman Neal Smith made the motion that the City pays the \$195.00. Councilman Clegg DeWalt asked Mayor Lyle Stubbs, procedurally, is it possible that Johnny tell his side of the story? Johnny Parker stated with all due respect, that is incorrect, you wrote Ms. Lucille a letter stating that she had a leak which she did. For two years ya'll tried to find the leak and could not find it. So, if I come out to your place and you got a leak, first I got to find it. But, you told her it wasn't on ya'll. I propose you find a qualified man to fix that leak and if our line meaning the City, you will absorb all cost, which is what you, said. So, I didn't know where the leak was just like you. I had to search to find it, and I had to make sure it wasn't coming from underneath that concrete slab. So, what happened was that in the process of finding the line, the line was in an angle, it had went and was 45 causing that water to get up under that slab and ya'll swore up and down, no it's not the City. Then, when ya'll found it ya'll say oh, who would have thought it. You told that woman if she didn't fix the leak, those people would have to move out, that's what you told her. So, my process was trouble shooting. Councilman

Clegg DeWalt asks Mr. Parker, so, you were using process of elimination sir? Mr. Parker stated, absolutely sir. Councilman Billy Joe Slaughter asked Mr. Parker how much his bill was. Mr. Parker stated that the bill was \$795.00. I took me two days and 8 hours to find it. Councilman Clegg DeWalt made the motion to pay the whole bill. Councilman Chris Dennis 2nd the motion. No other discussion. Not all remaining members were in favor. Councilman Billy Joe Slaughter and Mayor Pro-Tem Wayne Huffman were opposed. Mayor Pro-Tem Wayne Huffman made the motion that the City pay half and let the complex pay half of it. Councilman Billy Joe Slaughter stated that it sounds fair. Councilman Chris Dennis stated that the problem that he had with the whole deal is what I had from the beginning. Mayor Pro-Tem Wayne Huffman stated that one of the letters stated that they would have a City employee with that man down there checking it and there wasn't. Councilman Chris Dennis stated that he understood what he was saying. "I didn't read that, so I don't know about that." "What I read said that since you are so adamant or insistent that it is not your problem, you hire a plumber. It didn't say at \$10.00 an hour at \$1.50 an hour, it said you hire a plumber." "Affordable will charge a \$110.00 an hour." Mayor Pro-Tem Wayne Huffman stated "I'm not paying it, I'll tell ya." Councilman Chris Dennis stated, "If it is our leak, we will absorb all cost, now that was cut and dry to me." Mayor Pro-Tem Wayne Huffman said he didn't understand it that way. "If I thought it was like that, I would be for it, but I'm not." Mayor Pro-Tem Wayne Huffman stated that Ordinance Officer Ken Newton had a letter stating that there would be a City employee on site." Councilman Chris Dennis stated "as far as I'm concerned, let's put it behind us and let's pay him." Councilman Neal Smith asked "did you tell them specifically, to hire the plumber of their choice, and if it was our fault we would pay the whole bill?" Ordinance Officer Ken Newton said yea. It was based on an employee of the City being there to oversee the inspection and make a decision on how it was going to be repaired. Councilman Neal Smith asked was our City employee there for the 8 hours that Johnny spent down there. Ordinance Officer Ken Newton stated that the City employee was there only the second day and that was the day it was discovered. The first day was the 5 hours and there wasn't a City employee out there. Councilman Neal Smith asked, so that's the procedure that you said they didn't follow? You told Ms. Carlson that? Ordinance Officer Ken Newton said it was in the letter. Mayor Pro-Tem Wayne Huffman stated that was what he was basing his opinion on. Councilman Clegg DeWalt read the letter that stated; it was a City of Trinity letter dated January 19, 2010. It says in the 6th. Paragraph it says, during the process of locating the problem and repairing it the City would provide a witness on site to confirm your findings and approve the methods of repairs. If you should find that the problem is the responsibility and leys with the City, the City would absorb the cost in full. Councilman Clegg DeWalt made the motion to pay the full bill. Councilman Chris Dennis 2nd. the motion. No further discussion. Four remaining members voted yea. Mayor Pro-Tem Wayne Huffman voted against. Motion carried.

