

AGENDA
CITY OF COLEMAN
CITY COUNCIL MEETING
THURSDAY, MAY 21, 2015; 6:00 P.M.
COLEMAN CITY HALL
200 W. LIVEOAK, COLEMAN, TEXAS 76834

A **regular meeting** of the City Council of the City of Coleman will be held on **Thursday, May 21st, 2015** at **6:00 P.M.** The following subjects will be considered by the City Council and may be considered in any order that is most convenient for the City Council.

MEMBERS PRESENT:

MEMBERS ABSENT:

I. MEETING CALLED TO ORDER – MAYOR, NICK POLDRACK.

II. INVOCATION - MAYOR NICK POLDRACK:

(THE MAYOR MAY CALL ON ANYONE HE MAY CHOOSE TO GIVE THE INVOCATION. THE MAYOR MAY ALSO CALL ON ANYONE IN ATTENDANCE WHO MAY WANT TO GIVE AN INVOCATION ON BEHALF OF ANY OTHER RELIGION OR RELIGIOUS BELIEFS)

III. PLEDGE OF ALLEGIANCE - MAYOR NICK POLDRACK:

IV. WELCOME OF VISITORS AND GUESTS – MAYOR NICK POLDRACK:

V. CONSENT AGENDA - MAYOR NICK POLDRACK:

(THE CITY COUNCIL MAY APPROVE ALL OF THE CONSENT AGENDA ITEMS WITH ONE MOTION) – MAYOR NICK POLDRACK.

1. The City Council may consider, discuss, and/or take actions regarding the approval of the quarterly occupancy tax report for the period ending March 30th, 2015 - **Mary Griffis, Executive Director for the Coleman Chamber of Commerce.**
2. The City Council may consider, discuss, and/or take actions regarding the approval of the minutes of the City Council Meetings conducted on April 2, 2015 and April 16, 2015 – **Karen Langley, City Secretary.**
3. The City Council may consider, discuss, and/or take actions to approve the Code Enforcement report for the month of **April, 2015 – Chief Jay Moses.**

4. The City Council may consider, discuss, and/or take actions to approve the Police Department report for the month of **April, 2015 – Chief Jay Moses.**
5. The City Council may consider, discuss, and/or take actions to approve the Municipal Court Report for the month of **April, 2015 – Judge Robert J. Nash.**
6. The City Council may consider, discuss, and/or take actions to approve the Professional Fees for the month of **April, 2015 – City Manager, Paul Catoe.**
7. The City Council may consider, discuss, and/or take actions to approve the Lake Level Reports for the Hords Creek Reservoir and Lake Coleman for the Month of **May, 2015 – City Manager, Paul Catoe.**

VI. HEARING OF VISITORS CONCERNING MATTERS NOT ON THE AGENDA – MAYOR NICK POLDRACK: (Visitors shall be limited to no more than (5) five minutes to address the Council.

In accordance with Section 551.042 of the Texas Government Code, an inquiry made at a meeting shall be conducted as follows:

- (a.) If at a meeting of a governmental body, a member of the public or the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:
 1. A statement of a specific factual information given in response to the inquiry; or
 2. A recitation of existing policy in a response to the inquiry.
- (b.) Any deliberation of or a decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

VII. BIDS RECEIVED:

1. The City Council may consider, discuss and/or take actions regarding the bids received on or before 5:00 P.M. on May 21, 2015 for the repairs to the roofs of various city buildings and or structures belonging to the City of Coleman as per the notice published in the Coleman Chronicle and Democratic Voice on May 6th and May 13th, 2015. After the opening and reading of the bids, the bids will then be presented to City Staff for evaluation and review. The City Council may then consider the recommendations of the City Staff at their regular meeting scheduled for June 4th, 2015 – **Mayor Nick Poldrack.**

VIII. OLD BUSINESS:

1. The City Council may consider, discuss and/or take actions authorizing the City Manager to seek and advertise for proposals from a Professional CPA Firm qualified to **conduct a Specific Use Audit** regarding the following electrical activities for the current Fiscal Year for October 1, 2014 through September 30, 2015 – The City Council shall also request proposals from a Professional CPA Firm qualified to **conduct a complete a comprehensive audit** for this same time period – **Mayor, Nick Poldrack and City Manager, Paul Catoe:**

The following requirements and issues shall be addressed with regards to the **Specific Use Audit:**

- Examine the City's current Electrical Rates, expenditures, and City Revenues to determine the adequacy of the current electrical rate structure relative to the City's budget requirements.
- Examine the City's current costs and/or expenses associated with the City's Electrical Distribution System and Electrical Production System along with other departments which may contain electrical line items costs as compared to the electrical rates charged to the customers of the Electrical Distribution System.
- Examine the short term and long term financial impact of the City's budget with regards to the potential divestiture of the City's Electrical Distribution System and/or reduction in electrical rates as required by the proposed ordinances and petitions.
- Examine the alternative sources of revenues required to make up the estimated shortfall should the City Of Coleman be required to lower electrical rates and or divest the City of the Electrical Distribution System.

