

AGENDA
CITY OF COLEMAN
CITY COUNCIL MEETING
THURSDAY, JULY 20, 2017; 6:00 P.M.
LOCATED AT THE 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, July 20th, 2017** 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. CITY COUNCIL MEETING CALLED TO ORDER – MAYOR, TOMMY SLOAN:

II. INVOCATION – MAYOR, TOMMY SLOAN:

(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, TOMMY SLOAN:

IV. WELCOME OF VISITORS AND GUESTS – MAYOR, TOMMY SLOAN:

V. CONSENT AGENDA – MAYOR, TOMMY SLOAN:

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

1. The City Council may consider, discuss, and/or take actions regarding the approval of the quarterly occupational tax report for the quarter ending June 30th, 2017 – **Mary Griffis, Executive Director of 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 Meeting conducted on **June 15, 2017** – **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 **June, 2017– Fire Chief, David Martinez.**
4. The City Council may consider, discuss, and/or take actions to approve the Police Department report for the month of **June, 2017 – Police Chief, Anthony Smith.**
5. The City Council may consider, discuss, and/or take actions to approve the Municipal Court Report for the month of **June, 2017 – Judge, Robert J. Nash.**
6. The City Council may consider, discuss, and/or take actions to approve the Professional Fees for the month of **June, 2017 – 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 Reservoir for the Month of **July, 2017 – City Manager, Paul Catoe.**

VI. OPENING OF BIDS:

1. The City Council shall open bids for **pick-up and disposal** of **“Solid Waste Materials”** within the City of Coleman for the period beginning **10-01-17 through 9-30-22** at which time the bids will be delivered to City Staff for review and to make recommendations back to the City Council at their regular meeting to be conducted on **08-03-17 – Mayor Tommy Sloan.**
2. The City Council shall open bids for the sale of the property located at **1709 South Commercial Avenue** and the City Council may then consider, discuss and/or take actions to award a bid regarding the above described property – **Mayor Tommy Sloan.**
3. The City Council shall open bids for the property located at **1300 Brazos** and may then consider, discuss and/or take actions to award a bid regarding the above described property – **Mayor Tommy Sloan.**
4. The City Council may consider, discuss and/or take actions regarding the bids received for the purchase and installation of a **“variable speed frequency drive” and the installation of a “SCADA” system. This work is required prior to the City Engineer choosing the proper filtering system for the New Water Treatment Plant.** – **Mayor, Tommy Sloan and Allen Phillips, P E representing Jacob & Martin Engineering LLC.**
5. The City Council shall first open bids and may then consider, discuss and/or take actions regarding the award of bids for the sale of **twenty five (25), 5X5 round bales of Fertilized Mixed Coastal & Johnson Grass Hay** and the sale of **forty three (43), (5X5) round bales of Fertilized Mixed Coastal & Johnson Grass Hay** – **Mayor, Tommy Sloan.**

VII. OLD BUSINESS:

1. The City Council may consider, discuss and/or take actions to conduct a Public Hearing regarding the plans and specifications for the Downtown Revitalization Project in the **200 block of Commercial Avenue (contract # 7216252) – Mayor, Tommy Sloan; Kay Howard, President of A & J Howco Services Inc. and Roy Wright P.E., Jacob & Martin, LLC.**
2. The City Council may consider, discuss, and/or take actions to approve the presentation of progress reports for (1.) **Contract No. 7215174 (Planning Grant-aka City Master Plan)**; (2.) **Project 7215089 (Gray Street Water Line Project)**; (3.) **Contract No. 7216252 (Downtown Revitalization Project) - Mayor, Tommy Sloan; Kay Howard, President of A & J Howco Services Inc.**
3. The City Council may consider, discuss, and/or take actions to authorize the City Manager to seek proposals for Administrative Services and Engineering Services for Phase II of our Downtown Revitalization Program – **Mayor, Tommy Sloan and Kay Howard, President of A & J Howco Services Inc.**
4. The City Council may consider, discuss and/or take actions regarding the approval of the presentation of the completed statistics regarding May clean-up campaign under the direction of the 4-B, ACT Committee and their chairman Richard Hetzel. Chairman Hetzel may also discuss budgetary request for the upcoming budget for FY 2017-2018 – **Mayor, Tommy Sloan and Chairman, Richard Hetzel.**

