

*LONE STAR CITY COUNCIL
REGULAR MEETING
FIRE HALL – 201 WEST INDUSTRIAL
December 15, 2022, at 6:00 p.m.*

*We reserve the right to enter into Executive Session on any Agenda item pertaining to
TEX. GOV'T CODE ANN. Sections 551.071-551.078, 551.087-551.089*

In compliance with the Texas Open Meetings Act, Chapter 551, of the Texas Government Code, the City of Lone Star issues this public notice. If, during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the board will convene in such executive or closed session in accordance with Section 551 of the Texas Government Code, Et Seq. The City Council will consider and act on the following items:

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on the meeting notice.

MINUTES

Present were Mayor Randy Hodges, Mayor Pro-Tem Jerri Chism, Alderwoman Mona Brown, Aldermen Rudy Dudley, Tony Johnson, Cody Wommack, and City Secretary Tina Love.

1. CALL TO ORDER - Mayor Randy Hodges at 6:14 PM

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation – Mayor Randy Hodges

Pledge of Allegiance – All in unison

3. CITIZEN COMMENTS: *At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed **three minutes**. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.*

Jolynn Meadows, secretary of Senior Citizens Associations, expressed her appreciation for the funds the EDC provided to restore the Senior Citizens Association building to serve the citizens of Lone Star and surrounding areas. The funding was used to replace the roof, flooring, HVAC system, refrigerator and building repairs. Activities have been ongoing to get others involved. A membership drive was held at Captain Daingerfield Days, garage sales, bake sales, and silent auctions were held to raise funds in addition to the \$30K provided by the EDC. Special events were held for Veterans Day, Christmas gifts were purchased for nursing home citizens, and Meals on Wheels is provided daily. Currently the association is self-sustaining and has approximately \$5,500 in their checking account. Many people volunteered their time and made donations to help the association be a success.

There is discontent about the \$30K used to revitalize the Senior Citizens Association. It is being referred to as a loan instead of a project. There was never a loan agreement discussed or signed. As a good gesture, the Senior Citizens Association agreed to pay back 10% of funds received for building rental to the EDC.

Keith Reiter expressed his concerns about budgeting for an additional employee when the budget is already in the red.

4. CONSENT ITEMS:

Minutes of Regular Council Meeting on October 20, 2022
Minutes of Special Meeting on November 10, 2022

Correction will be made to October 20, 2022, meeting minutes where reference was made to the display of a thin blue line flag and changed to the display of a similar flag. Correction will be made to the November 10, 2022, minutes to capture the votes for item 2.1

A motion to accept the corrected minutes was made by Mona Brown with a second from Jeri Chism. Four voted yes, one no vote. Motion carried.

5. REPORTS:

- 5-1: Judge/Court Report
- 5-2: Police Department Report
- 5-3: Fire Chief Report
- 5-4: Public Works Report
- 5-5: Water District Report
- 5-6: EDC Report
- 5-7: Financial Reports
 - a. Water and Sewer Fund
 - b. General Fund

Cody Wommack had questions about some of the reports. Police reports - animal violations, assault, and burglary. Chief Blythe indicated Class C assaults can be handled in Lone Star, others are handled at county. Fire report – asked if fire hydrants are in good shape. Mayor Hodges indicated yes, to the best of his knowledge. Public Works Rept. - Asked if the city paid for the KSA Engineering Study for the Serenity subdivision. No, the city did not pay for the Engineering study. Water District Report – discussed the member cities, water district existence, ownership and other topics related to the water district.

A motion to accept the reports 5-1 thru 5-7, a and b, was made by Mona Brown with a second from Jerri Chism. All present voted Aye.

6. ACTION ITEMS

6-1. Review, Discussion, and Possible Action on fencing of the city owned right of ways by private property owners and authorizing the mayor to draft a letter to the property owners at 529 N. Main Street, The Automan, instructing them to remove their property and fences from City owned right of way (Tabled from previous meeting, Oct. 20, 2022, item 6-6).

Cody Wommack referenced reviewing previous meetings to determine if a variance was issued to allow the placement of fencing on City owned right of way at 529 N. Main Street. Mayor Hodges spoke with TML and referenced it was not illegal to fence public property if approved by the City Council or with a variance. Discussed the sign that references trespassers will be prosecuted. The right of way cannot be gifted to an individual. Jeri Chism referenced there were previous problems of break ins at the location which prompted the fence placement. Discussed if there were a water main problem, or issue down the right of way, the fencing would have to be taken down to allow the City workers access to the property. Re-placement or re-installation of the fencing is not the City's responsibility. The fencing was erected to prevent vandals from breaking into the property. It is unknown why the fencing was placed in the right of way. Discussed leaving the fencing as is with the current owner.

A motion to table this item was made by Mona Brown with a second from Jeri Chism. Four voted for, one no vote. Motion carried.

6-2: Review, Discussion, and Possible Action by the Council to approve the amended Financial Audit for the Fiscal Year Ending September 30, 2021, as presented by the audit firm of Arnold, Walker, Arnold, and Company, P.C. (Tabled from previous meeting, Oct. 20, 2022, item 6-7) and to include status of the audit and communications with the auditing firm.