- Q. Discussion and action with Kenneth Newton regarding expenses with demolishing houses the City has received authorization on. –**
Ordinance Officer Ken Newton stated that the City has a couple of houses to be demolished but can't be unless the City spends some

money on it. One of them is the double-wide trailer on Isrel Otis. Councilman Chris Dennis stated that what we are going to have to do is use some of the money that is budgeted to clean up these properties and get that trash hauled off from over there. Interim City Manager Buddy Drake asked, why we don't bring some figures to City Council for them to consider. Councilman Neal Smith stated that when it is brought back to the Council, he wants to know who owns that property and if the taxes is paid on it. Ordinance Officer Ken Newton stated that the taxes have not been paid on it. I have the name of the person who was last listed as the owner. I have not got a response from all the communications. I have gone through all the channels it takes to make it legal for us to do something and do it without any repercussions. Mayor Lyle Stubbs asked did we put a lean on it. Ordinance Officer Ken Newton stated yep. The taxes haven't been paid in 10 to 15 years. Councilman Neal Smith made the motion to table it until we can get some figures together. Councilman Clegg DeWalt 2nd the motion. No other discussion. All remaining members voted yea. Motion carried.

R. Discussion and action concerning clean-up with Kenneth Newton. -
Ordinance Officer Ken Newton stated 100% complete.

S. Citizens Forum. – Ms. Hodge voiced her concern about Yarborough St. being in bad condition and the second house on the right and the one next to it. Mayor Lyle Stubbs asked Ken Newton to check into the houses and to see if anything can be done. Ordinance Officer Ken Newton stated that he had put a condemned sign on it twice and each time it had been ripped off. If we catch them doing that, it's a \$250.00 fine. John Dosier has been working out of the country and now that he is home, he would like to get to know City Council and for City Council to get to know him. Johnny Parker stated that he would like to congratulate City Council and also "I would like to congratulate Mr. DeWalt on the streets, North Lakefield, the ditches and all things are looking good, got a culvert in and everything and kudos to him, he is one of the councilmen that came out and saw the deplorable conditions it was in.

7. Executive Session:

A. Discussion concerning personnel under Gov.Code 551.074.

City Council went into Executive Session at 8:40 p.m.

8. Reconvene in open session:

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

9. **Adjourn.** – Councilman Neal Smith made the motion to adjourn. Councilman Billy Joe Slaughter 2nd. the motion. All remaining members voted yea. None opposed. Motion carried. Mayor Lyle Stubbs adjourned the meeting at 9:20 p.m. There was no other discussion.

Lyle Stubbs
Mayor

Buddy Drake
Interim City Manager

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

The Special Meeting of the City Council of the City of Trinity was held on May 17, 2010 at 6:00 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, Billy Joe Slaughter, Chris Dennis

Interim City Manager: Buddy Drake

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 6:00 p.m. and verified that a Quorum was present for the meeting.
2. **New Business**

Discussion and action authorizing acceptance of sealed bids for the Street Rehabilitation Project. – Ronnie Waters Construction was awarded the street project. No further discussion. All members voted yea. None opposed. Motion carried.
3. **Adjourn.** – Councilman Clegg DeWalt made the motion to adjourn. Councilman Billy Joe Slaughter 2nd. the motion. All members in favor. Motion carried. Meeting adjourned at 7:00 p.m.

