

*LONE STAR CITY COUNCIL  
RESCHEDULED MEETING  
FIRE HALL – 201 WEST INDUSTRIAL  
June 29, 2023, 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 Brianna McClain, Mayor Pro-Tem Jerri Chism, Aldermen Tony Johnson, Cody Wommack, Cyndi Andrews, Keith Reiter, City Secretary Tina Love and Harriet Harrison.

**1. CALL TO ORDER – Mayor Brianna McClain at 6:02 p.m.**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**Invocation – Mayor Brianna McClain**

**Pledge of Allegiance – All in unison**

**3. CITIZEN COMMENTS:** *At this time, anyone will be allowed to speak on any matter for a 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.*

**Stephanie Lewis discussed problems encountered with Hulkaberry's 911 address being incorrectly identified in Google maps and the problems encountered in getting the address correct. She expressed her appreciation in how the EDC has welcomed their business into the area.**

**Cindy Janson was curious about how boil orders are communicated to individuals in the area. She referenced individuals that are homebound don't know when a boil notice is issued. There should be a better way to communicate the boil notice beside posting signs on the roadway. Mayor Brianna McClain has spoken with the EOC and has discussed considering a program called Genesis which calls and text mass notifications.**

**Mitch Cox spoke about helping Hulkaberry's getting their 911 address corrected.**

**4. CONSENT ITEMS:**

Minutes of the Canvass of Election, May 16, 2023

Minutes of the Regular Meeting on May 18, 2023

Minutes of the Special Meeting on June 8, 2023

**A motion to accept the meeting minutes for the Canvass of Election, Regular Council Meeting and Special Meeting, as presented, was made by Jerri Chism, with a second from Cyndi Andrews. Four voted for, one opposed. 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

**Discussed two city ordinance violations identified in the Police Department Report, Pumping training identified in the Fire Chief Report, the service leak on Bond Street by the Post Office, and the Executive session identified in the Water District Report.**

**A motion to accept reports 5-2 through 5-6 was made by Jerri Chism with a second from Cody Wommack. All present voted Aye.**

## **6. ACTION ITEMS**

**6-1 Review, Discussion, and Possible Action by the Council on City Bidding Policies and Procedures (tabled from 5/18/23).**

**A bidding policy and procedure was provided to council for review and consideration. The policy was created in accordance to the state laws. Discussions occurred indicating the policy didn't provide any new restrictive requirements and repeated state law; therefore, wasn't necessary. Reference was made to a prior policy that was not approved which included restrictions and tighter purchasing thresholds than identified by state law.**

**A motion to accept the bidding policy and procedure was made by Tony Johnson with a second from Jerri Chism. Three voted for, two voted against. Motion carried.**

**6-2: Review, Discussion, and Possible Action by the Council to notify the Morris County Commissioners Court of the need to enter into arbitration and/or reach an agreement on regulation of subdivisions at the extraterritorial jurisdiction of the City of Lone Star in Morris County.**

**Discussed contacting Morris County to determine who is going to regulate the subdivision at the extraterritorial jurisdiction of Lone Star. Discussed the model subdivision rules adopted by the County. Discussed authorizing someone to write a letter or contact the Judge to discuss.**

**A motion was made by Cody Wommack to authorize the Mayor to notify the Commissioners Court that the city of Lone Star would like to resolve the issue of who will regulate subdivisions in the extraterritorial jurisdiction of Lone Star. Jerri Chism second the motion. All present voted Aye.**

**6-3: Review, Discussion, and Possible Action by the Council to terminate the existence of the Lone Star Section 4B Economic Development Corporation.**

**Keith Reiter discussed the purpose of the EDC is to promote business and bring jobs into an area. Discussed the money spent at the park and the need to spend money in other ways to benefit citizens. Rudy Dudley provided letters from local businesses in support of the EDC and discussed additional functions of the EDC include investing in local amenities, such**

as parks. An increase in tax revenue and sources of taxes were discussed. New businesses, upcoming baseball/softball tournaments, and other opportunities for revenue to come into the City were discussed. Cody Wommack discussed expenditures spent by the EDC at approximately \$700K between 2013-2022.

**A motion to resolve the EDC was made by Cody Wommack with a second by Keith Reiter. Two voted for, three voted against. Motion failed.**

6-4: Review, Discussion, and Possible Action to enact a policy to prohibit the sale of surplus city property to members of the city government and city employees.

