

Minutes of the Regular
Scheduled Meeting
Troup City Council
March 12, 2013

A Regular Scheduled Meeting of the Troup City Council was held Tuesday March 12, 2013 at 6:30 p.m. in the Troup Independent School District Administration Building. Councilpersons present were: Mayor John Whitsell, Jeff Hale, Chip Richardson and Mayor Pro Tem Carole Wilson. Also present were City Administrator Gene Cottle and City Secretary Buffie Deason.

Guests attending were Joseph Orozco, Suzanne Loudemy, Neal Franklin, Robert LaMotte, Kathy Warren, Smith County Commissioner Cary Nix, Steven Tramble, Buddy Fite, Police Officer Kyle Stowers, Public Work Director John Phillips and others not signed in.

Mayor John Whitsell called the meeting to order at 6:34 p.m. noting all Council Persons were present with the exception of Councilperson Joe Carlyle and Councilperson Tim Young.

Mayor Whitsell – Led the Pledge of Allegiance.

Councilperson Joe Carlyle joined the meeting at 6:35 p.m.

Mayor Whitsell – Item 3 Consider approval of the minutes from the Regular Scheduled Meetings of February 12, 2013 and February 26, 2013. Councilperson Carole Wilson made the motion to approve the minutes from the Council Meeting of February 12, 2013 and February 26, 2013. Councilperson Jeff Hale seconded the motion and the motion carried unanimously.

Mayor Whitsell – Item 4 Citizen comments concerning non-agenda items. Kathy Warren addressed the council asking about some low cost spay and neuter clinics that were suppose to be held in Troup. City Administrator Gene Cottle explained to Ms. Warren that city had been asked if a clinic could be held in the City Park, but due to liability the City of Troup could not allow the clinic in the City Park. He told Ms. Warren that he believed the person hosting the clinic was going to have the clinic at Steele's Feed and Seed which is private property. Ms. Warren was directed to check with Steele's Feed and Seed for the date and time of the clinic.

Mayor Whitsell - Item 5 Comments, questions or input from the City Administrator's written report. City Administrator Gene Cottle reported that Well #2 was back on line. He also advised Council members of Smith County Tax Meeting that would be held March 25, 2013. Mr. Cottle also reported that all bank statement were reconciled up to date. Mr. Cottle advised of training classes for the Council as well as personal. Mr. Cottle reported that Council Agendas and Minutes could now be viewed on the City of Troup website.

Mayor Whitsell – Item 6 Presentation by Smith County Commissioner Cary Nix. Mr. Nix stated that he attended the Council meeting for public input from citizens about projects that they would like to see done in the county. City Administrator stated that he would like to see Smith County activate CodeRed notification system.

Mayor Whitsell – Item 7 Conduct a closeout hearing for the City of Troup's TxCDBG contract# 711481. Mrs. Cindy Gutierrez conducted hearing. Ms. Gutierrez ask if the public had any comments or questions about the grant. There were no comments, so Ms. Gutierrez ask the Mayor to call the hearing closed.

Mayor Whitsell – Item 8 Discuss and consider payment of pay request # 2 to Electro-Mec, Inc. in the amount of \$32,356.23 for the Troup Police Station Generator Project GLO contract # 10-5129-000, once grant money is received. City Administrator Gene Cottle advised Council that the project was very close to being finished. Councilperson Joe Carlyle made the motion to make payment of pay request #2 to Electro-Mec, Inc in the amount of \$32,356.23 for the Troup Police Generator Project GLO contract# 10-5129-000 with contingency once grant funds are received. Councilperson Chip Richardson seconded the motion and the motion passed unanimously.

Mayor Whitsell – Item 9 Discuss and consider payment of final pay request to Duplichain Contractors LLP in the amount of \$32,356.23 for the TxCDBG contract # 711481 for replacement of Screw Pump #2 at Wastewater Treatment Plant. Public Works Director confirmed that the job was finished and in good working order. He also ask Ms. Gutierrez about any funds that were still available on the grant. Ms. Gutierrez said that she would check on the funds and see what is still available. Councilperson Chip Richardson made the motion to approve the final pay request to Duplichain Contractors LLP in the amount of \$32,356.23 for the TxCDBG contract #711481 for replacement of Screw Pump #2 at the Wastewater Treatment Plant. Councilperson Jeff Hale seconded the motion and the motion carried unanimously.

