

On the Second day of June, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Joe Lee Robin to pass, approve, and adopt Resolution No. 241-060203 authorizing Mayor Joe B. Burris as a signatory for all City of Elkhart bank accounts, disbursements to city vendors, and grant funds. Motion Carried.

Agenda Item No. Ten – Consider Setting a Time of 6:30 P.M. for the Convening of the City of Elkhart Council's Monthly Meetings.

On the Second day of June, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to have the City of Elkhart Council meetings remain at the starting time of 5:00 P.M. Councilmember Kathy Gorden, aye; Councilmember Marion Hortman, aye; Councilmember Diane Parker, aye; Councilmember Joe Lee Robin, aye; Councilmember Wesley Taylor, abstained. Ayes having majority of the vote, motion carried.

Agenda Item No. 11 – Consider Properties in Need of Repair or Demolition or to be Cleared of Debris.

On the Second day of June, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to have Judge Ray mail out letters to parties referenced, Nancy Mosley, Clifford Calhoun, G.H. Henry, and Bertie Woodard. The letters are to provide a time limit to bring properties into compliance with the city ordinance and if the property owner (s) has not brought the property into compliance within the time frame provided, and then impose a fine. Motion Carried.

Agenda Item No. 12 – Consider Revising Policy on Adjustments of Billing for Swimming Pool Fill-ups.

On the Second day of June, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Marion Hortman to revise city's policy governing the filling up of swimming pools to be citizens filling-up swimming pools will pay the sewer charges based on current rates and/or they may purchase a separate meter for filling up swimming pools/irrigation at current cost for ¾ inch tap plus meter deposit. Motion Carried.

Agenda Item No. 13 – Status Report on Litigation.

On the Second day of June, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Marion Hortman that the city will install a manhole on Mayor Joe Burris' property in return for an easement from Mayor Burris and said easement will be held in escrow until such time the manhole has been installed by city public works dept. Councilmember Kathy Gorden, aye; Councilmember Marion Hortman, aye; Councilmember Joe Lee Robin, aye; Councilmember Wesley Taylor, aye; Councilmember Diane Parker, abstained. Ayes having the majority vote, motion carried.

On the Second day of June, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Marion Hortman to have Councilmember Wesley Taylor hold the city prepared easement for the Burris property in escrow until such time the manhole has been installed by city public works department. Motion Carried.

All agenda items having been addressed by council, the Tabled Item List is acted upon by the council.

Tabled Item List Agenda Item No. One – Annexation.

On the Second day of June, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Kathy Gorden to have annexation remain on the Tabled Item List. Motion Carried.

There being no further issues to be discussed and acted upon by council, Mayor Burris discussed summary statements and upon conclusion of reports asked for a motion to adjourn the meeting.

On the Second day of June, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Joe Lee Robin to adjourn the meeting. Motion Carried.

This regular council meeting of June 2, 2003 adjourned as of 7:28 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

ANDERSON COUNTY *

CITY OF ELKHART *

On the Fifth day of June, 2003, the Elkhart Council convened into a Budget Workshop at 4:00 P.M. for the purpose of creating a city budget for the year 2003/2004. The following members were in attendance:

Joe B. Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Joe Lee Robin	*	Councilmember
Diane Parker	*	Councilmember
Wesley Taylor	*	Councilmember

Mayor Pro-tem Kathy Gorden was absent.

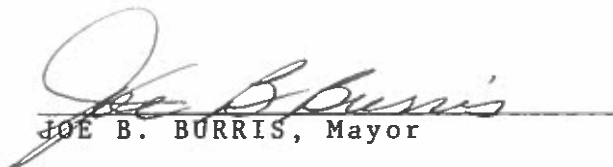
Vicki Frederick, Financial Secretary was in attendance of the budget workshop.

Those in attendance reviewed the current budget and reviewed the budget summary doing a comparative of the two items.

Then the council's attention was directed to the creating of a budget for the General Fund. The General Fund was the only budget addressed this evening.

Council agreed to do another budget workshop on June 18th, 2003, at 4:00 P.M.

The Budget Workshop adjourned at 7:30 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

001143

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 18th day of June, 2003, the mayor and council members convened into a budget workshop for the continuing of the process to create a budget for the year of 2003/2004 for the City of Elkhart. The budget workshop convened at 4:00 P.M. with the following council members present:

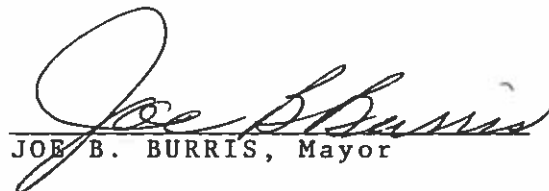
Joe B. Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Wesley Taylor	*	Councilmember

Mayor Pro-tem Kathy Gorden and Councilmember Joe Lee Robin were absent.

Financial Secretary Vicki Frederick was in attendance.

General Fund proposed budget was completed and the proprietary fund (water) was worked on for the creation of a budget for that particular department.

Budget Workshop adjourned at 6:35 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 25th day of June, 2003, a budget workshop convened at 4:00 P.M. with the following council members and administrative staff present:

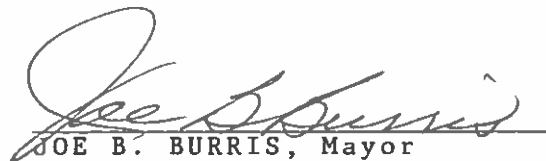
Joe B. Burris	*	Mayor
Margie Crawford	*	City Secretary
Wesley Taylor	*	Councilmember

Absent from budget workshop are as follows: Mayor Pro-tem Kathy Gorden, Councilmember Marion Hortman, Councilmember Diane Parker, and Councilmember Joe Lee Robin.

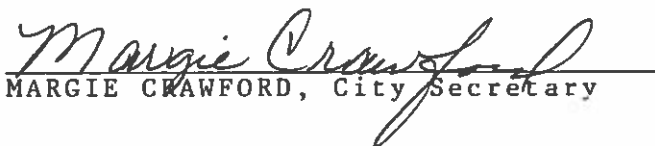
Financial Secretary Vicki Frederick was in attendance of budget workshop.

Those present reviewed the water and sewer budget but did not complete the new budget for the sewer department.

Budget Workshop adjourned 6:19 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

001145

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

001146

On the Seventh day of July, 2003, the City of Elkhart Council convened into a Public Hearing at 5:00 P.M. with the following council members present:

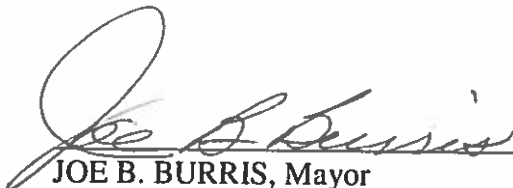
Joe B. Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember

Council members absent were Wesley Taylor and Kathy Gorden.

Financial Secretary Vicki Frederick was in attendance of the public hearing as well as numerous citizens.

Dain Larsen and Eric Hartzell of GrantWorks, Inc. did a presentation on the individual maps that were created for the City of Elkhart. The maps referenced many categories and they supplied current data pertaining to the City of Elkhart as well as for future planning of economic development in the city.

Upon conclusion of the presentation by Mr. Larsen and Mr. Hartzell, there was time allocated for questions and answers. There being none, Mayor Burris declared the Planning Grant Public Hearing closed. The public hearing closed at 5:20 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

On the Seventh day of July, 2003, the City of Elkhart Council convened into a regular session with the following members present:

Joe B.Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember

Council members absent were Kathy Gorden and Wesley Taylor.

Call to order: Mayor Burris called the meeting to order at 5:25 P.M.

Invocation: Councilmember Joe Lee Robin gave the invocation.

Pledge of Allegiance: All in attendance participated in the Pledge of Allegiance.

Citizens were recognized by Mayor Burris.

A quorum was present to address the agenda items.

TABLED ITEM LIST (Old Business)

Agenda Item No. One – Annexation.

Due to lack of a motion, Annexation remained on the Tabled Item List.

Agenda Item No. Two – Consider Request for Water Service on ACR 130; Paul Johnson, Christine Martin, and Sandra Robinson.

On the Seventh day of July, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Marion Hortman to remove Item No. Two from the Tabled Item List. Motion Carried.

Agenda Item No. Three – To Be Heard and Discussed; Proposal Submitted By TLD Enterprises for Standby Generators, Troy Dancer.

On the Seventh day of July, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to remove Item No. Three from the Tabled Item List. Motion Carried.

