



**CITY OF ELKHART  
CITY COUNCIL  
REGULAR**

**MEETING MINUTES**

---

**Monday, January 6, 2020**

**6:00 pm**

**First United Methodist Church**

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**CALL TO ORDER**

With a quorum present, the Regular Meeting of the City of Elkhart City Council was called to order by Mayor Jennifer McCoy at 6:00 p.m. at the First United Methodist Church, 202 West Parker Street, Elkhart, Texas 75839.

Present: Mayor Jennifer McCoy, Mayor Pro tem Raymond Dunlap, Councilmember Lucia Butler, Councilmember James Warren, Councilmember Daryll Faulk, Council Member Chuck Conner, City Administrator Judith Cantrell, City Secretary Ami Ashworth

**REGULAR ACTION ITEMS**

**A. CALL TO ORDER, PRAYER, AND PLEDGE OF ALLEGIANCE**

Pledge of allegiance was followed by the invocation given by Mayor Pro Tem Raymond Dunlap.

**B. PUBLIC COMMENT**

None

**C. REGULAR SESSION**

1. Discuss and take action, if any, on request for water service at 208 Davis Street, Elkhart, Texas.

City Administrator Cantrell addressed the Council with a request by the family of the property owner of 208 Davis Street to establish water service. The family is unable to provide proof of ownership as the property owner is deceased, and the estate was not probated through the Courts. Due to City policy, new service requires proof of lease or ownership prior to establishing services. Ms. Cantrell contacted counsel concerning the issue, who concurred that the City must have proper documentation from the Court showing valid ownership. The family was asked to provide a file-stamped petition from the Court to verify the probate process has been started. Motion was made by Councilmember Butler, seconded by Councilmember Warren to take no action. Upon vote, the Motion passed unanimously 5-0.

2. Discuss and take action, if any, on Resolution adopting and/or reaffirming policies and procedures for civil rights, equal opportunity, Limited English Proficiency Plan and fair housing as required by the Texas Community Development Block Grant Program and authorizing publication of required notices.

Beth Eddings with Traylor and Associates presented Council with a Resolution adopting and reaffirming policies and procedures for civil rights, equal opportunity, Limited English Proficiency Plan and fair housing as required by the Texas Community Development Block Grant Program and



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authorizing publication of required notices. Councilperson Lucia Butler motioned to adopt Resolution No. R-01062020-3, reaffirming policies and procedures for civil rights, equal opportunity, Limited English Proficiency Plan and fair housing as required by the Texas Community Development Block Grant Program and authorizing publication of required notices. Motion was made by Councilmember Butler, seconded by Councilmember Conner to approve Resolution. Upon vote, the Motion passed unanimously 5-0.

3. Discuss and take action, if any, on Resolution Authorizing Signatories for TxCDBG Contract No. 7219131.

Beth Eddings with Traylor and Associates presented Resolution No. R-01062020-2, authorizing signatories for TxCDBG Contract No. 7219131. Motion was made by Councilmember Butler, seconded by Councilmember Warren to adopt Resolution authorizing signatories for TxCDBG Contract No. 7219131. Upon vote, the Motion passed unanimously 5-0.

4. Discuss and take action, if any, proclaiming February as Fair Housing Month and authorizing the publication of a Fair Housing Public Service Announcement.

Beth Eddings with Traylor and Associates presented a Proclamation proclaiming February as Fair Housing Month and authorizing the publication of a Fair Housing Public Service Announcement. Councilperson Lucia Butler motioned to accept the Proclamation proclaiming February as Fair Housing Month and authorizing the publication of a Fair Housing Public Service Announcement, Motion was made by Councilmember Butler, seconded by Councilmember Faulk proclaiming February as Fair Housing Month. Upon vote, the Motion passed unanimously 5-0.

5. Discuss and take action, if any, on adopting **Ordinance No. O-01062020-01**, establishing rules and regulations for Amusement Redemption Machines within the corporate city limits of Elkhart, Texas.

City Administrator Cantrell presented Ordinance O-01062020-01, which would establish rules and regulations for Amusement Redemption Machines within the corporate city limits of Elkhart, Texas. This Ordinance is part of the overhaul being done to bring the City's code up-to-date, providing for accountability of all entertainment machines by registering same annually with the City. Ms. Cantrell asked Council to take home, review and provide comments for a later workshop on the ordinances. Motion was made by Councilmember Butler, seconded by Councilmember Conner to take no action. Upon vote, the Motion passed unanimously 5-0.

6. Discuss and take action, if any, on adopting **Ordinance No. O-01062020-02** establishing guidelines for filming within the corporate city limits of Elkhart, Texas.



