

**WHITE OAK CITY COUNCIL  
REGULAR MEETING  
WHITE OAK CITY HALL  
MAY 12, 2015  
5:00 P.M.**

**MEMBERS PRESENT** : Mayor Rick May, Mayor Pro-Tem Barbara Ray, Lance Noll Kyle Kutch, Greg Hulett, and newly appointed Kevin Hood

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

**CALL TO ORDER**

- A. Invocation
- B. Pledge of Allegiance

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

**ISSUANCE OF CERTIFICATES OF ELECTION AND STATEMENT OF ELECTED OFFICERS FORMS AND ADMINISTER OATHS OF OFFICE TO DECLARED ELECTED OFFICIALS AND NEW MEMBER APPOINTMENT**

Mayor May issued the Oaths of Office to Dr. Barbara Ray, Lance Noll, and Kyle Kutch.

**CONSIDERATION & APPOINTMENT OF MAYOR PRO TEM**

Mayor May informed the Council what Mayor Pro-Tem Ray has expressed her willingness to accept the position again; therefore, he recommended her reappointment as Mayor Pro-Tem.

Councilmember Kutch made the motion to nominate Councilmember Barbara Ray as Mayor Pro-Tem, seconded by Councilmember Noll. Carried unanimously.

**CONSIDER AND/OR APPOINT KEVIN HOOD TO FILL THE VACANCY OF CITY COUNCILMEMBER PLACE 5 FOR THE REMAINDER OF ITS TERM**

Councilmember Hulett made the motion to appoint Kevin Hood as Councilmember Place 5, seconded by Councilmember Kutch. Carried unanimously.

Mayor May issued the Oath of Office to Councilmember Kevin Hood.

**CONSENT AGENDA**

- A. Consider and/or approve payment of bills for April 2015.
- B. Consider and/or approve City Council minutes from April 14, 2015.
- C. Consider and/or approve Resolution 2015-06 responding to the application of CenterPoint Energy Resources to increase rates under the gas reliability infrastructure program.
- D. Consider and/or approve Resolution 2015-07 to intervene in SWEPCO's application to increase rates under its transmission cost recovery factor.

City Coordinator Smith stated that CenterPoint Energy has requested a rate increase from the Texas Railroad Commission (TRRC). Cities Advocating Reasonable Deregulation (CARD) cities are represented by an Austin attorney and CARD would like to request an extension for the rate implementation. The attorneys need time to confirm that CenterPoint is allowed to ask for this rate

increase. Mayor Pro-Tem Ray wanted confirmation that neither of these resolutions are allowing for a rate increase. City Coordinator Smith confirmed this and explained the approval of these resolutions is an attempt to postpone the rate increases. Councilmember Noll stated this SWEPCO issue has been ongoing for several years. City Coordinator Smith stated this time it is for recovery cost and this is just trying to go in the back door of the Arkansas plant after the fact. Mayor Pro-Tem Ray explained to newly appointment Councilmember Hood that White Oak is unregulated and SWEPCO cannot force a rate increase on us. Councilmember Kutch stated we have retained the law firm and SWEPCO has to reimburse CARD membership for those expenses.

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

#### **CITIZEN COMMENTS**

Rachel Hobbs, 404 W. Whatley Road. Ms. Hobbs handed out pictures of the Owens Road conditions. She informed the Council that there are several residents who are willing to work with the City to get the road repaired. Included is a letter from the transportation supervisor from White Oak ISD stating he will not allow the school busses to go down Owens Road.

#### **CONSIDERATION AND/OR APPROVAL FOR POLICE CHIEF ROACH TO PURCHASE A VEHICLE TO REPLACE A UNIT THAT WAS WRECKED AND TOTALED.**

Police Chief Terry Roach reminded the Council about the wreck on March 20, 2015 where a unit was rear-ended and totaled. The City received approximately \$7,000 for the car. He stated the police department's fleet is low, and he is seeking Council permission to order a new unit. He explained that he is still waiting on quotes, but would like the Council to give permission to City Coordinator Smith to choose from the quotes so he does not have to wait another month to purchase the unit.

Councilmember Hulett inquired about a range of prices. Chief Roach answered the Ford is approximately \$32,000, but is waiting on other quotes. Councilmember Hulett inquired why everyone was going with the Tahoes. City Coordinator Smith explained it is because of the resale value and the amount of space needed for the equipment in the unit.

Mayor May asked Chief Roach if he had considered trucks. Chief Roach answered he had not considered trucks. Councilmember Hulett asked how the Council should approve this. Chief Roach explained that if he got an approval for \$30,000 and give City Coordinator Smith permission to choose from the quotes.

Councilmember Hulett made a motion to approve up to \$33,000, seconded by Mayor Pro-Tem Ray. Carried unanimously.

