

**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