

MINUTES
COUNCIL MEETING
CITY OF COLEMAN
CITY HALL
THURSDAY, May 21, 2015
6:00 P.M.

PRESENT: Mayor Nick Poldrack, Mayor Pro Tem Gary Payne, Councilman Gordon Jeter, Councilwoman Carolyn Merriman, Councilman Danny Jameson, City Manager Paul Catoe, City Attorney Pat Chesser and City Secretary Karen Langley.

ABSENT: None

CALL MEETING TO ORDER: Mayor Nick Poldrack

INVOCATION: Mayor Nick Poldrack

PLEDGE OF ALLEGIANCE

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

CONSENT AGENDA:

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.
3. The City Council may consider, discuss, and or take actions regarding the approval of the Code Enforcement Report for April, 2015.
4. The City Council may consider, discuss, and or take actions regarding the approval of the Police Department Report for April, 2015.
5. The City Council may consider, discuss, and or take actions regarding the approval of the Municipal Court Report for April, 2015.
6. The City Council may consider, discuss, and or take actions regarding the approval of the Professional Fees for April, 2015.
7. The City Council may consider, discuss, and or take actions regarding the Lake Levels for Hords Creek and Lake Coleman – May, 2015.

A motion was made by Councilman Jameson to accept the Consent Agenda items as presented. Councilwoman Merriman seconded the motion. The motion carried 4-0

HEARING OF VISITORS CONCERNING MATTERS NOT ON THE AGENDA:

None

BIDS RECEIVED:

1. The City of Coleman 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 Poldrack opened the bids that were received. Bids were received from JMJ Roofing, Jesse Mills, and Wood Roofing, Kyle Wood. No Action.

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.

A motion was made by Councilwoman Merriman to authorize the City Manager to seek and advertise for proposals from a Professional CPA Firm to conduct a Specific Use Audit and current Fiscal Year Audit. Councilman Jameson seconded the motion. The motion carried 4-0.

EXECUTIVE SESSION:

2. 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.

A motion was made by Councilwoman Merriman to enter into Executive Session at 6:21 p.m. Mayor Pro Tem Payne seconded the motion. The motion carried 4-0.

RETURN TO OPEN SESSION:

3. Action as a result of the Executive Session:

A. Following Executive Session, the City Council may consider discuss and or take action regarding on or both of the proposed ordinances – Mayor Nick Poldrack and City Attorney, Pat Chesser.

A motion was made by Councilman Jameson to return to regular session at 6:55 p.m. Councilwoman Merriman seconded the motion. The motion carried 4-0. City Attorney Chesser stated, in his opinion, that neither ordinance on the petitions were not legal topic for initiative. Roy Poage read a letter from the Coleman County Electric Co-op stating they would not be able to reduce the city's electric rate until 2018 when the current contract is up. A motion was made by Councilman Jeter that on the advice of our City Attorney, I move that the City Council take no action and or reject both ordinances presented to the City Council by petitions of the citizens because they are not legal topics for initiative and or referendum. Councilwoman Merriman seconded the motion. The motion carried 4-0.

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. A motion was made by Councilman Jameson to approve the discontinuation of discussions of the proposed comprehensive plan as approved to be placed on the agenda on the first meeting of every month unless specific information can be made available. Mayor Pro Tem Payne seconded the motion. The motion carried 4-0.
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. A motion was made by Mayor Pro Tem Payne to approve the appointment of Richard Hensley and David Martinez to an oversight committee between the City, County and Hospital District regarding ambulance operations provided by the Heart of Texas

Emergency Ambulance Services. Councilman Jeter seconded the motion. The motion carried 4-0.

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. A motion was made by Mayor Pro Tem Payne to approve the second reading of Ordinance 1159 establishing the Coleman Water Conservation Board and its bylaws. Councilwoman Merriman seconded the motion. The motion carried 4-0.

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. A motion was made by Councilman Jameson to take no action on this item. Councilwoman Merriman seconded the motion. The motion carried 4-0.
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. Sue Dossey recommends appointing Debbie Faries to the Library Board. Sue Dossey commented that the Library has received several grants for the library those include Coleman County Foundation (\$7,632.00), Tocker Foundation (\$15,600.00), Free books for children - Libri Foundation (up to \$1,050.00), Texas Book Festival (\$1,500.00), and Coleman County Foundation 2015 (\$4,923.17). A motion was made by Councilwoman Merriman to appoint Debbie Faries to the City of Coleman Library Board. Mayor Pro Tem Payne seconded the motion. The motion carried 4-0.
3. The City Council may consider, discuss and or take actions regarding the approval of an Agreement and a 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. A motion was made by Councilman Jameson to approve Resolution 15-05 for the temporary closure of St Hwy 153 and St Hwy 206 for the Rodeo Parade. Councilman Jeter seconded the motion. The motion carried 4-0.
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. A motion was made by Councilwoman Merriman to place this item on the next agenda. Councilman Jameson seconded the motion. The motion carried 4-0.
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 annual celebrations conducted through the sponsorship of the Ace Program – Mayor Nick Poldrack and Council Member Danny Jameson. Councilman Jameson stated this was not part of the ACE Program, this is a committee of citizens that has gotten this together. A motion was made by Councilman Jeter to approve the use of the City Park from 10:00 a.m. to 3:00 p.m. for the July 4, 2015 annual celebration. Mayor Pro Tem Payne seconded the motion. The motion carried 4-0.

STAFF COMMENTS:

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. A motion was made by Mayor Pro Tem Payne to approve the April 2015 financial report as presented. Councilman Jameson seconded the motion. The motion carried 4-0.
2. Presentation of Administrative Report – City Manager Paul Catoe.
 - Presentation of an update on the CDBG Grant & Comprehensive Plan. City Manager Catoe commented the city scored 6 out of 7, this will give us 250,000 to replace the water line on Gray Street.
 - Presentation of the results of the City Landfill Inspection conducted on 5-6-15. City Manager Catoe stated the city landfill passed inspection with no violations.

MAYOR AND COUNCIL COMMENTS:

None

With no further business a motion was made by Councilman Jameson to adjourn the meeting at 8:18 p.m. Councilwoman Merriman seconded the motion. The motion carried 4-0.


MAYOR


CITY SECRETARY