Lyle Stubbs
Mayor

Buddy Drake
Interim City Manager

**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 June 10, 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 and Special Meeting May 17, 2010.** Mayor Pro-Tem Wayne Huffman made the motion to approve the minutes. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** – Councilman Neal Smith made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager’s Report** -- Our total funds as of June 10, 2010 is \$798,526.86. Our checking account balance is \$668,450.18. Accounts payable are \$78,294.58. Account receivables are \$101,877.70. The Municipal Court collected \$7428.50 for the month of May 2010 with the OMNI Program collecting \$4253.00 of that total. The sales tax collected for June 2010 is \$41,944.81. The Fire Department donations for the month of May 2010 were \$212.00. The water collections for the month of May 2010 were \$99,179.93. Total deposits for the month of May 2010 were \$293,196.60. Interim City Manager Buddy Drake presented the first book of minutes to the council from January 11, 1911.
5. **Old Business**
 - A. **Discussion and action on any grant related business.** Interim City Manager Buddy Drake said we will be getting a letter from the Texas Department of Agriculture regarding the sidewalk grant. A difference of \$36,690.00 increased the cumulative construction contract between the City and Absolute Industries by 32.4%. Municipalities cannot increase the original construction award amount more than 25%, therefore, the City will have to pay \$8,396.25 to the Department of Agriculture, which is the difference between the allowable increase of \$28,293.75 (25%) and the cumulative increase of \$36,690.00 (32.4%). Grantworks will reimburse the City for half of that amount.

6. New Business

- A. Discussion and Action concerning 2008-2009 Audit with a representative from Ken Davis's office.** Diane Sollick with Kenneth Davis' office summarized the audit report from September 30, 2009. The report reflected an increase in the general fund, Fund Balance by almost \$63,000.00. The Enterprise Fund increased net assets by \$23,000.00.
- B. Discussion and Action with a representative with CenterPoint Energy regarding franchise agreement.** John Seals with CenterPoint Energy said our existing contract expires on June 12, 2010. The franchise is the same. Right now, we are collecting 2% of the gross receipts and would like to increase it to 5% of sales with another 30 year contract. Mr. Seals asked to give residential jurisdiction and is trying to get a blanket rate for all cities. For the transportation customers, for every 1000 ft., the city would make 7¢. The 5% would go into effect 30 days after approval. The city has budgeted \$8500.00 for this fiscal year. Mayor Pro-Tem Wayne Huffman made the motion to accept the franchise agreement for 30 years. Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.
- C. Discussion and Action concerning agreed settlement with TCEQ.** TCEQ fined the City of Trinity \$12,688.00 for failure to perform its obligation to the Supplemental Environmental Project for the Abandoned Tire Clean-Up. We can pay \$6344.00 in fines and the other half in tire pick-up or pay the fine in full. The violation will be settled if the fine is paid in full. Councilman Billy Joe Slaughter made the motion to pay the fine in full. Councilman Chris Dennis 2nd the motion. All remaining members voted yea. Motion carried.
- D. Discussion and Action with Buddy Johnson regarding the Fair Association building a shed at the fairgrounds.** Buddy Johnson stated that he owns the fair barn at the Community Center and would like to add 20' to the existing south side of the structure keeping it the same length. He would like to get approval to start building the extension for the upcoming Fair in September. Councilman Neal Smith made the motion to approve the building extension. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.
- E. Discussion and Action amending Ordinance #97-0108 Section XI Inhumane Treatment to add staking of animals.** Animal control officer Ricky Harrelson requested an amendment to prevent the staking of livestock between the hours of 8 PM to 8 AM. Horses have been getting loose fro their stakes at night. Councilman Clegg DeWalt made the motion to approve the amendment. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
- F. Discussion and Action concerning the removal, reappointment or appointment of TEDC Board Members.** Mayor Lyle Stubbs requested to have a motion to declare all Board of Directors of the TEDC Corporation vacant and appoint new members as follows: One year terms- Neal Smith, Wayne Huffman, Clegg DeWalt

& Billy Joe Slaughter. Two year terms- Sharon Dennis, Art Walker & Keith Johnson. Councilman Chris Dennis made the motion to approve. Councilman Billy Joe Slaughter 2nd the motion. Councilman Neal Smith opposed the motion. All remaining members voted yea. Motion carried.

G. Discussion and Action regarding Assembly of God Church connecting to sewer at their expense. The Assembly of God Church had requested to get sewer hook-up at their expense as the Parsonage is. The church is located outside of the city limits and has city water, but not sewage. Councilman Neal Smith thinks the City shouldn't have anything to do with this and thinks the church should install the sewage. If we do it, we would run it to their property line which is still a long way from their church. Interim City Manager Buddy Drake says they should install an aerobic system. Councilman Neal Smith said he approve it if the church would do the job. Councilman Billy Joe Slaughter said he didn't have any problem helping the church, but didn't want the City to be liable for it. Councilman Neal Smith suggested that Delma and Buddy should check it out first. Mayor Pro-Tem Wayne Huffman made the motion to table it until the next meeting. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.

