

MINUTES  
COUNCIL MEETING  
CITY OF COLEMAN  
CITY HALL  
THURSDAY, DECEMBER 18, 2014  
6:00 P.M.

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

ABSENT: Mayor Pro Tem Gary Payne

CALL MEETING TO ORDER: Mayor Kay Joffrion

INVOCATION: Mayor Kay Joffrion

PLEDGE OF ALLEGIANCE

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 November 20, 2014.
2. The City Council may consider, discuss and or take actions regarding the approval of the Code Enforcement Report for November, 2014.
3. The City Council may consider, discuss and or take actions regarding the approval of the Police Department Report for November, 2014.
4. The City Council may consider, discuss and or take actions regarding the approval of the Municipal Court Report for November, 2014.
5. The City Council may consider, discuss, and or take actions regarding the approval of the Professional Fees for November, 2014.
6. The City Council may consider, discuss and or take actions regarding the Lake Levels for Hords Creek and Lake Coleman. December, 2014 report.

A motion was made by Councilman Jameson to accept the Consent Agenda items 1-6 as presented. Councilman Hyden seconded the motion. The motion carried 3-0.

HEARING OF VISITORS CONCERNING MATTERS NOT ON THE AGENDA:

Craig Allen thanked all involved for the lighting in the downtown area; he apologized for his comments during the last meeting. He commented on the lengthy meetings, electrical issues, drafting a petition – limiting the fees to the citizens, and selling or leasing the system.

LeMoine Knox had attended a meeting pertaining to Texas Prop 6 – SWIFT (State Water Implementation Fund) and wanted to share with the council.

Benny Kirkly commented on ordinances nuisance laws, dogs barking, and leash laws. Asking what is the time line of tearing down houses? Do you have to have a permit to operate a business out of your home?

Nancy Emerrit requested to be placed on the next agenda discussion of an amendment for people living within a ward vote only on their own ward. A motion was made by Councilman Needham to place this request on the next agenda. Councilman Hyden seconded the motion. The motion carried 3-0.

The approval of an executed contract for the hiring of the new executive director of the 4-A Economic Development Corporation and the 4-B Coleman Community Coalition:

The City Council may consider, discuss and or take actions regarding the recommendation to approve the contract and the hiring of Kim Little as the New Executive Director of the 4-A EDC and the 4-B CCC – Mayor Kay Joffrion, Drew Hubbard, President of the 4-A EDC and Joe Haynes, President of the 4-B CCC.

Drew Hubbard, President of the 4-A EDC and Joe Haynes, President of the 4-B CCC both spoke to council concerning the hiring of a new Director to oversee both boards, after back ground and reference checks they would like to recommend to council to hire Kim Little from Oklahoma. A motion was made by Councilman Jameson to approve the hiring of Kim Little as the new Executive Director of the 4-A EDC and 4-B CCC boards. Councilman Needham seconded the motion. The motion carried 3-0.

## OLD BUSINESS

1. The City Council may consider, discuss and or take actions regarding the structures constructed within the elevation of 1717.5 feet at Lake Coleman through the use of their new survey device (Leica Nova MS 50 Multi Station Surveying Scanner) to be operated by Jacob & Martin Staff – Mayor Kay Joffrion, Ken Martin, Jacob & Martin LTD. Charles Keith explained the survey. After much discussion a motion was made by Councilman Needham that two Council members (Needham, Payne, or Jameson), Wally Dobbins, Lake Warden, a couple of lake property owners, to look at and recommend guidelines and bring back to council. Councilman Hyden seconded the motion. The motion carried 3-0.
2. The City Council may consider, discuss and or take actions regarding proposals received for the audit of City utilities and City franchises – Mayor Kay Joffrion shall open proposals received. One bid was received from Tri-Stem fee is 49% of collections. A motion was made by Councilman Jameson to approve the proposal from Tri-Stem contingency upon approval of the contract by City Attorney Rockefeller. Councilman Hyden seconded the motion. The motion carried 3-0.
3. The City Council may consider, discuss an or take actions regarding the current contract with the Heart of Texas Ambulance Services and their letter of Termination of Services – Mayor Kay Joffrion and David Furry, President of the Heart of Texas Ambulance Services. A motion was made by Councilman Needham to place on the next agenda to allow the Allegiance Ambulance Service to make a presentation to the council. Councilman Jameson seconded the motion. The motion carried 3-0.
4. The City Council may consider, discuss an or take actions regarding the revisions of Section 4.05 of the Personnel Policy Handbook relating to the payment of overtime and compensatory time as per the motion made upon leaving executive session of 7-17-14 – Mayor Kay Joffrion, City Manager Paul Catoe and Police Chief Jay Moses. A motion was made by Councilman Needham make the employee salary back to the way it was and make the pay retroactive to 11/20/15. Councilman Hyden seconded the motion. The motion carried 3-0.
5. The City Council may consider, discuss and or take actions regarding the approval of the 2<sup>nd</sup> reading of an amendment of the City's Drought Contingency Ordinance – Mayor Kay Joffrion, City Attorney Lois Rockefeller and City Manager Paul Catoe. A motion was made by Councilman Needham to approve the second reading of the City's Drought Contingency Ordinance No. 1152. Councilman Hyden seconded the motion. The motion carried 3-0.
6. The City Council may consider, discuss and or take actions regarding the requested amendment of the electrical rate ordinance lowering the Power Cost Recovery Rate to a flat fee of .07 per kilowatt hour resulting in an overall flat rate of .14 per kilowatt hour as requested by Craig Allen during the regular meeting conducted on 10-16-14 – Mayor Kay Joffrion. A motion was made by Councilman Needham to table this agenda item until after meeting with Goeffrey Gay. Councilman Hyden seconded the motion. The motion carried 3-0.
7. The City Council may consider, discuss and or take actions regarding the first reading of an ordinance reflecting an increase in the Garbage rates to offset the rate increase being charged through Progressive due to a CPI rate increase – Mayor Kay Joffrion, and City Attorney Lois Rockefeller. A motion was made by Councilman Needham to approve the first reading of Ordinance 1153 reflecting an increase in the Garbage rates to offset the rate increase being charged through Progressive due to a CPI rate increase. Councilman Jameson seconded the motion. The motion carried 3-0.
8. The City Council may consider, discuss and or take actions regarding the approval of a lease agreement between the City of Coleman and Coleman County Shooting Sports, a non-profit corporation for the lease of some 124.35 acres of land in Coleman County Texas for use as a fire arms sports range – Mayor Kay Joffrion and Johnny Needham, President of the non-profit corporation. A motion was made by Councilman Jameson to approve the lease agreement between the City of Coleman and Coleman County Shooting Sports with changes made(change weapons to firearms, property insured until Coleman County Shooting Sports) Councilman Hyden seconded the motion. The motion carried 3-0.