Cody Wommack provided the council member copies of email transactions between he and the auditors of Arnold, Walker, Arnold, and Company. These emails were about the audit ending September 30, 2021. The audit did not list the Elementary school as an asset for the City and has not for years. Balance sheets and recorded assets were discussed. Any assets not being identified hurts the cities financial position and the possibility to get a cheaper interest rate in the private money market if the City were ever needing to make a loan. It was suggested the city ask for a refund for some of the audit cost or consider legal action. Rudy Dudley discussed the functions of an auditor, and the professional standards auditors abide by, the audit scope of work, and the expected deliverables from an audit. Discussions continued and opinions expressed on how the council should proceed. The auditors want to discuss the audit with the City Council members, so they will be invited to the next City Council meeting.

A motion to table this item until the next meeting was made by Jeri Chism, with a second from Mona Brown. All present voted Aye.

6-3: Review, discussion, and possible action to consider Volunteer Service Application from Terry Reeves as a new member of the Economic Development Corporation.

Mr. Reeves was unable to attend the meeting, but EDC Chairman Rudy Dudley provided a narrative of Mr. Reeves background and interest as a member of the Economic Development Corporation (EDC).

A motion to accept Mr. Terry Reeves Volunteer Service Application as a member of the EDC was made by Mona Brown with a second from Jerri Chism. Four voted Aye, one no vote (Rudy Dudley). Motion carried.

6-4: Review, discussion, and possible action to consider Volunteer Service Application from Josie Kachnik as new member of the Economic Development Corporation.

Ms. Josie Kachnik introduced herself and provided a narrative of her background. She expressed her desire to be a member of the Economic Development Corporation.

A motion to accept Ms. Josie Kachniks Volunteer Service Application as a member of the EDC was made by Mona Brown with a second from Jerri Chism. All voted Aye.

6-5: Review, discussion, and possible action to adopt the revised City of Lone Star Holiday Policy.

The existing holiday policy was revised to increase approval authority and clarify holiday pay. Discussions occurred about the policy content and additional clarification.

A motion to table the revised Holiday Policy until January 2023, was made by Jerri Chism with a second from Cody Wommack. Three voted for, two voted against. Motion passed.

6-6: Review, Discussion, and Possible Action by the Council to adopt the City's holiday schedule for 2023.

A motion to accept the holiday schedule for 2023, as presented, was made by Mona Brown with a second from Jerri Chism. Three voted Aye, one no vote, and one against. Motion passed.

6-7: Review, discussion, and possible actions to evaluate the Water and Sewer billing credits allowed to Mr. Tim Copeland for cleanup work performed each month at the City Park.

Mayor Randy Hodges discussed an arrangement between the previous Chief of Police and Mr. Copeland to pick up trash at the City park and hours worked would be credited towards Mr. Copelands water bill. A recap of hours worked is turned into the City each month then a credit is applied to Mr. Copelands water bill based upon worked hours.

Recent improvements at the City Park prompted contractors and various city employees and representatives to frequent the park. Mr. Copeland was observed picking up trash on occasion, but for a short time. Mr. Copeland was recently involved in an incident at the City Park at which time it was communicated he was getting paid to clean up the park. There was no contract or signed agreement located between the City and Mr. Copeland identifying these services. Council members were unaware of these services or credits being applied to Mr. Copelands water account.

Mona Brown made a motion for Mr. Copeland to discontinue picking up trash at City Park for credit, existing credits on account be applied to Mr. Copelands water bill until all credits are depleted, and notification sent to Mr. Copeland. Jerri Chism second the motion. Three voted for, one not voting, one voted against. Motion passed.

6-8: Review, discussion, and possible action for Code Enforcement Officer, Kyle Harrison, to provide updates to the City Council of ongoing activities and findings.

Code Enforcement Officer Kyle Harrison addressed several issues he is working on. He has moved forward on two houses that are needing to be torn down. If budget allows it, he would like to consider tearing these houses down in January. He discussed a big problem we have with stray cats and dogs. Efforts are being made to track down owners and issue citations for any animal "at large". Our animal shelter is full, and vets will no longer euthanize dogs. Kyle described several recent events involving dogs that have occurred. Another item discussed was City ordinances. Our ordinances are out of date and he would like to call a special meeting in January or February to start going thru these ordinances and updating.

No action.

7.0 EXECUTIVE SESSION: City Council to convene into executive session for the following issues:

7-1: To discuss the reassignment of the Municipal Court Clerk to the Water & Sewer Clerk, combine positions, and evaluate the salary for the combined position. (TEX. GOV'T CODE ANN. § 551.074).

7-2: To consider for hire an additional part time police officer. (TEX. GOV'T CODE ANN. § 551.074).

7-3: To consider for hire part time employee, Jerry Dorough, as a full-time employee (TEX. GOV'T CODE ANN. § 551.074). The council will then re-convene in open session for review, discussion, and possible action on these matters.

No executive session was held due to failure to identify items in agenda. A special meeting will be scheduled on December 19, 2022, at 6:00 p.m. to address the three items omitted.

8. ADJOURN

A motion to adjourn was made by Jerri Chism with a second from Mona Brown. All present voted Aye.

/s/ Randy Hodges
Randy Hodges, Mayor

/s/ Tina Love
Tina Love, City Secretary