VIII. NEW BUSINESS:

1. The City Council may consider, discuss and/or take actions regarding a proposal from Bobby Zesch to serve as a consultant for the City of Coleman on all insurance matters rather than his current role as our insurance broker – **Mayor, Tommy Sloan and Bobby Zesch of Zesch and Pickett.**
2. The City Council may consider, discuss and/or take actions regarding a request to approve the Annual Cook Off at the Press Morris Park scheduled for August 2nd, 2017 through August 7th, 2017 for the Press Morris Park at Lake Coleman. City may also consider, discuss and/or take actions on a request that all donations during the Annual Cook Off be donated to the Lake Coleman Fire Department – **Mayor, Tommy Sloan and Lake Coleman Fire Chief, Randy Teague.**

3. ZONING CHANGE REQUESTS:

The City Council may consider, discuss, and/or take actions to conduct **Public Hearings and previous actions recommended by the Planning and Zoning Commission** conducted at their called meeting on **June 19, 2017.**

A Separate Public Hearing and decision shall be made in regards to each of the items as listed below:

1. The City Council shall conduct a Public Hearing in regards to a request to change the zoning of the property located at 217 Brush in the Phillips 2 Addition, Town of Coleman, Block 48, Lot size is 125' x 125'. Lot Location is the North East /quarter of the Block. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss and/or take action regarding this request of the petitioner to change the zoning of the property from Residential to Manufacturing – **Mayor, Tommy Sloan.**

2. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 405 Brush in the Phillips 2 Addition, Town of Coleman, Block 50, lot location - South/half of the North East/quarter and the North half of the South East quarter, Lot size is 150' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss, and/or take action regarding this request to change the zoning of the property from Residential to Manufacturing – **Mayor, Tommy Sloan.**

3. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 417 Brush in the Phillips 2 Addition, Town of Coleman, Block 50, lot location - North/half of the North East/quarter, Lot size is 125' x 75'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss, and/or take action regarding this request to change the zoning of the property from Residential to Manufacturing – **Mayor, Tommy Sloan.**

4. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at the corner of Gray and Plum in the Phillips 2 Addition, Town of Coleman, Block 50, lot location – the entire West/half of the Block, Lot size is 300' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss, and/or take action regarding this request to change the zoning of the property from Residential to Manufacturing – **Mayor, Tommy Sloan.**

5. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 917 Plum in the Phillips 2 Addition, Town of Coleman, Block 46, lot location - North/West quarter of the Block, Lot size is 105' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss, and/or take action regarding this request to change the zoning of the property from Residential to Manufacturing – **Mayor, Tommy Sloan.**

6. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 304 Brush in the Phillips 2 Addition, Town of Coleman, Block 46, lot location - North/West quarter of the Block, Lot size is 90' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss, and/or take action regarding this request to change the zoning of the property from Residential to Manufacturing – **Mayor, Tommy Sloan.**

7. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 317 Vale in the Phillips 2 Addition, Town of Coleman, Block 46, lot location - North/East quarter of the Block, Lot size is 150' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss, and/or take action regarding this request to change the zoning of the property from Residential to Manufacturing – **Mayor, Tommy Sloan.**

8. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 309 Vale in the Phillips 2 Addition, Town of Coleman, Block 46, Lot size is 50' x 125'. There has been a request to change the zoning from Residential to

Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss, and/or take action regarding this request to change the zoning of the property from Residential to Manufacturing – **Mayor, Tommy Sloan.**

9. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 401 Brush in the Phillips 2 Addition, Town of Coleman, Block 50, lot location - South/half of the South East/quarter of the Block, Lot size is 75' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss, and/or take action regarding this request to change the zoning of the property from Residential to Manufacturing – **Mayor, Tommy Sloan.**

10. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located between Cottonwood Street and Peach Street and High Street and Gray Street in the Phillips 2 Addition, Town of Coleman, All of Block 55, lot – Not Subdivided, Lot size is 250' x 300'. There has been a request to change the zoning from Agriculture to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials.

Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss, and/or take action regarding this request to change the zoning of the property from Agriculture to Manufacturing – **Mayor, Tommy Sloan.**

4. **DISCUSSIONS REGARDING THE PURCHASE OF A NEW STREET SWEEPER AND THE TRADE IN OR SALE OF THE CURRENT REGENERATIVE AIR SWEEPER.**

The City Council may consider, discuss, and/or take actions to approve the advertisement for bids for the purchase of a new Pelican P, three wheel broom mechanical street sweeper and to include the sale or trade in of the **2015 Tymco Regenerative Air Street Sweeper – Mayor, Tommy Sloan; Leslie Walters, Purchasing Agent for the City of Coleman; Mike Gray, Director of the Street & Alley Department and City Manager, Paul Catoe.**

5. **DISCUSSIONS REGARDING THE PURCHASE OF TWO USED PICK-UP VEHICLES TO REPLACE VEHICLES THAT ARE NO LONGER RELIABLE.**

The City Council may consider, discuss, and/or take action to purchase two used pick-up vehicles. One of the vehicles will be used in the utility department and the other vehicle will be used in the parks department. These cost will be offset by the recent revenues received through the Rene Bates Auction – **Mayor, Tommy Sloan; Leslie Walters, Purchasing Agent and City Manager, Paul Catoe.**

6. DISCUSSIONS REGARDING THE ADOPTION OF SECTION 252.000 OF THE LOCAL GOVERNMENT CODE:

The City Council may consider, discuss, and/or take actions to authorize the City Attorney to prepare an Ordinance under the authority of the **Local Government Code, Section 252.002** to adopt the **Local Government, Chapter 252 in its entirety** which governs the purchasing and contracting procedures for all governmental entities within the state of Texas and which will supersede **Section 7.14 of the City of Coleman Charter – Mayor, Tommy Sloan; City Manager, Paul Catoe and City Attorney Pat Chesser.**

IX. MAYOR AND COUNCIL 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 COUNCIL)

(None Presented)

X. STAFF COMMENTS:

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

1. Presentation and approval of the **Financial Report** for the month of **June, 2017 and the presentation and approval of the Investment Report for the quarter ending June 30, 2017 – Mayor, Tommy Sloan and City Manager, Paul Catoe.**

XI. HEARING OF VISITORS CONCERNING MATTERS NOT ON THE AGENDA – MAYOR, TOMMY SLOAN: (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 inquiries 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.

Note: According to Section 5. (A.), of the Council Meeting Procedures the City Council respectfully request that prior to appearing before the City Council, the visitor or member of the public has made every attempt to resolve the problem through Administrative Channels, if appropriate. The Mayor may want to address this issue prior to allowing individuals to speak.

XII. EXECUTIVE SESSION:

The City Council may consider, discuss and/or take actions regarding the City Council entering into Executive Session to discuss legal matters with City Attorney, Pat Chesser pursuant to Section 551.071 of the Government Code – Mayor Tommy Sloan.

1. The City Council may consider and discuss matters pertaining to the **City of Coleman** complaint against the **Coleman County Electric Cooperative** which has been filed with the **Public Utility Commission, Docket Number 47163** and subsequent filings with the PUC – **Mayor, Tommy Sloan and City Attorney Pat Chesser.**
2. Upon returning to open session, the City Council may take any actions as deemed appropriate regarding any matters discussed in Executive Session. – **Mayor, Tommy Sloan.**

XIII. ADJOURNMENT OF CITY COUNCIL 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 **July 17th, 2017** at _____ P.M. and remained so posted continuously at least 72 hours preceding the scheduled time of said meeting.

Karen Langley, City Secretary TRMC

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.