

**WHITE OAK CITY COUNCIL  
REGULAR MEETING  
WHITE OAK CITY HALL  
SEPTEMBER 12, 2017  
5:00 P.M.**

**MEMBERS PRESENT** : Mayor Kyle Kutch, Thomas Cash, Barbara Ray, Kevin Hood, Lance Noll

**MEMBERS ABSENT** : Greg Hulett

**STAFF PRESENT** : Charlie Smith, Sherry Roberts, Beaux Huey, Terry Roach, Tracey Fears, Randy Dodson

**CALL TO ORDER**

- A. Invocation
- B. Pledge of Allegiance

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

**CONSENT AGENDA**

- A. Consider and/or approve payment of bills for August 2017
- B. Consider and/or approve City Council minutes from August 8, 2017
- C. Consider and/or approve Ordinance 2017-10 approving General Fund budget amendment for Fiscal Year 2016/2017.
- D. Consider and/or approve Resolution 2017-09; Authorizing the Creation of the Piney Woods 9-1-1 District.

Motion to approve made by Councilmember Cash, seconded by Councilmember Hood. Carried 3-0-1 with Councilmember Ray abstaining due to her absence from the last meeting.

**CITIZEN COMMENTS**

Chris Loden, 1005 Idlewood, recommended the Council not approve a curbside recycling program that would add to everyone's bill. This is not a city service and should be outside of the city programs and it should not play a role.

Stephanie Sutton addressed the benefits and barriers of curbside recycling. She has participated in recycling efforts. The recyclable container at public works is not accessible except during working hours and the receptacle opening is not wide enough to place in large cardboard boxes.

**DISCUSSION** regarding curbside recycling.

City Coordinator Smith informed the Council that he and Republic Services representative Gene Keenon have discussed this and have thought about moving the bin closer to city hall.

Councilmember Cash asked if this would be a completely separate container. Gene Keenon with Republic Services answered yes. Mayor Kutch asked Mr. Keenon what the cost would be. Mr. Keenon answered it would definitely be between \$3-5 and the only cost not associated with it is the disposal fee. Councilmember Cash asked if it was indeed an all or nothing program. Mr. Keenon answered yes because it is the only way it is affordable. The State of Texas does not have a subsidy to help with costs. The issue with moving the container out from behind the locked gates is abuse. People will put non-recyclable items in the container and it causes issues at the recycling center.

**CONSIDER AND/OR APPROVE** incentive agreement between the White Oak Economic Development Corporation and JJCL Investments, aka Anytime Fitness.

City Coordinator Smith explained that WOEDCO approved a \$50,000 grant to renovate the old Family Dollar building to bring an Anytime Fitness to White Oak. The owners plan to split the building and bring in a second business. The total renovation of the building will be around \$476,000 with a total project of \$891,519. Mayor Kutch stated that they considered other cities, but chose White Oak.

Motion to approve made by Councilmember Hood, seconded by Councilmember Noll. Carried unanimously.

**CONSIDER AND/OR APPROVE** Ordinance 2017-09; Establishing standards for the construction and installation of cellular network nodes and related facilities in rights-of-way of the City of White Oak.

City Coordinator Smith explained the state legislature passed this bill because companies were installing these network nodes in city right-of-way without permission from cities and no regulation allowed. It gave these companies the right to do whatever they wanted due to the lack of ordinances. City Coordinator Smith explained there are fees related to this ordinance that the City may collect.

Councilmember Ray made a motion to postpone action on this item until the Council has further information necessary to decide, seconded by Councilmember Noll.

Assistant City Manager Sherry Roberts questioned what would happen if a company came in tomorrow to install a network node and what rights would the City have to tell the company where they can and cannot place a small node if the Council does not pass this ordinance. Councilmember Noll questioned if the Council can approve the ordinance as presented and amend it later. Assistant City Manager Sherry Roberts answered yes. With this new information, the motion failed 2-3.