REGULAR AGENDA ITEMS (New Business)

Agenda Item No. One – Consider Approving and Accepting Minutes of June 2nd, 5th, 18th, and 25th, 2003.

On the Seventh day of July, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to approve and accept the minutes of June 2, 5, 18, and 25, 2003 as presented. Motion Carried.

001147

Agenda Item No. Two – Consider Approving the TCDP Contract No. 722074 Planning Grant Text and Maps and the Request to Forward Documents to the Office of Rural Community Affairs for Review Thereof.

On the Seventh day of July, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Marion Hortman to approve the Planning Grant text and maps and authorize GrantWorks, Inc. to forward the approved documents to the Office of Rural Community Affairs for review thereof. Motion Carried.

Agenda Item No. Three – Citizen Sheryle Pinkster to be Heard on the Issue of the Placement of Speed Bumps on Day Road.

On the Seventh day of July, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Joe Lee Robin to take no action on Agenda Item No. Three; Councilmember Marion Hortman refrained from the vote. Vote was two ayes. Motion Carried.

Agenda Item No. Four – Consider Complaints Regarding the Placement of Speed Bumps on Day Road; J.H. Woody to be Heard and Al Breeden to be Heard.

On the Seventh day of July, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Marion Hortman to take no action as of this meeting due to a full council not being present to address the issue. Motion Carried.

Agenda Item No. Five – Consider Petition for Removal of Speed Bumps on Oakdale Street; Wayne Pierson.

On the Seventh day of July, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Marion Hortman to remove speed bumps from Oakdale Street. The vote was as follows: Joe Lee Robin, Aye; Marion Hortman, Aye; Diane Parker, Nay; Ayes having the majority vote, motion carried.

Agenda Item No. Six – Consider Request for Musical Program for Citizens and Permission to Utilize the Senior Citizen Center Bldg. (Log Cabin) for Program; Ronald Patten.

On the Seventh day of July, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to table Agenda Item No. Six and to have more data presented to the council in order to make a decision on the request for a musical program and to use the Log Cabin Bldg. Motion Carried.

Agenda Item No. Seven – Consider the Construction of Houses to be Located Adjacent to the Ridgecrest Addition; Bill Lively.

On the Seventh day of July, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Diane Parker to approve the building of homes by Mr. Lively at a location adjacent to the Ridgecrest Addition. Motion Carried.

Agenda Item No. Eight – Consider Adjustment of Water Bill, Leak; Ascension Fellowship Church, Ron Graves.

On the Seventh day of July, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Diane Parker to adjust the Ascension Fellowship Church water bill by half of the amount of the leak. Motion Carried.

Agenda Item No. Nine – Consider Adjustment of Water Bill, Leak; Mrs. W.O. Doolittle.

On the Seventh day of July, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to adjust Mrs. Doolittle's water bill by half of the amount of the leak; usual procedure. Motion Carried.

Agenda Item No. Ten – Consider Request for Water Service; A) Kenneth and Vickie Morin at Location on ACR 130; B) Sammy McMorris at a Location on ACR 161; C) Billy Davis at a Location on South Side of State Hwy. 294 East.

On the Seventh day of July, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Marion Hortman to approve for Mr. McMorris to have a water tap at a location on ACR 161. Motion Carried.

On the Seventh day of July, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Marion Hortman to table Item 10A, Morins for water service. Motion Carried.

On the Seventh day of July, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Marion Hortman regarding agenda Item No. 10C, Billy Davis request for water tap, that Mayor Burris contact TCEQ and inquire as to water pressure in relation to a two inch water line. If TCEQ allows more water taps and pressure on the line is sufficient, then Mayor Burris is to handle the request administratively. Motion Carried

Agenda Item No. 11 – Consider Request for Water Service; Jason Ives.

The motion made on Agenda Item No. 10C by Councilmember Diane Parker and seconded by Councilmember Marion Hortman is applied to Mr. Jason Ives request for a water tap on ACR 165 and once TCEQ has been contacted and pressure on the line is determined to be sufficient, Mayor Burris is to handle the request administratively. Motion Carried.

Agenda Item No. 12 – Consider Complaint on Property Considered a Public Nuisance; Ernestine Fields.

On the Seventh day of July, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Joe Lee Robin for the city to proceed with procedures for enforcing city's ordinances that impose a monetary fine and/or penalty and the violation of ordinances will be enforced in a court-or-law. Motion Carried.

Agenda Item No. 13 – Consider Violation of City Ordinance Pertaining to the Leash Law.

On the Seventh day of July, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Joe Lee Robin for Agenda Item No. 12 above, and that motion is applicable to the city's Animal Control Ordinance, Leash Law; Agenda Item No. 13. Motion Carried.

Agenda Item No. 14 – Consider City of Elkhart Boundary on FM1817 as it Relates to the William and Loyce Barnett Property.

On the Seventh day of July, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Joe Lee Robin to take no action on Agenda Item No. 14. Motion Carried.

Agenda Item No. 15 – Consider Request for Payment of Deductible for Damages Incurred to Home by a Fallen Tree; Sherry Sutton.

On the Seventh day of July, 2003, a motion was made by Councilmember Diane Parker and seconded by Marion Hortman to take no action on Agenda Item No. 15. Motion Carried.

Agenda Item No. 16 – Consider Employee Group Health Insurance Proposals for Medical, Dental, Life/AD&D.

On the Seventh day of July, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to approve the Principal Financial Group, Option Three, Plan for the employee's health insurance coverage. Motion Carried.


Agenda Item No. 17 – Approve City of Elkhart Financial Expenses.

On the Seventh day of July, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Joe Lee Robin to approve the Financial Expenses for the month of June, 2003, as presented. Motion Carried.

There being no further agenda items for the council to address, the mayor asked for a motion to adjourn the meeting.

On the Seventh day of July, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to adjourn. Motion Carried.

This regular council meeting of July 7, 2003, adjourned as of 7:25 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 31st day of July, 2003, the City of Elkhart Council convened into a Special Called Meeting with the following members present:

Joe B. Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

Council members absent were Mayor Pro-tem Kathy Gorden and Diane Parker.

City's Financial Secretary was in attendance of this meeting as well as Sherryl-Lynn Williams of the Palestine Herald Press.

This Special Called Meeting was called to order at 3:05 P.M.

A quorum was present to conduct business.

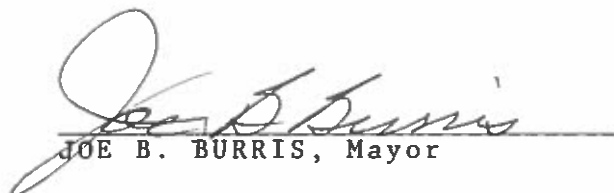
Agenda Item No. One – Consider and Approve Repair of Jones Road and Start-up Date for Referenced Project.
Discussion/Action

On the 31st day of July, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Joe Lee Robin to approve the repair of Jones Road by agreement between the County Commissioner Joe Chafin and the City of Elkhart and work to commence according to the Commissioner's Schedule. Motion Carried.

There being no further business, Mayor Burris asked for a motion to adjourn the meeting.

On the 31st day of July, 2003, a motion was made by Joe Lee Robin and seconded by Councilmember Marion Hortman to adjourn the Special Called Meeting. Motion Carried.

Special Called Meeting adjourned as of 3:12 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

001151

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

001152

On the 31st day of July, 2003, the City of Elkhart Council members convened into a budget workshop at 3:14 P.M. for the purpose of completing the projected budget for fiscal year 2003/2004. The council members present were as follows:

Joe B. Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

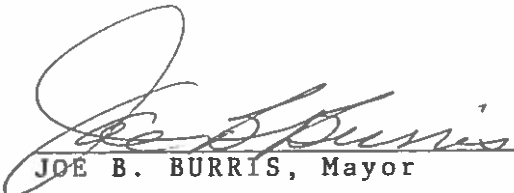
Council members absent were Mayor Pro-tem Kathy Gorden and Diane Parker.

Financial Secretary Vicki Frederick was in attendance of workshop as well as Sherryl-lynn Williams of the Palestine Herald Press.

Council members and Staff reviewed each proposed budgeted fund making changes in various accounts where it was considered to be in the best interest of the city.

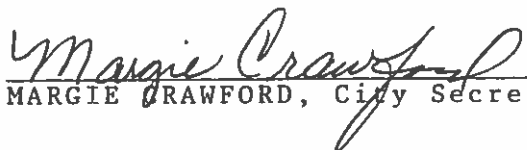
Upon conclusion of the budget workshop, Mayor Burris adjourned the workshop.

