

**REGULAR SCHEDULED MEETING
LONE STAR CITY COUNCIL
FIRE HALL – 201 WEST INDUSTRIAL
September 21, 2017 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, 551.072, 551.073, 551.074, 551.075, 551.076, 551.077*

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, Aldermen Mona Brown, Lynn Cox, Keith Reiter and Ryan Harte and City Secretary Devon Whatley. Alderman Harte left the meeting following Agenda Item 4.

1. CALL TO ORDER by Mayor Randy Hodges

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation led by Alderman Lynn Cox

Pledge of Allegiance recited in unison.

3. CITIZEN COMMENTS:

Rebecca Reynolds spoke stating that stray dogs and cats, many are not strays, are getting into the trash.

4. PUBLIC HEARING: Review, Discussion and Action concerning Automatic Disqualification of Ryan Harte for Changing his Place of Residence to a Location Outside the Corporate Boundaries of the City of Lone Star. Pursuant to Local Government Code §22.008(b); Providing for an Opportunity to be Heard and Present Evidence or Arguments Regarding the Automatic Disqualification.

Ryan Harte spoke in his defense, stating that he has always lived in Lone Star. Travis Pool spoke in support of the automatic disqualification. Kenny Simpson spoke in opposition to the automatic disqualification.

Lynn Cox made a motion and second by Mona Brown that there has not been sufficient evidence presented to overcome the automatic disqualification, and that the automatic disqualification remains in place and Mr. Harte is disqualified from holding office of Alderman and that office is considered vacant. Voting aye were Mona Brown, Lynn Cox, Jerri Chism and Keith Reiter.

5. CONSENT ITEMS:

A. Minutes of the Special Budget Workshop Meeting on August 10, 2017;

Motion made by Mona Brown and second by Jerri Chism to approve the minutes of Special Budget Workshop Meeting on August 10, 2017. All present voted aye.

B. Minutes of the Special Meeting on August 17, 2017;

Motion made by Jerri Chism and second by Mona Brown to approve the minutes of the Special Meeting on August 17, 2017. All present voted aye.

C. Minutes of the Regular Scheduled Meeting on August 17, 2017;

Motion made by Lynn Cox and second by Jerri Chism to approve the minutes of the Regular Scheduled Meeting on August 17, 2017. All present voted aye.

D. Minutes of the Public Hearing to Consider the 2017-2018 Budgets and 2017 Tax Rate on August 29, 2017;

Motion made by Keith Reiter and second by Lynn Cox to approve the minutes of the Public Hearing to Consider the 2017-2018 Budgets and 2017 Tax Rate on August 29, 2017. All present voted aye.

E. Minutes of the Special Scheduled Meeting to Adopt A Property Tax Rate and 2017-2018 Budgets on August 29, 2017.

Motion made by Jerri Chism and second by Keith Reiter to approve the minutes of the Special Scheduled Meeting to Adopt a Property Tax Rate and 2017-2018 Budgets on August 29, 2017. All present voted aye.

6. REPORTS:

5-1: Judge/Court Report

5-2: Police Department Report

5-3: Fire Chief Report

5-4: Fire Marshall Report

5-5: Public Works Report

5-6: NETWD Director's Report

5-7: Economic Development Corporation Minutes and Financial Report

5-8: Financial Reports

a. Water and Sewer Fund

b. General Fund

Motion by Mona Brown and second by Keith Reiter to adopt reports 5-1 through 5-8 (a) and (b). All present voted aye.

7. DISCUSSION/ACTION ITEMS

7-1: Review, Discussion, and Possible Action by the Council to approve “An Ordinance Levying a Tax Rate for the City of Lone Star for the Tax Year 2017.”

A motion was made by Mona Brown and second by Jerri Chism to approve “An Ordinance Levying a Tax Rate for the City of Lone Star for the Tax Year 2017.” All present voted aye.

7-2: Review, Discussion and Possible Action by the Council approve the 2017-2018 Budget of the Economic Development Corporation.

A motion was made by Mona Brown and second by Jerri Chism to approve the 2017-2018 Budget of the Economic Development Corporation. All present voted aye.

7-3: Review, Discussion, and Possible Action by the Council on Rebecca Reynolds’ request for the City to reinstate the Home Program Grant.

Rebecca Reynolds stated in 2009 two houses were built with this program. She is asking the City to bring the program back. Cody Wommack spoke in opposition, stating the City does not need to increase low income housing.

A motion was made by Jerri Chism and second by Keith Reiter to table this item until the October meeting, once more information is obtained.

7-4: Review, Discussion and Possible Action by the Council concerning the sale or lease of the Lone Star Elementary property to Lone Star Charter Schools for use as a charter school. Cody Wommack will present steps and a timeline in the charter school application process, as well as the different options for the conveyance of property.