Motion to approve made by Councilmember Hood, seconded by Cash, Carried 3-1 with Councilmember Ray voting against the motion.

**CONSIDER AND/OR APPROVE** Ordinance 2017-14; Providing uniform standards for the location, spacing, height, setback, and other regulations of signs within the City of White Oak.

City Coordinator Smith explained the City had a very poor sign ordinance in place and this new one gives the City more control over sign placement and includes permit fees.

Motion to approve made by Councilmember Noll, seconded by Councilmember Hood. Carried unanimously.

**DISCUSSION** regarding funding from the Texas Water Development Board for additional water sources

City Coordinator Smith explained that he wanted to bring the Council up to date about the possibility of connecting to the Sabine River, connecting to Longview on the north side of town, or building an acreage recreational reservoir on the City's 43 acres on Old Highway 80. City Coordinator Smith stated that he is asking for thought and direction from Council.

Councilmember Ray questioned the results of the well-testing performed. City Coordinator Smith said the amount produced by the wells tested would not be adequate to help during a drought. Councilmember Hood asked if the City had enough room to build a new reservoir. City Coordinator Smith said it could be built on the 43 acres and incorporated into our parks system.

Robert Haberle from SPI gave the council an overview that the Texas Water Development

Board (TWDB) makes regarding a call for projects. In March they submitted two different projects and the City has been invited to submit an application for funding. This process would take almost a year before the TWDB made a commitment. These are not emergency projects. These loans are subsidized by the federal and state governments and the interest rates are 1.24-1.9 percent guaranteed for 20 years or 30 years.

### **BUDGET WORKSHOP**

City Coordinator Smith asked Chief Roach to speak about the need for two vehicles. Chief Roach explained that two vehicles would cost around \$72,000, but giving him a car allowance and moving his car down to Lieutenant Robertson and moving that vehicle to patrol would be advantageous for both parties. Chief Roach explained that it would be an advantage to have all of his equipment in his vehicle. The vehicle would have lights and sirens on it. He is requesting a car allowance of \$8,400 a year which is \$700 a month. He did do a survey and the average car allowance was anywhere from \$350-1,000.

There was further discussion regarding sales tax and utility rates.

### **CONSIDER AND/OR APPROVE Ordinance 2017-13; Amending Chapter 82 – Water and Sewer Rates**

Motion to table until the October meeting made by Councilmember Cash, seconded by Councilmember Noll. Carried unanimously.

### **PUBLIC HEARING on Proposed Budget for Fiscal Year 2017-2018**

No one wished to speak.

### **CONSIDER AND/OR APPROVE Ordinance 2017-11 Adopting and Approving a Budget for Fiscal Year October 1, 2017 to September 30, 2018 and Providing an Effective Date**

Motion to approve made by Councilmember Hood, seconded by Councilmember Cash. Carried unanimously.

### **CONSIDER AND/OR APPROVE Ordinance 2017-12 levying ad valorem taxes for use and support of the municipal government of the City of White Oak for the 2017-2018 fiscal year; providing for apportioning each levy and specific purposes; providing when taxes shall become due and delinquent if not paid and providing for an effective date.**

Motion to adopt the 2017 effective tax rate of .58628/100 valuation made by Councilmember Cash, seconded by Councilmember Hood. Carried 4-0 by roll-call:

Barbara Ray - Yes  
Lance Noll - Yes  
Thomas Cash - Yes  
Kevin Hood - Yes  
Greg Hulett – absent.

### **CITY COORDINATOR ITEMS**

- A. TCDBG Street Improvements Project  
City Coordinator Smith informed the Council that the construction company is back in business and they did clean-up throughout the project.

### **ADJOURNMENT**

Motion to adjourn at 7:27 p.m. made by Councilmember Noll, seconded by Councilmember Cash. Carried unanimously.



ATTEST:

*Sherry Roberts*

Sherry Roberts, TRMC, CPM  
Asst. City Manager/City Secretary

*Kyle Kutch*  
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Kyle Kutch, Mayor