

**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 9, 2008 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 Chris Dennis

City Manager: Phil Patchett

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 7:06 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes from the Special Meeting on September 8, 2008, Regular Meeting on September 11, 2008 and Emergency Special Meeting on September 27, 2008.** 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. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion was carried.
4. **City Manager's Report** -- Our total funds as of October 9, 2008 are \$370,759.81. Our checking account balance is \$364,568.10. Accounts payable are \$83,901.05. Account receivables are \$108,843.52. The Municipal Court collected \$7,542.00 for the month of September 2008 with the OMNI Program collecting \$3,044.00 of that total. The sales tax collected for October 2008 is \$35,445.32. The Fire Department donations for the month of September 2008 were \$181.00. The water collections for the month of September 2008 were \$96,302.73.
City Manager Phil Patchett was very pleased with how quickly everyone responded & helped with Hurricane Ike. He thanked Jim McReynolds, Judge Mark Evans, the public works department, Chief Steven Jones and his officers and dispatchers, Fire Chief Hayne Huffman & the Volunteer Fire Department, Brookshire Brothers, Keith Johnson at the Emergency Command Center, Dr. Bobby Rice for allowing the city to receive 1st responders fuel from their tanks, Tom Wiley, Brother Jim Parrish & the Burning Hope Baptist Church, Salvation Army, Mrs. Tatom, Mark & Wesley Tatom, Ginger & the girls in the office, Bryan Kembro, Jearl Johnson and W.A. Electric for hooking up the generators, and all the volunteers. Councilman Clegg Dewalt thanked the City Manager Phil Patchett for all of his hard work and bringing the water back up.

5. Old Business

A. Discussion and action on any grant related business. – City Manager Phil Patchett reported he met with ORCA October 8, 2008. They had a site visit at the water wells on the CDBG Grant & everything went well. The engineer & Phil checked out the references on the Sidewalk project and they all checked out fine. Absolute Industries out of Huntsville was awarded the sidewalk contract for \$113,175.00. He stated they are getting ready to get started on another CDBG Grant.

6. New Business

- A. Discussion and action with Pastor Jason Burden of Dorcas Wills Baptist Church concerning request to close a portion of Railroad and Elizabeth Streets.** Pastor Jason Burden stated he wanted what is best for Trinity, the people around Trinity and what is best for the future. He wants to provide a high level of safety for the people who use their buildings, make their entire campus aesthetically pleasing and want to provide for future growth of their church. In order to do that he is asking that the City of Trinity grant a long term lease which would close a portion of Elizabeth Street that is adjacent to the property of Dorcas Wills Memorial Baptist Church. Dorcas Wills recently purchased the Rainbow Cleaners Property and are in the process of closing the property with Phillip Morrison to buy the remainder of the property around the family life center. This would give them both sides of Elizabeth Street which runs east and west. It would also enable them to detour traffic from using Elizabeth Street and simulate Elizabeth Street with their parking expansion. Part of the reason they are buying the properties around them is so they can expand their facilities and improve education space and make their offices more accessible. They need to make their parking area larger, create a master plan that enables them to use the whole property north, south, east & west, to make it look like a smartly designed unit, improve the appearance of that part in Trinity, make the church look better, the community of Trinity look better, and it will serve the long term prosperity of the community of Trinity. Councilman Clegg Dewalt asked if the proposal is approved, what would be the time frame? Pastor Jason stated it was going to take a while. They are a year away from doing any ground breaking and are contracted with an architect to lay everything out for them. Mayor Pro-Tem Wayne Huffman asked if they had any plans on building on the property and Pastor Jason stated not currently. Phil stated there is an 8inch cast iron water line that comes around there, as far as building, the city could not allow it. He checked with TML, the city can lease the property for a 99 year lease or shorter term. Neal Smith asked if he wanted the street permanently closed? Pastor Jason Burden stated he would like to be able to control and stop traffic on that street. Councilman Neal Smith stated that the plans needed to be finalized before the city leases the property. Mayor Pro-Tem Wayne Huffman made the motion to lease the property for 99 years for \$1.00. Councilman Clegg Dewalt 2nd the motion. Neal asked if we lease it, is the city going to keep the easements, therefore the church would not be able to build something permanently. Chris confirmed that they would be able to do the walkway. Neal stated he is all for it with the understanding of reviewing the contract. All remaining members voted yea. Motion carried.
- B. Discussion and action with Barnard Boston concerning paving of Cannon Street.** Councilman Chris Dennis stated Trinity Manor has a lot of elderly people that live in that area who walk on Cannon Street which has a lot of rocks on the road which causes the people to fall down. Barnard Boston wanted the street paved to prevent the elderly people from getting hurt on that street. Phil stated that the city is trying to put together a grant project and this would be an excellent street for the grant project because the low economical end of it. Chris Dennis stated they have 36 units & the ranges of the tenants are not just elderly, they are disabled and low income also. Mayor Lyle Stubbs asked how long it would be until the city could try to talk about this on the grant. Phil stated the application on the grant will be due in

December 2008. Mayor Lyle suggested since that isn't far off they could table it. Mayor Pro-Tem Wayne Huffman made the motion to table it. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.

- C. Discussion and action concerning appointments of seven (7) directors to the Trinity Economic and Industrial Development Corporation to two (2) year terms.** Councilman Neal Smith stated that everyone that is on the list is on the board except Sharon Dennis. He said Mrs. Sharon Dennis asked if they ever had an opening that she would like to serve. Councilman Clegg Dewalt asked if all the individuals on the list were up to be replaced? Councilman Neal Smith stated that everyone on the board is up to be replaced except for Sharon Dennis. Councilman Neal Smith made the motion to reappoint the six (6) original members on the committee and appoint for the first time Mrs. Sharon Dennis. Councilman Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
- D. Discussion and action with City Manager concerning Bert Roberts request for relocating sanitary sewer line on his property.** City Manager Phil Patchett stated that Mr. Roberts has asked the city to move a sanitary sewer line that has been there at least twenty (20) years. Phil stated he wanted to brief the council with this and bring it to their attention but he is still researching information on this. Councilman Neal Smith made the motion to table until Phil could talk to Bill Monroe. Councilman Wayne Huffman 2nd the motion.
- E. Discussion and Action concerning clean-up with Kenneth Newton.** City Manager introduced Kenneth Newton and stated he is pleased with his work. Kenneth Newton stated he spent several hours studying the Ordinance book & International Building Codes. He said there was not a very good paper trail with what the previous Building Inspector did, he has closed out seventeen (17) of those notices and is in the process of reviewing fourteen (14) other ones as well as picking up new ones. As of today, he has issued twenty (20) notifications of his own and received a positive response of four (4) of those. He has inspected nine (9) mobile homes and only two (2) have passed. He posted a Stop Work order on two (2) mobile homes that did not meet standards. Condemned structures on 608 Robb Street thanks to Mrs. Johnson. The "mobile home park" can be avoided if the ordinance is enforced. Councilman Neal Smith made the motion to approve the Ordinance. Councilman Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.

F. Discussion and Action regarding Ordinance 08-0006 concerning collection of delinquent fines. City Manager Phil Patchett requested that if the council approves the Ordinance, it would not include the law firm being able to tie into our court computer program. Councilman Neal Smith made the motion to approve the Ordinance. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

G. Discussion and Action regarding a Special Meeting September 25, 2008. City Manager Phil Patchett stated that the opening bids for the sidewalk project was not put in the newspaper in time. We should have bid openings for the September 25, 2008 meeting. The council will also have to approve the budget and set the new tax rate. The meeting was set for 5 PM September 25, 2008.

H. Discussion and Action concerning clean-up. City Manager Phil Patchett stated that Ken Newton has been hired as the new Ordinance Officer. Basically, Ken will be cleaning up what the former ordinance officer had started and getting familiarized with everything. The motel on the Stratton property has been torn down and another house on Jackson St. has been torn down as well. Councilman Wayne Huffman wants the brush that has been taken to the barn to be taken to a spot on FM 1617 and the VFD will burn it at their convenience.

I. Citizens Forum: One citizen requested handicap verification at the Post Office. There are two handicap lanes in front of the Post Office that could be made into one van accessible lane.

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: Councilman Neal Smith made the motion to adjourn. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried. Meeting was adjourned at 9:00 PM.

**Lyle Stubbs
Mayor**

**Phil Patchett
City Manager**

**THE STATE OF TEXAS
COUNTY OF TRINITY
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The Regular Meeting of the City Council of the City of Trinity was held on November 13, 2008 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 Chris Dennis

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 from the Regular Meeting on October 9, 2008.** 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 Clegg Dewalt 2nd the motion. Councilman Clegg Dewalt asked if the City was going to pay for the 3 generators for \$61,000.00, or if FEMA was going to pay. City Manager Phil Patchett stated that the City paid for them but will be getting reimbursed. All remaining members voted yea. Motion was carried.
4. **City Manager's Report** -- Our total funds as of November 13, 2008 are \$339,375.12. Our checking account balance is \$332,206.75. Accounts payable are \$88,800.34. Account receivables are \$91,223.69. The Municipal Court collected \$6,634.00 for the month of October 2008 with the OMNI Program collecting \$1,845.00 of that total. The sales tax collected for November 2008 is \$142,252.50. The Fire Department donations for the month of October 2008 were \$199.00. The water collections for the month of October 2008 were \$110,209.82.
City Manager Phil Patchett gave some history on the City of Trinity, 1st election to actually incorporate November 2, 1910, it passed 42 to 37 for incorporation. The first town meeting was held on January 3, 1911. The reason he brought this up is because in 2 short years it will be the City of Trinity's 100th anniversary, & he would like the Mayor and the City Council to think some things over for some kind of an event.
City Manager Phil Patchett stated that the Mayor and he will be going to Corrigan to meet with Texas Department of Transportation concerning the Trans Corridor. The format of this meeting is to make the speech, and after the presentation ask the Texas Department of Transportation what their plans were to prevent this from happening.
Phil Patchett also stated that the Christmas dinner for the elderly and needy will be December 21, 2008 from 11am to 2pm at the Community Center.
Phil Patchett read a letter from Sheryle Jordan which is a resident on West Caroline Street. She stated in the letter that the Solid Waste employees are doing an outstanding job.

5. Old Business

- A. **Discussion and action on any grant related business.** -- City Manager Phil Patchett stated he had a preconstruction meeting at 3:30pm this afternoon on the

sidewalk project. Four of the five business owners were at the meeting along with Martha Drake with GrantWorks and Karl with Klotz Associates. Neal stated the owner of Trinity Florist, Billy Goodin, would like paving stones, Phil stated Billy Goodin attended the preconstruction meeting and did not mention paving stones. Karl stated Mr. Goodin would have to coordinate with Chris, the contractor if he did want the paving stones. Councilman Neal Smith asked how long do they anticipate to take to do the sidewalk project, Karl stated under contract they have 3 months but he thinks they will be done in 1 month. He also stated that they will do it in sections so that all the businesses will have an entrance into their building. Councilman Neal Smith asked about the telephone pole, Karl said it will be coming out and being replaced with a new wooden pole. Karl said he will check to see what it would cost to get a metal pole. City Manager Phil Patchett stated he talked to Jim McReynolds about TDHCA. They discussed to do a conference call or going to Austin to have a meeting in person with Mr. Gerber.

6. New Business

- A. Discussion and action regarding designating by Resolution #08-0013 engineering and administration service providers for the 2008 Texas Community Development Block Grant.** Grantworks will be awarded a contract to provide Texas CDBG project-related administration services for the Program Year 2008 project. Klotz Associates, Inc. will be awarded a contract to provide Texas CDBG project-related professional engineering services for the Program Year 2008 project. Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.
- B. Discussion and action regarding Resolution #08-0014 designating authorized signators for the 2008 Texas Community Development Block Grant.** The Mayor, Mayor Pro-Tem and City Manager be the signators for the State of Texas Purchase Vouchers for the requests for Advance or Reimbursement. The Mayor be the Chief Executive Officer and Authorized Representative to act in all matters. Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yea. Motion carried.
- C. Discussion and action regarding replacing metal roof, sky lights, gutters and down spouts at City Hall, Police Department and Fire Department.** Brian Kembro has specs and we will have them ready for review. Phil stated they will go out for bids and should be ready to open them in 2 weeks. The air conditioners will be removed from the roof and put on the ground. The DPS satellite might get removed from the roof as well and put on a pole behind the building. Mayor Pro-Tem made the motion to go out for bids. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.
- D. Discussion and action with Police Chief Steven Jones regarding purchasing a CAD System.** Chief Steven Jones stated that he is trying to get out of the paper system to move to new technology which is the CAD System. He stated he was not asking for any more money, it is money that is in the budget under radios and radars. The unit price to get the CAD System going which includes support is \$6,720.00, but is actually a \$22,000 system. It will be a cost of \$5,325.00 a year

which includes 24/7 maintenance if there is any problem or need assistance, upgrades will be free here on out. This system will time stamp all calls that come into the Police Department and all activity. It will also save time on doing all reports. In the long run it will cut costs on using print shops, paper and ink cartridges. The system is for the Dispatcher and the Records Management right now. All the data will be backed up on a server. Chief Deputy Donald Fisher stated it will do UCR Reporting, Racial Profiling, statistics for jail inmates, incident reports, offense reports, and many more reports. He stated it is a very good system and that a lot of the big agencies are currently using it. Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yea. Motion carried.

E. Discussion and Action regarding a narcotics dog for the Trinity Police Department. Chief Steven Jones stated the dog is trained to be a narcotics dog as well as a tracking dog. It will not be an aggressive dog and will not attack. Chief Jones is asking for the graces of the Mayor and City Council to get this narcotics dog, not money. He has people in the community that is going to help him support the \$3,995.00, which will be for the cost of the dog and for Officer Jay Robinson to go to two week training. The dog will also help in tracking runaway children. Councilman Neal Smith asked where the dog would be kept. The dog will be kept with Officer Jay Robinson and ride in his patrol car only. On a traffic stop, if the dog makes a hit on the vehicle, which will allow the officers to have probable cause to search the vehicle. The dog will have to be the property of City of Trinity for insurance reasons. Officer Jay Robinson stated the school will be in a town outside of Austin and will be an intensive course. The time will be spent bonding with the dog, learning the commands for the dog, and how the dog acts and reacts. Mayor Pro-Tem made the motion to approve it. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yea. Motion carried.

