

A regular meeting of the City Council was held at City Hall on Tuesday, May 20, 2008.

**1. Call To Order**

Mayor - Pro Tem Gary Coker called the meeting to order. Reminded Council and audience meetings are conducted in strict compliance with Roberts Rule of Order.

**2. Roll Call**

Council present: Mayor Pro-Tem Gary Coker, Rodney Weems, Linda Diaz, Thomas Lemon, and Neal Bess Jr.

Also present: Tim Moss, City Manager; Charlie Stevenson, City Attorney, Homer Toscano, Director of Public Works; and Gary Stroud, Chief of Police.

**3. Invocation**

Invocation was given by Charlie Stevenson

**4. Pledge of Allegiance**

Pledge of Allegiance was recited.

**5. Swear in Officials**

City Secretary Reatta Minshew swore in Ray Bailey, Linda Diaz, Gary Coker, and Judge Jerry Phillips.

**6. Election of Mayor Pro-Tem**

The voting was done by secret ballot. Mayor Pro-Tem Gary Coker received 3 votes, Neal Bess Jr. received 1 vote, Thomas Lemon received 1 vote.

Since the votes for Mayor were not canvassed and it was not on the agenda a special meeting will be held at a later date to be announced.

**7. Presentations by Citizens -**

Visitors: Al Lindley, Jim Darrell, Ron Lynn, Mel Diaz, Phyllis Kittinger, Kelly Stroud, Dan Turbet, Jackie Kruse, D. Ray Goodrum, Rita McMillan, Travis Nelson, Ryan Crouch, Roger Barton, Gloria Harrison, and Donna Bailey

**8. Consent Items**

**A. Approval of Minutes - April 15, 2008**

**B. Approval of Bills- \$ 34,063.74**

Ray Bailey had a question about A.W. Davis Tire and Brazoria Tire and Auto – Tim stated this invoice could not be done in town; for tire size. Unique Supply – Tim stated supplies for gas systems. Neal Bess questioned Omni Controls – Tim stated purchase of Odorometer to check strength of odorant in gas.

Neal Bess made a motion to accept the consent items as read. Ray Bailey seconded the motion. All in favor; motion carried.

## **9. Public Hearings**

None

## **10. Fire Department Report**

Devin Lemon gave report total 11 calls. Training in house 2<sup>nd</sup> and 4<sup>th</sup> Tuesday. Auxiliary hosted The Pride Day Pageant this year. Current Roster is 18.

## **11. Old Business**

### **A. Amend Parks and Recreation Ordinance 102-94/ Neal Bess**

Neal Bess would like to amend the ordinance to extend scope of membership to include not only City limits but School District limits. Mr. Bess would like to have a Park and Recreation Executive Board which their 5 members will be appointed by the Council and serve alternating terms. The Executive Board will appoint a Park and Recreation Board consisting of 9 members with unlimited terms. Mr. Bess also stated that he would like the Beautification Committee to work under the Parks and Recreation Board. Neal Bess made a motion to amend the ordinance as stated above. Linda Diaz seconded. All in favor; motion carried. Neal Bess made a motion to accept: Kelly Stroud, Dan Turbett, Larry Dye, Terry Johnson and Dale Lemon as the Parks and Recreation Executive Board of Directors tentatively until Ordinance is changed at next Council meeting. Linda Diaz seconded. All in favor; motion carried.

### **B. Registration of Contractors**

Tim Moss said that he and Charlie Stevenson have been working together to get information, they are still working on this and request to table until next meeting. Neal Bess made a motion to table registration of contractors until next meeting. Thomas Lemon seconded. All in favor; motion carried.