Budget Workshop adjourned as of 5:20 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Fourth day of August, 2003, the City of Elkhart Council convened into a Public Budget Hearing at 5:00 P.M. with the following council members present:

Joe Burris	*	Mayor
Kathy Gorden	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

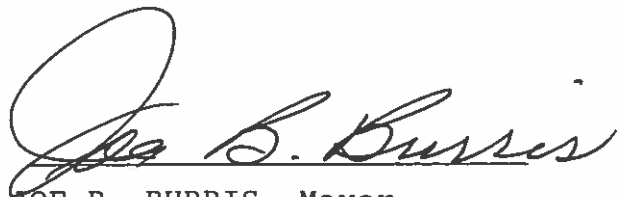
Financial Secretary Vicki Frederick was in attendance of the Public Budget Hearing as well as numerous citizens.

Mayor Burris commenced with the hearing by the reviewing of the City of Elkhart's proposed budget for the city's fiscal year of 2003/2004.

Upon conclusion of the budget review, Mayor Burris asked for comments from the council and stated he would take questions from the citizens.

Council members discussed with the mayor the issue of bonuses for city employees being budgeted into the city's fiscal year of 2003/2004 budget.

Upon closing of the question and answer part of the Public Budget Hearing, Mayor Burris declared the hearing closed as of 5:10 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

001153

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

001154

On the Fourth day of August, 2003, the City of Elkhart Council convened into a regular council meeting with the following members present:

Joe Burris	*	Mayor
Kathy Gorden	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

A quorum being present the meeting was called to order and the invocation was given by Joe Lee Robin. All those present participated in the saying of the Pledge of Allegiance.

Citizens were recognized by Mayor Burris and there being none to be heard, the Tabled Item List was addressed.

Tabled Item List (Old Business)

Item No. One – Consider Request for Musical Program Utilizing the Senior Citizen Center Bldg. (Log Cabin); Ronald Patten.

On the Fourth day of August, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Diane Parker that Item No. One regarding the issue of permission for a musical program at the Log Cabin remains on the Tabled Item List. The vote was as follows: Diane Parker, Aye; Kathy Gorden, Aye; Marion Hortman, Aye; Joe Lee Robin, Aye; Wesley Taylor Abstained. Ayes having the majority of the vote, motion carried.

Item No. Two – Consider Request for Water Service at a Location on ACR 130; Kenneth and Vickie Morin.

On the Fourth day of August, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Kathy Gorden to allow Kenneth and Vickie Morin to have a water tap for water service at a designated location on ACR 130. Motion Carried.

Next order of business was the regular agenda items (New Business) and they are as follows:

Agenda Item No. One – Approve and Adopt City of Elkhart Budget for Fiscal Year of 2003/2004.

On the Fourth day of August, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Joe Lee Robin to amend line item 5101, Salaries, in the General Fund of the proposed City of Elkhart Budget, by an increase of SIX HUNDRED DOLLARS (\$600) for the budgeting of employees' bonuses. Motion Carried.

On the Fourth day of August, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to amend line item 5101, Salaries, in the Water Fund of the proposed City of Elkhart Budget, by the amount of SIX HUNDRED DOLLARS (\$600) for the purpose of budgeting for employees' bonuses. Motion Carried.

On the Fourth day of August, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Marion Hortman to amend line item 5101, Salaries, in the Sewer Fund of the proposed budget by THREE HUNDRED DOLLARS (\$300) for budgeting of employee bonus. Motion Carried.

On the Fourth day of August, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to approve and adopt the proposed budget for city's fiscal year 2003/2004 with adjustments being made to line item 5101 in the personnel department of all proprietary funds; total amount of adjustments to increase the budget are FIFTEEN HUNDRED DOLLARS AND NO CENTS (\$1500). Motion Carried.

Agenda Item No. Two – Approve and Accept the Minutes of July 7th, 24th, and 31st, 2003.

On the Fourth day of August, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Joe Lee Robin to approve and accept the minutes of July 7th, 24th, and 31st, 2003 as presented. Motion Carried.

Agenda Item No. Three – Approve City of Elkhart Expenditures.

On the Fourth day of August, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to approve expenditures for the month of July, 2003. Motion Carried.

Agenda Item No. Four – Consider Adjustment of Water Bill, Leak; Eileen Hayes.

On the Fourth day of August, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to adjust Eileen Hayes water bill by half of the amount of the leak; usual procedure. Motion Carried.

Agenda Item No. Five – Consider Authorizing City Secretary to Administratively Adjust Water Bills.

On the Fourth day of August, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman that authorization be given to the City Secretary to adjust water bills with leaks administratively. The vote was as follows: Marion Hortman, Aye; Wesley Taylor, Aye; Diane Parker, Nay; Kathy Gorden, Nay; Joe Lee Robin, Nay. Nay's having the majority vote, Motion Failed.

Agenda Item No. Six – Consider Removing Speed Bumps From Gammage Street.

On the Fourth day of August, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Marion Hortman to table Item No. Six. Motion Carried.

Agenda Item No. Seven – Approve Amendment to Current City of Elkhart Budget.

On the Fourth day of August, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Kathy Gorden to amend the city's current budget by moving from the General Fund, line item 5101, the amount of ELEVEN THOUSAND FIVE HUNDRED THIRTY-SEVEN DOLLARS (\$11,537) and FOUR THOUSAND TWO HUNDRED SEVENTY-SEVEN DOLLARS (\$4,277) from line item 5303, into the Street Fund, line item 5703; increasing Street and Drainage fund to THIRTY THOUSAND DOLLARS AND NO CENTS (\$30,000) for the repair of

Jones Road. Total dollar amendment is in the amount of FIFTEEN THOUSAND EIGHT HUNDRED FOURTEEN DOLLARS AND NO CENTS (\$15,814). Motion Carried.

There being no further agenda items to be addressed, the mayor opened the summary session of the meeting and upon conclusion of summary, the mayor asked for a motion to adjourn.

On the Fourth day of August, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Kathy Gorden to adjourn the meeting. Motion Carried.

This regular session of the City of Elkhart Council meeting adjourned as of 6:21 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

On September 8th, 2003, the City of Elkhart Council convened into a regular session as of 5:00 P.M. with the following members present:

Joe Burris	*	Mayor
Kathy Gorden	*	Mayor Pro-tem
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

Vicki Frederick, Financial Secretary, acted in absent City Secretary's stead.

Mayor Burris called the meeting to order and Councilmember Joe Lee Robin gave the invocation. All in attendance of the meeting joined in saying the Pledge of Allegiance.

Citizens are now recognized and asked if any present need to speak to the council as of this time in the meeting and there being none, the agenda items are addressed as follows:

TABLED ITEM LIST (Old Business)

Item No. One – Consider Request for Musical Program Utilizing the Log Cabin Bldg; Ron Patten.
Discussion/Action

On the Eighth day of September , 2003, the council did not make a motion to take action regarding Tabled Item No. One.

Item No. Two – Request for Water Service at a Location on ACR130; Kenneth And Vickie Morins.
Discussion/Action

On the Eighth day of September ,2003, the council did not make a motion to take action on Tabled Item No. Two.

Item No. Three – Consider Removing Speed Bumps From Gammage Street.
Discussion/Action

On the Eighth day of September ,2003, a motion was made by Councilmember Wesley Taylor to remove Speed Bumps from Gammage St.; there being no second to the motion, Councilmember Wesley Taylor withdrew his motion.

On the Eighth day of September council did not make a motion to take action On Item No. Three; removal of speed bumps on Gammage St.

Tabled Items having been addressed, the council proceeded with new business as follows:

REGULAR AGENDA ITEMS (New Business)

001157

Agenda Item No. One – Approve and Accept Minutes of August 4th Budget
Public Hearing and August 4th, 2003 Minutes of
Regular Council Meeting.

On the Eighth day of September, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Kathy Gorden to approve and accept the minutes of August 4th as presented. Motion Carried.

Agenda Item No. Two – Consider Proclamation Declaring October 06, 2003 as
Elvie Lee Clewis Day.

On the Eighth day of September, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to proclaim October 6th, 2003 as Elvie Lee Clewis Day. Motion Carried.

Agenda Item No. Three – Protest of Speed Bumps on Day Road; Shelby Wolf.

