

**WHITE OAK CITY COUNCIL
REGULAR MEETING
WHITE OAK CITY HALL
APRIL 14, 2015
5:00 P.M.**

MEMBERS PRESENT : Mayor Rick May, Mayor Pro-Tem Barbara Ray, Lance Noll Kyle Kutch, Greg Hulett

MEMBERS ABSENT : Jerry Blankenship

STAFF PRESENT : Charlie Smith, Sherry Roberts, Billy Morgan, Randy Dodson, Maureen Carrigan, Wendell Basham, Tracey Fears, Jason Maxted, Terry Roach

CALL TO ORDER

- A. Invocation
- B. Pledge of Allegiance

Mayor May called the meeting to order at 5:00 p.m. City Coordinator Charlie Smith led the invocation and Mayor May led the Pledge of Allegiance.

CONSENT AGENDA

- A. Consider and/or approve payment of bills for March 2015.
- B. Consider and/or approve City Council minutes from March 10, 2015.
- C. Consider and/or approve WOEDCO minutes from October 28, 2014.
- D. Consider and/or approve Quarterly Investment Report ending March 31, 2015.
- E. Consider and/or approve Ordinance 2015-04; General Fund Budget Amendment

Mayor Pro-Tem Ray made the motion to approve, seconded by Councilmember Kutch. Carried unanimously.

CITIZEN COMMENTS

None.

PRESENTATION of City of White Oak Audited Financial Statements for fiscal year 2014 by Karen A. Jacks & Associates

Karen Jacks presented the Council with a clean opinion and informed the Council that the financials are fairly presented and materially accurate. There were no significant adjustments. Ms. Jacks gave compliment to the staff and gave assurance that the Council can rely on the financials from month to month and not have to wait until the end of the fiscal year for this assurance. The second report is a federal requirement by the Government Accounting Standards Board (GASB) that the auditor consider the city's internal controls in regards to compliance with laws and regulations, contracts and agreements. There were no instances of non-compliances and no material weaknesses, as well as no audit findings.

Ms. Jacks informed the Council of a separate letter provided that assures their role of auditor that report to you. They did not find anything unusual or significant. The other is a management letter in case there are staff improvements needed. This year's letter is just to give closure to the previous letter. Improvement was made in both areas from last year and the issues are considered closed.

City Coordinator Smith gave credit to department heads for the healthy fund balances. Councilmember Hulett asked Ms. Jacks if we were within a normal fund balance for operating revenue compared to other cities. She answered that White Oak is ahead of the approved *Fund Balance Policy*, which directs the City to maintain at least six (6) months of fund balance and currently there is an 11-month fund balance. Councilmember Hulett then asked her if this has been consistent for the last five years. Ms. Jacks could not answer this question off-hand, but did explain the fund balance has been strong for the last few years.

CONSIDER AND/OR APPROVE resignation by City Councilmember Place 5, Jerry Blankenship.

City Coordinator Smith explained that Jerry informed him that he would be moving to Kilgore and would like to tender his resignation. Motion to accept made by Councilmember Noll, seconded by Mayor Pro-Tem Ray. Carried unanimously.

EXECUTIVE SESSION in accordance with Texas Government Code, Subchapter D, Section 551.074 (a) Personnel Matters

- **For deliberation regarding appointment to fill a vacancy of City Council Place 5**

Mayor May closed the open session at 5:13 p.m. and the Council went into executive session.

RECONVENE INTO OPEN SESSION and take any action necessary regarding appointment to fill a vacancy of City Council Place 5.

Mayor May reconvened open session at 5:23 p.m. There will be no action taken.

DISCUSSION regarding the citizen petition received dated March 31, 2015 by property owners on Orms Road requesting the city's acknowledgement of Orms Road as a city dedicated street.

City Coordinator Smith explained that after some preliminary research, this issue was sent to the city attorney. For the City to receive dedication there will have to be some legal work done by the City to assure private property is unaffected. There will be future discussion about this road and Owens Road too. There are minutes about Owens Road where the City has previously filled in potholes, but the city attorney advised staff not to perform any maintenance until further notice.

Councilmember Hulett asked if these roads were up to city standard. City Coordinator Smith answered no; but neither was Davis Circle. Gregg County is repairing Davis Circle for the City. Councilmember Hulett asked if the area has utilities. There was discussion regarding the combination of water and sewer utilities available. Mayor May suggested that oil companies more than likely built the roads, and that the roads probably cut across private property.

OPEN PUBLIC HEARING to receive comments from the public regarding the Application for a Specific Use Provision (SUP) from Ron Boyett to build an accessory building, more commonly known as a "mother-in-law quarters", on Lot 3, Section 4, of the W. H. Castleberry Survey on Sanders Street, White Oak, TX.

Mayor May opened the public hearing at 5:30 p.m. for anyone that wished to speak.