## **12. New Business**

### **A. Relocate Utility Easement for Drew Jolly on property at Ave A.**

Tim Moss stated Mr. Jolly would like to put an addition to his home; there is a sewer easement on his property. The sewer line to one side of the easement; Mr. Jolly is requesting to move the easement over 6 ½ ft. which will help both parties - The City if we need to work in the easement and Mr. Jolly more room towards his home. Mr. Stevenson stated two deeds would be needed to complete changes. Discussion was made. Ray Bailey made a motion to approve relocating utility easement 6 ½ ft on Drew Jolly's property on Ave A. Neal Bess seconded. All in favor; motion carried.

### **B. Appeal Board of Adjustments denial of Variance of Carport Placement / Jackie Kruse**

Jackie Kruse spoke on her behalf. Ms. Kruse resides at 503 N. Hackberry. Ms. Kruse placed the carport to close to the property lines. Rodney Weems spoke on behalf the Board of Adjustments; and advised their decision to grant a variance to place the carport in a different location. Discussion was made. Neal Bess made a motion to grant a variance to Ms. Kruse to allow her to keep the carport where it stands. Linda Diaz seconded. All in favor; motion carried.

**C. Amend the Sign Ordinance #110-62 to Allow Political Signs at Voting Location**

Tim Moss spoke in regards to the Ordinance that states no signs are allowed on City right of way. Mr. Moss would like to have Ordinance changed to allow political signs at voting location. Ordinance was read and it states that signs would be allowed if someone purchased a permit; which the City does not have permits for this. Neal Bess made a motion to amend the Ordinance to allow political signs at voting location. Thomas Lemon seconded. 3 in favor; 1 opposed. Motion passed.

**D. Tax Resale Property at 305 4<sup>th</sup> Street / Ora Mae Kennedy**

Discussion was made. Ray Bailey made a motion to accept the bid of \$3,500.00 from Ora Mae Kennedy for property located at 305 4<sup>th</sup> St. Neal Bess seconded. All in favor; motion carried.

**E. Permission to Obtain Loan to Construct Building for Fire Dept. / Devin Lemon**

Devin Lemon and Roger Barton spoke on behalf of the Fire Department. They are requesting help from the City to purchase a 60 x 60 building for \$80,000.00. At this time; since most equipment at the Fire Department is in the City's name the Fire Department does not have enough collateral to get the loan. Discussion made. Neal Bess made a motion to apply for a loan for \$80,000.00 to obtain a building for the Fire Department. Thomas Lemon seconded. All in favor; motion carried.

**F. ADA Backyard Park / Neal Bess**

Neal Bess spoke in regards to getting a walkway from the road to the pavilion. To make access to the pavilion for those that are handicapped. Neal Bess made a motion to table this item until June meeting to get bids. Linda Diaz seconded. All in favor; motion carried.

**G. Discuss 2 RV Spaces at Backyard Park to be used for Long Term Usage / Rodney Weems**

No action taken.

**H. Discuss Acquiring Land for RV Park and Extend Utility Lines to it / Rodney Weems**

No action taken.

**I. Discuss Ordinance # 106-90, Maximum Speed Limit for Trains / Neal Bess**

No action taken.

**13. Reports of Advisory Boards & Commissions**

None

**14. Mayor, Council and Staff Reports**

**Gary Coker** – None

**Thomas Lemon** – None

**Neal Bess** – 2007 Audit has not been received. Special Meeting requests to be done in writing.

**Ray Bailey** – None

**Linda Diaz** – None

**Tim Moss** – Small gas leak under FM 524 at City Hall; Mercer Control is repairing that this time.

**Chief Stroud** – None

**Homer Toscano** – None

**15. Announcements**

Special Meeting to canvass votes and swear in Mayor-Elect Rodney Weems on May 27, 2008, at 5:00 pm.

**16. Closed Executive Session in Accordance with the Open Meetings Act, Tex. Gov't Code**

**§ 511.071, § 551.072 and § 551.074. To Discuss:**

**OPEN MEETING:**

**17. Discussion and action on any items discussed in Executive Session**

**18. Adjournment**

Being no further business meeting adjourned at 8:40 PM

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008**

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**Reatta Minshew, City Secretary**