

MINUTES
COUNCIL MEETING
CITY OF COLEMAN
CITY HALL
THURSDAY, JULY 17, 2014
6:00 P.M.

PRESENT: Mayor Kay Joffrion, Mayor Pro Tem Gary Payne, Councilman Terry Hyden, Councilman Danny Jameson, Councilman Johnny Needham, City Manager Paul Catoe, City Attorney Lois Rockefeller and City Secretary Karen Langley.

ABSENT: None

CALL MEETING TO ORDER: Mayor Kay Joffrion

INVOCATION: Mayor Kay Joffrion

PLEDGE OF ALLEGIANCE: A United States flag was presented to the City of Coleman by the Boy Scouts Troop to fly at the City Park.

WELCOME OF VISITORS AND GUESTS: Mayor Joffrion welcomed guests and visitors.

CONSENT AGENDA:

1. The City Council may consider, discuss and or take actions regarding the approval of the minutes from the regular meeting held on June 17, 2014 and a called meeting on July 1, 2014.
2. The City Council may consider, discuss and or take actions regarding the approval of the Code Enforcement Report for June, 2014.
3. The City Council may consider, discuss and or take actions regarding the approval of the Police Department Report for June, 2014.
4. The City Council may consider, discuss and or take actions regarding the approval of the Municipal Court Report for June, 2014.
5. The City Council may consider, discuss, and or take actions regarding the approval of the Professional Fees for June, 2014.
6. The City Council may consider, discuss, and or take actions regarding the approval of the Progress Reports on the Texas Water Development Board Project for June, 2014.
7. The City Council may consider, discuss and or take actions regarding the Lake Levels for Hords Creek and Lake Coleman. July, 2014 report.
8. The City Council may consider, discuss, and or take actions regarding the approval of the quarterly report for Occupancy Tax for the Chamber of Commerce – Mary Griffis.
A motion was made by Mayor Pro Tem Payne to remove item number 8 from the consent agenda and to accept the remaining item 1–7 as presented. Councilman Jameson seconded the motion. The motion carried 4-0.
Mary Griffis presented the Occupancy Tax report. A motion was made by Councilman Jameson to accept the Occupancy Tax report as presented. Councilman Hyden seconded the motion. The motion carried 4-0.

RECOGNITION OF THE EMPLOYEE OF THE MONTH FOR MAY 2014 - Mayor Kay Joffrion

Thomas Watson was recognized as Employee of the month for June 2014.

HEARING OF VISITORS CONCERNING MATTERS NOT ON THE AGENDA:

Councilman Needham spoke on behalf of Mr. Bidwell from Comanche Shores; he has concerns of the Willow trees taking over the lake bed and would like to know what if anything can be done.

NEW BUSINESS

7. The City Council may consider, discuss and take actions regarding the City of Coleman Cemetery – Mayor Kay Joffrion and Herma Jean Johnson. Herma Jean Johnson, Chelsey Slayton, and Mr. Carl Langford spoke to the City Council concerning the grass, tombstones, and the cemetery in general. They understand the two workers at the cemetery are doing all they can. They have made several suggest to be considered for the possible help with the upkeep of the cemetery. Councilman Needham stated the Council will take into consideration the recommendations that were made.

4. The City Council may consider, discuss and or take actions regarding a petition requesting the removal of City owned electrical equipment and poles in the dually certified area – Mayor Kay Joffrion, Jerry and Linda Hadden, and David Harrison – Director of the City’s Electrical Distribution System. Janet Barker, on behalf of the Southpark addition, spoke to Council concerning the removal of the City’s electrical poles and lines. David Harrison stated some of the poles and lines could possibly be removed. We would have to take into consideration the telephone lines and cable lines that are attached to the city poles. The city receives a franchise fee from these entities. A motion was made by Mayor Pro Tem Payne to table this item until next month’s meeting and the cost of removing the poles and lines can be presented. Councilman Jameson seconded the motion. The motion carried 4-0.

