

**MINUTES OF
REGULAR CITY COUNCIL MEETING
CITY OF DENISON
MONDAY, MARCH 17, 2014**

CALL TO ORDER

Announce the presence of a quorum.

Mayor Jared Johnson called the meeting to order at 6:00 p.m. City Council members present were Mayor Pro Tem David Spindle, Council members Bill Malvern, Michael Baecht, Janet Gott and Ken Brawley. Staff present were City Manager Robert Hanna, City Attorney Courtney Goodman-Morris, Planning & Zoning Director Faye Brockett, Finance Director Renee Waggoner, Public Works Director David Howerton and City Secretary Carrie Hart. Members of the media were also present.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Thurman Dehorney, Iron Ore Baptist Church, gave the Invocation followed by the Pledge of Allegiance.

2. CONSENT AGENDA

- A. Receive a report, hold a discussion, and take action on approving the minutes from the Council Meeting held on March 3, 2014.
- B. Receive a report, hold a discussion and take action on accepting the high bid for the surplus property at 100 North Hickory.
- C. Receive a report, hold a discussion and take action to award a contract for repainting and renovation of the Acheson Street Water Tower.
- D. Receive a report, hold a discussion and take action to authorize an ordinance for the placement of stop signs on Vaughn Drive at its intersection with Loy Drive.
- E. Receive a report, hold a discussion and consider an ordinance to cancel the Special Election scheduled for May 10, 2014.
- F. Receive a report, hold a discussion and consider an ordinance canceling the General Election on May 10, 2014.

Council Action

On motion by Council member Gott, seconded by Council member Brawley, the Council unanimously approved to award the bid at 100 North Hickory to Zachariah and Amber Pilcher for a total cost of \$4,000, to award the bid for the repainting and renovation of the Acheson

Street Water Tower to WP&S Company of Tyler, Texas for an amount of \$320,165 out of the Water and Sewer Bond Funds, Ordinance No. 4737 “**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, REQUIRING THAT TRAFFIC ON VAUGHN DRIVE AT ITS INTERSECTION WITH LOY DRIVE SHALL BE REQUIRED TO COME TO A FULL STOP AT SAID INTERSECTION; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO ERECT SIGNS NECESSARY TO IMPLEMENT THIS ORDINANCE; ESTABLISHING A PENALTY FOR VIOLATION; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW**”, Ordinance No. 4738 “**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS RECEIVING THE CERTIFICATION OF THE CITY SECRETARY RELATING TO THE GENERAL CITY ELECTION CALLED FOR MAY 10, 2014; FINDING THAT THE CANDIDATE(S) WHO HAVE FILED FOR A PLACE ON THE BALLOT FOR SINGLE MEMBER DISTRICT 3 AND PLACE 5 – AT LARGE TO BE UNOPPOSED; DECLARING THE RESULTS OF THE ELECTION; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS PASSED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW**” and Ordinance No. 4739 “**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS RECEIVING THE CERTIFICATION OF THE CITY SECRETARY RELATING TO THE SPECIAL CITY ELECTION CALLED FOR MAY 10, 2014; FINDING THAT THE CANDIDATE(S) WHO HAVE FILED FOR A PLACE ON THE BALLOT FOR SINGLE MEMBER DISTRICT 1 TO BE UNOPPOSED; DECLARING THE RESULTS OF THE ELECTION; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS PASSED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW**” and the rest of the consent agenda as presented.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Receive a report, hold a discussion and take action to authorize an engineering design services agreement with Alan Plummer Associates, Inc., of Fort Worth for a new Lake Texoma Pump Station.