F. Discussion and Action concerning clean-up with Kenneth Newton. Kenneth Newton stated he had 24 inspections and only 13 of those passed. He has issued 13 new notices and closed 18 projects. Three vehicles were removed on Filmore Street, Alma Street and Trinlady Park Road. Mr. Newton stated he would continue to monitor the clean up and demolishing of the house and lot at the end of Filmore Street, skirting and deck construction at 214 Pinecrest, clean ups at 302 Pinecrest and 310 Clegg Street, clean up and removal of 2 mobile homes at Hwy 356 and Dog Ranch Road, clean up and location of manufactured building used for storage at 204 Robb Street, clean up and location of mobile home at 304 Pinecrest and the clean up of the old bank building. The house at the corner of Robb and Church Street which was condemned last month has been sold and the new owner is currently repairing and has plans to occupy it as soon as possible. The home at 1409 North Thompson and 8th Street was completely destroyed by fire 12 days after issuing his first notice. The State Building Inspector visited the City for the purpose of inspecting the work performed at the community center in 2004. His primary interest was in support of the needs for the handicapped. Door openings, thresholds, designated parking, paved walkways from parking area to main entrance with ramp. Kenneth Newton wanted to thank everyone for helping him during his first month's report.

G. Citizens Forum. There was no discussion in 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 pending Gov. Code 551.074.

9. Adjourn: Councilman Neal Smith made the motion to adjourn. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried. Meeting was adjourned at 8:48 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 11, 2008 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 Chris Dennis

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 Regular Meeting on November 13, 2008.** Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Neal Smith 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 Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion was carried.
4. **City Manager's Report** -- Our total funds as of December 11, 2008 are \$182,124.87. Our checking account balance is \$174,330.84. Accounts payable are \$94,377.98. Account receivables are \$97,120.70. The Municipal Court collected \$10,099.00 for the month of November 2008 with the OMNI Program collecting \$5,014.00 of that total. The sales tax collected for December 2008 is \$47,548.98. The Fire Department donations for the month of November 2008 were \$197.00. The water collections for the month of November 2008 were \$88,711.67.

City Manager Phil Patchett read the letter from TCEQ regarding the 2008 Public Recognition Award for the city. TCEQ is recognizing water systems in Texas for their outstanding performance for the previous five years. He also announced that Suddenlink will be raising their fees by \$2.50 a month as of the 11th of December, 2008. There is a 4% increase at the landfill at the first of the year. City Manager Phil Patchett reminded everyone about the Christmas Dinner for the needy and the elderly to be held on December 13, 2008 at 11 AM.

5. Old Business

- A. **Discussion and action on any grant related business.** – City Manager Phil Patchett talked with Carl at Klotz and Associates and he also talked to Billy Goodin about his comments about not being able to make some changes in front of his building. Mr. Patchett gave Mr. Goodin the engineer's phone number since the Council said they wanted him to deal with the engineer directly.

6. New Business

- A. Discussion and action if necessary with Bob Dawkins and Connie Fogle concerning the progress of the TNT Sub Region Planning Commission.** Connie Fogle stated that TXDOT will no longer be ensuing the Trans Texas Corridor thru our area. They will instead set their sites on doing an upgrade on Highway 59. There are now nine sub-regional commissions in the State of Texas. TNT (Trinity-Neches Texas) meets monthly. TNT received a letter from the district engineer, Dennis Cooley, telling us that the I-69 Trans Texas Corridor will still be in the body of the Tier 1 final environmental study. TXDOT can put the project on hold for a couple of years and go right back to their original plans. Should the federal highway administration approve the final environmental study with both the existing facilities and the new corridor in the final report, TNT believes TXDOT will use this legal loophole to build a new I-69 TTC rather than upgrading Hwy. 59. We ask the EPA the give Tier 1 environmental studies a saving grade and send it back to TXDOT district engineer, Dennis Cooley along with two other engineers. Ms. Fogle will keep us informed of any TXDOT activities, which she feels they will continue to go after the TTC in the same area as originally planned, especially in Trinity County.
- B. Discussion and action concerning the bid opening for roof replacement at City Hall Complex.** The City received two bids for the roof replacement. The first bid was from Grimsley Construction in the amount of \$36,500.00. The second bid was from Kimbro Contract Service in the amount of \$41,250.00. Both were bid for 26 gauge metal. Councilman Neal Smith made the motion to award the contract to Grimsley Construction. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- C. Discussion and action regarding an I & I Study by Klotz Associates for the sanitary sewer system.** City Manager stated we are required by TCEQ to do an I & I Study which would be done by an engineer from Klotz and Associates. Mr. Patchett will meet next week and go over some problem areas in as far as infiltration. The Study will be broken down into a seven year time frame. The cost will not go over \$5000.00. Councilman Neal Smith made the motion to approve it. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- D. Discussion and action concerning the city's participation in a Sanitary Sewer Initiative Over Flow with the Texas Commission of Environmental Quality.** City Manager Phil Patchett stated that this is actually a follow-up to the I & I Study. Mr. Patchett would like for the City to apply for the SSO. The benefit is during the time we are in the SSO, if we have any problems, rather than facing fines or other monetary problems, we could use that money and put it back into the system. This is a huge benefit to keep the City of Trinity out of enforcement and instead, put the money back where it needs to be. Mayor Pro-Tem Wayne Huffman made the adopt it. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.

- E. Discussion and Action with Jesse Paddy concerning sewer line installation on Hamilton Street.** This discussion took place during the Executive Session.
- F. Discussion and Action concerning clean-up with Kenneth Newton.** City Ordinance Officer Kenneth Newton reported seven cases he has worked on in the past month with a total nine (9) cases that have been forwarded to Judge Kinsel.
- G. Citizens Forum.** There were no comments from any citizens at this time.

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:** Councilman Neal Smith made the motion to adjourn. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried. Meeting was adjourned at 10:00 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 January 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, 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 Regular Meeting December 11, 2008.** 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.** – Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd. the motion. Councilman Neal Smith had a question concerning Highway Equipment. City Manager Phil Patchett stated the Gradall needed joy stick assembly. Councilman Neal Smith also questioned the purchase of hay. City Manager Phil Patchett stated that the hay was for the animals at the City animal shelter which is required by law during cold winter months. Councilman Clegg DeWalt asked about thirty 3CC Darts. City Manager Phil Patchett stated the 3CC Darts were tanquilizers. All remaining council voted yea. None opposed. Motion was carried.
- 4. City Manager's Report** -- Our total funds as of January 8, 2009 is \$225,912.13. Our checking account balance is \$188,827.12. Accounts payable are \$88,605.01. Account receivables are \$99071.70. The Municipal Court collected \$13,625.50 for the month of December 2008 with the OMNI Program collecting \$4007.00 of that total. The sales tax collected for January 2009 is \$70,505.60. The Fire Department donations for the month of December 2008 were \$202.00. The water collections for the month of December 2008 were \$98,608.27.

City Manager Phil Patchett stated that there will be an ORCA meeting at 1:30 p.m. January 15, 2009 in Groveton. Concerning Hurricane Ike Recovery Fund - This is a key meeting and we need to be involved in. There is going to be a Senate Bill on the floor in this legislative session. The Senate Bill is going to attempt to require all municipalities to have back-up power at all their facilities. City Manager Phil Patchett stated it would be in the City's best interest to pursue the Ike Recovery money and try to get some grant money and will save the City a lot of money down the road when it is required if passed. Mayor Pro-Tem asked what we are short on to meet future requirements. City Manager Phil Patchett stated that the City is in need of back-up power at all the lift stations. Mayor Pro-Tem Wayne Huffman asked how many lift stations are there that need back-up power. City Manager Phil Patchett stated that there are six lift stations. Councilman Clegg DeWalt asked how much grant money the City could possibly get. City Manager Phil Patchett stated the City could possibly be granted \$150,000.00. Councilman Neal Smith asked if portable generators are what is to be required. City Manager Phil Patchett stated the

requirement will be permanently mounted generators. Councilman Neal Smith was concerned that the City would not be able to have permanently mounted back-up power at some of the lift station locations. City Manager Phil Patchett stated the City is not pulling much power at some of the locations. Councilman Neal Smith questioned other generators the City has at ground water storage, Waste Water Treatment plant etc. as to how often are they are tested. City Manager Phil Patchett stated that the generators are tested every couple of weeks. Also, that ground storage and Rockdale recently had batteries replaced. Councilman Clegg DeWalt asked if the City had a proper preventative maintenance program for the generators. City Manager Phil Patchett stated that the City does have a maintenance program in place. Once generators are permanently mounted the generators will automatically test once a week. Also, the generator at City Hall test once a week and runs off natural gas.

City Manager Phil Patchett also informed City Council that on January 21, 2009 at 9:00 a.m. there will be a Trinity Neches Sub Committee meeting with Tx-DOT at Trinity City Hall and City Council is invited. Also, until Tx-DOT rescinds the environmental impact study the corridor is not dead yet.

City Manager Phil Patchett thanked all that participated in the Christmas Dinner for the elderly.

5. Old Business

A. Discussion and action on any grant related business. – City Manager Phil Patchett stated that the sidewalk project is to begin in 1 or 2 weeks. Billy Goodin says everything is going well with contractors and engineers. As far as the 2007 TCDP supplementary funding award involving the City's new Aerator, De-sander and well pump everything is underway. The contracts have been signed by the Mayor and the City will be ready to go out for bid in 60 – 90 days. As far as the TDHCA and the home grant – City Manager Phil Patchett had a discussion with State Representative Jim McReynolds who asked what he could do for the City of Trinity. Funds were obligated and then de-obligated. The City appealed and won the appeal. City Manager Phil Patchett stated he is not happy with some of the clauses in the appeal. State Representative Jim McReynolds has requested a meeting between TDHCA Michael Gerber, Phil Patchett and himself on January 27th. and 28th to plead the City's case.

City Manager Phil Patchett stated that there is a Parks and Wildlife grant coming up. City Manager Phil Patchett stated he would like to have the lights at the big ball field replaced. The grant is a 50/50 match program. City Manager Phil Patchett feels that the City has a good chance of getting the grant. City Manager Phil Patchett request Mayor Lyle Stubbs call a special meeting in the future to get approval to pursue grant. Councilman Clegg DeWalt asked how much money the grant is for. City Manager Phil Patchett stated that somewhere around \$50,000.00 to \$75,000.00.

6. New Business

- A. Discussion and action concerning installation of culverts on Roberts' property and acquiring the necessary easements for sanitary sewer lines.** City Manager Phil Patchett stated he has been in discussion with Mr. Roberts about installing 4 culverts on his land due to water erosion from drainage ditch. City would require an easement due to sewer line that crosses Mr. Roberts property. To acquire an easement, it would be in the City's best interest to go ahead and install culverts. The cost to install culverts would be less than \$2000.00. Councilman Neal Smith made the motion to approve with the understanding that the City would be granted easement rights. Councilman Clegg DeWalt 2nd. the motion. No other discussion. None opposed. Motion carried.
- B. Discussion and action concerning Ordinance #09-0001 an ordinance regulating peddlers, itinerant vendors, hawkers, solicitors and canvassers, solicitors, establishing protections for homeowners desiring to avoid peddlers, solicitors and canvassers, regulating handbills and providing penalties for violations.** Mayor Lyle Stubbs has tabled this discussion. City Manager Phil Patchett stated that there are new laws and more time was needed to get familiar with them.
- C. Discussion and action concerning 2009 TCDP Grant application and project.** City Manager Phil Patchett informed City Council that with the new administration in Washington, if you apply for this grant this year, there is a really good chance to be funded. This is a good year to pursue a road project. Mayor Pro-Tem Wayne Huffman asked how much the grant would be for. City Manager Phil Patchett stated the grant would be for \$250,000.00 max. The match would be \$25,000.00. City Manager Phil Patchett recommends option 3 because of the cost. Also, recommends Isreal Otis and Cannon St. Councilman Neal Smith request clarification of the options. City Manager Phil Patchett stated Option 1 is 1 ½" asphalt surface, removing existing material, lime stabilizing 6" and 8" compacted limestone. Option 2 will be milling the road and going in with an 1 ½" asphalt. Basically what was done on Railroad St.. Option 3 basically doing the same except coming back with a 2 course chip and seal instead of 1 ½" asphalt. Councilman Clegg DeWalt stated if City went with option 1, only one street could be repaved. City Manager Phil Patchett stated that was correct. Mayor Pro-Tem Wayne Huffman made the motion to approve action to pursue grant for road project. Councilman Neal Smith 2nd. the motion. No other discussion. None opposed. Motion carried.
- D. Discussion and action concerning clean-up with Kenneth Newton.** City Ordinance Officer Kenneth Newton reported the clean up of 2 Properties, 2 abandon vehicles and 1 property that was condemned.
- E. Citizens Forum.** Mr. Evans questioned about rules being the same for City Council as they are for the citizens of the City. Councilman Clegg DeWalt stated that City Council is not above the law.

Ms. Brandi stated that she had hired 2 City Employees after there work hours to do some work for her. She said someone had complained about the

City workers and she just wanted to clear everything up. Mayor Lyle Stubbs stated that everything had been cleared up.

Ms. Lois Saldana request that City Ordinance Officer Ken Newton check on 2 properties on Davis St.

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 8:31 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 Special Meeting of the City Council of the City of Trinity was held on January 29, 2009 at 6:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor Pro-Tem: Wayne Huffman
Councilman: Neal Smith, Clegg DeWalt
City Manager: Phil Patchett

1. **Call meeting to order.** -- Mayor Pro-Tem Wayne Huffman called the meeting to order at 6:00 p.m. and verified that a Quorum was present for the meeting.
2. **Old Business**
3. **New Business**
 - A. **Discussion and action concerning Resolution # 09-0002 to authorize submission of an application to the Texas Parks and Wildlife Department for 2009 Local Park Grant Program's Small Community Program funds.** City Manager Phil Patchett stated what the Grant was for and request approval for resolution from City Council. Councilman Neal Smith made the motion to pass the resolution and Councilman Clegg DeWalt 2nd the motion. Motion accepted. All remaining members voted yea. Motion was carried.
4. **Adjourn.** – Councilman Neal Smith made the motion to adjourn. Councilman Clegg DeWalt 2nd the motion. There was no other discussion. All remaining members voted yea. Motion was carried. Special City Council meeting adjourned at 6:05 p.m.