H. Discussion and Action with Michael Lewis concerning his water bill. Mr. Lewis has a water bill in the amount of \$469.25 and an old bill from a car wash he operated in the amount of \$469.25. There haven't been any payments made towards the car wash account. Councilman Neal Smith said his water account should have ever got this high. Mr. Lewis asked if the Council would consider cutting his bill in half. Mayor Pro-Tem Wayne Huffman said Mr. Lewis should pay his current monthly bill plus \$25.00 toward his delinquent amount. Mayor Lyle Stubbs said we could not go any lower than the \$25.00 extra a month. Councilman Clegg DeWalt made the motion that Mr. Lewis pays his monthly bill plus \$25.00 a month. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.

I. Discussion and Action concerning clean-up with Ken Newton. City Inspector Ken Newton said there have been no major changes since the last meeting. Concerning the issue regarding the doublewide trailer by the old Masonic Lodge on Israel Otis. He has 2 bids on tearing it down and we provide the dumpster. Mr. Bostic bid \$1000.00 and he is a one man project. Mr. Fransaw has 3 men and bid \$1800.00. The bids include tearing down the mobile home and clearing the lot. Precious Gibson owns the property. Councilman Neal Smith said that since Mr. Gibson owns the property, he should be liable for the costs of tearing it down. Councilman Chris Dennis said the trailer needs to go. Delma Ellis said it would take about ½ day to tear it down and haul the metal for scrap metal. Councilman Neal Smith made the motion that the city bulldozes it down and the Fire Dept. burn it. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried. Johnnie Cunningham is in the process of tearing down his Aunt's house on Israel Otis and asked if the council would approve putting a roll-off dumpster there at the city's expense. Mayor Pro-Tem Wayne Huffman made the motion to cover the cost of the dumpster. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.

- J. Citizens' Forum** Jerry Russell asked the Council about changing the name of Lakefield Dr. to Martin Luther King Blvd. Mayor Lyle Stubbs said he didn't see a problem with it if the street sign was placed above the current street sign. Mayor Pro-Tem Wayne Huffman said if all the residents agreed to actually change the name of the street and change the 911 addresses, he would need to get a petition from all of the people living Lakefield. Interim City Manager Buddy Drake told Mr. Russell to bring the petition to him before the next council meeting in July. Mr. Russell agreed and asked if he could be put on the July council meeting agenda.

Executive Session: Council went into Executive session at 8:40 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.** Councilman Neal Smith made the motion to adjourn the meeting. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried. The meeting was adjourned at 9:40 PM.

Lyle Stubbs
Mayor

Buddy Drake
Interim City Manager

**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 July 8, 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: Clegg Dewalt, Chris Dennis and Billy Joe Slaughter

Interim City Manager: Buddy Drake

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 7:03 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes from the Regular Meeting July 8, 2010.** Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yay. Motion was carried.
3. **Approve bills for payment.** -- Councilman Chris Dennis made the motion to approve bills for payment. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yay. Motion was carried.
4. **City Manager's Report** -- Our total funds as of July 8, 2010 are \$745,638.22. Our checking account balance is \$612,918.91. Accounts payable are \$86,240.09. Account receivables are \$137,909.93. The Municipal Court collected \$10,411.50 for the month of June 2010 with the OMNI Program collecting \$5,304.00 of that total. The sales tax collected for July 2010 is \$42,313.79. The Fire Department donations for the month of June 2010 were \$206.00. The water collections for the month of June 2010 were \$96,027.65. The total deposits for June 2010 were \$354,364.30. Interim City Manager Buddy Drake stated the city received a letter from Texas Department of Agriculture stating the city needed to send a check for \$8,396.25 for exceeding 25% over the contract. Mr. Drake talked to Joe Evans with Klotz Associates and Bruce Spitzengel with GrantWorks and was able to get GrantWorks to pay half of the cost and Klotz to pay the other half.
5. **Old Business**
 - A. **Discussion and action on any grant related business.**
6. **New Business**
 - A. **Discussion and action with Sharon Owns of the Department of State Health Services presenting a certificate to the City Council.** Sharon Owens stated the City of Trinity let the Department of State Health Services to set up an H1N1 clinic at the Community Center for two and a half months. Twelve hundred citizens were given shots during that period. Sharon Owens presented the Mayor and City Council with a Certificate of Appreciation for allowing them to use the