On the Eighth day of September, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to take no action on Item No. Three; vote is as follows: Diane Parker, Aye; Kathy Gorden, Aye; Joe Lee Robin, Aye; Marion Hortman, Aye; Wesley Taylor, Nay. Ayes having majority of the vote, motion carried.

Agenda Item No. Four – Complaint Regarding Sewer Line Blockages; Ray Cook
And Weldon Easley.

On the Eighth day of September, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to authorize Mayor Burris to visit with Gary Wynn and explain to Mr. Wynn he will need to install within the next 14 days a grease trap or he will be fined. Motion Carried.

Agenda Item No. Five – Approve and Adopt Ordinance 220; to Implement City of
Elkhart's Budget for Fiscal Year of 2003/2004 (Follow
Up to Action Taken in August City Council Meeting).

On the Eighth day of September, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Wesley Taylor to approve, pass, and adopt Ordinance No. 220-090803. Motion Carried.

Agenda Item No. Six – Approve and Adopt Ordinance 221; Establishing a Tax
Rate and Providing for the Levy of Ad Valorem Taxes
On Real and Personal Property Located Within the
Corporate Limits of the City of Elkhart.

On the Eighth day of September, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor to adopt a tax rate 3% Above the effective tax rate and to approve, pass, and adopt Ordinance No. 221-090803. Motion Carried.

Agenda Item No. Seven – Consider Municipal Contribution Rate for Year of 2004
For Employees' Texas Municipal Retirement System
Plan.

On the Eighth day of September, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Marion Hortman to approve, pass, and adopt Ordinance No. 222-090803 with option No. Three. Motion Carried.

Agenda Item No. Eight – Consider Limiting Trash Pick-up to One Time a Week.

On the Eighth day of September, 2003, the council did not act upon agenda Item No. Eight.

Agenda Item No. Nine – Consider Remedy for Residential Properties With Burned Out Houses Creating Unsanitary Conditions For Area Residences; 203 Oakhill, 209 Oakcrest, and 216 Oakcrest.

On the Eighth day of September, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden for the City of Elkhart to start proceedings to establish a municipal court system. Motion Carried.

Agenda Item No. Ten – Consider Annexation of Property Within the Extra Territorial Jurisdiction West of the Existing Limits Of the City of Elkhart.

On the Eighth day of September, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to annex in from State Hwy 294 W. Motion Carried.

Agenda Item No. 11 – Consider Policy Governing Overtime Monetary Wage, or Compensatory Time for City Employees as an Alternative Pay Plan.

As agenda Item No. 11 was listed as discussion only, no action was taken by the council.

Agenda Item No. 12 – Approve Financial Reports for the Month of August, 2003.

On the Eighth day of September, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Kathy Gorden to approve the financial reports as presented. Motion Carried.

Upon conclusion of summary, a motion was asked for to adjourn the meeting by the mayor.

On the Eighth day of September, 2003, a motion was made by Councilmember Kathy Gorden and Councilmember Joe Lee Robin to adjourn the meeting. Motion Carried.

This regular council meeting of September 8th, 2003, adjourned as of 6:45 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

001159

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

On the Sixth day of October, 2003, the City of Elkhart Council convened into a regular session as of 5:00 P.M. with the following members present:

- Joe B. Burris * Mayor
- Kathy Gorden * Mayor Pro-tem
- Margie Crawford * City Secretary
- Marion Hortman * Councilmember
- Diane Parker * Councilmember
- Joe Lee Robin * Councilmember
- Wesley Taylor * Councilmember

A quorum being present, Mayor Burris called upon Councilmember Joe Lee Robin to do the invocation and upon completion of this; the pledge of allegiance was said by all in attendance of meeting.

Citizens present were recognized by the mayor.

Frank Wilson of the Elkhart Farmer's Co-op was recognized to speak to the council. Mr. Wilson presented a request for assistance from the city in the way of obtaining an Economical Development Grant for the Elkhart Farmer's Co-op. Since this item was for discussion only, it was requested to be on the agenda for the council's November meeting.

Citizen Raymond Dunlap was also recognized to address the council. The issue he spoke to was annexation of the territory west of the city which would at some point in time incur the installation of sewer lines. He objected to this as there has been for years request for sewer service going north on Hwy 287 North.

There being no further citizens to be heard, the mayor directed the councils attention to the Tabled Item List (Old Business).

Tabled Item List:

1. Consider Request for Musical Program Utilizing the Log Cabin Bldg.; Ron Patten.

On the Sixth day of October, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Wesley Taylor to take no action and tabled Item No. One be removed from the Tabled Item List. Vote was 4 -1; Councilmember Wesley Taylor, Aye; Councilmember Joe Lee Robin, Aye; Councilmember Diane Parker, Aye; Councilmember Kathy Gorden, Aye; Marion Hortman, Nay. Majority having the vote, motion carried.

Item No. Two – Request for Water Service at a Location on ACR 130; Kenneth and Vickie Morin.

On the Sixth day of October, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Diane Parker to provide water service to the Morins and remove Item No. Two from the Tabled Item List. Motion Carried.

Item No. Three – Consider Removing Speed Bumps from Gammage St.

On the Sixth day of October, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to remove Item No. Three from the Tabled Item List. Motion Carried

Regular Agenda Items (New Business):

Agenda Item No. One – Approve Minutes of September 8th, 2003, Meeting.

On the Sixth day of October, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor to approve and accept the minutes of September 8th, 2003 as presented. Motion Carried.

Agenda Item No. Two – Consider Adjustment of Water Bill, Leak; T.N. Vaughn.

On the Sixth day of October, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Marion Hortman to adjust Mr. T.N. Vaughn's water bill by half of the amount of the leak; usual procedure. Motion Carried.

Agenda Item No. Three – To Be Heard; Complaint Regarding Charges for Water Service, Betty Wilson.

On the Sixth day of October, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Wesley Taylor to take no action on agenda Item No. Three. Motion Carried.

Agenda Item No. Four – To Be Heard; Protest of Water Bill Charges, Sara Berryhill.

On the Sixth day of October, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Marion Hortman to take no action on agenda Item No. Four. Motion Carried.

Agenda Item No. Five – Consider Request for Two Water Taps at 400 ACR1321; Paul Barnett.

On the Sixth day of October, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Marion Hortman to allow Paul Barnett two water taps at the location of 400 ACR 1321 and to bring back the issue of cost and the mechanics for providing water service to Mr. Barnett as an agenda item in the next council meeting. Motion Carried.

Agenda Item No. Six – Consider Request for a Water Tap at a location on ACR 164 (Day Rd.), Terry Huffines.

On the Sixth day of October, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Wesley Taylor to allow Terry Huffines to have a water tap at a location on ACR 164 (Day Rd.) with mechanics to be worked out. Motion Carried.

Agenda Item No. Seven – Approve Renewal of Lease Agreements; Log Cabin Bldg., Fire Station, Emergency Responders.

On the Sixth day of October, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to table agenda Item No. Seven, approve renewal of the Lease Agreement for the Log Cabin Bldg., for further financial information pertaining to the building. Motion Carried.

On the Sixth day of October, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor to approve the rental agreement between the City of Elkhart and the Elkhart Volunteer Fire Department for one year. Motion Carried.

On the Sixth day of October, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Wesley Taylor to approve the rental agreement between the City of Elkhart and the South Anderson County Volunteer Emergency Corps., Inc. Motion Carried.

Agenda Item No. Eight – Consider Ordinance Establishing the City of Elkhart's Official Newspaper.

On the Sixth day of October, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Diane Parker to approve, pass, and adopt Resolution No. 242-100603; a resolution of the city council of the City of Elkhart designating the Palestine Herald Press as the official newspaper of the City of Elkhart. Motion Carried.

Agenda Item No. Nine – Consider Date, Time and Procedures for the City Of Elkhart's Municipal Court.

There was no action to be taken on agenda Item No. Eight as it was for discussion only. The mayor will call a special meeting at a later date.

Agenda Item No. Ten – Consider Purchase of a 1990 Case, Model TF700 Trencher.

On the Sixth day of October, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Wesley Taylor to purchase from James Foster of East Texas Automotive a 1990 Case Trencher, Model No. TF700 for the price of THIRTY-FIVE HUNDRED DOLLARS AND NO CENTS (\$3,500) with a credit of FIVE HUNDRED DOLLARS AND NO CENTS (\$500) being allowed on trade in of city's 1979, Model 2200 Trencher; capital outlay is THREE THOUSAND DOLLARS AND NO CENTS (\$3,000). Motion Carried.