Wayne Huffman
Mayor Pro-Tem

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 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

City Manager: Phil Patchett

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 7:01 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes from the Regular Meeting on January 8, 2009 and Special Meeting January 29, 2009.** 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. Mayor Pro-Tem Wayne Huffman 2nd the motion. Councilman Clegg Dewalt asked why a community center refund was \$1,150.00 and Phil Patchett stated that when there is a request for alcohol to be present there is an additional \$1,000.00 deposit. Mr. Dewalt also asked about the assault exam and Mr. Patchett explained that it is supposed to be reimbursed by the Attorney General. Councilman Neal Smith stated that the city is buying an enormous amount of hydraulic fluid and he feels like the city needs to find where they can purchase it at a wholesale price. Mr. Smith asked if there was another company besides She-Co that is closer than Houston & Mr. Patchett stated he would check. Mr. Smith commented on W.A. Electric charging the city \$300.00 for tying in the electric to the condenser unit on the Police Department's roof. All remaining members voted yea. Motion was carried.
4. **City Manager's Report** -- Our total funds as of February 12, 2009 are \$371,844.29. Our checking account balance is \$300,957.96. Accounts payable are \$85,017.76. Account receivables are \$99,157.90. The Municipal Court collected \$9,425.00 for the month of January 2009 with the OMNI Program collecting \$4,839.00 of that total. The sales tax collected for February 2009 is \$188,239.49. The Fire Department donations for the month of January 2009 were \$198.00. The water collections for the month of January 2009 were \$88,090.36.
City Manager Phil Patchett stated the draft for allocation within the county is some of the disaster relief money from Hurricane Ike. He stated that this is just a draft but they are showing that the City of Trinity will get \$513,350.00 coming down for projects related to Ike which would be generators for the lift stations and the community center and some other projects that the city has in mind. He said it is quite an amazing amount of money and there is suppose to be another ten million dollars coming down that will be divided somewhere along the lines but he doesn't believe that is a final number. He stated that this allocation is grant money but this is no match to this because it is 100% fully funded.
5. **Old Business**

- A. Discussion and action on any grant related business.** City Manager stated that he thinks there are some people who are disappointed with the sidewalk project. He stated that once they jack hammered the sidewalk they didn't know exactly what was down there and what they ran into was a monolithic curb. Highway 19 has a concrete layer & another concrete layer then the asphalt so they ran into a few problems. Also, the concrete that is against the building was part of the foundations. They will be back on Monday to continue work on the project, once they get through the first part of the project the remainder of the project should be much smoother and should be completed in a timely manner. The width of the sidewalk will be decreased from 15 feet to 13 feet. Mayor Pro-Tem asked what the hold up is since they hadn't done anything here. Mr. Patchett stated they had to wait for the engineers to come down and make some decisions. There was one area where they were concerned about the elevation and the way they had it figured out it was going to hold a little water. So the contractor held off but every business does have access to their buildings. The Parks and Recreation Grant Application has been turned in we will wait on their review to see how it turns out but he feels confident that the city will receive those funds. The 2009 CDBG funding will be turned in next week on the road project that we put in. Mr. Patchett stated that he attended a meeting with the director of TDHCA at Jim McReynold's office in Austin a couple of weeks ago. It went well and it is now moving forward. They will be closing on two homes this coming week and will be ready to demolish a couple of structures and this project will be completed by the end of June 2009. Mayor Pro-Tem asked how many houses they were going to build and Mr. Patchett stated there would be four. Councilman Neal Smith asked if the people have moved out of the homes and Mr. Patchett said they are working on that. Mr. Smith asked Phil to see if the homes will have brick or vinyl siding.

6. New Business

- A. Discussion and action with Kelly concerning easement behind the Holloman Distributing property.** No Discussion.
- B. Discussion and action concerning 1st reading of ordinance #09-0001 an ordinance regulating street solicitation in the City of Trinity.** Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yea. Motion carried.
- C. Discussion and action concerning ordering of election for the City of Trinity.** Mayor Pro-Tem made the motion to approve.. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.
- D. Discussion and action regarding the two designated week days for which early voting will be held 12 hours.** City Manager Phil Patchett stated they have cut early voting from 10 days of 8 days but are required to have two 12 hour days. What we have done in the past is have the first day of early voting and that Friday which would be April 27, 2009 and May 1, 2009. Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yea. Motion carried.

- E. Discussion and Action regarding appointment of election judge for Election Day May 9, 2009.** Councilman Neal Smith made the motion to table to next month until Phil has time to get with some other people. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
- F. Discussion and Action concerning clean-up with Kenneth Newton.** A Legal Notice about the property under the name of Robert Wanza has met the legal requirements that allow the city to select the option of removing the dilapidated wooden structure which is unfit for occupancy. A building site on Pin Oak is being investigated and once we receive written notice of release from HUD the city can dismantle it. There is another Legal Notice going out next week on property that owes back taxes and attempts to contact the owner by mail have been returned unopened. There is an official complaint being prepared with the Municipal Court against the owner of 409 Elm Street.
- G. Citizens Forum.** There was no discussion in Citizens Forum.
- H. Discussion and Action concerning hiring of outside Supervisor.** Councilman Neal Smith stated it would be appropriate to have Executive Session to discuss matters first. The Mayor agreed. Adjourned to Executive Session at 7:25 p.m.

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. Reconvened at 8:12 p.m. Councilman Neal Smith made the motion to hire Delma Lee Ellis as the new Public Works Director. Councilman Clegg Dewalt 2nd the motion.

- 8. Adjourn:** Councilman Neal Smith made the motion to adjourn. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried. Meeting was adjourned at 8:27 PM.

**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 March 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, 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 Regular Meeting February 12, 2009.** Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Clegg DeWalt 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 March 12, 2009 is \$470,787.25. Our checking account balance is \$391,729.77. Accounts payable are \$101,984.70. Account receivables are \$94,327.62. The Municipal Court collected \$22,370.00 for the month of February 2009 with the OMNI Program collecting \$13,000.00 of that total. The sales tax collected for March 2009 is \$43,812.10. The Fire Department donations for the month of February 2009 were \$209.00. The water collections for the month of February 2009 were \$110,822.54.

City Manager Phil Patchett stated he has finally signed off on the RPA's with FEMA from Hurricane Ike for the VFD, Police Dept., generators and some for the Burning Hope church generators. The amount should be in the area of \$105,000.00. The TRA report reflected an average of 182,000 gallons of water per day for the past month. According to TRA's fiscal year, we show to be a little over \$84,000.00 in the black. Concerning Bert Robert's easement, we have just received Mr. Robert's legal description and the plat map in the mail which should be completed next week and will be ready for approval at the next city council meeting. Mr. Patchett also informed the council of several inspections from TCEQ concerning the water system and the wastewater plant. There are some repairs that need to be made such as build a fence at the well and enlarge the overflow pipe. He also read a letter he received from TCEQ concerning the corrective action plan.

5. Old Business

Discussion and action on any grant related business. – City Manager Phil Patchett stated that the Texas Capital Fund (sidewalk project) is going very nicely.

Windstream has already moved their pole.

Concerning the Home Grants, one of the applicants has passed away. We are attempting to get heir ship papers for Otis Barnes, who was her caretaker for several years and award the home to him.

As far as the Texas Parks and Wildlife grant, Mr. Patchett said they attended a DETCOG meeting in Crockett last month and met with the regional review committee. The project received a favorable review and will move on the state for approval to be funded.

6. New Business

- A. Discussion and action with Mr. Leon Sandifer regarding the American Legion.** Mr. Leon Sandifer would like to relinquish the right to use the Community Center annex for meetings as they do not have enough members to make a quorum. He would like to reserve the right to use the facility should they ever build up the memberships. They will pack up their property and keep it in the canister should they ever want to use it. Councilman Wayne made the motion to approve the request. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- B. Discussion and action with Ms. Kay Hendricks regarding 2009 car show and Mr. Cecil Heisch dedication.** Ms. Hendricks invited everyone there to the dedication on March 28, 2009 at Avalon Place. There will be 2 plaques to present. One will be for Cecil Heisch and will be Heisch Lake and the other will be for Andy Wilson and will be Wilson Pavilion. Also, the Annual Car Show will be held on May 2, 2009 at Avalon Place. Ms. Hendricks also stated that April is National Donate Life month and would like for the council and the Mayor would proclaim April as Donate Life Month. They are trying to get people to register to donate their organs as it is not done on the drivers' license anymore. Mayor Stubbs agreed to proclaim April as National Life month.
- C. Discussion and action concerning 2nd reading and passage of ordinance #09-0001, an ordinance regulating street solicitation in the City of Trinity.** Councilman Neal Smith made the motion to pass the ordinance. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.

D. Discussion and action regarding appointment judge for May 9th General Election. Councilman Neal Smith asked the council to appoint Sherri Pruitt as election judge. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

E. Discussion and Action concerning clean-up with Ken Newton. For the month of February, there are 2 houses up for possible demolition and 2 owners contacted about cleaning up their property. The owner of the mobile home destroyed by the hurricane is still trying to get the trailer removed. The property owner at Sabine and Oak was informed that he must submit an application with all the necessary information to rent out lots for mobile homes. The council requested that Mr. Newton send a “thank you” letter for those property owners who have complied to his letters.

F. Citizen’s Forum

G. Discussion and Action concerning building inspection policies and procedures. Mayor Pro-Tem Wayne Huffman said we should give Mr. Gene Greer a few more weeks until his health improves to talk to him regarding the trailer behind Trinity Discount Tire.

7. Executive Session:

B. 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 9:45 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 April 9, 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

City Manager: Phil Patchett

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 7:05 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for Regular Meeting March 12, 2009.** 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.** -- Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd. the motion. Councilman Neal Smith had a question concerning 1st item on weekly bills. City Manager Phil Patchett stated that the item had been taken out of the weekly payables. This is money that has never been used. This check was voided. Councilman Clegg DeWalt inquired about (page 12) weekly bills. This is in reference to the tractor that was purchased from Herbert Perkins. Councilman Clegg DeWalt also stated that it was very admirable for the City to donate to Friends of Avalon. All remaining council voted yea. None opposed. Motion was carried.
4. **City Manager's Report** -- Our total funds as of April 9, 2009 is \$400,614.35. Our checking account balance is \$319,662.92. Accounts payable are \$91,043.32. Account receivables are \$97,949.14. The Municipal Court collected \$15,517.00 for the month of March 2009 with the OMNI Program collecting \$9,142.00 of that total. The sales tax collected for April 2009 is \$48,142.39. The Fire Department donations for the month of March 2009 were \$200.00. The water collections for the month of March 2009 were \$86,121.95. Total Deposits for the month of March 2009 were \$173,047.35.

City Manager Phil Patchett stated that there will be a monthly water status report and that the report is still being tweaked. This report will be more in depth in the future.

City Manager Phil Patchett also wanted to introduce new police unit 310 but was unavailable. The new Drug dog.

City Manager Phil Patchett also informed City Council that he had received a phone call from the Fireworks people that we have been using for many years. He suggested that the City Council should think about the 4th. of July being on a Saturday and the Fireworks people do not normally go anywhere with less than a \$15,000.00 budget. In the past only \$7,000.00 was budgeted. This is a subject that can be discussed but not voted on due to not being on the agenda. The Fireworks Co. has so many requests that they could not

accommodate any one on less than a \$15,000.00 budget. Money is available in the Hotel/Motel account. This would be a more extravagant show.

5. Old Business

- A. Discussion and action on any grant related business.** – City Manager Phil Patchett reported that basically sidewalk project is completed with the exception of the handrail.

The Home Grant – Otis Barnes has been approved and will go to closing on Monday. The other 3 houses have all been demolished and hauled off with the exception of one house where the concrete was about 2 feet thick. Mike Johnson was called in to demolish the concrete foundation. City Manager informed City Council that the contractors are on a strict time line. These houses are to be completed by the end of June. Contractor for houses is out of Center.

6. New Business

- A. Discussion and action with representative of Faust Distributing Co. concerning alley behind their business.** There was no representative from Faust Distributing Co. present. City Manager Phil Patchett stated that he talked to Bobby with Faust and basically told him what could happen and Bobby talked to his General Manager. Mr. Patchett stated he called Bobby back today. Faust owns the business but Kelly still owns the buildings. Mr. Patchett also stated the Kelly has all the information and still has yet to contact him. Councilman Neal Smith wanted to discuss further. There is an alleyway there and they want to buy the alley. The alley is 16' to 20' wide and 100' long. Mayor Lyle Stubbs stated there are two of them. One runs North and South and one runs East and West. City Manager stated that Faust and Kelly would have to notify all other property owners and to provide all surveys and that the City would not be out a penny if City Council decides to approve. City Manager Phil Patchett stated that George Gallagher is the only other property owner. Mayor Pro-Tem Wayne Huffman stated that the City Manager should inform Mr. George Gallagher. City Manager Phil Patchett stated that he would inform Mr. Gallagher. Councilman Neal Smith asked if the City sells the property to them, Entergy has a easement to put the lights there, the City is not going to be responsible for re-routing any lines? City Manager has not spoken to Entergy to date. Mr. Patchett stated he is still trying to get in touch with distributor. Councilman Neal Smith made the motion to table the discussion until all facts can be gathered. Mayor Pro-Tem Wayne Huffman 2nd. the motion. No other discussion. None opposed. Motion carried.
- B. Discussion and action concerning renewal of agreement with Trinity County for lease of Auto Mark voting machine.** City Manager Phil Patchett stated that according to the HAVA Act “Help American Voters Act” the City is required to use the Auto Mark voting machine in the election which includes early voting. The cost to lease from county is \$300.00. Councilman Neal Smith made the motion to lease the Auto Mark voting machine. Mayor Pro-Tem Wayne Huffman 2nd. the motion. All in favor. None opposed. Motion carried.

C. Discussion and action concerning fiscal year 2007 – 2008 audit with representative from Ken Davis’ office. City Manager Phil Patchett introduced Dianne Sollock with Ken Davis’ office. Ms. Sollock spoke in reference to the balance sheet for the governmental funds which is the general fund, hotel/motel fund and the debt service funds. At the end of the fiscal year, total assets for the general fund were a little over \$460,000.00 of that \$180,000.00 in cash. Total liabilities at the end of the fiscal year are over \$330,000.00 and majority of that was the deferred revenue that is recorded which is to off set the taxes receivable. A total fund balance at the end of the fiscal year of almost \$129,000.00. The statement of revenues: Total revenues for the fiscal year of a little over 1.5 million. Total expenditures for the fiscal year a little over 1.6 million. The largest expenditures being the general government and law enforcement. City is showing more expenditure over revenues of almost \$87,000.00. There is a net decrease in the fund balance for the fiscal year of almost \$35,000.00. Statement of Net Assets: The Enterprise Fund which includes water and sewer fund and Solid Waste fund. This fund shows total assets of the water and sewer fund at the end of the fiscal year at a little over 1.8 million and also includes all the capital assets with depreciation. Current liabilities are almost \$88,000.00. Time Warrants: \$60,000.00 at end of fiscal year. Total net assets for fiscal year 2007-2008 almost 1.7 million in water and sewer. A solid Waste net asset for the fiscal year 2007-2008 is almost \$120,000.00. The Enterprise Fund is doing a little better than the General Fund for the fiscal year. The Water and Sewer fund almost broke even. This fund had almost \$8,000.00 more in expenditures than revenues. The Solid Waste Fund increased net assets for fiscal year 2007-2008. Cash flow statements: There is only a cash increase in the Solid Waste Fund of \$142,000.00. Councilman Clegg DeWalt asked Ms. Sollock the question: Does the \$142,000.00 debit end of year cash include the \$86,000.00 profit? Ms. Sollock replied that yes it does. Councilman Clegg DeWalt also wanted to know what makes up the remainder. Ms. Sollock stated the City had an increase in the accounts receivable and you have to add the depreciation. Total expenditures: over budget by \$168,000.00. Total expenditures for the City exceeded budget. Budget to actual. The Police Chiefs’ vehicle was bought in September 2007 and paid for after October 1. The budget must be amended when there are unexpected expenses. Mayor Pro-Tem Wayne Huffman asked City Manager Phil Patchett when the service truck was paid for. City Manager Phil Patchett stated that particular truck was paid for before September 30th. Internal control and compliance: this is a required report. There were 3 findings: Finding 2008-1 Expenditures exceed appropriations in the General Fund. Finding 2008-2 The City’s deposits were not fully collateralized during fiscal year. Finding 2008-3 Interfund transactions do not reconcile at any time during the year. City Manager Phil Patchett stated that there is to be a meeting with Dianne, Jennifer and the software company to solve accounting software issues. Councilman Clegg DeWalt stated that he would like to see the report provided by funds that show the increases and decreases that occurred in the past year. The net is \$142,000.00 increase but would like to see what made up the figure. Councilman Neal Smith would like to see a departmental detail. Mayor Lyle Stubbs asked that she and City Manager Phil Patchett have a good understanding on what he needs to do. Ms. Sollock replied yes. Mayor Pro-Tem Wayne Huffman made the motion to

except the budget. Councilman Clegg DeWalt 2nd. the motion. All in favor. None opposed. Motion carried.