Community Center.

- B. Discussion and with Linda Pettitt of Crimestoppers donating cameras to Police Chief Steven Jones for the Trinity Police Department.** Larry and Harry stated over the last few years they have been able to raise quite a bit of money and have donated equipment to Trinity County. Larry and Harry donated two surveillance cameras to Police Chief Steven Jones.
- C. Discussion and action with Jerry Russ concerning changing the street name from Lakefield Street to MLK Street.** Johnnie Parker stated he would be filling in for Jerry Russ. Mr. Parker gave the Mayor and City Council a petition that has the people wanting Lakefield Street changed to MLK Street. The Mayor asked the Council how they wanted to handle this, Councilman Billy Joe Slaughter said he did not see a problem with it and Councilman Clegg DeWalt made the motion to change North and South Lakefield Street to MLK Street and Councilman Slaughter 2nd the motion. Ms. Jean Johnson, a resident on South Lakefield, stated she did not want South Lakefield Street changed and most of the people who signed the petition do not live on North or South Lakefield Street. Mayor Pro-Tem Wayne Huffman suggested tabling the discussion and contact the residents on North and South Lakefield Street to see how they feel on the name change. Councilman Clegg DeWalt stated he would withdraw his motion as long as it would be on the agenda at the next City Council meeting and Councilman Slaughter withdrew his 2nd. Mayor Pro-Tem Wayne Huffman made the motion to table it until next month. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yay. Motion carried.
- D. Discussion recognizing employee Charles Page for his accomplishment.** Interim City Manager Buddy Drake stated that Mr. Page has been with the city for about five months, and to Mr. Drake's knowledge, Mr. Page is the first employee to hold an A Wastewater License. Mr. Drake stated it is not easy to get an A Water or A Wastewater License and wanted the Mayor and Council to congratulate Mr. Page on his accomplishment. Mr. Page is going to try to set up a teaching facility at the wastewater plant to teach the other employees on their own time and help them become licensed operators.
- E. Discussion and Action concerning Ordinance #10-0007 regarding freezing taxes for citizens 65 and older.** Interim City Manager Buddy Drake stated he asked the Chief Appraiser to write this ordinance to freeze taxes for citizens 65 and older. It will cost the city about \$1500 minimum and \$2500 maximum a year. Councilman Billy Joe Slaughter made the motion to approve. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yay. Motion carried.
- F. Discussion and Action concerning clean-up with Kenneth Newton.** Mr. Newton stated Johnnie Cunningham was cleaning up a piece of property on Israel Otis Street. Mr. Cunningham got sick and could not finish cleaning the property and asked if the city could lend him a hand. Mr. Newton asked the Mayor and Council if the city could provide Mr. Cunningham a dumpster to put his trash in. The

Mayor and Council had no objections to this. Mr. Newton also stated he condemned James Earl Williams's trailer on North Lakefield Street. Mr. Williams came and talked to Mr. Newton and told him he did not have anywhere else to go and asked if he could stay there and clean up the property. Mr. Newton agreed to this as long as he cleaned up the property.

G. Citizens Forum. Billy Coleman stated the roads are looking good. He also stated he has reported a leak by Lone Star Church for two years and wants to know why it has not been fixed. Johnnie Parker stated Lakefield Street is not the only street with bad homes and once a house is condemned it needs to remain condemned.