Agenda Item No. 11 – Consider a Procedure for the Removal of Tabled Items, Kathy Gorden.

On the Sixth day of October, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden that a tabled item is to remain on the Tabled Item List until a motion is made to remove the item by majority of the vote by council. Vote was 3-2; Councilmember Diane Parker, Aye; Councilmember Kathy Gorden, Aye; Councilmember Joe Lee Robin, Aye; Councilmember Marion Hortman, Nay; Councilmember Wesley Taylor, Nay. Majority having the vote, Motion Carried.

Agenda Item No. 12 – To Be Heard and Discussed; Businesses With/ Without a grease trap, Gary Wynn.

On the Sixth day of October, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Diane Parker to table agenda Item No. 12 for further data relating to businesses with or without grease traps. Motion Carried.

Agenda Item No. 13 – To Discuss and Propose Constructing a Sidewalk From Main to Bridges Street (across railroad track); Jim Bob Parker.

On the Sixth day of October, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to table agenda Item No. 13 for further discussion. Motion Carried.

Agenda Item No. 14 – Approve Financial Report for Month of September, 2003.

On the Sixth day of October, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to approve and accept the financial report for the month of September, 2003 as presented. Motion Carried.

There being no further business to be acted upon, the mayor asked for a motion to adjourn.

On the Sixth day of October, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Marion Hortman to adjourn the meeting. Motion Carried.

This regular session of the City of Elkhart Council Meeting adjourned as of 6:36 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

001164

On the 10th day of November, 2003, the City of Elkhart Council convened into a regular session as of 5:00 P.M. with the following members present:

Joe Burris	*	Mayor
Kathy Gorden	*	Mayor Pro-tem
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

Vicki Frederick, Financial Secretary, acted in City Secretary Margie Crawford's stead in lieu of her absence from meeting.

Mayor Burris called the meeting to order and proceeded by calling upon Councilmember Joe Lee Robin to do the invocation and upon completion of the invocation, the Pledge of Allegiance was said by all present.

Citizens present were recognized by the Mayor.

Tabled Item List (Old Business) is addressed as follows:

Item No. One – Consider Approving Renewal of Lease Agreement for Log Cabin.
Discussion/Action

On the 10th day of November, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to allow Tabled Item No. One to remain on the list until the Industrial Foundation has their meeting. Motion Carried.

Item No. Two – Consider Businesses With or Without Grease Traps.
Discussion/Action

On the 10th day of November, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to allow Item No. Two to remain on the list for further study thereof. Motion Carried.

Item No. Three – To Discuss and Propose Constructing Walkway from N. Main St. to N. Bridges St.; Jim Bob Parker.
Discussion/Action

On the 10th day of November, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Diane Parker to allow Item No. Three to remain on the list until such time as the city hears from the Union Pacific Railroad. Motion Carried.

Upon completion of old business, the regular agenda items are addressed as follows:

Agenda Item No. One – Approve Minutes of October, 2003.
Discussion/Action

On the 10th day of November, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Kathy Gorden to approve and accept the minutes of October, 2003 meeting as presented. Motion Carried.

Agenda Item No. Two – Consider Water Bill Adjustment, Leak; Gail Campbell.
Discussion/Action

On the 10th day of November, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Marion Hortman to adjust Gail Campbell's water bill according to the usual procedure. Motion Carried

Agenda Item No. Three – Consider Economical Development Grant Application For the City of Elkhart on Behalf of the Elkhart Farmer's Co-op.
Discussion/Action

On the 10th day of November, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to table Item No. Three for further information. Motion Carried.

Agenda Item No. Four – Consider Resolution Appointing a Representative for The City of Elkhart to the Anderson County Appraisal District Board of Directors.

On the 10th day of November, 2003, a motion was made by Councilmember Kathy Gorden to approve, pass, and adopt Resolution No. 243 for the appointment of Paul Barnett as the City of Elkhart's representative on the Anderson County Appraisal District Board of Directors. Motion Carried.

Agenda Item No. Five – To Be Heard and Considered; Complaint of Basketball Games Being Played in a Public Street; Billy Jack Wright, Rodney foster, and Councilmember Diane Parker.
Discussion/Action

On the 10th day of November, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to authorize the mayor to speak with Constable Larry Bennett in order to assist with keeping the street free of the basketball goal and the city look for alternative sites where basketball could be played. Motion Carried.

Agenda Item No. Six – Consider Cost and Mechanics of Providing Water Service To Paul Barnett at the Location of 400 ACR 1321.
Discussion

On the 10th day of November, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Diane Parker that citizen Paul Barnett be responsible for digging trench for a 4" water line installation from Hwy 294 W up to Mr. Barnett's water tap and Mr. Barnett will have a flush valve installed at his expense and the city will purchase the pipe for water line and install pipe and test the line to insure proper standards; cost for the water line pipe will be to the city's cost \$.80 per ft. and cost to Mr. Barnett for his part of cost for water line pipe is to be \$.45 per ft. and city will make sure the line is in good working condition. The vote is as follows: Diane Parker, Aye; Marion Hortman, Aye; Joe Lee Robin, Aye; Kathy Gorden, Aye; Wesley Taylor, Nay. Majority having the vote, motion carried.

Agenda Item No. Seven – Consider Providing Sewer Services to Residences Located on South Main St.; Kathy Gorden.

On the 10th day of November, 2003, a motion was made by Kathy Gorden and

001165

001166

seconded by Diane Parker that the city obtain the services of a non-interested person (s) to shoot grade or fall for the purpose of determining the flow of sewage from a point that presently does not have sewer service.. Motion Carried.

Agenda Item No. Eight – Consider Additional Check Signatory for City of Elkhart Checking Accounts; Kathy Gorden.

On the 10th day of November, 2003, a motion was made by Councilmember Diane Parker and seconded by Wesley Taylor to appoint Kathy Gorden as an additional signatory for the signing of city checks and that she be placed on the signature card at the bank. Motion Carried.

Agenda Item No. Nine – To Be Discussed; Neches Trinity Valley's Ground Water Conservation District.

There was no action to be taken on Agenda Item No. Nine.

Agenda Item No. Ten – Consider Municipal Court Procedures.

Agenda Item No. Ten was for discussion only; therefore no action was required by council.

Agenda Item No. Eleven – Approve Financial Report.

On the 10th day of November, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor to approve and accept the financial report for the month of November as presented. Motion Carried.

Agenda Item No. Twelve – Summary (Input)

Agenda Item No. Twelve requires no action by the council.

Agenda Item No. Thirteen – Adjournment.

On the 10th day of November, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Marion Hortman to adjourn the meeting. Motion Carried.

City of Elkhart regular council meeting adjourned as of 6:45 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the First day of December, 2003, the City of Elkhart council convened into a regular meeting as of 5:00 P.M. with the following members present:

Joe Burris	*	Mayor
Kathy Gorden	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

A quorum being present to conduct business, the mayor proceeded by recognizing citizens in attendance of the meeting. There being none to be heard, the agenda items were addressed as follows:

TABLED ITEM LIST (Old Business)

Item No. One – Consider Approving Renewal of Lease Agreement for Log Cabin.

On the First day of December, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to remove tabled Item No. One from the list and open the issue for discussion. Motion Carried.

Upon completion of discussion, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman that the City of Elkhart and the Industrial Foundation renew the Log Cabin Lease with no changes being made to the wording or conditions as stated in the previous lease. The vote is as follows: Wesley Taylor, Aye; Marion Hortman, Aye; Diane Parker, Nay; Kathy Gorden, Nay; Joe Lee Robin, Nay. Nays having the majority vote (3-2); motion failed.

Item No. Two – Consider Businesses With or Without Grease Traps.

001187

On the First day of December, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to remove Item No. Two from the Tabled Item List and open the issue for discussion. Motion Carried.

Upon completion of discussion, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Kathy Gorden to take no action on tabled Item No. Two and to take it off the Tabled Item List. The vote is as follows: Wesley Taylor, Nay; Marion Hortman, Nay; Diane Parker, Aye; Joe Lee Robin, Aye; Kathy Gorden, Aye. Ayes having the majority vote (3-2), motion carried.

Item No. Three – To Discuss and Propose Constructing Walkway From N. Main St. To N. Bridges St.; Jim Bob Parker.

On the First day of December, 2003, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to remove tabled Item No. Three from the list and open the issue for discussion. Motion Carried.

Upon completion of discussion, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to leave Item No. Three on the Tabled Item List. Motion Carried.