D. Discussion and action concerning clean-up with Kenneth Newton.

Councilman Neal Smith stated that the owner Ms. Masterson has really changed the looks of the front. It has been an eye sore for a long time. Ordinance Officer Ken Newton stated that there were citizens in the audience that would like to speak in reference to Mr. Stratton's property. There is activity taken place on Mr. Stratton's property and as of last weekend, it is getting done but is a long time coming. Loads were hauled out today and followed out to the county line to ensure it wasn't dumped illegally. City Manager Phil Patchett asked Ordinance Officer Ken Newton to share some good news about Elm St. Ordinance Officer Ken Newton stated in reference to 409 Elm. this belongs to Cheri Goates, her significant other Mr. Martinez came in this morning and committed to tearing the place down. Councilman Neal Smith asked Ordinance Officer Ken Newton if he is sending letters of introduction. Ordinance Officer Ken Newton stated that is the only way he contacts anyone now. Councilman Neal Smith asked Ordinance Officer Ken Newton how that is working compared to the certified letters. Ordinance Officer Ken Newton stated the letter of introduction got results and then he sent a thank you letter. A couple of people have responded and said that they would like the city to do more. Councilman Clegg DeWalt asked more of what? Ordinance Officer Ken Newton stated that the citizens would like the City to do more in the effort to clean the City up. Ordinance Officer Ken Newton stated that most citizens are not taking advantage of the first Friday of the month, heavy trash pick-up day and that he is handing out a little notice to those that he can see could use the service. Councilman Clegg DeWalt asked the Ordinance Officer Ken Newton what was picked up on the first Friday. Ordinance Officer Ken Newton stated any old appliances, 10 bags of trash or leafs etc... City Manager Phil Patchett stated that the City keeps a 30 yard dumpster at the yard for this purpose. Councilman Neal Smith stated that everything seems to be working pretty good. Ordinance Officer Ken Newton said it has slowed him down.

E. Citizens Forum. Mr. Sadler who resides at 402 West Madison passed around picture of what the property looks like next to him. Mr. Sadler stated it looks like the city dump. Mr. Sadler stated that Mr. Stratton has received numerous letters from the city and it has been 8 months and nothing has been done. Mr. Sadler stated he had taken Mike Knight to small claims court and won a judgment for \$2,000.00. The owner of the trailer is Helen Page and is located on Daniel Stratton's property. Mr. Stratton contracted Mike Knight to demolish 2 buildings. Mr. Knight sold all the lumber in the buildings to another contractor and left the mess. Mr. Knight was to clean up what was left. Councilman Neal Smith asked Mr. Sadler if the stuff was in his yard and he stepped on the nail. Mr. Sadler stated that some of the stuff is in his yard and some is in his back yard. Mayor Lyle Stubbs asked if Helen Page rented the space from Mr. Stratton. Mayor Lyle Stubbs stated that Helen Page should be the one to take care of the space. Mr. Sadler stated that Ms. Page did not want to get involved because she didn't want Mr. Stratton to tell her to move her mobile home off the property. Councilman Neal Smith stated when the City

started the clean-up the City has gone after the property owner. It didn't matter if the property was being rented, or who's living on the property. As far as the City's concerned, it is the property owner's responsibility. Councilman Neal Smith asked Ordinance Officer Ken Newton what he would suggest in reference to Mr. Sadlers' issue. Ordinance Officer Ken Newton suggested reinstating fines. Councilman Clegg DeWalt asked why the City couldn't go in and do the clean-up and if the material was hazardous. City Manager Phil Patchett stated that TCEQ tested for asbestos and was to contact him if there was any hazardous material at the location. Councilman Neal Smith stated that it is his opinion that the Judge set up a hearing with Ordinance Officer Ken Newton, Daniel Stratton and get it settled once and for all. If you have to put the fine on them, it has to be done. Mayor Lyle Stubbs asked Ordinance Officer Ken Newton to get with Judge Kinsel and come up with something and to do it quickly. Mayor Lyle Stubbs also stated to reinstate fine if nothing is done in a reasonable time.

Business owner A.J. Brown addressed the Council. Mr. Brown stated the City tore up his driveway at the corner of Dillard and South Robb. City Manager Phil Patchett stated the City fixed a water leak at that location. City Manager Phil Patchett asked Mr. Brown if there was another leak at that location and Mr. Brown stated that there is another leak. Mayor Lyle Stubbs asked Delma Ellis if there was another leak there. Mr. Ellis stated that the issue was discussed the other day and that there is another leak there.

Resident Lois Saldana addressed the City Council. Ms. Saldana wanted to express her appreciation to City Council and to the Police Department for services provided for her friend Rosie Franklin's funeral.

Police Chief Steven Jones addressed City Council. Chief Jones stated that with the City Councils permission the Police Department was able to obtain a long haired German Shepard. It's a true dog with training. The dog was flown over from Germany. The dog has been raised with training. It's a year and 8 months old. Travis Bryan has been state certified. Chief Jones stated that the dog is not an attack dog. The dog is trained to protect Officer Bryan. The guys that did the dog training fixed up the car to accommodate the dog at no charge. Chief Jones stated that the whole project is from donated money from business owners and individuals. Chief Jones stated that the Police Department will be submitting a thank you to all that donated in the Newspaper. Chief Jones also stated that at the next City Council Meeting, he will have a demonstration. Councilman Neal Smith asked if the car that was modified, is the only car that the dog will be hauled in. Chief Jones stated that was the only car he would be in. The seat in back of the car had to be taken out and a flat surface had to be put in due to possible injury to the animals' hips.

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 9:55 p.m. There was no other discussion.

Wayne Huffman
Mayor Pro-Tem

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 May 14, 2009 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor:

Mayor Pro-Tem: Wayne Huffman

Councilman: Neal Smith, Clegg Dewalt, Chris Dennis

City Manager: Phil Patchett

- 1. Call meeting to order.** -- Mayor Pro-Tem Wayne Huffman called the meeting to order at 7:01 p.m. and verified that a Quorum was present for the meeting.
- 2. Approval of minutes from the Regular Meeting on April 9, 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 Neal Smith asked what kind of tool control we had. Supervisor Delma Ellis stated that the city needs to issue each individual a box of tools and hold them accountable for that box of tools and if they lose them they buy them. Councilman Clegg Dewalt stated he noticed some purchases for the ballpark and said that the general consensus is that it's the best the ballpark has looked in years. He thanked Councilman Smith for pushing for the ballpark to be manicured to the degree that it is. Councilman Clegg Dewalt made the motion to approve bills for payment. Councilman Neal Smith 2nd the motion. All remaining members voted yay. Motion was carried.
- 4. City Manager's Report --** Our total funds as of May 14, 2009 are \$448,885.00. Our checking account balance is \$365,155.40. Accounts payable are \$96,034.26. Account receivables are \$100,200.08. The Municipal Court collected \$16,442.50 for the month of April 2009 with the OMNI Program collecting \$9,816.50 of that total. The sales tax collected for May 2009 is \$109,982.78. The Fire Department donations for the month of April 2009 were \$200.00. The water collections for the month of April 2009 were \$94,263.01. The total deposits for April 2009 were \$229,367.67.
City Manager Phil Patchett stated that in the TRA report the first 5 months of their fiscal year, the city is \$95,000 in the black and he hopes to maintain that this year. Mr. Patchett also stated that Matthew Smith's last day will be May 15, 2009 so he will be out in the field a lot more than he has been mostly assisting Steve. Mayor Pro-Tem Wayne Huffman asked if he had someone in mind and Mr. Patchett said no that he just found out a couple days ago that Matthew would be leaving. Mr. Patchett said that TCEQ will be permitting the City of Trinity next month to transport sludge and it will be a tremendous savings to the city. Councilman Neal Smith asked where they would be hauling the sludge to and what truck they would use. Mr. Patchett stated they would haul it to Polk County (Landfill) in the dump truck. Councilman Clegg Dewalt asked Mr. Patchett if he knew off the top of his head how much it is going to save the city. Mr. Patchett said that generally we pay in about \$5,000 and the city could probably do it for \$2,000. Mr. Patchett discussed the fireworks with the Mayor and the Mayor has decided to do the Fireworks on Friday July 3, 2009. There is nobody left to shoot them on July 4, 2009 and they would want a minimum budget of \$15,000 and we generally do \$7,000 to \$7,500.

The rain day will be Sunday July 5, 2009.

5. Old Business

A. Discussion and action on any grant related business. City Manager Phil Patchett stated that on the sidewalk grant they have a little money left over which is unusual. They are going to go 44 linear feet back to the east from where they put the new pole in. We are in the middle of doing the change order now so Mr. Patchett expects the construction will be done in July by the time all the paperwork is done. Mr. Patchett stated we should get our environmental assessment in a few weeks and we are going to try to get with the AG teacher and send him out to see if there are any wild hibiscus growing where the project is at which is holding the \$250,000 project up. Wild hibiscus bloom in the middle of June so we have to wait till then to start the project. Mayor Pro-Tem Wayne Huffman asked where we were with the Home Grant. Mr. Patchett stated we have done the pads and assumes the plumbers will be out tomorrow to start roughing it in and they'll probably be pouring the concrete next week. Mr. Patchett said they have 6 weeks to build these 4 houses and they will get it done believe it or not. Councilman Neal Smith asked if we were done with our part as far as the land, tearing the houses down & removing them. Mr. Patchett stated yes except for tying in the plumbing and whatever else they will need. Councilman Clegg Dewalt said people were asking about the grant money for the ballpark. Mr. Patchett stated we won't know until August 30, 2009 on that. Councilman Clegg Dewalt asked if that was for the new lighting system and Mr. Patchett said yes and improvements to the concession stand. Councilman Chris Dennis asked if the end of June was the deadline for building the houses. Mr. Patchett said they extended our time to June 30, 2009 and that is when it will be completed and they don't have a choice it is our deadline. They bring their crews in and do all 4 houses at the same time. Councilman Chris Dennis asked about the house that was built on the wrong property years ago. He stated someone has been going in there and getting the 2 x 4's out of there and it is going to fall on someone. Ken Newton said that is one of the issues he has been working on. He stated that the property belongs to Mrs. Ethel Sims and she said she wanted to finish the house and until she can get financing for it, it will remain like it is.

6. New Business

A. Discussion and action with Stan Foley of Entergy regarding Franchise Agreement with the City of Trinity. Stan Foley stated that this is a renewal of some discussion they had last year regarding the renewal of the Franchise Agreement. There were some events that delayed the agreement such as a rate case, dealing with 2 hurricanes again and there were a group of about 6 or 7 larger cities that were working in negotiation with the franchise agreement. After the first of the year all parties came to terms with the document you have before you tonight. It is being presented to all cities whose franchises are currently ready for renewal. There are 5 key different points from the document you have before you tonight and the one you were given previously. First, the original document was a straight rollover which everything was the same including the term of 50 years. This document sets forth a franchise agreement for half of that for a period of 25 years. Secondly, there is a part in there regarding relocation of facilities. Part of that is if

the City of Trinity does any public works improvement such as, expansion of a street, widening of a street, new sewer lines, new water lines, etc., anything for the betterment of the city in a proactive manner. Any relocation that is done regarding this will be paid at Entergy's expense. Therefore there will be no expense to the City of Trinity. Thirdly, which is a large portion of this agreement which probably does not affect the city and that is what a lot of the negotiation was over is Section 11 where it talks about the incremental franchise fee. Each city now has the ability if they so choose to collect additional fees above and beyond what state law requires. You would decide what that amount would be and they would calculate that based on the sales of kilowatt hours within the city limits. Each customer in the city limits would be billed in that incremental amount to get to the amount that you wanted. The city never expressed a desire for that but that's a part in this agreement. Fourth, it sets forth a clear path of some auditing practices if a city chooses to audit the franchise payment they can do so for a period up to 2 years. Finally, there is a part in there regarding annexation. If the city annexes anything, the city gives 30 days notice so Entergy will know exactly how to change the codes so the city will get the proper taxing amounts given to the city. Councilman Neal Smith asked what the shortest term that any city has agreed on and Mr. Foley stated 25 years. Councilman Neal Smith asked if that was it and if there were any other options. Mr. Foley stated that he is sure there is another option, but said that all the cities that have been presented with this document passed it so far. Mayor Pro-Tem Wayne Huffman stated if another town you served got a shorter term you could go to it. Mr. Foley stated there is a clause called most favored nations. If for some reason another city would get a shorter term you could always come back to that. He also stated if you go with a shorter term there is probably something else that would be less. The entire document is a favored nation's agreement which was not included in the prior document. Councilman Clegg Dewalt asked if 6 or 7 of the largest metropolitan areas in the state of Texas got together as a coalition and that's what prompted Entergy to reduce a 50 year term to a 25 year term. Mr. Foley said yes that is what was negotiated and that's what is being presented all across the service area. Councilman Clegg Dewalt asked if this is as good as it is going to get? Mr. Foley said exactly. Mr. Patchett stated that he and Mr. Foley have had some lengthy conversations concerning this and the biggest concern is if the council does not go with the 25 years, he is almost certain that the biggest thing the city would lose would be the relocation fee. Mr. Foley said that would be possible and that the 25 years is not only for this but in the bigger picture financial stability and things like that. Mr. Foley said Entergy is serving a community and placing plans in the ground that is easily going to last 25 years plus. Councilman Chris Dennis asked what does the city lose for a lesser term? Mr. Foley stated he can't answer that, if the city chooses to try to negotiate a lesser term that would be something the attorneys would work out. Mayor Pro-Tem Wayne Huffman stated he thinks it's a fair deal, he said we have to furnish electricity to the people of this community, it's our job, we know who this company is and he's for it. Councilman Neal Smith stated he has a problem with granting a franchise for longer than any of them on the council will probably live and doesn't like the clause that city council could add additional fees. Councilman Clegg Dewalt made the motion to approve. Councilman Chris Dennis 2nd the motion. Councilman Neal Smith opposed. All others voted yay.