## NEW BUSINESS

1. The City Council may consider, discuss and or take actions regarding the appointment of two members to the Coleman Public Library Board for two year terms. The two members recommended are existing Board Members Mona Turner and Bridget Wakefield. These are for two year terms – Mayor Kay Joffrion and Sue Dossey. A motion was made by Councilman Jameson to reappoint Mona Turner and Bridget Wakefield to the Coleman

- Public Library Board for two year terms. Councilman Needham seconded the motion. The motion carried 3-0.
2. The City Council may consider, discuss and or take actions regarding the appointment of a member of the 4-A CEDC to a 3 year term effective January 1, 2015 – Mayor Kay Joffrion and Drew Hubbard, President of the 4-A EDC. A motion was made by Councilman Jameson to reappoint Roy Poage to the 4-A CEDC to a 3 year term effective January 1, 2015. Councilman Needham seconded the motion. The motion carried 3-0.
  3. The City Council may consider, discuss and or take actions regarding concerns regarding alleged non-responsive actions on the part of the Coleman Police Department – Mayor Kay Joffrion, Michael Thompson, complainant and responses by Police Chief Jay Moses. No action was taken.
  4. The City Council may consider, discuss and or take actions regarding the requested assignment of the Pole Attachment Agreement dated December 19, 2005, between the City of Coleman and RB3 as successor to Charter Communications VI, LL – Mayor Kay Joffrion and City Attorney Lois Rockefeller. A motion was made by Councilman Jameson authorizing the Mayor to sign the pole agreement with Lynstar Communications. Councilman Hyden seconded the motion. The motion carried 3-0.
  5. The City Council may consider, discuss and or take actions regarding Section 2.11 of the City Charter related to frequency of City Council Meetings – Mayor Kay Joffrion. A motion was made by Councilman Hyden to table this item until next month. Councilman Needham seconded the motion. The motion carried 3-0.
  6. The City Council may consider, discuss and or take actions regarding the appointment of Barbara Hubbard as the Assistant to the City Secretary as per Section 2.09 of the City Charter and replacing Sharon Roberts – Mayor Kay Joffrion. A motion was made by Councilman Jameson to appoint Barbara Hubbard as the Assistant to the City Secretary as per Section 2.09 of the City Charter. Councilman Needham seconded the motion. The motion carried 3-0.

#### STAFF COMMENTS

1. The City Council may consider, discuss and approve the financial report for the month of November, 2014 to include Revenues, Expenditures and to include the Cash Balance Report – Mayor Kay Joffrion and City Manager, Paul Catoe. A motion was made by Councilman Hyden to approve the November 2014 financial report as presented. Councilman Jameson seconded the motion. The motion carried 3-0.

#### MAYOR AND COUNCIL COMMENTS:

None

#### EXECUTIVE SESSION

The City Council may enter into Executive Session to discuss the following items – Mayor Kay Joffrion.

- Discussions regarding personnel matters related to the 6 month evaluation of the City Manager and the job description of the City Manager pursuant to Section 551.071 of the Government Code. A motion was made by Councilman Needham to enter into executive session at 9:23 p.m. Councilman Hyden seconded the motion. The motion carried 3-0.

Upon returning to open session, The City Council may take whatever actions they may deem appropriate regarding items discussed in executive session – Mayor Kay Joffrion. A motion was made by Councilman Jameson to return to regular session at 11:34 p.m. Councilman Hyden seconded the motion. The motion carried 3-0. No action was taken.

With no further business a motion was made by Councilman Jameson to adjourn the meeting at 11:35 P.M. Councilman Needham seconded the motion. The motion carried 3-0.

  
MAYOR

  
CITY SECRETARY