#### **PRESENTATION OF CURBSIDE RECYCLING PROGRAM BY MS. BARBARA CORBELL AND THE 2<sup>ND</sup> GRADE RECYCLING PROJECT WINNERS**

Ms. Corbell was unable to attend the meeting, so Ms. Stagner led the presentation. Several groups of second-graders presented their homemade videos to the City Council to encourage the adoption of a curbside recycling program.

#### **OPEN PUBLIC HEARING TO RECEIVE COMMENTS FROM THE PUBLIC REGARDING THE APPLICATION FOR A SPECIFIC USE PROVISION (SUP) FROM GABRIEL MAR TO PLACE A SINGLE-FAMILY RESIDENCE ON LOT 41, SECTION 10 IN THE W. H. CASTLEBERRY SURVEY, OR MORE COMMONLY KNOWN AS 2106 E. OLD HIGHWAY 80, WHICH IS LOCATED IN A LIGHT INDUSTRIAL ZONING DISTRICT.**

Mayor May opened the public hearing at 5:42.

City Coordinator Smith informed the Council that Ms. Mar was in attendance if anyone had any questions. He informed the Council how this home will be a great asset to the surrounding area, beside her parents.

### **CLOSE PUBLIC HEARING**

With no one in the audience wishing to speak, Mayor May closed the public hearing at 5:43 p.m.

### **CONSIDER AND/OR APPROVE SPECIFIC USE PROVISION (SUP) FROM GABRIEL MAR TO PLACE A SINGLE-FAMILY RESIDENCE ON LOT 41, SECTION 10 IN THE W. H. CASTLEBERRY SURVEY, OR MORE COMMONLY KNOWN AS 2106 E. OLD HIGHWAY 80, WHICH IS LOCATED IN A LIGHT INDUSTRIAL ZONING DISTRICT.**

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

### **CONSIDER AND/OR AWARD THE SEAL COAT PROGRAM CONTRACT TO REYNOLDS & KAY, LTD., CONTINGENT UPON APPROVAL BY THE CITY OF GLADEWATER.**

City Coordinator Smith explained that Gladewater would not have their meeting until Thursday. Public Works Director Tracey Fears had budgeted \$75,000 for the program, but we came in at \$62,000. If more cities get involved later, everyone will save more money. Mr. Fears even thought about doing our manhole rehabilitation like this. Councilmember Hulett questioned if we have the equipment that does the manhole rehabilitation. City Coordinator Smith answered no; the City hires a company called Inspectrashield because the process allows flexibility for ground movement. Councilmember Noll questioned if we could do this for the purchase of water treatment chemicals.

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

### **DISCUSSION REGARDING ORMS, OWENS, & ALEXANDER ROADS AS CITY DEDICATED STREETS.**

Mayor May informed the Council that City Coordinator Smith has done a lot of research on this. City Coordinator Smith explained this situation for newly appointed Councilmember Hood. No ownership has been established on these roads. The City recently worked on Davis Circle with the help of Gregg County. A question came up on whether or not Davis Circle was a city-dedicated street. Per the advice of the city attorney and district attorney, the City is not to do any work on private property because this is a criminal offense. At this point, he and City Secretary Sherry Roberts began to research. Gregg Appraisal District cannot establish ownership on these roads. He then contacted a surveyor to see what would be involved for these streets to be dedicated to the City.

Ms. Hobbs explained that they could not find where it is a city-dedicated street. The homeowners are willing to give easements for the City to take it over. They need a ditch and the potholes wash out. The homeowners are not asking for the city build a road, but to maintain it. Another Owens Road resident questioned that when this part of White Oak was in the county and not in the city limits, how is it that the property was taken in, but not the streets. City Coordinator Smith explained he does not know, but he has experienced this all over town and he will research this. The legal aspect of it similar to Davis Circle where the county cannot make repairs until there is documentation that the road is a city-dedicated street. The ownership of the road needs to be established before there can be any repairs.

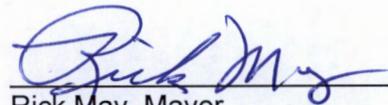
Councilmember Hulett asked the property owners if any of them have looked over their title work to see if they have ingress and egress to use the road. He clarified his question by asking Ms. Hobbs if there were specific easement rights granted to you to use the road. This could help establish if it was a private road or a dedicated street. After further discussion, both staff and homeowners agreed to work together for a solution.

#### **CITY COORDINATOR ITEMS**

- A. Update on Water Treatment Plant Project  
City Coordinator Smith informed the Council that they are getting ready to set the generator.
  
- B. WOEDCO Spring Luncheon  
Invited everyone to the luncheon on Thursday, May 14 at the Emmanuel Baptist Church.

#### **ADJOURNMENT**

Councilmember Noll made the motion to adjourn at 6:15 p.m., seconded by Councilmember Kutch. Carried unanimously.

  
Rick May, Mayor

#### **ATTEST:**

  
Sherry Roberts, TRMC  
City Secretary