- B. Discussion and action with Bobby Crowson concerning KVAR results and quote for maximizing motor efficiency.** Bobby Crowson stated that KVAR basically helps reduce the electricity costs in a couple of different ways. KVAR is a capacitor bank box. Capacitors simply store and release electricity. Inductive mode represents any load that you may have in the household such as appliances and a wastewater treatment plant would be 20, 30 or 40 horsepower motors, anything that has windings that heats up is an inductive load. Typically in a commercial setting that is where a majority of your electricity costs are going to come from is the inductive loads. What this does is as your electricity comes through and you are charged on the price per kilowatt hour, KVAR actually controls and regulates your electricity coming in, it doesn't generate anything, it just stores and releases energy. It does 3 things, one, it takes your amps and reduces your amp load, which has a couple of benefits. When it comes to motors and inductive loads it is going to reduce the heat on the windings and the motors, therefore your motors are going to last longer. The other benefit is that you are going to be using less amps and less watts or less kilowatts which is actually what you are paying for. So your kilowatt hour usage is going to go down. The next thing that it does is increase your power factor. For example, when you pay for a dollars worth of electricity as it comes through the meter, after that it is up to your appliances, your equipment and things to that nature as to how well you are using that electricity. If you have inefficient motors or old equipment you may be getting \$0.60 or \$0.70 for every dollars worth of electricity that you are buying. What KVAR does is help increase that efficiency or that power factor typically to 95% or better. City Manager Phil Patchett stated we are not actually billed on power factor and Mr. Crowson said we were billed on demand charge. Mr. Patchett asked the council to try KVAR on one of the booster pumps at the wells. Councilman Neal Smith stated he would like Phil to contact the places that have KVAR and see how their results are. Councilman Neal Smith made the motion to table. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.
- C. Discussion and action concerning appointment of Polly Works, Shelley Madeley, and James Prentice to the Blanche K. Werner Public Library Commission.** Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.
- D. Discussion and action concerning appointment of elected official to serve on DETCOG Board of Directors.** Councilman Neal Smith made the motion to appoint Councilman Clegg Dewalt again. Councilman Chris Dennis 2nd the motion. All remaining members voted yay. Motion carried.
- E. Discussion and Action with Sean Slattery of Safety Vision concerning mobile video solutions.** Chief Jones stated that some of the specs with the camera system is the metal box will fit up front where the radios and light switches are. It has a sony digital camera, it also has a night vision camera that is mounted in the back where the prisoners sit which covers from the knees to the head from door to door. The officer has the ability to push a button and the prisoner does not know the camera is there and does not know they are being recorded which is ok by law. The camera will start recording when the officer turns on the lights, sirens or exceeds over 75 mph which allows the crime to be caught on tape with the 90, 60 or 30 second recording feature that allows the camera to go back and grab what happened

90, 60 or 30 seconds ago. All systems come with GPS and you should be able to pick up audio with the mics up to 1000 ft. The system with a 2 year warranty is \$3,600 and the installation is \$300 and the sale price is \$3,295. Councilman Neal Smith made the motion to table. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.

F. Discussion and Action concerning clean-up with Kenneth Newton. Ken Newton stated that he had a long conversation with Mr. Greer today. He has been getting the same response as the council has heard over a period of time. Mr. Greer does not have the money to remove the 2 vehicles on Windstream's property or to remove the tires. The council gave him to the middle of May 2009 in the last council meeting so his time is now up. Mr. Newton talked to Judge Kinsel and he is in support with the council's support to levy a fine against him which has to include the owner, Mr. Oates. Mr. Patchett stated the way to solve this is to keep the money here locally, and propose \$100 a day, give him x amount of time and instead of fining him \$100 a day he can use that money to move the tires. Mr. Newton said they went through this exercise about 4 or 5 months ago threatening him a fine of \$100 for each day the violation continued and it has never been enforced and that was against the owner Mr. Oates. Mr. Oates showed up and said if he gets fined that it is going on Mr. Greer's bill. Councilman Clegg Dewalt stated he does not see any other course of action but to implement the fine. Councilman Chris Dennis stated we have the law we just need to enforce it. Councilman Clegg Dewalt made the motion to move on it. Mr. Newton was told to get with the Judge and do what he has to do to move forward on it. Councilman Chris Dennis 2nd the motion. Councilman Neal Smith asked if the clean up on 405 Madison Street has been materialized. Mr. Newton stated the eviction notice has to be supported by Judge Bobby Nichols Court. He said today was the day it was suppose to be implemented so he wasn't for sure if it had been done.

G. Citizens Forum. Lois Saldana said they are having the 19th of June on June 20 because the 19th of June is on a Friday. She is expecting the council's participation. She said when Dr. Barnes lived and they had to sit out in the sunshine and serve their food from the concession stand from the little league field, he told them they would never have to do that again and that they would always use the community center. So she would like the council to consider that and in 2010 the community center needs to be left the 19th of June. Councilman Neal Smith asked if she was asking if she was asking to not be charged and she said that was correct. Carolyn Wilber stated that there is piece of property on Parker Street at the county line. A business man purchased the property a few years ago, he has moved 2-3 mobile homes on it and as of Monday he has moved a travel trailer in. She asked if he is getting city water, sewer, garbage pick-up and city police is he held to standards. Councilman Neal Smith asked if we were sure if the property was in the city. Mr. Newton said according to the tax office it is not considered in the city. Carolyn Wilber also said according to the Appraisal District it is in the county. Councilman Neal Smith asked with it being outside the city limits and we furnish the water and sewer to that area, do they follow the same guidelines with every house having its own meter? Mr. Patchett said yes to having its own meter but as far as inspection of the place no. Carolyn Wilber asked if she needed to go to the County Judge or County Attorney since it was in the county. Councilman Neal Smith asked if the trailer on Eighth Street was approved and met HUD regulations. Mr. Newton stated

yes it has been approved for city water and sewer and does meet HUD regulations. Councilman Neal Smith stated we have had a lot of drainage problems and road problems and everyone on the council wants to do something about the roads. In order for the city to do any paving he asked Supervisor Delma Ellis to get some prices on what we would have to have. Delma stated that these are just average prices from equipment magazines but it's something to go by. A caterpillar 12 Motor Grader that has a 12ft blade and was a city owned machine is \$27,000. A Bobcat with a trailer would be about \$21,000, a roller would be \$25,000 and an asphalt paver would be around \$25,000. The asphalt a ton would be \$51.49 if the city picked it up and if it was delivered it would be \$62.99. If LD Janes was to do the paving after the city does the prep work it would be \$1.50 sq ft. and \$30.00 running foot. Councilman Clegg Dewalt asked if we were going to be looking at this at budget time and Councilman Neal Smith said yes.

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 9:10 PM.

Lyle Stubbs
Mayor

Phil Patchett
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 18, 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, Chris Dennis, Billy Joe Slaughter

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. **Old Business**
3. **New Business**
 - A. **Discussion and action regarding canvass of May 9, 2009 City Election.** Councilman Clegg Dewalt made the motion to accept the canvass of votes. Mayor Pro-Tem Wayne Huffman 2nd the motion. Motion accepted. All remaining members voted yay. Motion was carried.
 - B. **Administer Oath of Office for City Council Positions 4 and 5.** Councilman Neal Smith and Councilman Billy Joe Slaughter were sworn in by Honorable Judge Mark Evans.
 - C. **Comments from newly elected Council Members.** Councilman Neal Smith thanked the people that had enough confidence to put him back in office and he is going to do the best job he possibly can and vote his own conscience at all times. Councilman Billy Joe Slaughter also thanked everybody that voted especially the ones that voted for him. He said he is going to do the best he can to work with the council and see how they can improve the city.
 - D. **Discussion and Action regarding appointment of Mayor Pro-Tem.** Mayor Lyle Stubbs made the motion to appoint Councilman Wayne Huffman as Mayor Pro-Tem. Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. Motion accepted. All remaining members voted yay. Motion was carried.
 - E. **Discussion and Action regarding Ordinance #09-0002 an ordinance granting a 25 year Franchise Agreement with Entergy Texas and The City of Trinity.** Mayor Pro-Tem made the motion to approve. Councilman Clegg Dewalt 2nd the motion. Councilman Neal Smith opposed. All others voted yay. Motion carried.
 - F. **Discussion and Action concerning establishment of rates for the Community Center Annex.** City Manager Phil Patchett stated this was brought up when Mr. Leon Sandifer gave the rights back to the city. Mr. Patchett was asked to come up with an establishment of rates. Since it is much smaller than the main center he came up with a rate of \$125

with a nonrefundable cleaning fee of \$25, a deposit of \$50 and if alcohol is present a \$1000 deposit. Councilman Neal Smith stated he thinks that is fair and made a motion to approve it. Councilman Clegg Dewalt 2nd the motion. All remaining voted yay. Motion carried.

4. **Adjourn.** – Mayor Pro-Tem Wayne Huffman made the motion to adjourn. Councilman Clegg DeWalt 2nd the motion. There was no other discussion. All remaining members voted yea. Motion was carried. Special City Council meeting adjourned at 6:13 p.m.

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 June 11, 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 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 Regular Meeting May 14, 2009 and the Special Meeting May 18, 2009.** Councilman Clegg DeWalt made the motion to approve. Councilman Neal Smith 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 Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of June 11, 2009 is \$386,904.20. Our checking account balance is \$341,588.64. Accounts payable are \$82,018.90. Account receivables are \$100,200.08. The Municipal Court collected \$10,711.25 for the month of May 2009 with the OMNI Program collecting \$4525.00 of that total. The sales tax collected for June 2009 is \$45,279.75. The Fire Department donations for the month of May 2009 were \$198.00. The water collections for the month of May 2009 were \$103,764.04. Total deposits for the month of May 2009 were \$250,848.77.

City Manager Phil Patchett reminded everyone that the fireworks for the 4th of July will be held on Friday, July 3rd. Mr. Patchett said that Ginger attended a Records Management class on Tuesday. The storage building will need to have electricity hooked up to it and will also need to be climate controlled. Councilman Neal Smith said we would have to insulate the building for it to be properly climate controlled. City Manager Phil Patchett stated he received a letter from TCEQ that effective today (6/11/09), the city is now a certified sludge transporter. The City Manager also stated that he met with an inspector and enforcement officer from TCEQ because we are not meeting our .6 as far as production. Mr. Patchett said we need see if we would meet the strict restrictions to get an Urgent Needs Grant which would allow us to drill one more well as we are currently running off of two wells. The inspector also wrote us up because the water tank downtown needs to be washed. Mayor Stubbs commented that it actually needs to be repainted. Mr. Patchett told the council is basically what we would do is to come up with a compliance plan to tell the state that we will put it into next year's budget.

5. Old Business

A. Discussion and action on any grant related business. City

Manager Phil Patchett said as far as the home grants, all of the homes are being dried in and should be completed by the end of the month. As far as the sidewalk grant, we will be repairing another 40 ft., however, Mr. Patchett asked that the work be put off until after the 4th of July. Concerning the Hurricane Ike recovery funds of \$513,000.00, the funds have to be used for something that didn't operate during the hurricane or was damaged as a result of the hurricane. We will have the damage to the ground storage tank repaired. Our main concern is to have generators for all of the lift stations and permanently mount the 3 generators we received during the hurricane and install a SCADA system at the water treatment facilities. We may possibly receive a 2nd recovery fund which would allow us to put a generator at the Community Center since we use it as an emergency shelter.

5. New Business

- A. **Discussion and action concerning Ordinance #09-0003 with Stan Foley of Entergy Texas regarding change of rates requested in Entergy Texas, Inc.'s statement of intent filed with the City of Trinity, May 26, 2009** Councilman Neal Smith made the motion to approve the ordinance. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- B. **Discussion with Bridgette of Adult Protective Services advising Mayor and Council of services offered.** Bridgette and Ms. Martin serve the Trinity County area and help the elderly and disabled citizens over 18 years of age and certified by Texas Social Security and Disability. They are funded thru the federal government and receive many calls for help such as payment for electric bills, groceries and medications. One of the biggest problems they have is the elderly being taken advantage of by telemarketers who manage to get their social security numbers. The APS (Adult Protective Services) is located at the Department of Human Services building on S. Robb. They take calls from citizens who would like to report any negligence and abuse to the elderly and the callers can remain anonymous if they wish.
- C. **Discussion and Action with Arch Maples of Melder Real Estate regarding alley behind Faust Distributing Company.** Mr. Maples is asking the city to review, consider and approve the termination and abandonment of two right-of-ways or alleys that are located behind the distribution center. The reason is for expansion purposes of Holloman Distribution which has been bought by Faust. The abutting property owners have to give permission for the city to abandon or sell the right-of-ways. George Gallagher owns lot 14 and ½ of lot 15 on Clegg and would like to be able to keep access to the properties in the event something is built on them at a later date. Councilman Neal Smith made the motion that the city should sell at market value a part of the long alley and the short alley up to Gallagher's property to Faust with the understanding that the city is not going to be responsible for moving any of the utility lines. Clegg DeWalt 2nd the motion. Mayor Pro-Tem Wayne Huffman abstained from voting due to Heather Holloman being his granddaughter. All remaining members voted yea. Motion carried. The motion was amended to sell the right-of-ways for \$1500.00 to Faust.
- D. **Discussion and action regarding financing of road improvements.** Mayor Pro-

Tem Wayne Huffman had asked City Manager Phil Patchett to check out the financing for \$500,000.00 and how it would affect the tax rate. Mr. Patchett said they could go with either a time warrant with our local bank or with Certificates of Obligation. First National Bank offered 5 ¼% interest on time warrants. There would be ten \$50,000.00 time warrants. The tax rate would show a rate increase of 11 cents per \$100 for \$500,000.00 payable over 10 years. Mayor Pro-Tem Wayne Huffman would like to hold a special meeting to let the taxpayers voice their opinion. Councilman Billy Joe Slaughter made the motion to move forward and hold a special meeting for the taxpayers to voice their opinion. Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried. A special meeting will be held on June 25th at 6 PM after it has been run in the newspaper for two weeks.

