

**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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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, 5<sup>th</sup> St. and Charles St. Councilman Neal Smith made a motion to get bids to overlay these 6 streets. Councilman Clegg DeWalt 2<sup>nd</sup> 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.

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**Lyle Stubbs**  
Mayor

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**Phil Patchett**  
City Manager