EXECUTIVE SESSION

- The City Council may enter closed or Executive Session to discuss matters related to the AEP Contract with City Attorney Lois Rockefeller and Special Attorney Geoffrey Gay pursuant to Government Code 551.071 – Mayor Kay Joffrion.
- The City Council may discuss the release of specific information regarding the City’s Contract with AEP with the City Attorney Lois Rockefeller, pursuant to Government Code 551.071.
- The City Council may consider and discuss a proposal from the Coleman County Coop to purchase the Electrical Distribution System with the City Attorney pursuant to Government Code 551.071.
- Upon leaving Executive Session and re-entering Open Session, the City Council may take whatever actions they deem appropriate – Mayor Kay Joffrion.

A motion was made by Councilman Jameson to enter into Executive Session at 6:50 p.m. Councilman Hyden seconded the motion. The motion carried 4-0.

A motion was made by Councilman Jameson to return to regular session at 7:18 p.m. Councilman Hyden seconded the motion. The motion carried 4-0.

The City Council may enter closed or Executive Session to discuss matters related to the AEP Contract with City Attorney Lois Rockefeller and Special Attorney Geoffrey Gay pursuant to Government Code 551.071. No action taken.

The City Council may discuss the release of specific information regarding the City’s Contract with AEP with the City Attorney Lois Rockefeller, pursuant to Government Code 551.071. A motion was made by Councilman Needham to allow the Mayor to release two items of information authorized by AEPEP. Councilman Needham seconded the motion. The motion carried 4-0. The Mayor read the information as authorized by AEPEP as follows: The city were to tell its citizens that it will again be looking for power supply in 2019 and beyond nor would AEP have a problem if the City shared with its citizens that it has certain congestion risks in 2015 and beyond which it must plan and budget for in the City rates.

The City Council may consider and discuss a proposal from the Coleman County Coop to purchase the Electrical Distribution System with the City Attorney pursuant to Government Code 551.071. A motion was made by Mayor Pro Tem Payne to authorize the City Manager to send a letter to Coop, stating we are not looking for someone to purchase our system at this time. Councilman Jameson seconded the motion. The motion carried 4-0.

NEW BUSINESS:

2. The City Council may consider, discuss and or take actions regarding a request to amend the Library Budget to purchase four (4) new computers through the Edge Project as funded by the Gates Foundation – Mayor Kay Joffrion and Sue Dossey, Director of the Coleman Public Library. Sue Dossey stated this is a grant that is reimbursable by the Gates Foundation. A motion was made by Councilman Jameson to approve the amendment of the Library Budget in the amount of \$4022.56, to purchase four (4) new computers through the Edge Project as funded by the Gates Foundation. Councilman Needham seconded the motion. The motion carried 4-0.

OLD BUSINESS:

1. The City Council may consider, discuss, and or take actions approval of a draft copy of a Raw Water Contract to continue to allow the City of Coleman to sell raw water to the City of Lawn and which takes the place of an expired contract which was adopted by both Cities in 1967 – Mayor Kay Joffrion, City Attorney Lois Rockefeller, and City Manager Paul Catoe. City Attorney Rockefeller is recommending removing the monthly take or pay of the raw water. Adjusted the contract to read based on million gallons. The contract does allow for rate changes. A motion was made by Mayor Pro Tem Payne to

approve the contract with the recommended changes made by City Attorney Lois Rockefeller. Councilman Hyden seconded the motion. The motion carried 4-0.