E. Discussion and action concerning clean-up with Ken Newton. Ordinance Officer Ken Newton has 25 property owners that have been notified with little or no positive results. He has 16 property owners that have been notified who has acknowledged their communication and are still working on their problem. City Manager Phil Patchett stated that the house located at 409 N. Elm needs to be torn down. The roof is falling in and the police department has received numerous calls about people going in and out of the dwelling. Police Chief Steve Jones recommended that the door be boarded up to prevent further entries. The city will have to issue an order for our maintenance department to tear it down. A notice will have to be placed in the newspaper for two weeks. Once the house is torn down, a lien will be placed on the property to recover the costs

F. Citizen's 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 the meeting. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried. Meeting was adjourned at 9:10 PM

Lyle Stubbs
Mayor

Phil Patchett
City Manager

**COUNTY OF TRINITY
CITY OF TRINITY**

The Special Meeting of the City Council of the City of Trinity was held on June 25, 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. **Old Business**
3. **New Business**
 - A. **Citizen's Forum** One citizen wanted to know what streets were on the list. Mayor Lyle Stubbs said there isn't a list made yet, but would be focused in the downtown area. Another citizen asked about E. Pinevalley and Mayor Stubbs said yes, it would be on the list since it is in such bad shape.
 - B. **Discussion and Action regarding \$500,000.00 road rehabilitation project.** City Manager Phil Patchett said that Ronnie Waters, Delma Ellis and himself went over several of the streets and concentrated on the heavy traffic and/or poor condition streets. These are just preliminary roads they looked at. There are different options for different roads. They include Madison St. and the continuation of Railroad St. going to Hwy 94. For example, one mile of road 18 ft. wide, reclaim it and double course chip and seal, it would run approximately \$115,000.00. Most roads would not be reclaimed. Delma said that Waters has a new paving machine which will do 20 ft. wide. Most of Walker St. will have to be ground up. Pinecrest can probably be prepped ourselves from rock and dirt on the side of the road. Mr. Ellis suggested to Mr. Patchett that we get an independent lab to do core samples on the streets to see how much base is on the streets. Councilman Chris Dennis asked if the street grant would go thru and Mr. Patchett said probably not since we have been given three grants already, but we wouldn't know until September. Councilman Chris Dennis asked if the grant did not go thru, would Israel Otis be put on this list and Mr. Patchett said yes since the street is in such bad condition. Councilman Neal Smith wanted to know what kind of water and sewer lines are under the streets they have looked at. The council wants to know the cost of replacing the cast iron water lines before repairing the streets. Culverts will also be replaced before the streets are resurfaced. Mayor Pro-Tem Wayne made the motion to go ahead with the street repair project. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.
 - C. **Discussion and Action regarding the issuance of time warrants to fund \$500,000.00 for street rehabilitation project.** City Manager Phil Patchett

met with Butch Gibson at First National Bank. A tax increase schedule was given to each council member that was prepared by Susan McKinley. Based on an 11¢ tax increase, we can increase our funds by \$62,447.00. Based on a 12¢ increase, we can increase our funds to \$68,125.00. These figures are based on 2008 collections as Susan does not have the 2009 collections yet. The first couple of years, a portion the payments should come out of our sales tax revenue. By 2012, all of our other time warrants would be paid off. We are looking at \$88,000.00 a year plus interest we are paying. These payments would be cut in half once the other time warrants are paid off. Mayor Pro-Tem Wayne Huffman made the motion to go with the time warrants. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.

4. **Adjourn.** – Mayor Pro-Tem Wayne Huffman made the motion to adjourn. Councilman Billy Joe Slaughter 2nd the motion. There was no other discussion. All remaining members voted yea. Motion was carried. Special City Council meeting adjourned at 6:50 p.m.

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 July 9, 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, Billy Joe Slaughter and Chris Dennis

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 June 11, 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.** – Councilman Neal Smith asked question concerning item #14 on weekly bills about AFLAC Insurance. Councilman Neal Smith was concerned where the money was coming from to pay the insurance. City Manager Phil Patchett stated the money comes out of the employees pay check. Councilman Neal Smith voiced concern about ETMC bill in reference to drug test for new employees on page 10 of the monthly bills. City Manager Phil Patchett stated it was a surprise to him also. When the clinic was located on Main St., the City was charged only \$60.00 for each drug test. Now that the clinic has moved to the new location, the test has gone up to \$324.00 per test. Councilman Neal Smith made the motion to pay the bills with the exception of the ETMC drug testing bill until City Manager Phil Patchett can speak with Mr. Robicheaux or someone at ETMC headquarters and see if something can be worked out. Councilman Neal Smith also stated he would also like to defer payment on a bill charged to the City by ETMC for a prisoner taken to the emergency room from the City Jail facility for \$462.00. Councilman Neal Smith stated he would like these items brought back before the council at next meeting. Mayor Pro-Tem Wayne Huffman second the motion. Councilman Clegg DeWalt brought to council attention that our weekly bills for June 2009 are down to \$93,959.00 and within the last 6 months is the lowest and down from last months high of \$171,000.00. Councilman Clegg DeWalt also stated the monthly are only up \$2,000.00 from the highest month which indicates the City is trying to reduce the weekly and monthly bills. Councilman Clegg DeWalt stated it was a job well done and the City needs to continue to practice good fiscal responsibility. All remaining council voted yea. None opposed. Motion was carried.
- 4. City Manager's Report** -- Total funds as of July 9, 2009 is \$375,916.74. Our checking account balance is \$329,745.86. Accounts payable are \$98,453.41. Account receivables are \$113,998.89. The Municipal Court collected \$14,214.50 for the month of June 2009 with the OMNI Program collecting \$6,481.00 of that total. The sales tax collected for July 2009 is \$70,148.71. The Fire Department donations for the month of June 2009 were \$215.00. The water collections for the month of June 2009 were \$95,699.59. Total Deposits for the month of June 2009 were \$239,639.22.

City Manager Phil Patchett stated water usage has gone down a little. For the month of June the City has averaged 787,000 gallons a day and peaked at 830,000 gallons. City Manager Phil Patchett stated the customers are really helping out. City Manager Phil Patchett stated the City is holding its own right now. City Manager Phil Patchett stated the City is using an average of about 319,000 gallons a day from TRA where the City is producing 468,000 gallons a day. Mayor Lyle Stubbs inquired about how much water the City is averaging in the tower. City Manager Phil Patchett stated we have been getting an average of 108 – 110 feet during the day and drops down to a low of 105 – 106 feet. The City is about 10 feet better than it was about 2 weeks ago.

City Manager Phil Patchett stated that the 4th of July went well. City Manager Phil Patchett also stated that Police Chief Steve Jones didn't have a lot of problems at the street dance. And that the fireworks were a nice display this year and that the grand finale was awesome.

5. Old Business

- A. **Discussion and action on any grant related business.** – City Manager Phil Patchett reported that the home grant is about to be finalized. All that lacks is to get permanent power hooked up and the HVAC people come in and test everything and clean-up. City Manager Phil Patchett stated hopefully next week the keys will be able to be turned over to the homeowners. City Manager Phil Patchett stated the project is only 2 weeks behind schedule which isn't bad considering the project wasn't started until a couple of months ago. City Manager Phil Patchett stated he is going to ask for permission from City Council to consider reapplying for another housing grant at next months meeting.

6. New Business

- A. **Discussion and action concerning proposal by Klotz Associates Inc. for the development of a water model for the City of Trinity.** City Manager Phil Patchett stated that his discussion with TCEQ is to get a variance or an exception from the point 6 rule in which TCEQ is trying to enforce. City Manager Phil Patchett stated that the water model will be a big help for the City in achieving this goal. City Manager Phil Patchett informed City Council that TCEQ call the City Engineer James Flournoy of Klotz Associates and this is when Mr. Flournoy came up with the proposal. City Manager Phil Patchett stated it would be a wise decision for the City to pursue the proposal which would take from 6 to 8 weeks. City Manager Phil Patchett stated that the cost for the water model would be topped out at \$10,000.00 and could be dropped down to \$8,000.00 but you would only get \$8,000.00 worth of work done. Mayor Lyle Stubbs brought to the City Councils attention that Martha Drake with Grant Works was going to try to get the City an emergency grant to drill a new well because of the situation. City Manager Phil Patchett stated that so far ORCA has refused us and the request from the Texas Water Development board was an automatic refusal, then you go back to ORCA again. City Manager Phil Patchett stated he is still working on it. Mayer Pro-Tem Wayne Huffman wanted to know why City Manager Phil Patchett hadn't explored putting the water tank that holds 65,000 gallons back in service on the North side of town which would add more pressure. City Manager Phil

Patchett stated that another thing that would put the pressure back on the North side is when Trinity Rural gets off our system the City will not be filling up their tank anymore which brings up the water pressure. Councilman Neal Smith stated he didn't understand one thing about the Water Model, stating that all the data will be coming from City Manager and employees as to where everything is. City Manager Phil Patchett stated that the City would get all the data and the engineers will do all the calculations and put the engineers stamp on it and that is what TCEQ is looking for. Mayor Pro-Tem Wayne Huffman stated he had a problem with the \$10,000.00 fee for the engineers and he would go with the \$8,000.00 price. Councilman Neal Smith asked if the model would tell us how much cast iron line, what size it is and other types of lines there are all over town. City Manager Phil Patchett stated yes and correct pressure readings also. Councilman Neal Smith made the motion to approve at the \$8,000.00 price. Councilman Clegg DeWalt 2nd. the motion. Councilman Clegg DeWalt asked City Manager Phil Patchett if this was a comprehensive water model which the City does not have at this time. City Manager Phil Patchett stated that this was correct and also stated that we are bringing in the S.C.A.D.A. system in which is nothing the City has seen before and would be a fantastic improvement for the City. Councilman Neal Smith asked how long it would take to get the map made. City Manager Phil Patchett stated that the engineers' proposal shows 8 to 12 weeks for completion of the entire project. Councilman Neal Smith also asked what percentage of the City's lines is cast iron vs. PVC. City Manager Phil Patchett stated much of everything in the main part of town is cast iron and everything in Mill Town is AC and needs to be removed eventually due to asbestos. City Manager Phil Patchett also stated that we are not required to replace but do have to report how much AC pipe we have and there has been very little problems with the AC pipe lines. No other discussion. None opposed. Motion carried.

B. Discussion and action regarding water line relocations. City Manager Phil Patchett reported that Councilman Neal Smith requested to put together some numbers on what it would cost to pave some of the roads that have currently cast iron lines under them. City Manager Phil Patchett stated what Council had in front of them now is for Church St. and the material alone will be \$16,155.08 and would be his recommendation if Council approves this to rent a back hoe for 2 weeks with a 3 man crew and that if we put our back hoe on the job as soon as we get a call the one back hoe the City has will have to go to another location it could take a long time to lay one line just like what happened on Railroad St. City Manager Phil Patchett made the recommendation to the Council to rent a back hoe or contractor. Mayor Pro-Tem Wayne Huffman stated that at this time Council has not decided on what streets to repair when the deal goes through. Mayor Pro-Tem Wayne Huffman suggested tabling the discussion until Council makes the final decision on what streets are to be re-done. Councilman Neal Smith stated that any road that has cast iron lines under it need to be replaced. Councilman Chris Dennis asked how the grant was looking for Isrel Otis St. City Manager Phil Patchett stated he has no more news. City Manager Phil Patchett also stated normally these things would have already been scored and the information already sent to us and thinks that ORCA is so tied up in the Hurricane Ike recovery money right now and putting some of the other programs on the back burner. Councilman Billy Joe Slaughter asked City Manager Phil Patchett what kind of lines is under Isrel Otis. City Manager Phil Patchett stated that Isrel Otis has plastic water lines and is in the road. Councilman Clegg DeWalt 2nd. the motion. Mayor Lyle Stubbs suggests waiting a couple of weeks and letting City Manager Phil Patchett get

some figures together and call a special meeting. Councilman Neal Smith asks Council if they all agree in getting rid of all the cast iron water lines. Councilman Clegg DeWalt agreed. Mayor Lyle Stubbs suggests replacing water lines one road at a time and then repaving the street. Mayor Pro-Tem Wayne Huffman suggests putting the money in the budget to relocate water lines because we are not going to be able to pave every road that is on the list. Councilman Neal Smith believes water lines should be relocated before any roads are repaved. All in favor. None opposed. Motion carried.

C. Discussion and action concerning street repair project. City Manager Phil Patchett stated that all he has basically the widths of some of the streets and at the special meeting he will have all the numbers put together for Council. Councilman Neal Smith asked why on Rankin St. we are going 14ft. City Manager Phil Patchett stated that is what is there now. All he was doing is measuring what exist now. Councilman Neal Smith stated that all the streets should be 16ft. across. Mayor Lyle Stubbs stated that he and Councilman Wayne Huffman had looked at San Jacinto from Hwy. 19 to the 4 way stop by the school by Betty Tidwell is horrible and a lot of traffic on that street. Mayor Lyle Stubbs wished the Council would consider repaving San Jacinto from Hwy. 19 down to maple due to traffic. City Manager Phil Patchett suggests doing Jefferson, that same block. Mayor Lyle Stubbs stated we couldn't do anything about this tonight but when City Manager Phil Patchett gets some figures together we will call a special meeting and then Council can pick the streets when we know how much it is going to cost for each one. Councilman Neal Smith brought up discussion in reference to Cemetery Street. Councilman Neal Smith would like to barricade this street off at the end of Cemetery and barricade it off at Church St. This street serves no purpose to anyone. This street is lower than the land on both sides. Councilman Chris Dennis asks if the City can legally barricade this street off. Councilman Neal Smith replied yes. Councilman Neal Smith stated that we need to take the money that was to be spent on Cemetery Street and fix Smith Street. Councilman Neal Smith suggests adding Cemetery Street issue on next agenda.

D. Discussion and action regarding setting budget workshop for 2009 – 2010 Budget. Mayor Lyle Stubbs suggests the first budget meeting be held on Monday, August 10th at 6:00 p.m. Councilman Chris Dennis stated he would have to check his schedule. Councilman Neal Smith made the motion to hold first budget meeting on August 10th. Councilman Clegg DeWalt 2nd the motion. All in favor none opposed. Motion carried.