Item No. Four – Consider Economical Development Grant Application for the City of Elkhart on Behalf of the Elkhart Farmer's Co-op.

On the First day of December, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to remove tabled Item No. Four from the list and open the issue for discussion. Motion Carried.

Upon completion of discussion, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Kathy Gorden to take no action and take tabled Item No. Four off the Tabled Item List. Motion Carried.

REGULAR AGENDA ITEMS (New Business)

Agenda Item No. One – Approve Minutes of November 10th, 2003.

On the First day of December, 2003, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Diane Parker to approve and accept the minutes of November 10, 2003 as presented. Motion Carried.

Agenda Item No. Two – Approve City of Elkhart Holidays for the Calendar year Of 2004.

On the First day of December, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to approve the City of Elkhart's holidays for the calendar year of 2004 as presented. Motion Carried.

Agenda Item No. Three – Approve Amendment to City of Elkhart's Budget to Reflect Cost of Supplies for Construction of Water Line At a Location From Hwy 294 W to 400 ACR 1321.

On the First day of December, 2003, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to amend the City of Elkhart's fiscal year budget of 2003/2004 in the amount of \$1,004.41 as a line item under the heading of Capitol Improvement. The vote is as follows: Wesley Taylor, Nay; Diane Parker, Aye; Kathy Gorden, Aye; Joe Lee Robin, Aye; Marion Hortman, Aye. Ayes having the majority vote (4-1), motion carried.

Agenda Item No. Four – Approve Financial Report.

On the First day of December, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Joe Lee Robin to approve and accept the Financial Report as presented. Motion Carried.

Agenda Item No. Five – Summary (Input)

Item No. Five is for input only, no action required.


Agenda Item No. Six – Adjournment.

On the First day of December, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to adjourn the meeting. Motion Carried.

Council meeting adjourned as of 5:40 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

001169

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 16th day of December, 2003, the City of Elkhart Council convened into a special called meeting with the following members present:

- | | | |
|-----------------|---|----------------|
| Joe B. Burris | * | Mayor |
| Kathy Gorden | * | Mayor Pro-tem |
| Margie Crawford | * | City Secretary |
| Marion Hortman | * | Councilmember |
| Diane Parker | * | Councilmember |
| Joe Lee Robin | * | Councilmember |
| Wesley Taylor | * | Councilmember |

Mayor Burris called the meeting to order at 5:00 P.M. and continued by recognizing citizens in attendance of the meeting.

There being no citizens to be heard, the agenda items were addressed as follows:

Agenda Item No. One – Hazard Mitigation Presentation; City of Elkhart Staff.

A presentation on Hazard Mitigation was done by City Secretary Margie Crawford and upon conclusion of presentation; the subject was open for questions from those attending the meeting. This item did not require action by the council as it was to provide the citizens an opportunity to be informed and to voice their concerns regarding Hazard Mitigation possibilities within the City of Elkhart.

Agenda Item No. Two – Re-Consider Renewing Log Cabin Lease Agreement Between City of Elkhart and Industrial Foundation.

On the 16th day of December, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Joe Lee Robin that the lease agreement between the City of Elkhart and the Industrial Foundation be renewed as presented with a change to the agreement name from Senior Citizens Center (Log Cabin) to Civic Center/Polling Place and lease agreement be retro-active. The vote was as follows:

Marion Hortman, abstained; Wesley Taylor, abstained; Diane Parker, Aye; Joe Lee Robin, Aye; Kathy Gorden, Aye. Ayes having the majority vote (3-2), motion carried.

On the 16th day of December, 2003, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Diane Parker that half of the money paid for rent of the Log Cabin building on December 20th is returned to the renter, Rhonda Royal. Motion Carried.

Item No. Three – Summary (Input)

This item input only, therefore, no action is required by council.

Item No. Four – Adjournment

On the 16th day of December, 2003, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Kathy Gorden to adjourn meeting. Motion Carried.

This Special Called Meeting of December 16th, 2003, adjourned as of 5:45 P.M.

ATTEST:


JOE B. BURRIS, Mayor


MARGIE CRAWFORD, City Secretary

00:171

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

112

On the Fifth day of January, 2004, the City of Elkhart Council convened into a regular session as of 5:09 P.M. with the following members present:

Joe B. Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

Council members absent; Diane Parker and Kathy Gorden.

A quorum being present the meeting proceeded with Councilmember Joe Lee Robin giving the invocation. Upon completion of the invocation and Pledge of Allegiance, the mayor recognized citizens in attendance of meeting and there being none to be heard proceeded on to the agenda items.

TABLED ITEM LIST (Old Business)

Item No. One – To Discuss and Propose Constructing Walkway From N. Main St. to N. Bridges St.; Jim Bob Parker

On the Fifth day of January, 2004, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Wesley Taylor to take no action and to remove Item No. One (issue of constructing a walkway across the railroad tracks) and bring it back as a new agenda item once staff has obtained information from Union Pacific Railroad personnel. Motion Carried.

REGULAR AGENDA ITEMS (New Business)

Item No. One – Approve Minutes of December 01 and December 16, 2003.

On the Fifth day of January, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to approve the minutes of December First and 16th, 2004 as presented. Motion Carried.

Item No. Two – Call City of Elkhart General Election for May 15th, 2004
By Resolution No. 245-010504.

On the Fifth day of January, 2004, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Marion Hortman to call the City of Elkhart General Election for May 15, 2004 by the passing and adopting of Resolution No. 245-010504; a resolution calling the City of Elkhart's General Election for the electing of officers to the City of Elkhart Council. Motion Carried.

Item No. Three – Consider Adjustment of Water Bill, Leak; David Ellis.

On the Fifth day of January, 2004, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Wesley Taylor to adjust the water bill of David Ellis by the usual procedure; half of the amount of the leak. Motion Carried.

Item No. Four – Consider Request for Water Service on ACR 130; Robert Vick.

On the Fifth day of January, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to table Item No. Four until more data is obtained from the Public Works Dept. Motion Carried.

Item No. Five – To Be Heard; Beverly Anderson, Complaint of Dogs Running at Large in the Corporate Limits of Elkhart.

Item No. Five required no action as this item was for discussion only.

Item No. Six – Consider Request to Re-route Traffic for the Martin Luther King Parade of January 19th, 2004; Council member Joe Lee Robin.

On the Fifth day of January, 2004, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Marion Hortman to take no action on Item No. Six. Motion Carried.

Item No. Seven – Consider Approving Plan for Day Road Sewer Line and Lift Station Project.

On the Fifth day of January, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor authorizing the mayor to proceed with the Sewer Line and Lift Station project by obtaining cost, deeds and necessary easements for the project and bring back this information to council in another meeting.. Motion Carried

Item No. Eight – Approve Financial Report.

On the Fifth day of January, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Joe Lee Robin to approve the Financial Report as presented. Motion Carried.


Item No. Nine – Summary (Input)

Reiteration of agenda items, no action required.

Item No. Ten – Adjournment.

On the Fifth day of January, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to adjourn the meeting. Motion Carried.

This regular council meeting of January 5, 2004 adjourned as of 5:56 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

02174

On the Second day of February, 2004, the City of Elkhart Council convened into a regular session as of 5:00 P.M. with the following members present:

Joe B. Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

As of 5:00 P.M., Council member Kathy Gorden was absent from the meeting.

A quorum being present, the meeting proceeded with the invocation being given by Council member Joe Lee Robin and then the Pledge of Allegiance was said by all in attendance.

Citizens were recognized and there were none to be heard as of this time in the meeting.

Council member Kathy Gorden arrived for the meeting at 5:05 P.M.

Upon completion of preliminaries, the agenda items were addressed as follows:

Agenda Item No. One – Approve Minutes of January 5, 2004.

On the Second day of February, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor to approve and accept the minutes of January 5, 2004 as presented. Motion Carried.

Agenda Item No. Five was moved to be the second item addressed by the council.

Agenda Item No. Five – To Be Discussed; Subject of Inter-Local Animal Control Agreement Between the City of Elkhart and Anderson County; Councilmember Kathy Gorden.

Agenda Item No. Five was for discussion only; no action to be taken by the council.

Upon completion of discussion on Agenda Item No. Five, the regular order of agenda items was addressed.

Agenda Item No. Two – Consider Resolution Appointing City of Elkhart Election Judges and Early Voting Clerk.