NEW BUSINESS:

1. The City Council may consider, discuss and or take actions regarding the approval of financial assistance to the Central Texas Opportunities – Mayor Kay Joffrion and Drew Hubbard, President of the Coleman Economic Development Corporation. Drew Hubbard introduced Hanna Adams with Central Texas Opportunities to explain what they represent. CTO is requesting funds for help with moving cost and a grant writer. A motion was made by Councilman Needham to approve the financial assistance to Central Texas Opportunities. Councilman Hyden seconded the motion. The motion carried 4-0.
3. The City Council may consider, discuss and or take actions regarding the approval of a Resolution 14-05 regarding the acceptance of contract work with Dowtech for the completion of the Lake Coleman Pump Station and request for the release of Final Payment to Dowtech – Mayor Kay Joffrion and City Manager Paul Catoe. A motion was made by Councilman Jameson to approve Resolution 14-05 regarding the acceptance of the contract work with Dowtech for the completion of the Lake Coleman Pump Station and request for the release of final payment to Dowtech. Mayor Pro Tem Payne seconded the motion. The motion carried 4-0.
5. The City Council may consider the resignations of Don Dollar and Terry Hyden (Alternate Member) on the Buildings Standards Board and the approval of Liz Jones as a replacement on the Buildings Standards Board – Mayor Kay Joffrion and Chief Jay Moses. A motion was made by Councilman Needham to approve the resignations of Don Dollar and Terry Hyden on the Buildings Standards Board. Councilman Jameson seconded the motion. The motion carried 4-0. A motion was made by Councilman Jameson to approve Liz Jones to the Buildings Standard Board. Councilman Hyden seconded the motion. The motion carried 4-0.
6. The City Council may consider the resignation of Ross L. Jones on the Airport Advisory Board with the effective date of June 1, 2014 – Mayor Kay Joffrion and City Manager Paul Catoe. A motion was made by Councilman Hyden to accept the resignation of Ross Jones to the Airport Advisory. Mayor Pro Tem Payne seconded the motion. The motion carried 4-0.

EXECUTIVE SESSION

The City Council may enter into Executive Session to discuss legal matters with City Attorney Lois Rockefeller pursuant to Government Code 551.071 – Mayor Kay Joffrion.

- The City Council will be discussing matters related to over time and compensatory time for exempt and non-exempt employees in reference to the FLSA Guidelines
- The City Council will be discussing matters related to the construction of ramps and other structures within the City's property at Lake Coleman.
- The City Council will be discussing the demolition of property at 101 Nelda Lane, Coleman, TX 76834.
- Upon leaving Executive Session and re-entering Open Session, the City Council may take any actions they may deem appropriate regarding matters discussed in Executive Session – Mayor Kay Joffrion.

A motion was made by Mayor Pro Tem Payne to enter into Executive Session at 8:14 p.m. Councilman Jameson seconded the motion. The motion carried 4-0.

A motion was made by Mayor Pro Tem Payne to return to regular session at 9:49 p.m. Councilman Hyden seconded the motion. The motion carried 4-0.

A motion was made by Councilman Needham to authorize the City Manager to change the personnel policy for exempt employees: compensatory time be awarded hour for hour overtime with no payment of compensatory time at separation of employment. Discontinue overtime payment for all employees who work less than 40 hours a week. All employees Exempt or Non Exempt fill out time sheets reflecting hours worked. Any employees currently having compensatory time must provide documentation to City Manager. Councilman Jameson seconded the motion. The motion carried 4-0.

A motion was made by Councilman Jameson to table this and allow the City Attorney time to evaluate and come back with a proposal. Property owner that is doing the construction which has been complained against needs to cease his projects until Council has time to evaluate what steps to take on this construction project. Councilman Hyden seconded the motion. The motion carried 4-0.

The discussion of the demolition of property at 101 Nelda Lane: No Action.

STAFF COMMENTS:

1. The City Council may consider, discuss and approve the financial report for the month of June, 2014 to include Revenues, Expenditures and to include the Cash Balance Report – City Manager, Paul Catoe. A motion was made by Mayor Pro Tem Payne to approve the June 2014 financial report as presented. Councilman Jameson seconded the motion. The motion carried 4-0.

MAYOR AND COUNCIL COMMENTS:

1. Mayor, comments pertaining to the Electrical Contract. This was commented on after the first executive session.

With no further business a motion was made by Councilman Jameson to adjourn the meeting at 10:00 p.m. Mayor Pro Tem Payne seconded the motion. The motion carried 4-0.


MAYOR


CITY SECRETARY