

**WHITE OAK CITY COUNCIL  
SPECIAL MEETING  
WHITE OAK CITY HALL  
MAY 17, 2016  
5:00 P.M.**

**MEMBERS PRESENT** : Mayor Rick May, Lance Noll, Thomas Cash, Greg Hulett, Kevin Hood

**MEMBERS ABSENT** : Barbara Ray

**STAFF PRESENT** : Charlie Smith, Sherry Roberts, Billy Morgan, Jason Maxted, Terry Roach, Tracey Fears, Randy Dodson, Jamie Guida, Jacob Pennington, Dale Tuttle, Nathan Holder

**CALL TO ORDER**

- A. Invocation
- B. Pledge of Allegiance

Mayor May called the meeting to order at 5:00 p.m. Pastor David Dusek from White Oak Community Church led the invocation and Mayor May led the Pledge of Allegiance.

**ISSUANCE** of certificates of election and statements of elected officer, and administer oaths of office to declared elected officials

City Secretary Sherry Roberts issued the oaths of office to incoming Mayor Kyle Kutch, Councilmembers Place 3 Thomas Cash, Place 4 Greg Hulett, and Place 5 Kevin Hood.

Mayor Kutch and City Coordinator Charlie Smith presented outgoing Mayor Rick May with a baseball with all city employees' signature, glass case, and a framed photo of the renovated high school baseball field.

**CONSIDERATION & APPOINTMENT** of Mayor Pro-Tem.

Mayor Kutch explained that Dr. Barbara Ray has been the mayor pro-tem and offered councilmembers the opportunity to table this item until she was in attendance. He explained that he did not have the opportunity to speak to her about it before she left on vacation.

Councilmember Hood made the motion to appoint Councilmember Hulett as Mayor Pro-Tem, seconded by Councilmember Cash. Carried unanimously.

**CONSIDERATION & APPOINTMENT** of Deborah Waddell as Municipal Court Judge, and Lona Maxted as Municipal Court Clerk.

Mayor Pro-Tem Hulett made the motion to reappoint both, seconded by Councilmember Noll. Carried unanimously. City Secretary Sherry Roberts explained to the newer councilmembers that according to the City's home-rule charter, these two positions are to be reappointed by the Council every two years when the mayor's position is elected.

**CONSENT AGENDA**

- A. Consider and/or approve payment of bills for April 2016
- B. Consider and/or approve City Council minutes from April 12, 2016
- C. Consider and/or approve Resolution 2016-07; Responding to the Application of CenterPoint Energy to Increase Rates under the Gas Reliability Infrastructure Program (GRIP).

Mayor Kutch explained Item C is just to postpone the rate increase for 45 days. Councilmember Hood made the motion to approve, seconded by Mayor Pro-Tem Hulett. Carried unanimously.

## **CITIZEN COMMENTS**

None.

**PRESENTATION AND DISCUSSION** from Bo Sheridan, 114 Pinecrest, regarding property drainage issues.

City Coordinator Smith informed the Council that the Sheridans were out of town and could not be in attendance. They did send him pictures of the drainage issue. City Coordinator Smith gave the Council the option of seeing the pictures.