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City Administrator Cantrell presented Council with a proposed Ordinance and guidelines for the City to become "Film Friendly" with the State of Texas. Discussion was had on the workshop Ms. Cantrell attended and information concerning the positive economic opportunity afforded to the City by allowing filmmakers within the City. Guidelines provide clear definition to filmmakers concerning City property versus private property, and rules and regulations protecting the quality of life for our residents. Motion was made by Councilmember Conner, seconded by Councilmember Butler to adopt Ordinance No. O-01062020-02 with changes, establishing guidelines for filming within the corporate city limits of Elkhart, Texas. Upon vote, the Motion passed unanimously 5-0.

7. Discuss and take action, if any, on adopting **Ordinance No. O-01062020-03**, adopting rules and regulations on food establishments, retail food stores, temporary food establishments, mobile food units, and roadside food vendors within the corporate city limits of Elkhart, Texas. Motion was made by Councilmember Conner, seconded by Councilmember Faulk to take no action. Upon vote, the Motion passed unanimously 5-0.
8. Discuss and take action, if any, on adopting an Ordinance for the burning of brush, limbs, and leaves within the corporate city limits of Elkhart, Texas.

City Administrator Cantrell advised the Council that a request to place this topic on the agenda was received; however, the City already has in place an Ordinance governing same. Motion was made by Councilmember Butler, seconded by Councilmember Faulk to take no action. Upon vote, the Motion passed unanimously 5-0.

9. Discuss and take action, if any, on the renaming of Woodcrest Street to North Woodcrest and South Woodcrest.

City Administrator Cantrell presented Council with an email received from ETCOG requesting status on a ticket that has been pending for some time concerning a request from the former City Secretary to rename Woodcrest Street to North and South Woodcrest. Discussion was had concerning same, including topics such as length of the street, opinion of those residing on Woodcrest, and ability/inability for emergency service personnel to locate homes on the street. As the street is a short street with no main street division, the cost of new name blades for the streets would be burdensome to the taxpayers, and as emergency personnel have no issue with the current addressing, Ms. Cantrell suggested that the request be denied. Motion was made by Councilmember Butler, seconded by Councilmember Faulk to take no action. Upon vote, the Motion passed unanimously 5-0.

10. Discuss and take action, if any, on the approval of **Resolution No. R-01062020-1**, ordering the May 2, 2020 general election.



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City Administrator Cantrell presented R-01062020-01 ordering the general election of May 2, 2020, for Place One, Lucia Butler, Place Three, Raymond Dunlap, Place Four, James Warren, and Place Five, Chuck Conner.

Motion was made by Councilmember Faulk, seconded by Councilmember Conner to adopt R-01062020-01, ordering the general election of May 2, 2020, for Place One, Lucia Butler, Place Three, Raymond Dunlap, Place Four, James Warren, and Place Five, Chuck Conner. Upon vote, the Motion passed unanimously 5-0.

11. Discuss and take action, if any, on modifications to the City's current utility rates, providing for additional, incremental modifications in the future, should the same become necessary.

Brief discussion was had on issue that came to light during application of the \$2.25 Infrastructure Fee to all accounts in utility billing system. City Ordinance establishes rates for residential, commercial and industrial use only. However, previous administration had rate established for institutional use, which was not approved by Council. To correct the error, all churches and schools were placed on commercial rates, less taxes from which they are exempt. Several churches approached staff concerning the minimum rate being high, compared to the minimal use of the water/sewer system, with some churches only using service once per week. As with the other Ordinances discussed over the evening, the City's rates will be discussed at a future workshop. Motion was made by Councilmember Butler, seconded by Councilmember Faulk to take no action. Upon vote, the Motion passed unanimously 5-0.

**D. MAYOR AND CITY ADMINISTRATOR JOINT REPORT**

Mayor McCoy and City Administrator Cantrell presented a joint report on the City's finances. A financial update was provided showing growth in all City accounts. A City Workshop on Ordinances was discussed, setting same for January 20, 2020. Council was updated on plans to utilize Public Works employees on Fridays to do various cleanup projects, coordinating with Public Works Director Clark.

**E. PUBLIC WORKS DIRECTOR'S REPORT**

Public Works Director Eric Clark updated Council on completed, pending and future projects including improvements made at the Wastewater Treatment Plant, staffing issues and progress, and completion of a water/sewer rate study.

**F. APPROVAL OF MINUTES**

Mayor Pro tem Dunlap, seconded by Councilmember Warren to accept the minutes of December 2, 2019. Upon vote, the Motion passed unanimously 5-0.



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**G. ADJOURN**

Motion to adjourn was made by Councilmember Conner, seconded by Councilmember Faulk. Upon vote, the Motion passed unanimously 5-0, dismissing the meeting at 7:43p.m.

Ami Ashworth, City Secretary

Jennifer McCoy, Mayor