**Cody Wommack discussed the purchase of surplus city property by previous city council members or employees. The group discussed considering other options to get rid of surplus property by utilizing other resources, such as auction sites, E-Bay, or using a business, like Auctioneer Express out of Mt. Pleasant, to help get rid of surplus property. The City currently gets an estimated value of the property, identifies a minimum bid amount, lists the item for bid on the City website and in the local newspaper, receives sealed bids, and sells to the highest bidder.**

**A motion to disallow city employees from bidding on City surplus property was made by Cody Wommack. No second. Motion died. No action.**

6-5: Review, Discussion and Possible Action to discuss the City's Certificated Service Areas and the recent installation of a septic system inside the City limits after City employees and/or elected officials told a resident that the city would not provide sewer service.

**Cody Wommack discussed the installation of a septic system within the City limits of Lone Star. He doesn't think an employee has the authority to make this decision. An open discussion occurred about this item being brought to City Council for a decision.**

**A motion to table this item was made by Jerri Chism with a second from Cindy Andrews. Four voted for, one no vote. Motion carried.**

6-6: Review, Discussion, and Possible Action to notify the owners of the property at 529 N. Main Street to remove their property and fences from the City owned street/right of way at Woodcrest Street.

**Trent Duke described the fencing at this location was approved by council approximately 15 yrs. ago. On March 23, 2023, the council approved leaving the fence where it is located. There will not be a new structure placed on the property but used for tires and storage.**

**Keith Reiter expressed concerns that if the property was sold it could cause problems later. Stated a cash sale does not require a survey and a person could think all property within the fenced area was included in the sale.**

**A motion was made by Cody Wommack for the Mayor or someone to notify the property owner to move the fence to the property line and enforce the public's right of access to the public street. Keith Reiter second the motion. Two for, three against. Motion failed.**

6-7: Review, Discussion, and Possible Action to remove the Callery/Bradford pears along Hwy. 259.

**Discussed Callery/Bradford pears located down Hwy 259. These trees were described as an invasive species and are blocking the view of businesses as well as the electronic sign. Discussed cutting the trees down.**

**A motion to table this item until the next meeting was made by Cody Wommack, with a second from Keith Reiter. No vote, motion rescinded.**

**Sandy Wexler discussed the cost and planting of the trees several years ago. The trees blocking the electronic sign are on Sandy's property. She was asked about cutting the trees down or poisoning them.**

**A second motion to table this item with exception of cutting two trees next to Sandy Wexler's property was made by Cody Wommack with a second from Keith Reiter. All Aye.**

6-8: Review, Discussion, and Possible Action to replace Mona Brown as the second authorized signatory on all accounts at the Community Bank and to select a new Alderman as the second signatory.

Jerri Chism nominated Tony Johnson as the second signatory. Tony withdrew  
Keith said he could, but he didn't really want to  
Cody Wommack nominated himself.  
Cyndi Andrews nominated herself.

**A motion to nominate Cody Wommack as the second signatory on the account was made by Keith Reiter with a second from Cody Wommack. Two voted for three against.**

**A motion to nominate Cyndi Andrews as the second signatory on the account was made by Tony Johnson with a second from Cyndi Andrews. Three for two against.**

6-9: Review, Discussion, and Possible Action to remove City Secretary Tina Love as an alternate authorized signatory after the hiring of a new City Secretary and after the completion of signatory paperwork at the Community Bank.

**A motion to remove Tina Love as an alternate signatory after the hiring of a new City Secretary and submit paperwork within a week to the bank was made by Tony Johnson with a second from Cyndi Andrews. All present voted Aye.**

6-10: Review, Discussion, and Possible Action to authorize the new City Secretary, Harriett Harrison, as an alternate signatory on all accounts at the Community Bank concurrently with the selection of a new Alderman as the second signatory.

**A motion to authorize Harriett Harrison as an alternate signatory on all accounts was made by Cody Wommack with a second from Keith Reiter. All present voted Aye.**

6-11: Review, Discussion, and Possible Action on approval of the VIP application for Zefster's coffee shop.

**Zefster' approached EDC Chairman Rudy Dudley about assisting with the cost of billboard signage located near Nix Portable Buildings. The signage cost is \$3,700. The EDC is asking the Council for 50% reimbursement (\$1,900) for the signage cost per the VIP. Keith**

**Reiter supports our local businesses but doesn't agree with spending tax dollars for a business sign.**

**A motion to accept the EDC to pay the \$1,900 for the signage was made by Cyndi Andrews with a second from Jerri Chsim. Three for two against. Motion carries.**

6-12: Review, Discussion, and Possible Action on approval of the VIP application for Lone Star Lube.