Executive Session:

A. Discussion concerning personnel under Gov. Code 551.074.

7. Reconvene in open session:

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

8. Adjourn: Meeting was adjourned at 7:42 PM.

Lyle Stubbs, Mayor

Buddy Drake, Interim City Manager

**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 August 12, 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, Clegg DeWalt and Billy Joe Slaughter. Councilman Chris Dennis absent.

Interim City Manager: Buddy Drake

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 7:03 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for Regular Meeting July 8, 2010.** – Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Billy Joe Slaughter 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. None opposed. Motion was carried.
4. **City Manager's Report** - Our total funds as of August 12, 2010 are \$566,145.71. Our checking account balance is \$460,110.83. Accounts payable are \$92,283.50. Account receivables are \$100,995.69. The Municipal Court collected \$13,292.50 for the month of July 2010 with the OMNI Program collecting \$3,664.00 of that total. The sales tax collected for August 2010 is \$130,379.99. The Fire Department donations for the month of July 2010 were \$200.00. The water collections for the month of July 2010 were \$109,876.69. Total Deposits for the month of July 2010 were \$510,816.80.

Interim City Manager introduced the new Public Works Director, Shannon Rowe to audience and City Council. Interim City Manager Buddy Drake shared letter of appreciation from resident about City worker Randy Curtis.

5. Old Business

Discussion and action on any grant related business. – Martha Drake with Grantworks stated that she would be attending a meeting at Nacogdoches City Hall on August 23, 2010 in reference to Phase I round 2 of Hurricane Ike recovery money, in which Trinity is eligible for \$1,048,000. Interim City Manager Buddy Drake stated that there would be a special meeting in reference to how to spend the Hurricane Ike recovery money. Among the items to be discussed: Hurricane Shelter facility at the Community Center, Fire Truck, Police radio system and a Belt Press for the WWTP.

6. New Business

- A. Discussion and action on passing Resolution #10-0007 concerning budget amendments to fiscal year 2009-2010** – Councilman Neal Smith made the motion to pass budget amendments. Mayor Pro-Tem 2nd. the motion. All remaining members voted yea. None opposed. Motion carried.
- B. Discussion and action to adopt Resolution #10-0008 to apply 2011-2012 Texas CDBG assistance under the Community Development Fund** – Martha Drake with Grantworks stated that the City will apply for a supplement by Oct. 8, 2010 for the rehabilitation for the water and sewer lift stations. Councilman Neal Smith made the motion to adopt Resolution #10-0008. Mayor Pro-Tem Wayne Huffman 2nd. the motion. All remaining members voted yea. None opposed. Motion carried.
- C. Discussion and action regarding approval of TEIDC’S commitment of funds to pave streets** – Interim City Manager Buddy Drake stated that the Trinity Economic and Industrial Development Corporation had approved and past the funds to pave City Streets. These streets are located between Railroad St. and Maple St. and between Stadium St. and E. Pinevalley St. These streets would cost approximately \$750,000.00. Councilman Billy Joe Slaughter made the motion to approve funds from Trinity Economic and Industrial Development to pave City streets. Mayor Pro-Tem Wayne Huffman 2nd. the motion. All remaining members voted yea. None opposed. Motion carried.
- D. Discussion and action concerning changing the street name from Lakefield St. to MLK Street** – Interim City Manager Buddy Drake advised petitioners that their 911 address would be affected. Resident Mr. Parker stated that he would like to withdraw the petition at this time, that there would be a new petition at a later date for a different street. Ms. Barbara Parker stated that she would gather a petition at a later date for a different street, possibly for Walker or Robb Street. Councilman Neal Smith made the motion to table the name change until a later date. Councilman Billy Joe Slaughter 2nd. the motion. All remaining members voted yea. None opposed. Motion carried.
- E. Discussion and action concerning clean-up with Kenneth Newton** – No questions from City Council. Action to Ken Newton to check status of houses to be burned.

F. Citizens Forum -

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.** – Councilman Neal Smith made the motion to adjourn. Councilman Billy Joe Slaughter 2nd. the motion. All remaining members voted yea. None opposed. Motion carried. Mayor Lyle Stubbs adjourned the meeting at 9:20 p.m. There was no other discussion.