On the Second day of February, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Joe Lee Robin to pass, approve and adopt Resolution No. 246-020204; a resolution for appointment of a presiding judge, alternate judge, and early voting clerk for City of Elkhart's General Election of May 15, 2004; Marlene McGlaun as Judge, Kay Denson as Alternate Judge and Margie Crawford as Early Voting Clerk Motion Carried.

Agenda Item No. Three – Consider Request for Placement of a Street Light at the Intersection of U.S. Hwy 287 and Day Road.

On the Second day of February, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Kathy Gorden that the city has a street light installed at the intersection of U.S. Hwy 287 and Day Road. Motion Carried.

Agenda Item No. Four – Consider Increase of Rate for Water Service to Off-set Additional Expense Incurred by the City of Elkhart Water Works System Due to Newly Implemented Trinity Valley and Neches Ground Water Conservation District.

Agenda Item No Four was for discussion only, therefore, no action was required by council.

Agenda Item No. Five having been previously addressed, Item No. Six is next order of business for consideration by the council.

Agenda Item No. Six – Authorization to Proceed With Annexation of Territory Within the City of Elkhart's Extra Territorial Jurisdiction West of Elkhart; Councilmember Joe Lee Robin.

On the Second day of February, 2004, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to seek a lawyer and have the lawyer to commence annexation proceedings. Motion Carried.

Agenda Item No. Seven – Report on Proposed Day Road Sewer Project.

Agenda Item No. Seven was discussion only, no action required by council.

Agenda Item No. Eight – For Informational Purpose; Drainage Problem on SH 294 W.

Agenda Item No. Eight was discussion only; no action required by council.

Agenda Item No. Nine – Approve Financial Report.

On the Second day of February, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to approve the Financial Report as presented. Motion Carried.

Mayor Burris asked for a motion to adjourn the meeting.

On the Second day of February, 2004, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Wesley Taylor to adjourn the meeting. Motion Carried.

This regular council meeting of February 2, 2004 adjourned as of 5:50 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the First day of March, 2004, the City of Elkhart Council convened into a regular session as of 5:00 P.M. with the following members present:

Joe B. Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

Councilmember absent: Kathy Gorden.

A quorum being present the meeting proceeded with the invocation being given by Councilmember Joe Lee Robin and the Pledge of Allegiance said by all in attendance.

Mayor Burris recognized citizens present and recognized Claude Gates to speak to council regarding his water bill. Mr. Gates was not on the agenda, therefore no action required by council.

There being no others to be heard, the mayor directed the council's attention to the agenda items.

Agenda Item No. One – Approve Minutes of February 2, 2004.

On the First day of March, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to approve and accept the minutes of February 2, 2004 as presented. Motion Carried.

Agenda Item No. Two – Consider 8% Increase of Water Rate.

On the First day of March, 2004, a motion was made by Councilmember Diane Parker and seconded by Councilmember Joe Lee Robin for the City of Elkhart to increase the water rates by the suggested 8% with the exception to send out a mailer to water customers and anyone with the proof of age over 65 or older be exempt from increase upon signed request for the exemption. The vote is as follows: Marion Hortman, Aye; Joe Lee Robin, Aye; Diane Parker, Aye; Wesley Taylor, Nay, (3-1) Motion Carried.

Agenda Item No. Three – Report on Status of Proceedings for Annexation; Mayor Burris.

Mayor Burris reported on the status of Annexation; this was for discussion only.

Agenda Item No. Four – Approve Financial Report.

On the First day of March, 2004, a motion was made by Councilmember Diane Parker and seconded by Councilmember Wesley Taylor to approve the financial report as presented. Motion Carried.

Agenda Item No. Five – Adjournment.

On the First day of March, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to adjourn the meeting.
Motion Carried.

This council meeting of March 1, 2004 adjourned as of 5:20 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

001177

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Fifth day of April, 2004, a regular meeting of the City of Elkhart Council convened at 5:01 P.M. with the following members present:

Joe Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

Councilmember Kathy Gorden was absent from meeting.

Mayor Burris open the meeting with the invocation being given by Councilmember Joe Lee Robin and the Pledge of Allegiance being said by all in attendance of the meeting.

Citizens were recognized by the mayor. Mr. Billy McGlaun was recognized to speak to the council. However, Mr. McGlaun's issue was an agenda item and was to be addressed later in the meeting. Therefore, Mr. McGlaun said he would speak when that particular issue came up for consideration by the council.

REGULAR AGENDA ITEMS:

Agenda Item No. One – Approve Minutes of March 1, 2004.

On the Fifth day of April, 2004, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Wesley Taylor to approve the minutes of March 1, 2004 as presented. Motion Carried.

Agenda Item No. Two – Consider Water Bill Adjustment, Leak; Latressa Carwill.

On the Fifth day of April, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor to adjust Ms. Latressa Carwill's water bill by half of the amount of the leak; usual procedure. Motion Carried.

Agenda Item No. Three – Approve Ordinance No. 222; Water Rate Increase.

On the Fifth day of April, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Diane Parker to approve, pass, adopt Ordinance No. 222; an ordinance providing for the setting of a water rate charged by the City of Elkhart Water System within the corporate limits of Elkhart and outside of the corporate limits of Elkhart with authority to impose penalties for tardiness of payment for water service. Motion Carried.

Agenda Item No. Four – Approve Purchase of Wet Well Equipment.

On the Fifth day of April, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to purchase equipment and proceed with the work for Day Road Lift Station. Motion Carried.

Agenda Item No. Five – Consider Extending Sewer Line on Hwy 287 North.

On the Fifth day of April, 2004, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Marion Hortman to do a study on the proposal of extending the sewer line north on Hwy 287 North before making a decision on the proposed project. Motion Carried.

Agenda Item No. Six – Consider Granting Homestead, Over 65, and Disabled Exemptions or Consider Ad Valorem Tax Freeze on Residence Homestead of the Disabled, Over 65 and Their Spouses.

On the Fifth day of April, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Joe Lee Robin to take the issue under study to obtain a consensus as to how a ceiling on the tax rate would affect the city and to see what means it would take to off-set the lost revenue such as an increase of the tax rate in order to operate the City of Elkhart. The vote is as follows: Marion Hortman, Aye; Joe Lee Robin, Aye; Wesley Taylor, Aye; Diane Parker, Nay. Majority having the vote (3-1) motion carried.

Agenda Item No. Seven – Consider Appointment of Person to Carry Out the City Council's Directive of Having a Manhole Installed on Joe Burris' Property with Easement Provided by Joe Burris.

On the Fifth day of April, 2004, a motion was made by Councilmember Joe Lee Robin and seconded by Wesley Taylor to see how much it will cost to get a contractor to do the job since public works won't do the job. Councilmember Wesley Taylor withdrew his second to the motion due to a statement made by Councilmember Joe Lee Robin that "public works personnel do not want to do the job". Motion failed.

On the Fifth day of April, 2004, a motion was made by Councilmember Joe Lee Robin and seconded by Councilmember Diane Parker to see how much it will cost to get the job done. The vote is as follows: Marion Hortman, Aye; Joe Lee Robin, Aye; Wesley Taylor, Aye; Diane Parker, Nay due to a time frame not stated in the motion. Majority having the vote (3-1) motion carried.


Agenda Item No. Eight – Approve Financial Report

On the Fifth day of April, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to approve the Financial Report as presented. Motion Carried.


Agenda Item No. Nine – Adjournment.

On the Fifth day of April, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Joe Lee Robin to adjourn the meeting. Motion Carried.

This regular City of Elkhart Council meeting adjourned as of 5:55 P.M.


JOE B. BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

000179

THE STATE OF TEXAS *

003180

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Third day of May, 2004, the City of Elkhart Council convened into a regular session with the following members present:

Joe Burris	*	Mayor
Kathy Gorden	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Diane Parker	*	Councilmember
Joe Lee Robin	*	Councilmember
Wesley Taylor	*	Councilmember

The meeting was called to order at 5:00 p.m. and a quorum was present to address the issues.

Councilmember Joe Lee Robin gave the invocation and the Pledge of Allegiance was said by all in attendance of the meeting.

Mayor Burris recognized citizens in attendance of the meeting and there being none to be heard continued by addressing the agenda items.

Agenda Item No. One – Approve Minutes of April 5, 2004.

On the Third day of May, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Joe Lee Robin to approve the minutes of April 5, 2004 as presented. Motion Carried.

Agenda Item No. Two – Report on a Study of Whether or Not to Grant a Homestead and/or Over 65 and/or Disabled Exemption in Relation to Taxation of Properties.

