

**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**