

**WHITE OAK CITY COUNCIL  
REGULAR MEETING  
WHITE OAK CITY HALL  
FEBRUARY 10, 2011  
5:30 P.M.**

MEMBERS PRESENT : Mayor Rick May, Mayor Pro-tem Barbara Ray, Lance Noll, Kyle Kutch, Charlie Owens, Kelly Mitchell

STAFF PRESENT : Charlie Smith, Sherry Roberts, Mike Self, Wendy Emmel, Debbie Sadler, Terry Roach

CALL TO ORDER

Mayor May called the meeting to order at 5:30 p.m. and led the invocation and Pledge of Allegiance.

CONSENT AGENDA

- A. Consider and/or approve payment of bills.
- B. Consider and/or approve City Council minutes from January 11, 2011
- C. Consider and/or approve WOEDCO minutes from January 6, 2011
- D. Consider and/or approve Ordinance #2011-02; Order for City Officers Election
- E. Consider and/or approve Limited Joint Election Agreement with White Oak ISD

Councilmember Kutch questioned if the agreement with the school is the same one used every year. Mayor May responded yes. City Secretary Sherry Roberts explained the only change with the election ordinance is for the two 12-hour early voting days. These have been changed from both Tuesdays to a Thursday and a Tuesday to give the voters different days to vote late.

Motion to approve made by Mayor Pro-tem Ray, seconded by Councilmember Kutch. Carried unanimously.

CITIZEN COMMENTS

None.

PRESENTATION of the 2010 Racial Profiling Report.

Assistant Police Chief Terry Roach presented the 2010 Racial Profiling Report to the council. The report has changed and warnings no longer have to be included. The report is broken down by race. There were 143 vehicle searches in which 38 were consent searches, 105 were not consented.

City Coordinator Charlie Smith explained that Terry had to do a lot of research because the state changed the criteria and reporting. Annually, a Dallas area senator would request a copy of the report and the reports are now accessible on-line.

CONSIDER AND/OR APPROVE Ordinance No. 2011-03 amending the General Fund budget for engineering expenses related to the Penick Park Phase III Texas Parks & Wildlife Grant.

City Coordinator Charlie Smith explained City Attorney Gary Shaver suggested waiting until the end of the year to see if there are any excess funds and if there are none; then do the amendment.

Councilmember Mitchell questioned what exactly needs to be done with the grant. City Coordinator Smith stated that we must move forward with the project and needs council approval to authorize the grant-related expenses.

Mayor Pro-tem Ray questioned exactly what work will begin on the project. Public Works Director Mike Self explained the preliminary and final drawings will be submitted to Texas Parks and Wildlife in order to keep the City in compliance with the grant.

CONSIDER AND/OR APPROVE relinquishment of Townsend easement on S. White Oak Rd. and approval of relocation of easement.

Mayor May explained there is a 20ft City easement running through Ronnie Townsend's development across from the post office that is preventing the builder from building the number of houses he has planned.

Public Works Director Mike Self explained this easement is empty and has never been used and there are no future plans to use it. Mr. Townsend is requesting the easement be moved below Lot #4. Mr. Townsend has offered to provide the easement further south.

Councilmember Mitchell made the motion to release the easement on S. White Oak Road on Mr. Townsend's property without requiring a new easement, seconded by Councilmember Owens. Carried unanimously.

CONSIDER AND/OR APPROVE expenses for splash-pad citizen access.

Public Works Director Mike Self explained the splash-pad will open April 1<sup>st</sup> and discussion was previously held regarding slide cards. To increase the size of the fence and the card system will run around \$22,000. Another option is disposable wristbands. They are \$420 for 14,000 bands. Public Works employees can drive through the park during the day to monitor. Bands could be sold at City Hall. If someone is caught at the splash-pad without a wristband on, he or she would need to either purchase a band from a public works employee or leave the premise. This would be a good starting point on charging something to access the splash-pad.

Councilmember Mitchell questioned what rates would be charged. Mike stated for now, .50 cents for White Oak citizens and \$1.00 for non-citizens. There would be a different color band for different days. There will need to be an ordinance to enforce the fees and new signage at the splash-pad.

Councilmember Noll made the motion to approve expenses, seconded by Mayor Pro-tem Ray. Carried unanimously.

#### CITY COORDINATOR ITEMS

- A. Capital Projects Update
- B. Legislative Update

City Coordinator Charlie Smith asked Water/Wastewater Plant Supervisor Wendy Emmel to report on water/sewer projects. Wendy stated the Water Treatment Plant Project should be done within the next three weeks and the standpipe only lacks gravel. The standpipe is in service but needs the final walk-thru.

Mr. Smith stated the Suddenlink franchise check for last quarter was over \$19,000. Before the state began its regulation, the City only received \$5000-6000 a quarter.

Mr. Smith passed out a flyer for Gregg County's Tire-Off Day on February 19<sup>th</sup>.

He stated that he attended a legislative workshop in Austin with a lot of bills that will affect cities. A lot of immigration bills are being filed. There are bills relating to TCEQ regulation which will soon have the agency strictly funded by fines with no state funding. There are municipal court bills being filed related to fee increases. There is also a cell phone ban while driving bill being introduced and bills relating to synthetic drugs.

~~He also handed out a packet for building permit fees. He asked the council to take the packet home to review the proposed changes and fee increases.~~

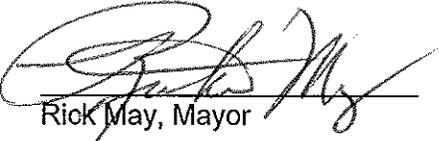
Mayor Pro-tem Ray suggested changing the winter averaging months used for adjusting sewer rates to March, April, and May to make it more fair on the ones that have to drip their outside faucets during the winter months. Charlie stated he would research the difference in water usage for the months involved.

Mayor May told the council that last year's sales tax revenue was almost 21% behind budget at the end of the fiscal year. So far this fiscal year, the City is only 4.2% behind budget and thanked the council for the hard work on the budget and the hard decisions they had to make to bring in a balanced budget. Mayor Pro-tem Ray also included the department heads in the recognition.

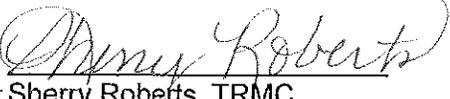
Charlie stated Barry Wallace from Siemens, Inc could not make the current meeting but has good news to present to the council. He questioned the council about having a special meeting that would last around 45 minutes for the presentation. It was a consensus that Tuesday, February 15<sup>th</sup> at 5:00 p.m. would be a good time for a special meeting.

#### ADJOURNMENT

Motion to adjourn at 6:23 p.m. made by Councilmember Mitchell, seconded by Councilmember Noll. Carried unanimously.

  
Rick May, Mayor

ATTEST:

  
Sherry Roberts, TRMC  
City Secretary