E. Discussion and action concerning clean-up with Kenneth Newton.

Councilman Neal Smith asked about tires being moved to Mill Town. Ordinance Officer Ken Newton stated that someone is moving tires around. Mayor Lyle Stubbs stated that it has been reported that tires were moved to Pine Valley and then the tires were moved to Third Street. City Manager Phil Patchett stated that the Police Chief is working the case right now. Councilman Neal Smith asked if Council took a vote to do something about the trailer at a past Council Meeting. Councilman Clegg DeWalt responded "of course we did". Mayor Lyle Stubbs requested that Chief Jones tell about the tires. Police Chief

Jones stated that it's in the county, but there was a guy that came in and let Chief Jones know that the guy was illegally dumping and that the guy that reported the illegal dumping has been involved in drugs, theft and everything else. Chief Jones stated he went and ran him down and said that he had a load of tires in back of his truck and video taped all that. Chief Jones stated he questioned him and he denied it. Chief Jones was told where he had got the tires from. The guy told where he got them from, who, why and what and said he took them out to West Pine Valley. Chief Jones stated he went to the place where he got them from and asked them about it and was given the deer in the headlight look. Chief Jones stated that today he was able to go out and find all the tires. Chief Jones stated if you go down West Pine Valley, go all the way down past Clemons, keep on going, and go out there, hook 2 or 3 left and rights, there is a huge illegal dump site out there. Chief Jones stated the video taped all that today and talked to a guy and believes it belongs to some of the Jackson's. Chief Jones stated he will be issuing a warrant for the guy that had the tires because he caught him with a load of tires and then he went over and took them to a crack house over on Third St. and had nothing but trouble out of that house and he took them over there and Chief Jones thinks the tires are all stuffed in a storage building out back. Chief Jones stated it could be a problem when all the people move out. Councilman Clegg DeWalt asked where all the tires came from. Chief Jones stated that they came from a tire store in town. Mayor Pro-Tem Wayne Huffman asked if Chief Jones thought that they hired someone to get rid of the tires. Chief Jones stated that these old boys are those kinds of people and that if you get rid of them I will give you \$20.00 and I don't care what you do with them and then that puts the burden on us. City Manager Phil Patchett asked Chief Jones if he had called the environmentalist. Chief Jones stated no because all they do is come up here and ride around for a couple of days and tell you what they are going to do and get you to thinking they are going to do something and never come back. Chief Jones said that's why we are going to follow up on it ourselves, even though it's the county, I've already done the work and put everything together and I will get with somebody or pass it on or get it to the Grand Jury. Chief Jones stated it is Pine Valley, it's still county, but it is still us too. Councilman Neal Smith asked what about the trailer. Ordinance Officer Ken Newton stated that it was the meeting before last that the Judge decided to issue a letter stipulating a fine on a daily basis until it is cleaned up, tires and trailer are moved out of the City and that is where everything stands right now. Councilman Neal Smith stated, so it's the Judge that is the hold up on all of this. Ordinance Officer Ken Newton stated that that is the way I see it because I've done everything I can do. Mayor Pro-Tem Wayne Huffman asked if the tires you are talking about coming from the same place. Councilman Neal Smith replied yes. Mayor Pro-Tem Wayne Huffman asked so he paid a legal company to get rid of 500 tires and now he is paying someone else to get rid of them illegally. City Manager Phil Patchett stated that it is still under investigation. Councilman Neal Smith stated that we have been going over and over this and it continues to come up and the main problem with this old trailer in the alley. Mayor Pro-Tem Wayne Huffman asked Ordinance Officer Ken Newton if he had called the company that picked up the 500 tires and confirmed that they had picked them up. Ordinance Officer Ken Newton stated that Mr. Greer is the one that had given him the phone number to call and that he had called the company and confirmed that the company had picked up 500 tires. Councilman Clegg DeWalt inquired what the name of the vendor that had moved the tires. Ordinance Officer Ken Newton stated the company name was

Able Oil Company. Councilman Neal Smith stated that now what he is hearing is that the council had acted and hearing now that the Judge isn't doing his job.

Ordinance Officer Ken Newton stated that the Judge would support it if the Council would support him. Councilman Neal Smith stated he thought the councilmen supported him by raising their hands and saying let the law be the law. Go ahead and do what you need to do. Councilman Neal Smith told Mayor Pro-Tem Wayne Huffman that a vote was taken the night he was acting Mayor. Councilman Clegg DeWalt stated that is what we did. Councilman Neal Smith stated that time has already run out and the issue keeps coming up and coming up. City Manager Phil Patchett stated that he thought that the Council had voted to give him some time last month after discussion because of the business as I recollect. Councilman Billy Joe Slaughter stated I don't remember a vote but thought it was a mutual agreement that we would give him a little time. Councilman Neal Smith stated that the month before (May) that the Council was going to give Mr. Greer more time because of heart problems. Councilman Clegg DeWalt stated we were going to give him more time. Councilman Neal Smith asked what we are going to do. Councilman Clegg DeWalt stated we are going to support the Judge again. Councilman Clegg DeWalt stated from last months minutes we said that the old property at 409 N. Elm (the meeting on June 11th.) we said we were going to put a notice in the paper for two weeks and the notice in the newspaper would have expired around June 25th. Ordinance Officer Ken Newton stated that the first notice the newspaper had fouled up and if you read the notice it says we have commended instead of condemned. So, it came out the next two weeks. The final week was the 2nd of July and we have 30 days from there and we can start tearing it down. Councilman Clegg DeWalt stated the final week is the 2nd of July. Councilman Neal Smith stated that there is some of these people that have been doing this forever and their not gun shy. Right now you can pull your gun all you want to, they are not going to run because they know you aren't going to use it. City Manager Phil Patchett stated we got the door boarded up.

Also, as soon as I get the go ahead from City Ordinance Officer Ken Newton, Delma will get it done. Councilman Clegg DeWalt asked if we have to wait the 30 days after July 2nd. Ordinance Officer Ken Newton said you have to give them a time span. Councilman Clegg DeWalt said you have to give them another 30 days and now we have to give them until August 2nd. Councilman Neal Smith stated he wants to make sure we put liens on that property. Councilman Neal Smith asked Ordinance Officer Ken Newton if he was still getting good responses from citizens. Ordinance Officer Ken Newton said yes and to look at the second page of his report and it will give you an example of some of the changes from last month. Councilman Clegg DeWalt asked Ordinance Officer Ken Newton what we were going to do on the trailer of Mr. Greer's that is in the fire zone. Ordinance Officer Ken Newton stated we were going to move it out of the city. Councilman Clegg DeWalt stated that at 409 North Elm by August 2nd we can start tearing down. Councilman Clegg DeWalt also wanted to know from Ordinance Officer Ken Newton what the time frame is on the trailer. Ordinance Officer Ken Newton said he would get with the Judge tomorrow in reference to the trailer. City Manager Phil Patchett asked Ordinance Officer Ken Newton about one on Delacerda concerning this \$50.00 mowing that had been discussed. Ordinance Officer Ken Newton stated the City will be charging Ms. Delacerda \$50.00 a month. Councilman Neal Smith asked what the deal on it was, is the yard just grown up? Ordinance Officer Ken Newton stated yes and that she doesn't have the means to

mow it. City Manager Phil Patchett also inquired about the Ruby Regulus on Smith Street on the Taylor property and wanted to know if they had discussed a propane tank. Ordinance Officer Ken Newton said no that that was the one on Hwy. 1617. Councilman Chris Dennis asked for status of the Double Wide on Isrel Otis. Ordinance Officer Ken Newton stated he was trying to follow a legal trail to get everything done so we can go in and tear it down. Councilman Chris Dennis asked who owns it. Ordinance Officer Ken Newton said he knows who owns the property. City Manager Phil Patchett said they would talk about it tomorrow because he doesn't see it here. Supervisor Delma Ellis requested that if the City was going to get into the house demolition business if City Council could come up with a little bit of money to buy a thumb for that old grade all. Something we could load this stuff without tearing up everything we got. City Councilman Clegg DeWalt said we ought to be able to. Councilman Neal Smith said we ought to be able to buy a thumb.

F. Citizens Forum. Mayor Lyle Stubbs asked audience if anyone had anything for the Citizens Forum. A.J. Brown came to the front to speak to City Council and asked when he could get his sewer tap. Mayor Pro-Tem Wayne Huffman asked Mr. Brown where he lived. Mr. Brown stated it was the Bar-B-Q place on Dillard Street. City Manager asked Ginger Armbruster if Mr. Brown had paid the sewer tap. Ginger Armbruster replied that Mr. Brown had paid the Sewer tap but not the water tap and deposit. Mr. Brown also stated that he had already paid the sewer tap. City Manager Phil Patchett asked Mr. Brown if he just wanted a sewer tap and no water. City Manager Phil Patchett stated that the taps go hand in hand, you can't have sewer without water. Mr. Brown said he understood that. But now you are telling me you can't get a sewer tap without water. Mr. Brown said that the City did not tell him that at first. Mr. Brown said he had been trying to get this water, sewer tap set up since 2007. Councilman Clegg DeWalt asked Mr. Brown to explain to him what he needed. Mr. Brown explained that he wanted to get the sewer tap done. Councilman Clegg DeWalt and City Manager Phil Patchett stated we would get it done next week. Councilman Wayne Huffman asked Chief Jones about Millard's car unit 2 tire purchases. Chief Jones stated that he didn't send anyone to purchase any tires. Councilman Neal Smith asked about hospital bill for an inmate that had to be taken to hospital. Chief Jones stated he had sent the bills to the county attorney to file for restitution.

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

Clegg DeWalt 2nd the motion. Mayor Lyle Stubbs adjourned the meeting at 8:30 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 August 13, 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 7:03 p.m. and verified that a Quorum was present for the meeting.
- 2. Approval of minutes from the Regular Meeting on July 9, 2009.** Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. City Manager Phil Patchett asked the council to approve as corrected on deleting the part in Item D that concerns the second Budget Meeting to be held on Thursday, August 13, 2009. 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 August 13, 2009 are \$335,842.76. Our checking account balance is \$317,960.49. Accounts payable are \$95,631.95. Account receivables are \$115,031.17. The Municipal Court collected \$11,303.50 for the month of July 2009 with the OMNI Program collecting \$7,425.00 of that total. The sales tax collected for August 2009 is \$187,493.78. The Fire Department donations for the month of July 2009 were \$198.00. The water collections for the month of July 2009 were \$114,887.25. The total deposits for July 2009 were \$236,061.20. City Manager Phil Patchett stated this will mark the first time in history of City of Trinity will go over one million dollars in sales tax this year. Mr. Patchett stated the Mayor, himself, Commissioner Hortman and Commissioner Webb met with Brandon Reese of Congressman Brady's office along with Lieutenant Colonel Broom and Sgt. Major Peters. They have a unit called the 490th doing civil affair duties who are with the 63rd regional readiness command. It is a new program that allows them to come into the communities to help prepare their soldiers if they have to report to Iraq or Afghanistan. They are construction workers, engineers and planners who can help with smaller projects such as makeshift shot clinic for H1N1 viruses which everyone is concerned about right now. They would like to do something quick so they can make an impact and get the word out. In their budget year 2010-2011 they will have 13 million to 14 million dollars available. Mr. Patchett stated he wanted to pursue the application process as soon as possible in an attempt to receive some of the free money. Councilman Chris Dennis asked if it was a year round program and Mr. Patchett stated it is year round when their soldiers are available. Mayor Lyle Stubbs stated it would be after October 2009 when a small amount of money would be available and more money would be available in 2011 and we would apply in 2010 for that. Mr. Patchett suggested if the city received the Parks and Wildlife Grant the soldiers could do some of the labor for that project. He also

stated anything to do with the infrastructure would be of great interest. Mr. Patchett reminded the Mayor and Council of the DETCOG meeting that will be held at the Trinity Community Center, Thursday, August 20, 2009 around 11am. He would like to get as much support as he can since it will be here locally.

5. Old Business

A. Discussion and action on any grant related business. City Manager Phil Patchett stated the Home Grant is completed and the keys were turned over to the homeowners two weeks ago. He stated it was a long and lengthy process this time but is very pleased. Mr. Patchett stated the city was declined CDBG funding on the 2009-2010 road project for Israel Otis and Cannon Streets. DETCOG and ORCA changed their scoring basis and the ones who were funded this time around did not get funded for the last funding. The water well did not meet the criteria for the Urgent Need Grant so Mr. Patchett and Martha with GrantWorks, Inc. are working to get a USDA Grant with the Department of Agriculture.

6. New Business

A. Discussion and action concerning Klotz Associates recommendations in regards to awarding the construction contract (s) for TX CDBG Contract # 728680 Water System Improvements. James Flournoy with Klotz Associates stated the bids were opened Monday, August 10, 2009 and they were below the estimate for this project. The city received 9 bids on Base Bid A and 4 bids on Base Bid B. Mr. Flournoy recommended the Mayor and City Council to award Base Bid A to Horton Excavating, LLC in the amount of \$105,537.50 and award Base Bid B to Weisinger Water Well in the amount of \$14,500.00. Klotz Associates estimated the project to come in around \$180,000.00 and construction \$214,000.00. They are awarding \$120,000.00 which means there is about \$94,000 left over. Mr. Flournoy said with these grants you can only change order in up to 25% of the awarding contract. After that it would leave about \$64,000 that will have to be used for small purchase procurement which means they will go out to 3 contractors and get quotes on additional work and the low quote will get the work. Mr. Flournoy stated Klotz Associates has worked with Horton Excavating, LLC a lot and have checked their references and will do a good job and are also easy to work with. He also stated Weisinger Water Well has done all of our wells in the past and has done a good job every time. Mr. Flournoy said this project will consist of more paperwork between now and the time they are able to award additional work, engineering and environmental work. He gave Mr. Patchett a notice of award and contract to sign and the next step will be for the attorneys and grant administrators to review all the paperwork, then a notice to proceed and a preconstruction conference within 30-45 days and they should be putting dirt out within 60 days. Mayor Pro-Tem Wayne Huffman made the motion to accept Mr. Flournoy's recommendations. Councilman Neal Smith 2nd the motion. All remaining members voted yay. Motion carried.

B. Discussion and action with Brother Jim Parish concerning the House of Hope and Third Cross Ministries. Brother Jim Parish stated House of Hope serves to help women with addiction problems such as drugs, alcohol or abuse situations. When they handle abuse situations they work hand in hand with SAFE House.

They are averaging 86 contacts at the House of Hope. Brother Jim Parish wants to let the city and the city leaders know that he wants to work with the Police Department and County Officials. He stated they network with different faith based recovery centers that last anywhere from 9-12 months at no cost to any individual. He appreciates the support of the city and everything they do at the House of Hope is faith based and is under the umbrella and protection of Burning Hope Baptist Church. One project they have done over the years is Loaves and Fishes which began as an outreach ministry of Burning Hope. The dream was to have it community owned where area churches and organizations could support it. Loaves and Fishes are currently serving 400 plus families a month. He would like to have the House of Hope eventually community owned also. They are in Phase 2 which allows them to house 4 women on site for 30 days and during that process they drug test and evaluate the women. They are also branching out with Trinity County, Polk County and San Jacinto County. Lisa with the House of Hope stated they have classes that help women change their mind and their way of thinking. They also have Third House Ministries which is a 12 step process that help both men and women through scripture. Councilman Clegg Dewalt asked if the children are housed with their mothers. Brother Jim answered yes the Genesis program will take a young mother with young kids and will try to build that family relationship. Brother Jim would like to eventually have their own recovery center that is a 9-12 month program in this town for men and women. Councilman Neal Smith asked if he had any repeaters. Brother Jim stated that if they do not get a job soon after they finish the program their chances are greater and they will go back to how they use to make money.

