

**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 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

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