MEETING MINUTES
City Council, City Of Quitman
Thursday, December 20, 2012 – 7:00 PM
City Council Chambers, City Hall – 401 E. Goode Street, Quitman, TX

COUNCIL PRESENT: J.R. Evans, Mayor Pro-Tem; Toni Cole, Alderman; Larry Crow, Alderman; Randy Dunn, Alderman and Sam Lange, Alderman

COUNCIL ABSENT: Jerry Edwards, Mayor

STAFF PRESENT: Delene Allen, Civic Services Director; Robert Holland, Police Sergeant (for Kelly Cole, Police Chief); Mike Hall, City Secretary / Administrator; Meri Joy Brightwell, Assistant City Secretary; Walter Lutonsky, Streets & Maint Director; Jim McLeroy, City Attorney; and Scott Wheeler, Fire Chief.

Evans called the meeting to order at 7:00 PM.

Dunn led an invocation and Lange led the pledge.

Item 1 – Citizen Comments (COMMENT ONLY)
Ronnie Wilson was present to speak against allowing water wells to be permitted inside the City. He stated that the ordinance provides that water wells are not allowed if water service can be provided by the city and everyone should have to follow the ordinance.

Brenda Cunningham was present to speak for allowing water wells to be permitted within the city limits. She noted that the ordinance in place was in effect denying her right to withdraw water from beneath her property and limiting the use of her property, which she believed she otherwise had right to under state, federal and natural law. She also verbally requested to be provided a copy of the supporting materials used to produce the informational memo from Hall to the Council regarding potential revenue loss from a change in the ordinance to allow permitting for irrigation purposes. Hall informed her that she could submit a written request for public information, but also advised her that the account level data used may likely be protected information due to privacy concerns.

Debbi Robinson was present to speak in support of the request by the Wood County Electric Cooperative for a water well permit for irrigation purposes only stating there was no need for treated water for the landscaping at their new headquarters campus. She encouraged the Council to approve a water well permit to allow for use of untreated water with respect toward conservation of environmental and financial resources.

Chana Gail Willis, Executive Director of the Wood County Industrial Commission, presented the new Wood County visitors guide and spoke about the local sales allocation charts and economic progress report of the Commission.

Dunn mentioned he would like to review the water well ordinance and the water rate structure at a future meeting, specifically with concern to adjust the rates to not be so dependent on use and relieve the concern about water well permitting.

Evans also expressed his interest to see the water well ordinance and water rate structure addressed at a future meeting.

Item 2 – November 15, 2012 City Council Meeting Minutes
Cole made a motion to approve the minutes, Crow seconded the motion. The motion passed unanimously.

Item 3 – November Financial Report
Cole made a motion to approve the report, Crow seconded the motion. The motion passed unanimously.

Item 4 – November Budget Report
Lange asked about line 42 - Diesel that appeared to be over budget for the year-to-date. Lutonsky explained there were different line accounts to pay for Diesel and Hall explained there were also allocations of the total budget throughout the year. Hall assured the Council the line would not go over budget and if it did, the overall department would not.
Crow made a motion to approve the report, Cole seconded the motion. The motion passed unanimously.

Item 5 – November Departmental Reports
Allen gave an extended presentation including a power point slide show about the Quitman Public Library and the services provided to the citizens of Quitman and Wood County. No other additions to the reports were made by the department heads.
Crow made a motion to approve the reports, Lange seconded the motion. The motion passed unanimously.

Without objection, Evans took Items 7 and 8 prior to Item 6.

Item 7 – Planning and Zoning Commission Appointment
Evans introduced the resolution noting passage would reappoint Darrin Asmussen and Wayne Crabb each to 3 year terms as members of the Planning and Zoning Commission to expire January 1, 2016.
Crow made a motion to approve the resolution, Lange seconded the motion. The motion passed unanimously.

Item 8 – Library Advisory Board Appointments
Evans introduced the resolution noting passage would appoint Dorothy Harbin and reappoint Judy Gordon and Diane Moseley each to a 3 year term on the Library Advisory Board to expire January 1, 2016. He noted Dorothy Harbin would be replacing R.T. Bridges who was stepping down and had served with distinction as the Board's Chairman.
Crow made a motion to approve the resolution, Lange seconded the motion. The motion passed unanimously.

Item 6 – Water Well Permit – 501 South Main Street, Wood County Electric Cooperative
Evans introduced the item noting two alternative resolutions, one for approving the permit request and one for denying it. He asked Jim McLeroy to explain the options concerning the request for the water well permit. McLeroy stated that under the current ordinance, if the City found under the resolution that it could provide water service or that the well would be place in an unsafe manner that the Council was compelled by the ordinance to deny the permit. Alternatively, he explained that if the Council found under the resolution that the City could not provide water service and that the well would be placed safely that the Council could grant the permit request. He noted a third option in that the Council could pass a specific ordinance allowing this specific water well without regard or affect to the existing ordinances. There was general discussion about the legality and defensibility of the existing ordinance. Cole pointed out her concern about discussing such matters in a public setting.

Cole made a motion to enter into Executive Session to consult with the City Attorney, Crow seconded the motion. The motion passed unanimously.

At 7:50 PM the regular meeting was recessed for the purpose of entering into Executive Session pursuant to Section 551.071 – Consultation with Attorney.

A Certified Agenda of this Executive Session is on file with the City Secretary's Office.

At 8:36 PM The regular meeting was reconvened.

Crow made a motion to approve the resolution to deny the permit request, Dunn seconded the motion.

There was general discussion about the City Council's desire to review and potentially revise the existing water well permitting regulations, but that the ordinance requirements seemed clear in this instance.
Dunn made a motion to table action on the previous motion, Cole seconded the motion. The motion to table passed with Cole, Dunn, Evans, and Lange voting FOR, and Crow voting AGAINST.

Adjournment
Crow made a motion to adjourn, Cole seconded the motion. The motion passed unanimously.

The meeting was adjourned at 8:40 PM.

I HEREBY CERTIFY THAT THESE MINUTES ARE A TRUE AND CORRECT RECORD OF THE ITEMS CONSIDERED AND ACTION TAKEN AT THIS MEETING AND THAT THESE MINUTES HAVE BEEN APPROVED AS TRUE AND CORRECT AND THAT AN EXECUTED COPY IS ON FILE WITH THIS OFFICE.

MICHAEL E. HALL
CITY SECRETARY-ADMINISTRATOR