Council Action

The Public Works Director spoke to the proposed engineering design services by Alan Plummer Associated, Inc. The current pump station in Lake Texoma is over sixty years old which was originally designed with two phases; however, only one of them is working. Also, the coating has deteriorated due to sedimentation over the years. The original pump was not designed to draw water to 590 feet; however, that is the depth that water can be pumped for municipal water. Also, the other issue that has been brought to light lately is the invasion of zebra mussels and the effect they have on the current pump and pipelines. Action during this meeting will be to support the long term commitment for the future of Denison’s water rights at Lake Texoma. The contract would begin in April but it would be about 3 years before anything is put into place. The price of

the contract is \$563,408 with additional services that may be needed at \$266,550 for a total of \$829,958. This amount of money is available currently in the water and sewer bond fund reserves. The Mayor asked for an explanation on why the project is so difficult. Alan Tucker, President of Alan Plummer Associates, Inc., spoke to the project, the ability to draw water at a 590 feet elevation and the current location compared to where it needs to be to be able to draw water the 590 feet elevation. The main challenge is picking the location that would allow the intake line to be the shortest as possible to reduce zebra mussels and for access to maintain the line. They will evaluate the current location as well as look at adjacent sites for the new pump. On motion by Council member Spindle, seconded by Council member Malvern, the Council unanimously authorized the City Manager to sign an agreement with Alan Plummer Associates, Inc., of Fort Worth for a new Lake Texoma Pump Station.

- B. Receive a report, hold a discussion and take action on approving a Resolution for the Grayson County Appraisal District.

Council Action

The Mayor recused himself from this item of the meeting. The City Manager spoke to the tax abatement agreement with UHS. The Grayson County Tax Appraisal Office sent a report to Staff regarding the ending of the abatement with UHS. There is no language in the agreement that defines how the final dollar is determined. It will be reached this next tax year but without language in the agreement, the Chief Appraiser has asked for the ability to determine the final calculations. This language will be put in place for any new agreements that will be completed in the future. On motion by Councilmember Baecht, seconded by Councilmember Brawley, the Council unanimously approved **RESOLUTION NO. 3860 “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, ALLOWING THE CHIEF APPRAISER OF THE GRAYSON COUNTY APPRAISAL DISTRICT TO CALCULATE THE FINAL VALUE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS RESOLUTION IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.”**

6. EXECUTIVE SESSION

The Council then adjourned into Executive Session at 6:11 p.m. pursuant the Chapter 551, Texas Government Code, in accordance with the Authority:

- A. Consult with attorney about pending or contemplated litigation or contemplated settlement of the same. Section 551.071
- B. Consult with the attorney on a matter in which the attorney’s duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter. Section 551.071
 - 1. Receive a report, hold a discussion and receive an update on 715 W. Sears.
 - 2. Receive a report, hold a discussion and hear an update on the Bartley case.

- C. Discuss the possible purchase, exchange, lease or sell of value of real property and public discussion of such would not be in the best interests of the City's bargaining position. Section 551.072
 - 1. Receive a report, hold a discussion and provide Staff direction on TPJ Property Land Dedication.
- D. Discuss negotiated gifts or donations to the City and public discussion at this stage would have a detrimental effect on the City's bargaining position. Section 551.073
- E. Discuss the appointment, employment, evaluation, reassignment of duties, discipline, or dismissal of or to hear a complaint against a public officer or employee. Section 551.074
- F. Discuss the commercial or financial information received from an existing business or business prospect with which the City is negotiating for the location or retention of a facility, or for incentives the City is willing to extend, or financial information submitted by the same. Section 551.087
- G. Discuss the deployment or specific occasions for implementation of security personnel or devices. Section 551.076
- H. Deliberations regarding economic development negotiations pursuant to Section 551.086.

RECONVENE INTO REGULAR SESSION

The Council then reconvened into Regular Session and took the following action:

- B. Consult with the attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter. Section 551.071
 - 1. Receive a report, hold a discussion and receive an update on 715 W. Sears.

Council Action

No action taken.

- 2. Receive a report, hold a discussion and hear an update on the Bartley case.

Council Action

No action taken.

- C. Discuss the possible purchase, exchange, lease or sell of value of real property and public discussion of such would not be in the best interests of the City's bargaining position. Section 551.072

1. Receive a report, hold a discussion and provide Staff direction on TPJ Property Land Dedication.

Council Action

No action taken.

There being no further business to come before the Council, the meeting adjourned at 6:30 p.m.

JARED JOHNSON, MAYOR

Attest:

Carrie Hart, City Secretary