

*LONE STAR CITY COUNCIL  
REGULAR MEETING  
FIRE HALL – 201 WEST INDUSTRIAL  
October 20, 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 6:02 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.*

**No comments**

**4. CONSENT ITEMS:**

Minutes of Regular Council Meeting on September 15, 2022

**A motion to accept the minutes of Regular Council Meeting on September 15, 2022 was made by Jerri Chism, with a second from Mona Brown. All present voted Aye.**

**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. He asked about the police report listing possession of drug paraphernalia and wanted to know what it consisted of, and if there were different levels of paraphernalia. Chief Blythe answered that paraphernalia consisted of pipe, syringes, etc. and there were not different paraphernalia levels. He questioned the Water District report referencing the construction of a new water tank. Mayor Hodges replied it was a new storage tank that NETMWD was paying to have installed across the highway from Lone Star Specialties. The EDC report and an expenditure to not exceed \$500 for aerial photography was approved as part of park project last year and was revisited in October. Cody stated he hadn't had an opportunity to go thru all financial reports.**

**A motion to table the financial reports until the next meeting was made by Cody Wommack. No second. Motion died.**

**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. Four Aye's, One Nay. Motion carried.**

## **6. ACTION ITEMS**

6-1. Review, discussion, and possible action for the City of Lone Star Tax Roll approval and Tax Levy Resolution.

**Cody Wommack stated he would not be voting for the Tax Roll approval and Tax Levy Resolution because he didn't think the information was posted on the homepage of the City website as it should have been.**

**A motion to approve the Lone Star Tax Roll and Tax Levy Resolution, as presented, was made by Mona Brown, with a second from Rudy Dudley. Four voted for, one voted against. Motion carried.**

6-2. Review, discussion, and possible action to consider for hire William H. McCoy as prosecutor for the City of Lone Star.

**A motion to hire William McCoy as the new city prosecutor was made by Mona Brown, with a second from Rudy Dudley. Four voted Aye, one voted Nay. Motion passed.**

6-3. Review, discussion, and possible actions for local business owner to discuss his feeling of being harassed.

**Kenneth Hollowell and Melissa Hollowell own Resurrection Auto in Lone Star. Mr. Hollowell moved his business from Daingerfield to Lone Star approximately one year ago. He referenced the success of his business in Lone Star and the desire to purchase more property in Lone Star; however, recently he feels he is being targeted and harassed by a Lone Star policeman. He described having three encounters with the police officer. Mr. Hollowell was issued three citations that he did not feel he deserved. He would like to get the tickets resolved if the City will accept the documentation provided. Mayor Hodges stated he would investigate the matter further and asked for the opportunity to be briefed by the officers.**

**No action. Pending additional information and investigations.**

6-4. Review, discussion, and possible actions on City Park Project number 2022-001 drainage improvement updates.

**An update on the City Park drainage improvement project was provided by Rudy Dudley. He reported approximately 95% of the work was complete. The ditch line, grading of dirt, planting grass seeds and fertilizing will be done within the next couple of days. Mr. Dudley expressed he was pleased that RCC Excavation and Fabrication was the lowest bidder because in his opinion they have gone above and beyond to satisfactorily complete the project and save the City several dollars. Update for informational purposes only. No action required.**

6-5. Review, discussion, and possible action on the policy of displaying the thin blue line flag in the courtroom at municipal court proceedings.

**Cody Wommack discussed the thin blue line flag being displayed in the courtroom could interpret bias towards law enforcement and some may not be comfortable with it being displayed during court proceedings.**

**Cody Wommack made a motion to remove the thin blue line flag and not display it during municipal court proceedings. No second. Motion died.**

**A second motion was made by Cody Wommack suggesting the decision be made by the municipal court judge whether to display or remove the thin blue line flag during municipal court proceedings. No second. Motion died.**

**Cody stated other cities, such as San Antonio, had problems to arise with the display of the thin blue line flag. There have been no complaints of the flag being displayed in Lone Star. The Mayor had spoken with the County judge about the flag and the law. There is currently no law against the display of the flag, and it would be up to the City Council whether it continues to be displayed or removed from the municipal court. Chief Blythe referenced the Wikipedia description of a thin blue line and its intent. The Police Department does not have a problem removing the flag during court sessions. Additional interpretations and references of the blue line meaning were discussed.**

**A motion to leave the blue line flag in the municipal court room was made by Rudy Dudley with a second from Mona Brown. Four Aye's, one Nay. Motion carries.**

6-6. 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.

**Cody Wommack discussed the fencing located at 529 N. Main Street encompasses the city owned right of way and disallows anyone from traveling or accessing the right of way. He provided copies of the warranty deed, drawings, and discussed the property line dimensions. He indicated the property line is approximately 12 ft. from the curb. He feels the property owner has fencing and equipment that needs to be moved off the City right of way. Mona Brown thinks Ricky Duke came to the City Council and asked to place the fencing at the current location. A question was asked if the City had given the right of way**

**to the property owner. The answer was no. Additional discussions occurred about the owner prosecuting someone for trespassing if they jumped the fence. Additional research is necessary to see if a variance was issued allowing the fencing to be placed on the right of way.**

**A motion to table this item until the next meeting was made by Rudy Dudley with a second from Mona Brown. Four voted Aye, one voted Nay.**

6-7. 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.

**Cody Wommack discussed his concerns about the amended audit and other audits not accurately capturing all Lone Star's assets. The more assets a city has can increase appraisal values and help borrow money at a cheaper rate. The old elementary school was not captured as an asset in recent audit reports. The Morris County Appraisal District was contacted and was able to provide Cody the school property values for the past several years. Cody sent an email to the auditors inquiring about values reported in the audit. Mayor Hodges asked Cody to go back through the list of concerns and provide the City Secretary any exceptions to be discussed further.**

**A motion to table the approval of the audit was made by Cody Wommack with a second from Mona Brown. All present voted Aye.**

6-8. Review, discussion, and possible actions to consider for hire Kyle Harrison as a part time Code Enforcement Officer for the City of Lone Star.

**A decision to postpone filling the Code Enforcement Officer position for two weeks until additional advertising can be done in the local newspaper, the TML and City website.**

**7. EXECUTIVE SESSION:** City Council to convene into executive session for the following issues:

7-1: To consider for hire Kyle Harrison as part time Code Enforcement Officer. (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 action was taken during executive session.**

## **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**