

*LONE STAR CITY COUNCIL  
FIRE HALL – 201 WEST INDUSTRIAL  
June 16, 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.

**Members of the public who wish to submit their written comments on a listed agenda item must submit their comments by emailing [citysecretary@lonestartx.net](mailto:citysecretary@lonestartx.net) or by calling 903-656-2311 for staff assistance. Comments must be received before 3:00 p.m., June 16, 2022.**

**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 6:00 pm**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**Invocation – Mayor Randy Hodges**

**Pledge of Allegiance – All in unison**

**Before the Citizens Comments, the Mayor asked for everyone to speak up and to speak directly to the Chair (Mayor).**

**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.*

**Jim Sly spoke about the Hotel Occupancy Tax (HOT). He referenced businesses are having a hard time staying open for lack of people and inflation. There have been no changes on main street to bring in business. He compared motels to AB &B and the differences. Discussed the struggles the Marina has encountered. They can no longer rent boats due to increased insurance cost. The waterfront is covered with hydrilla and by July there swimming area will be inaccessible.**

**Kim Sly referenced the increased gas and grocery prices. They have had 14 rentals since January. People are staying at other motels for less than \$100. The council was told a poll was taken on Facebook and 42 people disapprove of the HOT.**

**Keith Reiter spoke and thinks the HOT is ridiculous. He, as a previous city council member, thinks the council books she be submitted a week earlier to allow council member a chance to review and research.**

**Mayor Hodges spoke about some of the challenges the City has had. We've had to replace infrastructure and we have fewer employees than in the past and current employees are performing multiple tasks. He also referenced during the freeze of 2021 the City did not lose water services due to the dedication of the City employees monitoring equipment after hours. The Mayor referenced the many interruptions the City Secretary encounters daily from special citizen request, council request, meetings, and daily activities. The mayor wants special request to go through him for review and prioritization.**

**Terry McMillon lives at 200 N. Shore. She has previously complained about the home next to hers being overgrown and the structure is dilapidated. She stated seeing animals and snakes going into the structure and there is a snake nest by the lake because of overgrown shrubbery. She wants to know if anything is going to be done to get the property cleaned up. Chief Steven Blythe spoke up and will get with Mrs. McMillon to discuss the property.**

**Cody Wommack referenced item 7.6 from the previous City Council meeting. He asked for a roll call on this item and wants the minutes correct to reflect this.**

**Cody Wommack didn't feel that he had adequate time to review the city council packet and made a motion to adjourn the meeting until next Thursday. No second to the motion was received, so the meeting continued.**

#### **4. CONSENT ITEMS:**

Election canvass  
Minutes of Meeting on May 19, 2022

**A motion to accept the consent items as presented was made by Jerri Chism with a second from Rudy Dudley. Four voted Aye, one abstained.**

#### **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: Financial Reports
  - a. Water and Sewer Fund
  - b. General Fund

**Cody Wommack referred to item 5-1 and thinks more details should be provided.**

**Rudy Dudley referenced item 5-4. The City of Daingerfield is trying to work with us on getting the trees cut back. We have approximately 26 streets in which we need trees cut.**

**Shane has researched renting equipment to cut trees if we are unable to get assistance from Daingerfield.**

**Cody Wommack referred to the Sanitation Solutions contract including services for street sweeping and if it had ever been done. It has not been done in several years because Sanitation Solutions street sweeper broke and was not replaced. Additionally, Sanitation Solutions was bought by Waste Connections which does not have the equipment.**

**Cody Wommack referred to the tree hanging over #2 lift station and wanted to know if it fell would the water be off. Shane has reached out to a couple of contractors to bid the tree being cut down.**

**A motion to accept reports 5-1 through 5-6 a & b as presented was made by Mona Brown with a second from Rudy Dudley. Four voted Aye, one opposed.**

## **6. ACTION ITEMS**

**6-1: Review, Discussion and Possible Action to publish the reviewed and revised Hotel Occupancy Tax Ordinance with a suggested effective date of June 1, 2022 (Tabled from May 19, 2022, meeting).**

**The Mayor referenced the item had been discussed twice in length. Discussion began in June of 2021. Cody Wommack asked to speak. He compared the city government in Lone Star to Jenkins. If there were an AB & B in Jenkins, there would be no taxes. If there were an AB & B in Lone Star, there would be extra taxes. He asked what is the advantage if you are a property owner on the Jenkins side or Lone Star side of the lake and are your freedoms respected more in Jenkins than in Lone Star. Taxes are sent to the state Comptroller and distributed to the city. This would be new, and taxes would come directly to the City which could be an administrative nightmare. He referenced page 6 of the ordinance. It appears to have a typo in reference to the effective date. A statement “This Ordinance takes effect upon by the City Council” which is a typo and will be removed. The action item on the agenda references the effective date of June 1, 2022, which is retroactive and can’t be done. The City Secretary stated this item was carried over from the previous meeting, as previously presented, and the date was not changed. Tony Johnson was ready to make a motion to vote, but Rudy Dudley asked to amend and make the ordinance approval date today and move the effective date to August 1, 2022. The Mayor confirmed the effective date of August 1, 2022 and for a motion.**