- C. Discussion and action regarding Resolution # 09-0002 concerning authorization of a 2009 Texas Home Program for Owner occupied Housing Assistance Application to be prepared by GrantWorks, Inc. and submitted to TDHCA.** City Manager stated this application is asking the Council to move forward with the application process of another home grant which will be for 5 homes. Councilman Neal Smith made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yay. Motion carried.
- D. Discussion and action regarding Resolution # 09-0003 concerning budget amendments to fiscal year 2008-2009 Budget.** City Manager stated we are amending our budget up in our Utility Fund which was the opposite last year. General fund will be amended from \$1.6 million to a little over \$1.7 million due to the FEMA expense since it was not a budgeted item but you will see it in and out. The Police Department had a slight increase due to the department being fully staffed this year. Mayor Pro Tem Wayne Huffman made the motion to approve. Councilman Neal Smith 2nd the motion. All remaining members voted yay. Motion carried.
- E. Discussion and Action regarding Ordinance # 09-0004 concerning adoption of Drought Contingency Plan.** City Manager Phil Patchett stated this is a requirement by TCEQ that we have to re-adopt the Drought Contingency Plan and he has to look at it every 5 years and bring it before the Council. There are no changes but it has to be approved so he can send it back to TCEQ. 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 regarding a request to reduce the speed limit on State Highway 19 (North Robb and Prospect Streets).** Mayor Lyle Stubbs stated George Schoen wrote a letter to TX Dot concerning the speed limit north of town by Dorcas Wills because he has to drive his motorized wheel chair down Hwy 19. City Manager Phil Patchett stated we have to do an Ordinance and send it to TX Dot. Councilman Billy Joe Slaughter stated TX Dot will not make the change just because the City requests it. Mayor Lyle Stubbs said they will have to do a study on it and asked the Council if they want to consider it then they will make a motion tonight and then Mr. Patchett can do the Ordinance and they can vote on it at the next meeting. Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Neal Smith 2nd the motion. All remaining members voted yay. Motion carried.
- G. Discussion and Action regarding setting Budget Workshop for 2009-2010 Budget.** City Manager Phil Patchett recommended to have the first budget meeting Thursday, August 27, 2009 at 6:30 pm. The Mayor and City Council agreed the Mayor set the first budget meeting for Thursday, August 27, 2009 at 6:30 pm. 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 scheduling two (2) public hearings on proposed tax increase.** City Manager stated the soonest we could have the first public hearing is August 27, 2009 because it has to go in the paper and then you have seven days after that and the second public hearing you can have three days after the first public hearing. The Mayor set the first Public Hearing on Thursday, August 27, 2009 at 6 pm and the second Public Hearing on Monday, August 31, 2009 at 6 pm. Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Neal Smith 2nd the motion. All remaining members voted yay. Motion carried.
- I. Discussion and Action concerning clean-up with Kenneth Newton.** City Manager asked Mr. Newton to update the Mayor and City Council on 409 Elm Street. Mr. Newton stated they were scheduled to tear down that house this past Monday. The sister of the owner called last Friday to request if it was possible to go in the house and retrieve some of their personal belongings. Mr. Patchett and Mr. Newton discussed it and gave the family the week of the 10th of August to get what they wanted out of the house and they would tear down the house starting on August 17, 2009. Councilman Neal Smith asked about what he came up with on Trinity Discount Tire that they talked about last month. Mr. Newton stated that Trinity Discount Tire began tearing the mobile home down and will continue working on cleaning it up such as getting rid of the mobile home, the old cars and the cars on Windstream's property which is coming along a little bit at a time. Mr. Newton contacted TCEQ and they inspected the dumpsite that is on the north side of town off Hwy 19 just outside the city limits. There is another dumpsite he is working on located on Monica Street which has been growing for several months. Councilman Neal Smith asked about the trailer on Trinlady Park Road and Mr. Newton stated Mr. Short would be moving the trailer outside the city limits. Councilman Neal Smith stated he could take the house on 6th Street off of his list that burned down last Friday. Councilman Neal Smith asked if the mobile home movers are working with him. Mr. Newton stated some are and some aren't but the

owners of the mobile homes have been working with him.

J. Citizens Forum. No Discussion.

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 8:45 PM.

Lyle Stubbs
Mayor

Phil Patchett
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 27, 2009 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, Chris Dennis, Clegg Dewalt and Billy Joe Slaughter

City Manager: Phil Patchett

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. Budget Workshop for 2009 – 2010 fiscal year:**

General

- Health insurance increased 3.9 %.
- Budget amendments were high due to Hurricane Ike Expenditures and FEMA reimbursements

Street Department

- Approved for \$15,000 for a used Bobcat
- Approved for \$50,000 for a gradall
- Road Beautification increased from \$5,000 to \$10,000 in 2009-2010 Budget

Police

- 2008 Chevy Tahoe with 14,000 miles for \$23,500
- Console, light bar and other needed equipment for Tahoe - \$2,000
- Suggested 4 year lease on Tahoe

Library

- Fix air conditioning problem

Fire Dept.

- Expenditures were high due to construction on both buildings
- Would like overage to go towards the 3,000 gallon tank truck they will be getting in January 2010
- School & Travel was high due to books for training

Water

- Aerator \$30,000

Mayor Pro Tem Wayne Huffman would like an account set up for *Capital Expenditures*.

Adjourn. 7:30 p.m.

**Lyle Stubbs
Mayor**

**Phil Patchett
City Manager**

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

The Budget Workshop Meeting of the City Council of the City of Trinity was held on September 3, 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

City Manager: Phil Patchett

1. **Call meeting to order.** -- Mayor Lyle Stubbs called the meeting to order at 6:20 p.m. and verified that a Quorum was present for the meeting.
2. **Old Business**
3. **New Business**

Budget Workshop for 2009 – 2010 fiscal year.

Field Supervisor Delma Ellis requests purchase of a 1999 G3WD Gradall.

Police Chief Steve Jones requests the purchase of 3 tasers.

City Manager Phil Patchett stated that due to consensus the tax increase has been added to the budget. Also, the payment and transfer to debt services. You'll also notice the amount on time warrants. The first year's payment is \$76,250.00.

City Councilman Neal Smith stated that there is \$139,000.00 that is to be carried over from 2008-2009 budgets.

City Manager Phil Patchett stated that \$70,000.00 of the carry over will go into a Capital Improvement account. The Police Chiefs 2008 Chevy Tahoe will be paid for in payments.

City Councilman Clegg DeWalt stated that the City has appropriated funds of \$15,000.00 for a Bob-Cat and \$37,000.00 for a Gradall. These purchases would leave \$87,000.00 out of the \$139,000.00 carry over. Out of the \$87,000.00, \$70,000.00 will be placed in a Capital Improvement Account and therefore would leave a surplus of \$17,000.00 surplus.

4. **Adjourn. – 7:45**

**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 September 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 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 Regular Meeting August 13, 2009, Budget Workshop Meeting August 27, 2009 and Budget Workshop Meeting September 3, 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 for payment. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of September 10, 2009 is \$458,184.20. Our checking account balance is \$442,686.90. Accounts payable are \$88,771.53. Account receivables are \$106,405.22. The Municipal Court collected \$7693.50 for the month of August 2009 with the OMNI Program collecting \$2516.00 of that total. The sales tax collected for September 2009 is \$41,262.20. The Fire Department donations for the month of August 2009 were \$193.00. The water collections for the month of August 2009 were \$103,764.04. Total deposits for the month of May 2009 were \$324,311.72.

City Manager Phil Patchett commented on the TRA report that with 3 months left in their fiscal year, we are \$83,443.00 in the black. We will try to continue to hold that figure and budget \$75,000.00 into the new budget. He also stated the SEP (Supplemental Environmental Project) will consist of a tire clean-up project. The clean-up will be funded out of the fine from TCEQ for not producing enough water.

5. Old Business

- A. Discussion and action on any grant related business.** City Manager Phil Patchett stated that since there was some money left over from the Sidewalk Grant, there is a crew extending the sidewalk another 35-40' and adding a wheelchair ramp. He also stated that crews will begin on the CDBG project within the next couple of weeks.

6. New Business

- A. Discussion and Action on passing Resolution #09-0004 concerning budget amendments to fiscal year 2008-2009.** Councilman Neal Smith made the motion to pass the resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- B. Discussion and Action regarding passing Ordinance #09-0005 Fixing and Levying Municipal Ad Valorem Taxes for the City of Trinity, Texas for the year 2009-2010 and directing the assessment and collection thereof.** Mayor Pro-Tem Wayne Huffman made the motion to pass the ordinance. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.
- C. Discussion and Action regarding Resolution #09-0005 on adopting the city budget for fiscal year 2009-2010.** Councilman Neal Smith made the motion to adopt the budget. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- D. Discussion and action on passing Resolution #09-0006 on adopting the 2009 Tax Roll.** Mayor Pro-Tem Wayne Huffman made the motion to pass the resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- E. Discussion and Action on passing Resolution #09-0007 establishing interest and sinking funds for all debts owed by the city for the fiscal year October 1, 2009 through September 30, 2010.** Councilman Neal Smith made the motion to pass the resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- F. Discussion and Action concerning passing Resolution #09-0008 establishing deposit requirements to retire debts for fiscal year October 1, 2009 through September 30, 2010.** City Manager noted that at the end of the resolution the numeric percentage reads 43% and the alpha reads 33 & 55/100 %. It has been corrected and the alpha now reads 43%. Mayor Pro-Tem Wayne Huffman made the motion to pass the resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- G. Discussion and Action regarding the Holiday Calendar for fiscal year 2009-2010.** Councilman Neal Smith made the motion to approve the calendar. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.
- H. Discussion and Action concerning Ordinance #09-0006 reducing the speed limit to 35 mph on State Highway 19 (North Robb and Prospect Streets) from State Highway 94 to Crescent Drive.** More information is needed from TXDOT, so this discussion was skipped.

- I. Discussion and Action regarding Resolution #09-0009 authorizing the submission of a contract amendment request for CDBG Contract Number 728680.** City Manager Phil Patchett said we had money left over from the grant for the CDBG project, so we will do a small procurement grant. We will have to do the Resolution again, have the public hearing and another environmental assessment. We will probably be able to do approximately 2000' of the 10" line between the wells and the ground storage tank. A small procurement grant would be in the area of \$65,000.00. Mayor-Pro Tem Wayne Huffman made the motion to pass the Resolution. Councilman Neal Smith 2nd the motion. All remaining members voted yea. Motion carried.
- J. Discussion and Action regarding closing a portion of Cemetery Street.** Councilman Neal Smith stated that he had previously brought this up to the Council regarding the end of Cemetery over to Church St. He said the road is so low and needs a major repair. There is a lot of drug trafficking and closing it would not affect any residential traffic. It is a secluded area. One resident who was present at the meeting stated that there was a lot of traffic through there. The resident said that he doesn't use it to access his property and complained of all kinds of traffic. Councilman Smith also noted that a lot of people stop their vehicles and urinate in the middle of the road. There are children that live in that area. Mayor-Pro Tem Wayne Huffman said he agreed with Mr. Smith, however, he didn't think it should be closed down. Councilman Neal Smith made the motion to close the street temporarily and see how it works. Councilman Clegg DeWalt said he had drove down Cemetery Street before the meeting. He thought it was a nice area and would not want that kind of nuisances going on and felt the residents shouldn't have to put up a privacy fence to deal with it. Councilman Clegg DeWalt 2nd the motion. Mayor Pro-Tem Wayne Huffman and Councilman Billy Joe Slaughter opposed the motion. Mayor Lyle Stubbs opposed the motion. Motion was not carried out.
- K. Discussion and Action with Tommy Bryan concerning the driveway to the lift station on FM 1617.** Mr. Bryan was not present at the meeting. Councilman Neal Smith made the motion to table the discussion until we get with Mr. Roberts regarding the easement. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- L. Discussion and Action regarding Street Project & Utility Relocation.** City Manager Phil Patchett said he had some prices that Councilman Neal Smith asked him to get regarding what water lines need to be relocated under some of these streets. There are only three streets involved in this. These figures are for material only. For Church St., \$16,155.08, about 2' of Walker St., \$8,000.00 and Lakefield (Hwy 230 to Jason), \$12,456.00. This totals about \$37,000.00 for all three streets and is just for an overlay. This is just a budget number and not a quote. These jobs will not have to be contracted out and should take about 4 weeks. On the rest of the streets that are being considered for renovation, Street Supervisor, Delma Ellis, suggested that we do a core sample to determine what amount of base there is. Streets that do not require a core, just an overlay are Railroad, Madison, Tatom, Ave A, 5th St. and Charles St. Councilman Neal Smith made a motion to get bids to overlay these 6 streets. Councilman Clegg DeWalt 2nd the motion. All remaining voted yea. Motion carried.

M. Discussion and Action concerning clean-up with Ken Newton. Councilman Neal Smith asked if we are getting liens for the demolitions we are doing. Ordinance Officer Ken Newton stated we will get the liens placed as soon as we get a final cost of tearing them down plus the legal fees. We have demolished 3 houses and have 5 more scheduled for demolition. Seventeen inspections were conducted this month. In the past year, 159 inspections were conducted for water inspections, 14 building and/or demolition permits have been issued, 49 open cases of various violations of ordinances are being reviewed on a weekly basis and 79 cases of violations have been recognized by the responsible party and corrected.

N. Citizens' Forum Mr. Baker, who lives at 100 W. Caroline behind Trinity Discount Tire requested that something be done about the mosquito problem due to the excessive tires that are piled up along the fence that have collected rain. Ordinance Officer Ken Newton said he has spoke with Mr. Greer regarding this problem. He said Mr. Greer has removed some of them, but then stops and never gets rid of all the tires. Councilman Billy Joe Slaughter said the tire company should charge a small fee to customers for the tire disposal which would offset his cost (tire company) of the tire disposal. Mr. Baker also wanted to know if the city had Elm street in front of his house on the street project list. He said right in front of his house along the curb, there is just dirt and grass where there should be pavement. Councilman Billy Joe Slaughter told him they were fixing the streets that were in a lot worse shape than that particular spot, but would probably be able to patch it.

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. –Meeting was adjourned at 9:01 P.M.

Lyle Stubbs
Mayor

Phil Patchett
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 September 24, 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 Resolution #09-0010 authorizing the sales of up to \$500,000 in Time Warrants to the First National Bank of Trinity, Texas for the purpose of the Road Rehabilitation Project. Charlie Baker, who was present at the meeting, asked why Charles St. was included in the road rehabilitation project. Mayor Pro-Tem Wayne Huffman explained to him it more of preventive maintenance. Councilman Neal Smith suggested that City Manager Phil Patchett should contact the two companies on Pinevalley and ask if they would contribute to the cost of repairing the road since they are out of the city limits. Councilman Neal Smith made the motion to pass the Resolution. Councilman Billy Joe Slaughter 2nd the motion. All remaining members voted yea. Motion carried.

3. **Adjourn.** – Mayor Pro-Tem Wayne Huffman made the motion to adjourn. Councilman Billy Joe Slaughter 2nd the motion. There was no other discussion. All remaining members voted yea. Motion was carried. Special City Council meeting adjourned at 6:20 P.M.

Lyle Stubbs
Mayor

Phil Patchett
City Manager