

**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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 1<sup>st</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> the motion.

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

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**Lyle Stubbs  
Mayor**

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**Phil Patchett  
City Manager**