**A motion to accept the ordinance was made by Tony Johnson with a second from Mona Brown. Four voted Aye, one opposed.**

**6-2: Review, Discussion and Possible Action to allow charter and school buses to deliver patrons directly to Rocky Point Adventures for reserved events and special occasions instead of being shuttled (Tabled from May 19, 2022, meeting).**

**Caryl Cochran, of Rocky Point Adventures (RPA), approached the City Council on May 19, 2022 for approval of charter/school buses to deliver patrons to RPA for special events or occasions scheduled on Mondays and Tuesdays of each week. Concerns were**

**expressed about the narrow roadway and turn around space at RPA. Additional information was necessary before the council would decide.**

**On May 20<sup>th</sup>, Mayor Randy Hodges, Rudy Dudley, and Fire Marshall Roger Dudley took Engine 1 (Lone Star’s largest fire truck) down Jefferson Street to West Germany to evaluate the width of the roadway and determine if trees needed to be cut back to prevent damage to emergency vehicles or buses. The fire truck requires 66 ft. to turn around which is comparable to the size of a bus. Per the emergency agreement set up with RPA when they first opened, if there are no cars at the location, the FD must be able to safely drive into RPA, park the truck sideways, and make a three point turn around, and not be blocked in. Roger Dudley drove the fire truck into RPA and demonstrated there was adequate room to turn the fire truck around. RPA is allowed to have a couple of vehicles in the park 30 minutes prior to opening but are removed during business hours. Trees were evaluated as driving down the roadway and pictures taken. Trees need to have a minimum of 13.5 ft. clearance from ground level for emergency vehicles to pass without damage. Roger Dudley discussed school buses go up and down these roadways during school and there isn’t an issue. He expressed in his opinion and from a safety aspect, it would be safer to allow a charter or school bus deliver patrons to RPA versus them walking down the roadway or having the shuttle make multiple trips for large crowds. The mayor stated from his observation the charter bus and school bus would have adequate room to travel into RPA and turn around. The mayor referenced there are several streets in which the city is trying to get the tree canopy cut away from the roadways, but it will take time.**

**The City Secretary stated in the previous meeting RPA referenced they would hold special events on Monday’s and Tuesdays and would like those to be the days for buses allowed into RPA. The City was unsure if it were legal to hold RPA to those two days only and tried to contact legal counsel but did not receive a response prior to the meeting. It was discussed since RPA requested these days; we should allow them if approved. Rodger Dudley stated aside from the legal aspect, the city has jurisdiction in accordance with National Fire Protection Association (NFPA) 101 which is a life safety code. Chief Steven Blythe referenced that Germany is a public street and we can’t enforce who can/can’t drive down a street. Mr. Cochran requested Monday and Tuesdays for buses to deliver patrons for special events to appease the neighborhood. Lesley Dalme stated that the neighborhood didn’t object to the buses but did object to Mr. Cochran cutting the trees.**

**A motion to allow tour/school buses to deliver patrons into RPA on Mondays and Tuesdays, was made by Mona Brown with a second from Rudy Dudley. Four Ayes and one abstained.**

6-3: Review, Discussion and Possible action to discuss a proposal of a portable building being installed at 219 N. Main Street to be used as a new resale business and to eventually grow into a farmers’ market/trades day (Tabled from May 19, 2022, meeting).

**This item tabled from the previous meeting but will be removed and placed on the agenda later.**

6-4: Review, discussion, and possible action on City practice and policy for making audio recordings of city council meetings (Tabled from May 19, 2022, meeting).

**Cody made a motion for the City to obtain the equipment to record audio of city council meetings, and all meetings, including executive sessions. The Mayor referenced what we are doing now by rules and regulations is adequate and asked Cody if he wanted to go further to film them. Cody stated no just audio, that film is more complicated and more expensive. The mayor asked if anyone wanted to make a motion or have a discussion. The City Secretary spoke up and said she had a problem with audio recording an executive session. The City's standard procedure is to keep a certified agenda for the executive session as allowed by statute. It is more expensive to purchase and lock up audio devices or thumb drives used for recordings. Certified agendas are locked up and are less expensive. Cody referenced in court a recording would better protect the City on what was said or not said. Mayor Hodges agreed there could be merit of a recording but has reservations on recording executive sessions which can involve sensitive matters such as disciplining an employee. It is a privilege to have an executive session, but anything discussed during executive session is not to be discussed outside of the executive session. The Mayor asked if there were any more discussions.**

**A motion to audio record meetings, but not executive sessions, was made by Tony Johnson with a second by Mona Brown. Three voted for, one no vote, and voted against.**

6-5: Review, Discussion, and Possible action to proceed and replace the Police Department body camera server which is over 10 yrs. old, has a failing memory module, and the operating system drive has failed.