2. EXECUTIVE SESSION:

1. The City Council may enter into Closed Executive Session pursuant to the meetings of the Open Meetings Law, Chapter 551.071, Government Code Vernon's Annotated, in accordance with the authority contained in the following section:

Section 551.071 – Consultation with the City Attorney:

A. Two ordinances proposed by the initiative petitions captioned as follows:

- **An Ordinance Amending Ordinance, Article 13.04.101 Division 3, Maximum allowed Price Differential Between The Total Cost of Electricity Paid From Its Wholesale Electrical Provider And The Total Price Charged By and Through The City Of Coleman While Operating As A Municipally Owned Utility.**

- **An Ordinance Amending Ordinance, Article 13.04.101 Division 3, Electrical, Requiring That The Municipally Owned Utility Be Divested, Within A Designated Time.**

3. RETURN TO OPEN SESSION:

Action as a result of the Executive Session:

- A. Following Executive Session, the City Council may consider discuss and/or take action regarding one or both of the proposed ordinances – **Mayor Nick Poldrack and City Attorney, Pat Chesser.**
4. The City Council may consider, discuss and/or take actions regarding the City's **discontinuation** of discussions of the proposed comprehensive plan as approved to be placed on the agenda on the first meeting of every month as requested by Eric Joffrion and as authorized by the City Council unless specific information can be made available to members of the City Council regarding the progress of the comprehensive plan. – **Mayor Nick Poldrack.**
5. The City Council may consider, discuss and/or take actions to appoint two members to an oversight committee between the City, County and Hospital District regarding ambulance operations provided by the Heart of Texas Emergency Ambulance Services. – **Mayor Nick Poldrack.**
6. The City Council may consider, discuss and/or take actions to approve the second reading of an ordinance establishing the Coleman Water Conservation Board and its bylaws. – **Mayor Nick Poldrack and City Attorney Pat Chesser.**

IX. NEW BUSINESS:

1. The City Council may consider, discuss and/or take actions regarding the replacement of the sidewalk in front of the residence located at 811 W. Liveoak, Coleman, Texas due to an alleged underground water leak several years earlier and alleged city outrigger equipment causing sidewalk damage by the City of Coleman personnel – **Mayor Nick Poldrack, Kenneth Moore and Jody Payne.**
2. The City Council may consider, discuss and/or take actions to approve the appointment of a new board Member to take the place of Kevin McMahon on the City of Coleman Library Board and to discuss new grants received by The City of Coleman Public Library – **Mayor Nick Poldrack and Sue Dossey, Director of the Coleman Public Library.**
3. The City Council may consider, discuss and/or take actions regarding the approval of an Agreement and Resolution Number 15-05 for the temporary closure of State Highway 153 and State Highway 206 for activities associated on Commercial Street with the Rodeo Parade to be conducted on Saturday June 13th, 2015 between the hours of 10:00 A.M. and 11:00 A.M. – **Mayor Nick Poldrack and Chief Jay Moses.**

4. The City Council may consider, discuss and/or take actions regarding the closure of the middle portion of the East Half of College Street from Concho Street to Commercial Street on June 13th, 2015 for the Coleman County Fire Fighters Association to conduct a sale for hamburgers and related food items. – **Mayor Nick Poldrack and Gary Barton, President of the Association.**
5. The City Council may consider, discuss and/or take actions regarding the use of the City Park from 10:00 A.M. to 3:00 P.M. for the July 4, 2015 2nd annual celebrations conducted through the Sponsorship of the Ace Program – **Mayor Nick Poldrack and Council Member Danny Jameson,**

X. STAFF COMMENTS:

THE CITY COUNCIL MAY DISCUSS AND/OR TAKE ACTIONS REGARDING ANY ITEM LISTED ON THIS AGENDA **(ONLY THOSE ITEMS LISTED MAY BE PRESENTED AND DISCUSSED BY THE CITY STAFF AND OR CITY COUNCIL)**

1. The City Council may consider, discuss and/or take actions to approve the Financial Report for the month of **April, 2015** – **Mayor Nick Poldrack and City Manager, Paul Catoe**
2. Presentation of Administrative Report – **City Manager, Paul Catoe**
 - Presentation of an update on the CDBG Grant & Comprehensive Plan.
 - Presentation of the results of the City Landfill Inspection conducted on 5-6-15.

XI. MAYOR AND COUNCIL COMMENTS: (None)

XII. ADJOURNMENT OF MEETING: TIME _____

The City Council of the City of Coleman reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters as listed above, as authorized by Texas Government Code Sections: 551.071 (Consultation with the City Attorney), 551.072 (Deliberations about Real Property, 551.073 (Deliberations about Gifts and Donations) 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

I, **Karen Langley** do hereby certify that the above notice of meeting of the governing body of the City of Coleman, Texas is a true and correct copy of the said notice and that a said copy of this notice was then posted on the front window of the City Hall of said City in Coleman, Texas in a location convenient and readily accessible to the general public at all times, and said notice was posted on **May 18th, 2015** at _____ P.M. and remained so posted continuously at least **72** hours preceding the scheduled time of said meeting.

Karen Langley, City Secretary

The City of Coleman is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary by calling 325-625-4116 or by going by 200 W. Liveoak, Coleman, Texas 76834, during normal business hours at least (48) forty-eight hours in advance of the scheduled meeting.