Mayor Whitsell – Item 10 Consider an Ordinance authorizing the issuance of \$1,544,000.00 City of Troup, Texas General Obligation Refunding Bond, Series 2013; authorizing the refunding and defeasance of certain outstanding obligations; authorizing the sale thereof; authorizing the execution of a deposit agreement; and enacting other provisions relating to the purposes of this ordinance. Mr. Tom Lawrence with Lawrence Financial Consulting introduced himself to Council and presented the savings that the City would have by issuing the Obligation Refunding Bonds would amount to \$ 169,000.00 in savings. He also advised that bank will not be charging extra fees for this transaction. He stated that this would also make the only outstanding obligation due for the City. Mr. Lawrence told the Council that this bond would be set at a fixed rate instead of an adjustable. Mr. Tom Paulmon explained the Ordinance for the General Obligation Refunding Bond and ask if the Council had any questions or concerns for him. Councilperson Joe Carlyle made the motion to issue an Ordinance authorizing the issuance of \$1,544,000.00 City of Troup, Texas General Obligation Refunding Bond, Series 2013; authorizing the refunding and defeasance of certain outstanding obligations; authorizing the sale thereof; authorizing the execution of a deposit agreement; and enacting other provisions relating to the purposes of this ordinance. Councilperson Carole Wilson seconded the motion and the motion carried unanimously.

The meeting convened so Mayor Whitsell and City Secretary Buffie Deason could sign the documents for General Obligation Refunding Bond, Series 2013.

The meeting then reconvened.

Mayor Whitsell – Item 11 Discuss and consider authorizing the City Administrator to enter into an agreement with Franklin Legal Publishing for an Ordinance Code Supplement for the period from 2005 through 2012 in the amount of \$5000.00. City Administrator Gene Cottle advised council that he only wanted approval is he was able to find funds available. Councilperson Joe Carlyle made the motion to authorize the City Administrator to enter into an agreement with Franklin Legal Publishing for an Ordinance Code Supplement for the period from 2005 through 2012 in the amount of \$5000.00 upon the availability of funds at the City Administrator's discretion. Councilperson Carole Wilson seconded the motion and the motion carried unanimously.

Mayor Whitsell – Item 12 Discuss and consider amending the Troup Employee Handbook item 16.04, Food and Lodging, to require per diem reimbursement for food and incidentals in accordance with the U.S. General Services published rates and policies when overnight lodging is required. Single day travel, when overnight lodging is needed requires submission of receipts as per language submitted in the draft change document. City Administrator Gene Cottle explained to the council that the way the policy is now that receipts are required and that an employee could overspend on a meal if they are not given a daily limit on meals on overnight travels, but would he would like to keep events without overnight stays to remain the same. Mr. Cottle advised that the Federal Government has a web sight with rates for each city. He advised that per diem would be adjusted on the first and last day of travel. Councilperson Jeff Hale made the motion to amend the Troup Employee Handbook item 16.04, Food and Lodging, to require per diem reimbursement for food and incidentals in accordance with the U.S. General Services published rates and policies when overnight lodging is required. Single day travel, when overnight lodging is needed requires submission of receipts as per language submitted in the draft change document. Councilperson Chip Richardson seconded the motion and the motion carried unanimously.

Mayor Whitsell – Item 13 Discuss and consider authorizing the City Administrator to enter into a contract with Emergency Communications Network [ENC] for CodeRed notification services in an amount not to exceed \$5000.00 per year. City Administrator Gene Cottle explained to council that this service is basically the reverse of a 911 emergency call. This system is designed to alert the public of adverse weather or other public notices to the citizens of Troup, and not only does this system call land lines but also cell phone numbers in a database that is already established. Mr. Cottle also explained that people will also be able to sign up through the City's website and that people will also have the option not to participate in the program. Mr. Cottle also said that Smith County 911 system will pay 100% for the service. Council person Joe Carlyle made the motion authorizing the City Administrator to enter into a contract with Emergency Communications Network [ENC] for CodeRed notification services in an amount not to exceed \$5000.00 per year with the contingency of reimbursement from Smith County 911 system. Councilperson Chip Richardson seconded the motion and the motion carried unanimously.