Mayor Pro-Tem Hulett said he would like to see the pictures and discuss it now. City Coordinator Smith displayed the pictures on the screen for everyone to see while explaining the details. There are two flumes that were probably built by the homeowners when the home was built. One flume goes under the driveway and the second flume catches the water. City Coordinator Smith explained that it runs out into the middle of their yard and hits a catch box and eventually goes into their pond. The City will need a survey and easement to perform the work on the homeowner's property. The engineer's recommendation is to pipe to a raised box and new pipe to the pond with a headwall. City Coordinator, we have overlaid the road twice and this has given it some height. It is washed out all the way to the pond. Councilmember Noll asked that since it is private property, will the City assume all maintenance in the future. Everyone agreed yes. City Coordinator Smith said there must be some place where we stop. Mayor Kutch asked if anyone knows how much a survey would cost. Mayor Pro-Tem Hulett suggested that a survey and easement would be around \$1,500. Mayor Pro-Tem Hulett asked what the distance is between the area in question and the pond. City Coordinator about answered about 300 feet. Mayor Pro-Tem Hulett asked what is the City's responsibility versus the homeowner's responsibility. City Coordinator Smith explained that the homeowner's property is catching all the runoff. There are many other places that experience this same issue, but this is the worst one. Mayor Pro-Tem Hulett inquired if an inlet would be effective. Public Works Director Tracey Fears answered yes. Mayor Kutch asked if staff can get an estimate on the cost. Councilmember Hood asked if there is a precedent on this issue. City Coordinator Smith answered that he found minutes where work was performed on Honeysuckle in the 1990's. City Coordinator Smith said \$50,000 for the project is on the conservative side. Mayor Pro-Tem Hulett advised that Council needs to be careful in setting a precedent. A determination is needed on who is responsible for what repairs.

**CONSIDER AND/OR GIVE DIRECTION** to City Coordinator Charlie Smith regarding the property drainage issue at 114 Pinecrest.

Direction was given by Council for City Coordinator Smith to get cost estimates for easements, surveys, and construction.

**DISCUSS AND CONSIDER AND/OR APPOINT** members of a Selection Committee to perform procurement of professional services for the City's anticipated 2016 grant award for street improvements. There is no minimum or maximum number of members required by TxCDBG rules, but at least one member of the Committee must be an elected official.

City Coordinator Smith explained the City was previously awarded a \$250,000 TCDBG grant, but the council at that time chose not to accept it. This is the same type of grant available now. The grant is for lower income areas. The streets chosen for this project are Miller, Trinity, Sabine, Brazos, Neches, and part of Sun Camp. There have been some rule changes and now grantees have to send out a request for bids for grant management and engineering to five different companies in each category. This committee will have the responsibility of picking out the companies for the project.

Mayor Pro-Tem Hulett made the motion to appoint Councilmember Hood and City Coordinator

Smith, seconded by Councilmember Cash. Carried unanimously.

**DISCUSS AND CONSIDER ADOPTING** Code of Conduct for Procurement for the TCDP grant project through the Texas Department of Agriculture.

Councilmember Noll made the motion to adopt, seconded by Councilmember Hood. Carried unanimously.

**EXECUTIVE SESSION** in accordance with Texas Government Code, Subchapter D,

- Section 551.074: Personnel Matters – City Coordinator Evaluation and Contract

Council adjourned open session at 5:35 p.m.

**RECONVENE INTO OPEN SESSION** to Consider and/or Act upon any deliberation regarding:

- Section 551.074: Personnel Matters – City Coordinator Evaluation and Contract

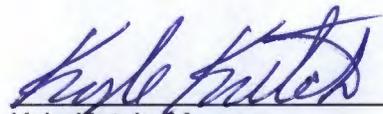
Council reconvened at 5:48 p.m. Mayor Pro-Tem Hulett made the motion to approve City Coordinator Smith's contract with amendments and changes discussed in executive session and authorized Mayor Kutch to execute said contract upon completion, seconded by Councilmember Noll. Carried unanimously.

#### **CITY COORDINATOR ITEMS**

- A. Update on water and wastewater treatment plant construction  
City Coordinator Smith distributed pictures of the new UV light system and the expansion doubled the size of the system. He also distributed pictures of the beginning wall construction of the aerators (racetracks). The walls will be increased three feet all the way around both aerators, which will increase capacity. The slab for the new lab has been poured.
- B. Update on drainage issues  
The Jamaica Street and Robin Lane projects are complete. Excel Construction did a great job.

#### **ADJOURNMENT**

Motion to adjourn at 5:55 p.m. made by Councilmember Noll, seconded by Councilmember Hood. Carried unanimously.

  
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Kyle Kutch, Mayor

ATTEST:

  
  
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Sherry Roberts, TRMC  
City Secretary