**Kevin Allen, owner of Lone Star Lube approached the EDC for assistance with signage for his business. He is contracting with Hulkaberry's to make the sign which helps both businesses. Mr. Allen is asking for \$2,000 as allowed by VIP.**

**A motion to approve the VIP application for Lone Star Lube was made by Cyndi Andrews with a second from Jerri Chism. Three for, two against. Motion carried.**

6-13: Review, Discussion, and Possible Actions to allocate up to \$2,000 for purchase of new bases, base plugs, drags, pitcher's plate, chalk marker, and additional maintenance equipment for the baseball/softball field located at City Park.

**Rudy Dudley reported the baseball field should be finished Friday the 30<sup>th</sup>. Priefert donated a 30 ft. flagpole for the field. Someone is donating the drag for the field which will save approximately \$600. The EDC is asking for authorization to purchase new bases, pitcher plat, striping machine, and maintenance equipment for the field.**

**A motion to accept the purchase of the baseball equipment was made by Cyndi Andrews with a second from Tony Johnson. Three voted for, one against, one no vote. Motion carried.**

6-14: Review, Discussion, and Possible Actions on the approval of Mr. Roger Lewis's appointment to the Lone Star Economic Development Corporation.

**Mr. Lewis provided the Council with a brief background of hi business experience. He expressed his desire to be on the EDC and explained why. He has managed up to \$30M projects and thinks he could help with the EDC and would like to be considered.**

**A motion to look for a better candidate was made by Cody Wommack. No second. Motion died.**

**A motion to accept Mr. Lewis's appointment to the EDC was made by Tony Johnson with a second from Jerri Chism. Three voted for, one voted against, one no vote. Motion carried.**

6-15: Review, Discussion, and Possible Actions on lending the City of Lone Star a zero-cost loan in the amount of \$10,000 for street repairs.

**Discussed how potholes are repaired in the City as a temporary fix without the proper equipment to do it correctly. The EDC offered to loan the City \$10K at zero-cost to be spent only on street repairs. Discussed the city borrowing their own tax dollars and paying it back. Discussed the need to evaluate the amount budgeted for street repairs to be more than \$6K. Reference was made to the legality of the EDC expenditure and loan. Discussed leaving the streets the way they are. Discussed volunteering and helping with improvements as a community effort.**

**A motion to accept the EDC loan for \$10K was made by Cyndi Andrews with a second from Jerri Chism. Three voted for, two against. Motion carried.**

6-16: Review, Discussion, and Possible Actions on purchasing a Verizon Hot Spot so the city park will have needed internet accessibility to procure security cameras for the park after recent park upgrades.

**Keith Reiter discussed a MIFI device has many layers as to why it won't work, one is the heat. The real issue is the unlimited data which means up to a certain amount of Gig, then the device slows down to almost zero. Keith estimated the usage of approximately 43 gigs per day. He described most MIFI's are 60-100 gigs. He calculated the MIFI to provide approximately 1.37 days of video per month and possibly a few additional pictures. Discussed other options, such as game cameras, fiber optics and live feed, to be considered later.**

**A motion to table this item was made by Jerri Chism with a second by Cyndi Andrews. A discussion occurred that if the item was tabled the Verizon Hot Spot would have to be addressed again. The council agreed they did not want to utilize a hot spot. No motion was made. Motion dies.**

6:17: Review, Discussion, and Possible action on the reinstatement of the Lone Star Parks and Recreation Board, originally authorized under Ordinance 198.

**Discussed the reinstatement of the Lone Star Parks and Recreation Board to oversee the park, routine maintenance, mowing, and scheduling events to promote activities for the area. Consider hiring a contractor to do the mowing at an estimated cost of \$9K per year. The goal is to have ongoing activities so the park could be self-sustaining.**

**A motion to table this item pending additional information was made by Keith Reiter with a second by Jerri Chism. Four voted for, one against. Motion carried.**

6-18: Review, Discussion, and Possible Action by the City Council on allowing softball and baseball tournaments for the rest of the summer.

**Rudy Dudley asked the Council for permission to schedule softball and baseball tournaments at the ballfield for the rest of the summer. He would like to dedicate the softball/baseball park in memory of Mr. Bobby Livingston who volunteered many hours at the park mowing and performing routine maintenance. He wants to dedicate a plaque at the field and family in memory of Mr. Livingston. If the council approves, he would like to schedule an 8U, 16 double elimination softball tournament July 29 & 30 and the following week an 8U, 16 double elimination baseball tournament. He would like to entitle tournaments as the "First Annual Bobby Livingston Baseball/Softball Tournament. Each team would pay \$125 to participate and pay for the umpires. Discussed bringing in vendors and ADA toilets to accommodate all for both tournaments and consider having a community event the Saturday before Labor Day. Discussed the EDC and volunteers to organize events for various usages of the park and setting up an events calendar on the City website.**

**A motion to allow softball/baseball tournaments for the rest of the summer was made by Cyndi Andrews with a second from Tony Johnson. All voted Aye.**

6-19: Review, Discussion, and Possible Action by the Council to revisit the Hotel Occupancy tax.