Lyle Stubbs
Mayor

Buddy Drake
Interim City Manager

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

The Budget Meeting of the City Council of the City of Trinity was held on August 16, 2010 at 6:00 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 and Billy Joe Slaughter

Interim City Manager: Buddy Drake

1. Old Business

A. Discussion and action on any grant related business. City Manager Buddy Drake stated the city would not be able to apply for the Tx Dot Grant until February 2011. He stated he would like to use the grant money for a fire truck that would cost around \$150,000, a belt press and a truck, showers and restrooms at the community center. Also he would like an efficiency apartment to be built for the groundskeeper. Mayor Pro-Tem Wayne Huffman asked about a generator for the community center. Mr. Drake is also looking at getting a radio system with a generator at the water tower.

2. New business

A. Budget Workshop for 2010 – 2011 fiscal year. Councilman Neal Smith stated he rode the streets that were paved and most of the places look real good but some places have low spots that are holding water. City Manager Buddy Drake stated he had a 3% pay increase for all employees in the proposed budget. The current budget is based on a .7160 tax rate and the proposed budget is based on a .7699 tax rate. Mr. Drake asked the Council and Mayor to look over the proposed budget so at the next budget meeting they could make changes or suggestions.

3. Adjourn. 6:30 p.m.

**Lyle Stubbs
Mayor**

**Buddy Drake
City Manager**

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

The Budget Meeting of the City Council of the City of Trinity was held on August 23, 2010 at 6:00 p.m. in the City Hall in Trinity, Texas. The following Council Members were present:

Mayor: Lyle Stubbs

Mayor Pro - Tem: Wayne Huffman

Councilman: Chris Dennis, Clegg Dewalt and Billy Joe Slaughter

Interim City Manager: Buddy Drake

1. New business

A. Budget Workshop for 2010 – 2011 fiscal year. City Manager Buddy Drake stated the city can buy a mini bobcat excavator that has rubber tracks for \$24,168.52. The city would be able to trade it for a new one every 11 months and we would keep the bucket and tracks. Mr. Drake stated if the mayor and council agreed to buy the excavator now it would have to come out of the Street Department Paving since we have money left there. Public Works Director Shannon Rowe stated he feels that this excavator would be the most valuable piece of equipment they would have. The Mayor and Council approved to purchase the excavator. Mr. Drake asked if the Council and Mayor had any changes to the budget. Mr. Drake stated this budget was figured on a .7699 effective tax rate. Police Chief Steven Jones stated he would like another officer for safety. An extra police officer would be able to back up officers instead of just having one officer on duty. Mr. Drake suggested getting a reserved officer program. Mr. Drake told the Council and Mayor to let Police Chief Jones write some policies for a reserved system and the council can pass the polices and give it back to the chief to operate. Mr. Drake stated he wanted to talk to the Mayor and Council a little more but wants to dismiss everyone except for the Public Works Director to discuss the continuation of the budget.

2. Adjourn. 6:45 p.m.

**Lyle Stubbs
Mayor**

**Buddy Drake
City Manager**

**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 September 9, 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 August 12, 2010, Budget Workshop, August 16, 2010 and Budget Workshop, August 23, 2010.** Mayor Pro-Tem Wayne Huffman made the motion to approve the minutes. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** -- Councilman Chris Dennis made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of September 9, 2010 is \$477,478.60. Our checking account balance is \$405,008.56. Accounts payable are \$97,308.54. Account receivables are \$108,349.29. The Municipal Court collected \$13,879.50 for the month of August 2010 with the OMNI Program collecting \$5,017.00 of that total. The sales tax collected for September 2010 is \$41,945.50. The Fire Department donations for the month of August 2010 were \$200.00. The water collections for the month of August 2010 were \$100,910.83. Total deposits for the month of August 2010 were \$352,734.79.
5. **Old Business**
 - A. **Discussion and action on any grant related business.** Interim City Manager Buddy Drake said we received the contracts on the ball park. The grant is for \$75,000 and the city would have to match that amount. It would be for lighting in the big ball park and some dug out work. The 2 smaller fields would get some work on the dug outs. Councilman Neal Smith said the 2 little fields need the lighting on them more than the big field. He asked Mr. Drake to check what the light poles would cost. Councilman Billy Joe Slaughter asked if we would be able to refurbish the concession stand.