**Hunter Bonner, of Absolute Technology, notified the Police Department and City Secretary the body camera server had problems and was concerned it would fail. On June 3, 2022, the body camera server would not startup correctly. After troubleshooting, the system, it was determined the hard drive was damaged, there was a bad memory module, and the system was 10 years old with no backup system.**

**Mr. Bonner provided a proposal to replace the desktop computer with a refurbished Dell Server at a significantly reduced cost compared to a new server. The machine will come with solid state drives and plenty of memory. The machine will run the current police Watchguard Body Camera system and store the necessary data files. He suggested considering a second server as an onsite backup appliance to backup the first machine. This machine runs off a Linux operating system and is fully supported. The backup server will replicate data files to the cloud as an additional backup measure, afterhours, and using a fractional amount of bandwidth. The estimated cost of the replacement system is \$4,206.01.**

**Cody Wommack asked if we had lost any of our body camera footage? To date we have not lost any body camera footage, but we were told if we didn't do something soon it was possible the system could crash and we couldn't retrieve data.**

**Keith Reiter referenced using an internal NAS -vs- the cloud as a backup. A person could remove the hard drive and lock it up offsite at a separate, secure location. The City Secretary will research but removing the hard drive may not be an option because of the confidentiality of records.**

**A motion to approve the purchase of a new body camera server pending backup options was made by Rudy Dudley with a second from Jerri Chism. Four voted Aye, one no vote.**

6-6: Review, Discussion and Possible action to discuss Mr. Bill Muniz putting a laundromat in a section of the old Crumps grocery building.

**Mr. Muniz was unavailable to attend the City Council meeting but asked for Council's approval to put a laundromat in a portion of the old Crumps grocery building. A schematic of the proposed laundromat layout was provided for the Council to review.**

**A discussion occurred about the building modifications need to meet all electrical and fire codes. Fire Marshall, Roger Dudley, stated that Mr. Muniz should contact a state fire inspector about firewalls and requirements necessary before he proceeds with any modifications to the structure. Mr. Muniz needs to provide the City building blueprints and official drawings for the proposed laundromat. The council feels additional information is necessary before a decision can be made**

**A motion to table this item pending additional information from Mr. Muniz was made by Mona Brown, with a second from Jerri Chism. All present voted Aye.**

6-7: Review, Discussion, and Possible Action to consider the abandonment of an undeveloped, platted sub-division roadway identified as "Porter Street" in the McKinney & Williams survey and part of a 19.39-acre tract owned by Roundrock Realty.

**On May 19, 2022 the City Council approved the City Secretary to proceed forward with assisting Mr. Josh Beesinger, of Roundrock Realty with the process of abandoning a roadway identified as "Porter Street" (previously reported as Porter Drive) located in the McKinney & Williams survey and part of a 19.39 acre tract owned by Roundrock Realty. The street was never developed, and the identified location of the street is overgrown with vegetation and trees. Mr. Beesinger wants to divide the 19.39 acres into three smaller tracts and the street (as identified on survey) is in the middle of the property. He has petitioned the City of Lone Star to abandon the street.**

**Legal counsel was consulted for guidance to ensure the proper procedures were taken to abandon a roadway. A petition signed by all property owners and a current property survey was required to proceed forward. The City Secretary contacted the Morris County Appraisal District and the Morris County Title Company to discuss if any additional documentation was required by the county. The Morris County Title Company requires a current survey and a city ordinance to abandon a roadway. Mr. Beesinger was notified by the City Secretary of the requirements and the legal fees incurred for the roadway closure would be the responsibility of Roundrock Realty and not the City's. He agreed to pay the legal fees and to proceed forward.**

**Mr. Beesinger provided the City a notarized petition and current survey for City Council's consideration to abandon the roadway "Porter Street". Members of the City Council reviewed the petition and survey, and the majority didn't foresee a problem with**

**the removal of the roadway since it never existed, and Mr. Beesinger owned all property surrounding the roadway.**

**A motion to approve the abandonment of roadway “Porter Street” was made by Rudy Dudley, with a second from Jerri Chism. Four voted Aye; One no vote.**

6-8: Review, Discussion, and Possible Action to evaluate and consider for approval the re-platting of newly defined lots for Roundrock Realty.

