

**MINUTES OF THE CITY OF CENTER
CITY COUNCIL MEETING
REGULAR MEETING
January 9, 2012**

The Center City Council met in a regular session on Monday, January 9, 2012 at 5:00 p.m. in the Council Room of City Hall. The meeting was open to the public. Notices were properly posted of the date, place and hour and the news media was notified. The following members were present:

David Chadwick	-	Mayor
Jim Forbes	-	Councilperson
Charlie Byndom	-	Councilperson
Charles Rushing	-	Councilperson
Joyce Johnson	-	Councilperson
Leigh Porterfield	-	Councilperson
Chad Nehring	-	City Manager
Barbara Boyd	-	City Secretary

Guests signed the register.

Item I. Mayor, David Chadwick opened the meeting and welcomed the visitors and media.

Item II. Approval of Minutes of the Regular Meeting on December 12, 2011. Council Member Jim Forbes made a motion to approve the Minutes of the Regular Meeting on December 12, 2011. Council Member Charlie Byndom seconded the motion. All voted in favor.

Item III. Consider Discussion and Possible Action on the following:

- A. Presentation of Airport Master Plan Study. Mike Burns with KSA Engineering presented the Council with the master plan for capital improvements, needs and funding options for projects at the Center Municipal Airport. City Manager, Chad Nehring stated because of the methodology and options with FAA/TxDoT funding for airport projects, Center's facility is in a good position to have several projects started with little if any local match requirements for several years. Council Member Charles Rushing made a motion to approve the Airport Master Plan Study. Council Member Leigh Porterfield seconded the motion. All voted in favor.
- B. Approve Ordinance 2012-1 – City Limits Map. City Manager, Chad Nehring stated state law directs that as city limits change, City's should adopt a formal map of the incorporated limits annually. Mr. Nehring stated this map reflects the annexations completed during 2011 since the last map was adopted and approved by Council. Council Member Joyce Johnson made a motion to approve Ordinance 2012-1 – City Limits Map. Council Member Charlie Byndom seconded the motion. All voted in favor.
- C. Approve Resolution 2012-1 – Designating the Official Newspaper for City Publications. City Manager, Chad Nehring stated state statute requires the Council annually designate the official publication for mandatory notices and other information required to be published. Council Member Jim Forbes made a motion to approve Resolution 2012-1 Designating the Official Newspaper for City Publications. Council Member Leigh Porterfield seconded the motion. All voted in favor.
- D. Approve Resolution 2012-2 – Authorizing Designated Signators to Draw Funds for the City of Center's Texas Department of Agriculture Texas Community Block Grant #711109. City Manager, Chad Nehring stated this is a specific requirement for these grant funds. Mr. Nehring stated the names inserted are those that have been previously used for these programs as well as most special funds of the City. Council Member Leigh Porterfield made a motion to approve Resolution 2012-2 Authorizing Designated Signators to Draw Funds for the City of Center's Texas Department of Agriculture Texas Community Block Grant #711109. Council Member Joyce Johnson seconded the motion. All voted in favor.
- E. Review, Amend as Necessary, and Consider Adoption of the Final State's Fair Housing Activity Statement – Texas Form (FHA/ST Form) which will become the Jurisdiction's Fair Housing Action Plan. City Manager, Chad Nehring stated the recommended plan is included in the packet and based upon the review and work of the committee designated by the Mayor. Mr. Nehring stated to be eligible for the Hurricane Disaster application process, this was required to be developed and now approved by the City Council. Council Member Charles Rushing made a

motion to Adopt the Final State's Housing Activity Statement – Texas Form (FHA Form) which will become the Jurisdiction's Fair Housing Action Plan. Council Member Charlie Byndom seconded the motion. All voted in favor.

- F. Approve Contract for Utility Pole Usage – SWEPCO and City of Center. City Manager, Chad Nehring stated last year the City initiated a project in cooperation with the Chamber to continue some focus on enhancing the downtown area, specifically providing free wi-fi internet access in that area. Mr. Nehring stated the best locations were to mount the antennas on street light poles. Mr. Nehring stated to do this, SWEPCO requires a written agreement and it will cost \$60.00 annually to mount these units on the poles. Council Member Joyce Johnson made a motion to approve Contract for Utility Pole Usage – SWEPCO and City of Center. Council Member Jim Forbes seconded the motion. All voted in favor.
- G. Authorize Engineering Contract – TWDP Project. City Manager, Chad Nehring stated the Council authorized EGA to initiate this sewer project including the elimination of multiple lift stations and the replacement of significant collection lines in town, over two years ago. Mr. Nehring stated during the design process, the Texas Water Development Board loan program was identified as the preferred method of funding for this project and an aspect of this funding mechanism is that to utilize any of these federal/state funds for engineering, proposals must be requested and authorized in a prescribed manner. Mr. Nehring stated the only proposal received was from EGA. Council Member Jim Forbes made a motion to authorize the contract for the TWDP Project to Everitt Griffith & Associates. Council Member Joyce Johnson seconded the motion. All voted in favor.
- H. Authorize Contract Negotiation for Professional Services
1. City Hall Project. City Manager, Chad Nehring stated four proposals were received from firms or teams to design under state architectural standards and requirements, and construct the renovations and Council Chamber addition to City Hall. Mr. Nehring stated a staff committee reviewed the proposals and deemed the proposal of Berry & Clay Construction to have the most local history and a well defined process for developing plans and involving the contract in design to monitor costs effectiveness as well as ensure adequate estimate of ultimate construction costs.
 2. Streetscape Project. City Manager, Chad Nehring stated three landscape architect firms submitted proposals. Mr. Nehring stated White Oak Studios, from Houston, was scored highest by the committee primarily because of the detailed design process, initially expressed concepts as well as their experience with smaller communities.