6. **New Business**

- A. Public Hearing on the city budget for fiscal year October 1, 2010 through September 30, 2011.** Interim City Manager Buddy Manager said that the total expenditure for all funds is \$3,193,376.00. This includes general, water, sewer and waste. The total income for all funds is \$3,324,796.00 which gives us a scheduled surplus budget of \$131,420.00. To break it down, the funds for General is \$1,767,296.00, Water & Sewer is \$1,282,500.00 and Solid Waste is \$275,000.00. We cut down on the estimated income from sales tax. We received the last check for this fiscal year in the amount of \$41,000.00. The total we will collect during the next fiscal year will be a little more than \$850,000.00. Also, in this budget is a 3% pay increase for the employees. Mr. Drake asked the council to consider paying Police Chief Jones and Public Works Director Shannon Rowe the same rate of pay when they approve the budget. The budget is based on the tax rate of .07699 per \$100 evaluation. 38% of the taxes collected will go to debt services.
- B. Discussion and Action on passing Resolution #10-0009 on adopting the city budget for fiscal year 2010-2011.** Mayor Pro-Tem Wayne Huffman made the motion to pass the Resolution. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.
- C. Discussion and Action on passing Resolution #10-0010 on adopting the 2010 Tax Roll.** Councilman Billy Joe Slaughter made the motion to adopt the 2010 Tax Roll. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.
- D. Discussion and Action on passing Resolution #10-0011 establishing interest and sinking funds for all debts owed by the city for the fiscal year October 1, 2010 through September 30, 2011.** Councilman Neal Smith made the motion to pass the Resolution. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.
- E. Discussion and Action concerning passing Resolution #10-0012 establishing deposit requirements to retire debts for fiscal year October 1, 2010 through September 30, 2011.** Councilman Neal Smith made the motion to pass the Resolution. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.
- F. Discussion and Action regarding passing Ordinance #10-0008 Fixing and Levying Municipal Ad Valorem Taxes for the City of Trinity, Texas, for the year 2010-2011 and directing the assessment and collection thereof.** Mayor Pro-Tem Wayne Huffman made the motion to approve the Ordinance. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.
- G. Discussion and Action regarding the Holiday Calendar for fiscal year 2010-2011.** Councilman Neal Smith made the motion to accept the Holiday Calendar. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

H. Discussion and Action with Lois Saldana concerning changing the street name from Lakefield to MLK street. Ms. Saldana talked about the history of Lakefield St. First the Trinity Negro High School which was out of the city limits. Then Westside School was built inside the city limits. The school put out a lot of pro football players, pro educational people who moved on outside of Trinity and sent money back here to help further the education of the kids still in school. The old black cemetery is also on Lakefield as well as the Boys and Girls Club. She spoke of a lot of history and memories of Lakefield. She feels that changing the name of the street to Martin Luther King, Jr. would be a great honor to him and to their community. Councilman Neal Smith made the motion to change the name of Lakefield to MLK Dr. Councilman Clegg DeWalt 2nd the motion. Councilman Chris Dennis was opposed. All remaining members voted yea. Motion carried.

I. Discussion and Action concerning clean-up with Ken Newton. City Inspector Ken Newton said he and Shannon Rowe have been looking at the 7 sites to be demolished. The City will provide the dumpster for each clean-up.

J. Citizens' Forum

Executive Session:

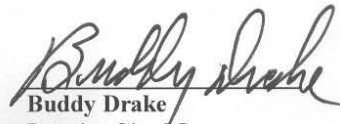
A. Discussion concerning personnel under Gov.Code 551.074.

7. Reconvene in open session:

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

8. Adjourn. Councilman Chris Dennis made the motion to adjourn the meeting. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried. The meeting was adjourned at 7:35 PM.


Lyle Stubbs
Mayor


Buddy Drake
Interim City Manager