Mr. Wommack informed the Council that he has obtained non-profit status through the Secretary of State. He is asking for use of the Lone Star Elementary property. He stated that in order for the City to sell or lease the property below market value, there would have to be a 253.001 Agreement. Mr. Wommack wants an agreement that the City would not sell the Lone Star Elementary property until he receives a decision his application for a charter, then, if he receives the charter, deed him the property.

The Council discussed this item in executive session, pursuant to TEX. GOV’T CODE ANN. § 551.072. After returning to open session, a motion was made by Keith Reiter and second by Mona Brown to commit the Lone Star Elementary property to Lone Star Charter, if Cody Wommack can approach the City with an agreement that meets with the Council’s approval by December 31, 2017. All present voted aye.

7-5: Review, Discussion and Possible Action by the Council to consider leasing office space at Lone Star State Bank. City Secretary, Devon Whatley will present quotes for transitioning the City's operations to the new location. Lone Star State Bank/Community Bank Officer Kathy Tittle will be present to answer any questions regarding the space.

A motion was made by Keith Reiter and second by Jerri Chism to postpone this item until the October agenda to find the funding for this transition. All present voted aye.

7-6: Review, Discussion and Possible Action on the Ordinance Nominating Candidates for the Morris County Appraisal District Board of Directors. The Council will select five nominees for the Appraisal District Board of Directors ballot.

A motion was made by Jerri Chism and second by Mona Brown to nominate Karl Stoermer and Lynn Cox as candidates for the Morris County Appraisal District Board of Directors. All present voted aye.

7-7: Review, Discussion and Possible Action by the Council to consider the sale of the City's ExMark mower to Steven Blythe. The Council voted to sell or trade this mower and purchase a SCAG mower in the 2017-2018 budget year.

The Council did not take action on this item, but voted in 7-8 to include the ExMark mower in the auction of other vehicles.

7-8: Review, Discussion and Possible Action by the Council to allow Public Works Supervisor Shane Townson to sell several non-operational public works vehicles (Chevrolet tanker truck, Chevrolet $\frac{3}{4}$ ton truck and Dodge half-ton truck) and use the money toward the purchase of a flat-bed truck, as approved in the 2017-2018 budget, or other equipment.

A motion was made by Mona Brown and second by Jerri Chism to liquidate the ExMark mower and other equipment by bid, as required by law. All present voted aye.

7-9: Review, Discussion and Possible Action by the Council to consider a request by Officer Kenith Taylor to provide a \$50.00 per month discount on water, sewer and garbage bills for all City employees and elected officials.

Officer Kenith Taylor spoke on the amount of volunteer hours the police and public works departments provide. A motion was made by Keith Reiter and second by Jerri Chism to not give a discount to the employees and Council. All present voted nay. A second motion was made by Mona Brown and second by Jerri Chism to provide a \$50.00 discount on the water, sewer and garbage bill for public works and police department employees. Voting aye were Mona Brown, Lynn Cox and Jerri Chism. Voting nay was Keith Reiter.

7-10: Review, Discussion and Possible Action by the Council regarding the purchase of 5+/- acres by the Economic Development Board. Economic Development Board Chairman Mitch Cox will speak on this matter.

A motion was made by Jerri Chism and second by Mona Brown to postpone this item to a later date. All present voted aye.

7-11: Review, Discussion and Possible Action by the Council establishing a definition of what ditches in the City that the Public Works Department will maintain.

Public Works Supervisor Shane Townson spoke about the different streets and ditches that the City has been maintaining. Officer Kenith Taylor recited the Health and Safety Code, stating you own your property to the street. Alderman Keith Reiter suggested allowing people to pay \$50.00 per year for the City to maintain their ditch. A motion was made by Lynn Cox and second by Jerri Chism to look into what it would take to maintain some ditches. All present voted aye.

7-12: Review, Discussion and Possible Action by the Council to allow City Secretary Devon Whatley to attend an Election Law seminar put on by the Secretary of State on November 29 – December 1 in Austin.

A motion was made by Keith Reiter and second by Lynn Cox to allow City Secretary Devon Whatley to attend an Election Law seminar in Austin on November 29 – December 1. All present voted aye.

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

8-1: To discuss the possible hiring of Daniel Todd, II as a full-time public works employee (TEX. GOV'T CODE ANN. § 551.074). Mr. Todd is currently employed as a part-time, temporary employee. The council will then re-convene in open session for review, discussion, and possible action on this matter.

A motion was made by Jerri Chism and second by Lynn Cox to hire Daniel Todd, II as a full-time Public Works employee at a rate of \$9.25 per hour. All present voted aye.

9. ADJOURN

A motion was made by Jerri Chism and second by Mona Brown to adjourn. All present voted aye.

/s/ Devon N. Whatley
Devon N. Whatley, City Secretary

/s/ Randy Hodges
Randy Hodges, Mayor