Council Member Leigh Porterfield made a motion to Authorize Contract Negotiations for Professional Services for the City Hall Project to Berry & Clay and for the Streetscape Project to White Oak Studios. Council Member Charles Rushing seconded the motion. All voted in favor.

- I. Authorize Quit Claim Deed Request – Portion of Carnahan Street. City Manager, Chad Nehring stated the current owner of all the adjoining property of this street has requested the Council consider abandoning the portion of Carnahan Street between Church and Bank Streets. Mr. Nehring stated as best we can determine, this street was part of the original town square plat and over time has become more of an alley access to Bank St. due to the closing of the intersection of Bank and Tenaha St. and adjoining building construction over past fifty years or more. After much discussion, Council Member Charles Rushing made a motion to table the item for further investigation into the matter. Council Member Leigh Porterfield seconded the motion. All voted in favor.
- J. Discussion of Water Rate Schedule for Stage 3 Drought Plan. City Manager, Chad Nehring stated the City's drought contingency plan, developed under the requirements of state law, dictates a progressively graduated rate schedule should Stage 3 of the plan become activated. Mr. Nehring stated since we have not been near this level of drought previously, these specifics were never developed or even explored and with continued drought forecast into this Summer and experiencing continued high usage, it is a possibility that Stage 3 requirements could be triggered. After much discussion, Council asked staff to get several comparisons from other Cities before any schedule is adopted.
- K. Approve Center Youth Baseball Association Facility License Agreement for 2012. City Manager, Chad Nehring stated this is the annual contract for maintenance and use of the Boy's baseball fields at Center Park. Council Member Jim Forbes made a motion to approve Center Youth Baseball Association Facility License Agreement for 2012. Council Member Leigh Porterfield seconded the motion. All voted in favor.

- M. Approve MLK Parade & March. City Manager, Chad Nehring stated this is the annual request for the MLK parade route and street use. Council Member Charles Rushing made a motion to Approve MLK Parade & March. Council Member Charlie Byndom seconded the motion. All voted in favor.

Item IV. Items of Interest from Council and City Manager, and Citizens – No Action Items.

- A. Ellington Street. City Manager, Chad Nehring updated the Council regarding possible right of way acquisitions.
- B. Downtown Lights. City Manager, Chad Nehring asked Council for direction regarding the lights on the buildings around the downtown square.
- C. Waste Water Treatment Plant Discharge Permit. City Manager, Chad Nehring stated the application has been filed and the City has received the letter stating the application has been administratively complete.

Item V. Executive Session.

- A. Personnel Matters – City Attorney.
- B. Land Acquisition.
- C. Pending Litigation.

Consider entering executive session for legal consultation with the City Attorney and discussion of pending litigation, personnel matters and land acquisition with possible action related thereto upon reconvening in open session in accordance with Local Government Code Section 551.071, 551.072 and 551.074

Item VI. Action on Items in Executive Session.

- A. Appointment of City Attorney. Council Member Charles Rushing made a motion to approve James Payne with Fairchild, Price, Haley & Smith Law Firm as the City Attorney. Council Member Charlie Byndom seconded the motion. All voted in favor.
- B. Authorize Offer to Purchase 1.00 Acre Tract – Adjoining American Legion Park. Council Member Charles Rushing made a motion to authorize the Purchase of the 1.00 Acre Tract Adjoining American Legion Park. Council Member Leigh Porterfield seconded the motion. All voted in favor.
- L. Approve Board Appointments.
1. Center Economic Development Street Improvements. Council Member Charlie Byndom made a motion to approve Leigh Porterfield to the Center Economic Development Street Improvements Board.
 2. Zoning Board of Adjustments. Council Member Charles Rushing made a motion to approve Lisa Christian and Randy Collard to the Zoning Board of Adjustments. Council Member Leigh Porterfield seconded the motion. All voted in favor.
 3. DETCOG Board. Council Member Jim Forbes made a motion to approve Joyce Johnson to the Deep East Texas Council of Governments Board. Council Member Leigh Porterfield seconded the motion. All voted in favor.

Item VIII. Adjournment

Mayor David Chadwick adjourned the meeting.


David Chadwick, Mayor

Attest:


Barbara Boyd, City Secretary