Mayor Whitsell – Item 14 Discuss and consider the current service level and consider any appropriate action on the current contract with East Texas Medical Center Emergency Medical Service. Neal Franklin the General Manager for East Texas Medical Center EMS addressed the Council stated that his company values their relationship with the community of Troup and that they want to address the issues that have been going on. Mr. Franklin stated that most of their issues have been caused by shortness of staff, high call volume, and employee turn over. Mr. Franklin said that at the moment EMS is making adjustments to have better run times for the City such as hiring more workers and making trying to keep an ambulance more available to this area. Mayor Whitsell ask about a response time where a Troup Police officer has responded to shooting and it took an ambulance 20 minutes to arrive. Mr. Franklin told the Mayor that he

would check into this matter. Joseph Orozco with East Texas Medical Center EMS told the Mayor that he did not think the ambulance that responded was from EMS. Mayor Whitsell also ask about a lift assist where there was no ambulance assistance. Mr. Franklin said he was aware of this situation and that a dispatcher had entered in the wrong information. Mayor Whitsell told Mr. Franklin that the City of Troup feels that it is getting pushed aside. Mr. Franklin assured the Mayor that is not what is happening and that he plans to meet with staff and address these issues. The Mayor told Mr. Franklin that the City did not want to change services but if the service with EMS does not improve the Council might have to. Mayor Whitsell told Mr. Franklin that at the moment the Council is satisfied with his plan of fixing the problems and that he would like to reevaluate the service in another 30 days.

Mayor Whitsell – Item 15 Discuss and consider a request from Craig Tennison for the City of Troup to fund the construction of a fence along the west side of the easement road from Wilkinson Drive to the sewer plant. City Administrator Gene Cottle presented Mr. Tennison's fence request to Council and stated that there is approximately 150 feet of fence that has been knocked down and that it might have been from the City workers clearing trees. Mr. Cottle stated that Mr. Tennison is requesting that put a fence all the way down the street on the other side of the plant entrance road with two gates at an estimated cost of \$1200.00, but the cost of only repairing the 150 feet would be \$150.00 with our workers fixing it. Councilperson Joe Carlyle made the motion to repair only the existing fence that needs repaired at the estimated cost of \$150.00. Councilperson Jeff Hale seconded the motion and the motion carried unanimously.

Mayor Whitsell – Item 16 Consider allowing the Mayor to execute an ORDER OF CANCELLATION for the scheduled election for May 11, 2013, ordering the candidates as unopposed and hereby elected. (Section 2.051-2.053 Texas Election Code). Councilperson Joe Carlyle made the motion to allow the Mayor to execute an ORDER OF CANCELLATION for the scheduled election for May 11, 2013, ordering the candidates as unopposed and hereby elected. (Section 2.051-2.053 Texas Election Code). Councilperson Jeff Hale seconded the motion and the motion carried unanimously.

Mayor Whitsell – Item 17 Discuss and consider a proposal by the Alton Ashby Estate to donate to the City of Troup .2169 acres, Cross Acres Block 13, lot 1; located at the intersection of East Duval Street and Price Street as per description in the Smith County Property Account Number 140020001300001000. City Administrator Gene Cottle told the Council there would be attorney and title fees that cost approximately \$600.00. Mayor Whitsell ask Mr. Cottle if the Ashby Estate would be willing to pay the transfer fees, and per prior conversation Mr. Cottle said they would not. Mayor Whitsell called for the pleasure of the Council. A motion was not made so the item died due to lack of motion.

Mayor Whitsell – Item 18 Comments and input from Council, Mayor, or City Administrator concerning items of interest or items for a future agenda. There were not items mentioned

Mayor Whitsell – Item 19 meeting adjourned at 7:47 p.m.

Respectfully submitted,


Buffie Deason/City Secretary