

Minutes of the regular City Council Meeting Monday, December 11, 2006 at 5:15 p.m. at Diboll Council Chambers.

Present

James P. Simms	Mayor
Gandy Stubblefield	Councilman
Bill Brown	Councilman
Don Hendrick	Councilman
Ricky Conner	Councilman
Jan Wilkerson	Councilwoman
Jimmy Cassels	City Attorney
Kenneth Williams	City Manager
Tina Cavazos	City Secretary

Absent

None

Also Present

Horace Williams	School Superintendent
Gary Jones	Fire Chief
Kent Havard	Police Chief
Gary Fannon	First Baptist Church (Pastor)
Police Chief	Police Chief of Huntington
David Gilz	Nestor Traffic System
Rick Ledford	Nestor Traffic System

1. **Mayor Simms called meeting to order.**
2. **Kenneth Williams opened meeting with prayer.**
3. **Approval of Minutes**

Motion was made to approve the Minutes of the regular meeting of November 13, 2006 by Gandy Stubblefield and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

4. **Discuss and approve the use of Red Light Traffic Cameras by Nestor Traffic System**

Mr. Williams (City Manager) gave the staff report. David Gilz (Nestor Traffic System) came forward representing the request and to answer any questions of the Council.

David Gilz (Nestor Traffic Systems) presented to the Mayor and Council a video on the features and benefits of the red light camera. Mr. Gilz explained that his company has been in operation since 1988. Mr. Gilz also gave an overview of the company. Mr. Gilz explained how the system would work. Jimmy Cassels (City Attorney) asked if it's possible to commit to a two year contract instead of five year contract. Mr. Gilz stated that the company could only do a three year contract. Mr. Gilz explained that by doing a three year contract it will allow the company to recover their money. Mr. Gilz also went into detail explaining that before Nestor Traffic Systems install a system they would do a study of the specific area to determine if it is feasible to install the red light camera system.

Mr. Williams (City Manager) asked would the road need to be reconstructed to install this system. Mr. Gilz stated no. Mr. Gilz explained that it's several different ways to install this system. Mr. Gilz stated that by working with an Engineer they would determine the best way to install this system. Ricky Conner (Councilmember) asked the time frame of starting and completing the installation of the lights. Mr. Gilz explained the job would take approximately 60 days.

Motion was made by Jan Wilkerson to approve the request for Red Light Traffic Cameras by Nestor Traffic System with a three year contract. Bill Brown seconded the motion with a unanimous affirmative vote being recorded.

5. **Discuss and approve and increase of Green Fees at Neches Pines Golf Course.**

Mr. Williams (City Manager) gave the staff report.

Jimmy Mettlen came forward representing the request and to answer any questions of the Council.

Mr. Mettlen explained that by increasing the Green Fees it would make the Golf Course compatible to the surrounding Golf Courses. Mr. Mettlen explained that they would like to increase the fees by \$3.00 on weekdays and \$4.00 dollars on weekends. Mr. Mettlen also noted that with this increase the Golf Course fees are still below others Golf Courses in the area.

Bill Brown made the motion to increase the green fees at Neches Pines Golf Course. Ricky Conner seconded the motion with a unanimous affirmative vote being recorded.

6. **To enact an ordinance to prohibit the sale of Alcoholic Beverages from a store located within 300 feet of a church, public or private school.**

Mr. Williams (City Manager) gave the staff report.

Jan Wilkerson (Councilmember) asked if this ordinance would cover libraries. Mr. Cassels (City Attorney) stated no.

Gandy Stubblefield (City Councilmember) asked how many applications had the City received. Mr. Williams (City Manager) stated three.

Gandy Stubblefield made the motion to approve the ordinance to prohibit the sale of alcoholic beverages from a store located within 300 feet of a church, public or private school. Don Hendrick seconded the motion with a unanimous affirmative vote being recorded.

7. **Discuss and approve a Resolution to charging a permit, application, processing, and an annual license fee for establishments that sell beer and wine.**

Mr. Williams (City Manager) gave the staff report. There being no comments.

Don Hendrick made the motion to approve a resolution to charging a permit, application, processing, and an annual license fee for establishments that sell beer and wine. Jan Wilkerson seconded the motion with a unanimous affirmative vote being recorded.

8. **Consider and possible approval request by Brookshire Brother Food Stores to obtain a variance to the City of Diboll's ordinance prohibiting the sale of alcoholic beverages within 300 feet of school property for the store located at 221 North Temple in Diboll, Texas**

Mr. Williams (City Manager) stated that Brookshire Brother decided to withdraw the application. Mr. Williams noted that this item would not be heard by the Council.

9. **Consider and take action on joint election contract agreement between the Diboll Independent School District and the City of Diboll**

Mr. Williams (City Manager) stated that the Texas Education Code, Section 11.0581 has asked all schools to hold their elections with the City or County. Mr. Williams stated that the City would like to have the early election and voting day in the same location. Mayor Simms asked Mr. Horace Williams (School Superintendent) if he had any comments. Mr. Horace Williams had none.

The floor was opened for comments. There being none.

Motion was made by Bill Brown to approve the authorization for the joint elections with the Diboll Independent School District. Ricky Conner seconded the motion with a unanimous affirmative vote being recorded.

10. **Consider and take action on joint election contract agreement between the Diboll Independent School District and the City of Diboll**

Mr. Williams (City Manager) gave the staff report. Mr. Simms stated that the Council should have already reviewed the contract agreement between the Diboll Independent School District and City of Diboll sharing all cost for the election.

Mayor Simms opened the floor for comments. There being none.

Motion was made by Jan Wilkerson to approve the joint election contract agreement between the Diboll Independent School District and the City of Diboll. Ricky Conner seconded the motion with a unanimous affirmative vote being recorded.

11. **Consider and take action adopting a resolution to approve applying for Texas Community Development Board Grant Program Assistance**

This item was withdrawn from Council agenda.

12. **Executive Session**

Mayor Simms called the council into executive session at this time to discuss personnel issues.

Mayor Simms called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

13. **Public Forum**

Gary Fannon (Pastor) stated that he would like to see the city of Diboll stay dry. Mr. Fannon asked for information on how to get a petition started to keep the city of Diboll dry. Jimmy Cassels (City Attorney) stated that Bill Shanklin's office in Lufkin would have all the information for getting a petition started.

14. **Council Comments**

There being none.

15. **City Manager Comments**

Mr. Williams stated that the City was recognized as an outstanding Water System. Mr. Williams also noted that the Hike and Bike Trail received a certificate and the trail meets ADA requirements.

16. **There being no further business for consideration, the meeting was adjourned at 7:03p.m.**

James P. Simms, Mayor

ATTEST:

Tina Cavazos, City Secretary