City Coordinator Smith explained that Ron Boyett bought a piece of property from Charles Stone. Ron would like to build his home and his mother a home on the same lot. This accessory building requires a special use provision (SUP) to build a "mother-in-law home" anywhere in the City of White Oak. The Planning and Zoning Commission approved the SUP.

Mayor Pro-Tem Ray suggested for the future, she would like to see the voting results on decisions by the Planning & Zoning Board. City Secretary Sherry Roberts stated she could add this to the form.

CLOSE PUBLIC HEARING

Closed at 5:32 p.m.

CONSIDER AND/OR APPROVE Specific Use Provision (SUP) for Ron Boyett to build an accessory building, more commonly known as a "mother-in-law quarters", on Lot 3, Section 4, of the W. H. Castleberry Survey on Sanders Street, White Oak, TX.

Councilmember Hulett made the motion to approve, seconded by Councilmember Noll. Carried unanimously.

DISCUSSION regarding a rate increase to §82-46(3) Water Rates-Charge for water sold from fire hydrants.

City Coordinator Smith explained this process and stated the water rate sold from fire hydrants is \$4 per 1,000 gallons regardless of usage. He suggested the water rate be treated the same as a customer that lives in the city limits. Councilmember Hulett asked if there is a set meter fee. Public Works Director Tracey Fears answered no, just a \$150 deposit. Councilmember Hulett suggested staff to research what other cities charge because the fee needs to cover the cost of personnel and equipment cost. He then made a suggestion of a \$50-75 fee for meter use.

DISCUSSION regarding development of the city's 42+ acre property on Old Highway 80.

City Coordinator Smith explained he wanted to discuss the property and possibly do a drawing for lots with a spine road. Councilmember Hulett asked how the property is zoned. City Coordinator Smith answered local retail. Councilmember Hulett asked what the best use of the property would be. City Coordinator Smith opined that there is a lot of mixed use with shops below and apartments above currently happening in downtown renovations. Councilmember Hulett stated there are many senior living things also happening that does not tax the school system or city services. There was further discussion regarding what the city's criteria would be for that particular area. Mayor May commented that this area would be a great place for a town square. There was discussion regarding a spine road through the property.

City Coordinator Smith suggested the Council create a committee to get involved and discuss these ideas. He suggested two members from the Council and members from the community for the committee. Mayor May stated one option would be to deed the property over to WOEDCO. He reiterated that until the land can be cleared to get a good visual of it, people are not going to be interested in it.

CONSIDER AND/OR APPROVE direction to City Coordinator Charlie Smith resulting from discussion about city property on Old Highway 80.

It was the informal consensus of the Council for City Coordinator Smith to return with names for a committee.

CONSIDER AND/OR APPROVE Resolution 2015-05; To certify funding and support for the submission of the statewide Transportation Alternatives Program (TAP) Application for 2015 with the Texas Department of Transportation (TXDOT) for the development of facilities for pedestrians and bicycles within the City.

City Coordinator Smith explained that every five years TxDOT offers grants for safe routes to school. There has been discussion regarding a sidewalk on White Oak Road. He spoke to Gary Traylor from

Gary Traylor & Associates grant management firm from Tyler. City Coordinator Smith suggested the City apply for the grant and if not approved, it does not cost anything. If approved, the project match would be approximately \$150,000 for the length from the middle school to Bermuda. The grant ends May 4, which would require an approval today. He stated he addressed the school board the day before about helping with some of the upfront engineering costs. The school board informally agreed to split these costs, but will formally approve this during their May meeting. He added that this is a three-year grant and can be broken down into two budget years. The grant will be awarded this fall, so if the city is awarded, the project start year-end next fiscal year.

City Coordinator Smith stated one of the school board members suggested narrowing the turn lane, which would provide room for a bike lane. The school has given their support, and he plans to ask Judge Stoudt for support from Gregg County. There was discussion regarding the location of the first construction phase and the length. In order to stay within the \$150,000 match range, this is all that is currently affordable. Councilmember Hulett suggested allowing the engineers study to see where the most logical and feasible place would be for the initial phase of construction.

Councilmember Hulett made the motion to approve, seconded by Mayor Pro-Tem Ray. Carried unanimously.

CITY COORDINATOR ITEMS

A. Wastewater Treatment Plant Update

The sludge press cover has been installed. It has been extended to allow for three dumpsters. Steel America did a great job.

B. Economic Development Update

He has talked to several people over the last several weeks about property around Highway 80. He also spoke with someone regarding a new restaurant and is looking for a location. He informed the Council that the owner of Tony's Flooring is attempting to purchase the old Family Dollar building to relocate his business. If this works out, he will file the necessary paperwork with WOEDCO for an incentive.

ADJOURNMENT

Motion to adjourn at 5:53 p.m. made by Councilmember Noll, seconded by Councilmember Kutch. Carried unanimously.


Rick May, Mayor

ATTEST:



Sherry Roberts, TRMC
City Secretary