**Keith Reiter discussed his concerns of having a Hotel Occupancy Tax. He wants businesses to come to the area but doesn't want to tax them to death. He wants to consider**

**abolishing the tax. Discussed other hotels charging the tax. We have only one hotel in the area and don't think charging this tax would be beneficial.**

**Rudy discussed going to the Texas Economic seminar in Austin and discussing the benefits of small towns bringing in the additional revenue from the hotel occupancy tax. The ordinance and tax have been approved by the Council. Paperwork to register can be sent to the hotel and AB & B's for completion and returned to the City.**

**A motion to abolish the Hotel Occupancy Tax was made by Keith Reiter with a second from Cody Wommack. Two voted for, three voted against. Motion died.**

6-20: Review, Discussion, and Possible Action by the Council to seek bids for city employee insurance plans before the next renewal.

**Keith Reiter discussed looking for a different insurance provider than TML. Discussed additional insurance plans are available and think we can get a better price.**

**A motion to approve looking for an alternate insurance plan was made by Cyndi Andrew with a second from Tony Johnson. All present voted Aye.**

6-21: Review, Discussion, and Possible Action to allow aldermen to work on potholes with or without city workers.

**Cody Wommack volunteered to work with the city employees to fill potholes. He discussed the procedure in filling potholes with one of the employees. The Mayor discussed concerns from a liability aspect and of pictures or videos being posted negatively on social media. The Mayor asked for solutions if there was an issue in how the work was being performed and asked for a presentation on ways to be proactive. City employees should be allowed to do their jobs without interference or being monitored.**

**A motion to allow aldermen to work on potholes was made by Cody Wommack with a second from Keith Reiter. Two voted for, three voted against.**

6-22: Review, Discussion, and Possible Action to lower garbage rates.

**Cody Wommack stated the City has a 23% profit margin on garbage rates. He referred to other cities having a zero percent profit margin. Discussions continued about the rates and the legalities. The City is allowed to charge administrative costs.**

**A motion to table this item was made by Tony Johnson with a second from Cyndi Andrews. All present voted Aye.**

6-23: Review, Discussion, and Possible Action by the Council to consider re-appointing Sandy Wexler as the Northeast Texas Municipal Water District Director for Lone Star whose term expired on May 31, 2023.

**A discussion occurred on how Sandy Wexler has represented the City of Lone Star. Discussed the Council to consider Sandy serving until her term expired. Discussed the reappointment of an individual for a two-year term.**

**A motion to reappoint Sandy Wexler as the Northeast Texas Municipal Water District Director for Lone Star was made by Jerri Chism with a second from Cyndi Andrews. Three voted for, two voted against. Motion carried.**

6-24: Review, Discussion, and Possible Action to address the procedure for final approval and payment on the baseball field project.

**Discussed the fencing, location of post, height of wall at the baseball/softball field. The contract identified black coated fencing and a three-foot wall. The fencing used was described as regular chain link fencing and the wall was identified as being four feet. Discussed the black coated fencing as being more expensive than regular fencing and that we shouldn't pay for a contract that is in breach of the contract. Rudy Dudley stated the black coated fencing was unavailable for six months. The contractor poured the concrete for the dugout at no cost. Everything has been done to spec.**

**A motion to table this item was made by Tony Johnson with a second from Cyndi Andrews. All present voted Aye.**

6-25: Review, Discussion, and Possible Action on the hiring or ratification of the hiring of Calvin Sharp as a full-time public works employee.

**Cody wanted to discuss the hiring of Calvin Sharp in executive session, however it was not posted as an agenda item to discuss personnel issues. He discussed the previous consideration to outsource a part time Wastewater operator and the hiring of Calvin Sharp full time. The mayor checked into the cost to outsource a temporary Wastewater operator and was told \$3,200 per month for two to three hours a day, whereas Calvin is already knowledgeable of things in Lone Star and can be used part time to assist with wastewater activities at approximately the same cost.**

**To ratify the hiring of Calvin Sharp, a motion was made by Cindy Andrews with a second from Tony Johnson. Three voted for, two voted against. Motion passed.**

## **7. ADJOURN**

**A motion to adjourn was made by Jerri Chism with a second from Cyndi Andrews. All present voted Aye.**

/s/ Brianna McClain  
Mayor

/s/ Tina Love  
City Secretary