**With the approval of the abandonment of roadway “Porter Street”, a new survey excluding the roadway was presented to Council for review. The survey identifies the three proposed lots for replat without the roadway “Porter Street”. Ordinance No. 302, “An ordinance of the City Council of the City of Lone Star, Texas accepting a petition, and hereby vacating, abandoning, and closing a street or ally pursuant to chapter 311.008 of the Texas transportation code; providing a severability clause; and establishing an effective date” was presented to Council for review.**

**The property for replat is currently wooded acreage without any structures. There are currently no water or sewer lines on the property. Shane Townson, Public Works and Water/Sewer Supervisor stated there could possibly be an issue with sewer. Our options for sewer would be to install a new lift station, which would be expensive, or the owners would need to install a septic (aerobic) system. Concerns of a septic system being placed too closely to the lake were discussed. The property location doesn’t appear to be too close to the lake for the installation of an aerobic system, but that could depend upon structure placement. The City would need to supply water to this location since it is within the city limits.**

**A motion to accept the replat of the property was made by Rudy Dudley, with a second from Jerri Chism. Four voted Aye; one no vote.**

6-9: Review, Discussion, and Possible Action to discuss new employee insurance rates and select the policy for FY2022.

**After the Mayor presented this item for discussion, Cody Wommack, made a motion to table the item because he hadn’t had time to review the information. No second to the motion was received.**

**The City Secretary notified the Council of the July 1, 2022, deadline to submit the insurance selection to TML and proceeded to discuss the offered options. The insurance plan currently provided for the employees increased 10%. Similar options had increased rates as well and other options with higher deductibles and out of pocket expenses were less than the current insurance. A discussion occurred about the City tried to offer its employees descent insurance to offset the lower salaries paid in comparison to other cities.**

**A motion to continue with the same insurance coverage was made by Rudy Dudley, with a second by Mona Brown. Four votes were for the motion, one against.**

6-10: Review, Discussion, and Possible Action to discuss the submission of the Procurement package for ARPA project.

**To qualify for the American Rescue Plan Act, a city must meet certain procurement requirements in accordance with 2 CFR 200.317-2CFR 200.327. A copy of the cities procurement policies and procedure was provided for council review and consideration.**

**A motion to accept the supplied procurement policies and procedure was made by Rudy Dudley, with a second from Tony Johnson. Four votes were for the motion, one against.**

6-11: Review, Discussion and Possible Action to select a Mayor Pro Tem for the term of one year.

**Papers were handed out to each council member to write a nomination for a Mayor Pro-Tem. The papers were picked up and returned to the mayor for a verbal announcement of the person with the most votes. The Mayor announced 3 votes for Jerri Chism, 1 vote for Tony Johnson, and 1 vote for Rudy Dudley.**

**A motion was made based upon the votes to approve/elect Jerri Chism as the Mayor-Pro-Tem for a year term, by Rudy Dudley, with a second from Mona Brown. Four voted Aye, one no vote.**

6-12: Review, Discussion, and Possible Action to establish a one-week deadline before meetings for the council to have the informational packet. This could mean moving the meetings to the 4<sup>th</sup> Thursday of the month, or a combination.

**Cody Wommack suggested that informational packets for City Council meetings be supplied one week in advance to allow the council members time to review and research topics for discussion. He stated, "If you have the same deadline for the packet, and change the meeting to the 4<sup>th</sup> Thursday, then you would have seven days to review the packet". Cody made a motion to move the meeting to the fourth Thursday. No one second the vote. Jerri Chism stated that TML recommended packets be received two days before the meeting. Cody stated these packets were received the day of the meeting. Reference was made to the city audit occurring during the previous and current week of the meeting. The City Secretary stated she was behind on compiling information due to the audit and reference some information for the packet was received late the night before the council meeting. Packets were finalized and available by midday of the meeting.**

**A motion to leave the meeting date as established (3<sup>rd</sup> Thursday of each month) was made by Mona Brown with a second from Jerri Chism. Four voted Aye, one no vote.**

6-13: Review, Discussion, and Possible Action to discuss hiring a replacement for Calvin Sharp.

**The City Council dismissed into executive session at 8:09 pm to interview applicant Gatlin Moore. At 8:24 p.m. the City Council reconvened.**

**A motion to consider for hire Gatlin Moore for the position of Utility Foreman at the rate of \$20.00 per hour, was made by Mona Brown, with a second by Jerri Chism. Four voted Aye, one no vote.**

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

7-1: To consider for hire, candidates for the Utility Foreman position. (TEX. GOV'T CODE ANN. § 551.074). The council will then re-convene in open session for review, discussion, and possible action on this matter.

**No action was taken during executive session.**

**8.0 ADJOURN**

**A motion to adjourn was made by Jerri Chism, with a second from Rudy Dudley. All present voted Aye.**

/s/ Randy Hodges  
**Randy Hodges, Mayor**

/s/ Tina Love  
**Tina Love, City Secretary**