There was no action to be taken on Agenda Item No. Two as it was posted for discussion only.

Agenda Item No. Three – Status Report on the Installation of a Manhole on Joe Burris Property and the Provision of an Easement to the City of Elkhart.

On the Third day of May, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor to table Item No. Three until next meeting when staff may obtain and bring back to the council a firm proposal on cost for the installation of a manhole on the Joe Burris property. The vote is as follows: Marion Hortman, Aye; Wesley Taylor, Aye; Joe Lee Robin, refrained; Diane Parker, refrained; Kathy Gorden, refrained. Two ayes and three refrains (no votes), motion carried.

Agenda Item No. Four – Approve Financial Report.

On the Third day of May, 2004, a motion was made by Councilmember Kathy Gorden and seconded by Councilmember Marion Hortman to approve the Financial Report as presented. Motion Carried.

Agenda Item No. Five – Adjournment.

On the Third day of May, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Kathy Gorden to adjourn the meeting. Motion Carried.

This regular council meeting of May 3, 2004 adjourned as of 5:21 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Seventh day of May, 2004, the City of Elkhart Council convened into a Special Called Meeting with the following members present:

- Joe Burris * Mayor
- Kathy Gordon * Mayor Pro-tem
- Margie Crawford * City Secretary
- Marion Hortman * Councilmember
- Wesley Taylor * Councilmember

Council members absent when meeting was called to order at 1:00 P.M. were Diane Parker and Joe Lee Robin.

A quorum being present the mayor addressed Agenda Item No. One.

Agenda Item No. One – Approve Cost for Purchase of Manhole.

Mayor Burris asked the council to consider Item No. One at the time when Item No Four is considered as the two items are related.

As of 1:04 P.M. Councilmember Diane Parker arrived for the meeting and as of 1:18 P.M. Councilmember Joe Lee Robin arrived for the meeting.

Upon completion of discussion and agreement to address Item No. One later in the meeting, the council's attention was directed to Agenda Item No. Two.

Agenda Item No. Two – Status Report on Six Inch Water Line Located St. Hwy 294 West

Agenda Item No. Two was posted as discussion only; no action required by the council.

Agenda Item No. Three – Consider Steps in Locating Inflow and Infiltration Openings Going Into the Jones Rd. Lift Station.

On the Seventh day of May, 2004, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to table Item No. Three. Motion Carried.

Agenda Item No. Four – Consider Bids for Installation of Manhole on the Burris Property.

On the Seventh day of May, 2004, a motion was made by Councilmember Diane Parker and seconded by Councilmember Kathy Gorden to give the bid for the installation of a manhole on Joe Burris property to Neches Plumbing and that it shall state in the easement sufficient footage to go across the Joe Burris property and that the city's equipment will be used and the cosmetic work will be done by the city. Motion Carried.

A motion to adjourn was asked for by the mayor.

On the Seventh day of May, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to adjourn the meeting. Motion Carried.

This Special Called Meeting adjourned as of 1:58 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

C-1184

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 24th day of May, 2004, a quorum of the City of Elkhart Council convened into a Special Meeting for the purpose of canvassing the city's general election of May 15th, 2004. Council members present were as follows:

Joe Burris	*	Mayor
Margie Crawford	*	City Secretary
Marion Hortman	*	Councilmember
Wesley Taylor	*	Councilmember

Canvassing of the May 15th, 2004 election began at 5:00 P.M.

Mayor Burris proceeded by opening of the envelopes containing the Talley of the city's May 15th general election.

Early Voting canvass is as follows:

Place One – Garth Moran 23 votes

Place Three – Joe Lee Robin 04 votes
Place Three – Philip O'Neal 22 votes

Place Five – Raymond Dunlap 21 votes

May 15th, 2004 Election Day canvass as follows:

Place One – Garth Moran 48

Place Three – Joe Lee Robin 23
Place Three – Philip O'Neal 39

Place Five – Raymond Dunlap 43

There were three Provisional Voters, but only one voter's ballot qualified to be counted as certified by the County Registrar and the vote is as follows:

Place One – Garth Moran 01 vote

Place Three – Joe Lee Robin 00 vote
Place Three – Philip O'Neal 01 vote

Place Five – Raymond Dunlap 01 vote

Early Voting, Election Day, and Provisional votes are the combined sum of votes for each candidate elected to office as follows:

Place One – Garth Moran 72 votes

Place Three – Joe Lee Robin 27 votes
Place Three – Philip O'Neal 62 votes

Place Five – Raymond Dunlap 65 votes

On the 24th day of May, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman that the May 15th, 2004 City of Elkhart General Election Talley is certified as being true as presented to the Canvassing authority of the City of Elkhart. Motion Carried.

The Oath of Office was administered to the elected officers; Place One, Garth Moran and Place Five, Raymond Dunlap by the City Secretary of the City of Elkhart.


Canvassing of the election and Oaths of Office having been completed, the canvassing was adjourned.

Canvassing of the election adjourned as of 5:10 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

On the 26th day of May, 2004, the City of Elkhart Council convened at 5:00 P.M. into a Special Called Meeting with the following members present:

- Joe Burris * Mayor
- Margie Crawford * City Secretary
- Raymond Dunlap * Councilmember
- Marion Hortman * Councilmember
- Garth Moran * Councilmember
- Philip O'Neal * Councilmember
- Wesley Taylor * Councilmember

A quorum being present, the mayor declared the open session of this meeting closed and the council convening into executive session under the Open Meetings Act, Section 551.074; Personnel. Executive Session convened as of 5:03 P.M.

The council exited executive session and convened back into open meeting as of 6:00 P.M.

Agenda Item No. One – Executive Session, Texas Open Meetings Act, Section 551.074, Personnel; Consider Applicant for Employment With the City of Elkhart.

Agenda Item No. One was for discussion only; no action was required by the council as this was a closed portion of the Special Called Meeting.

Agenda Item No. Two – Consider Applicant for Employment With the City of Elkhart.

On the 26th day of May, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Garth Moran for the City of Elkhart to employ Virgil Simpson to work as a part-time employee under the title of Public Works Supervisor and details to be worked out with the City Secretary and the Mayor and reduced to writing. Motion Carried.

All agenda items having been addressed, Mayor Burris asked for a motion to adjourn the meeting.

On the 26th day of May, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Marion Hortman to adjourn the meeting. Motion Carried.

This Special Called Meeting adjourned as of 6:04 P.M.



JOE B. BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Seventh day of June, 2004, the City of Elkhart Council convened into a regular session as of 5:00 P.M. with the following members present:

Joe Burris	*	Mayor
Garth Moran	*	Mayor Pro-tem
Raymond Dunlap	*	Councilmember
Marion Hortman	*	Councilmember
Philip O'Neal	*	Councilmember
Wesley Taylor	*	Councilmember

City Secretary Margie Crawford was absent and in her stead was Vicki Frederick, Financial Secretary.

Upon conclusion of the invocation and the Pledge of Allegiance and a quorum being present, the mayor directed the council's attention to the agenda items as follows:

OLD BUSINESS:

Agenda Item No. One – Consider Steps in Locating Inflow and Infiltration Openings Flowing Into Jones Road Lift Station.

On the Seventh day of June, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran for old business agenda item no. one to remain tabled until the next meeting. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of May 3, 7, 24, & 26, 2004.

On the Seventh day of June, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor to approve the minutes of May, 3rd, 7th, 24th, & 26th, 2004 as presented. Motion Carried.

Agenda Item No. Two – Appoint Mayor Pro-tem for One Year Tenure.

On the Seventh day of June, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to appoint Councilmember Garth Moran as the Mayor Pro-tem for a one year tenure implemented by Resolution No. 246; a resolution for the appointment of Mayor Pro-tem for a term of one year. Motion Carried.

Agenda Item No. Three – Consider Adjustment of Water Bills, Leaks;
a) Elkhart I.S.D., Johnny Keeling; b) Keith Wayne Mitchell Represented by Tom Davis.

On the Seventh day of June, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to adjust the Elkhart I.S.D. water bill by the usual procedure; half of the amount of the leak. Motion Carried.

On the Seventh day of June, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran to adjust the Keith Wayne Mitchell water bill by usual procedure; half of the amount of the leak. Motion Carried.

Agenda Item No. Four – Consider Granting Authority to Administrative Staff To Adjust Water Bills In Consideration of the Status Of the Charges for Water Service Rendered.

On the Seventh day of June, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Raymond Dunlap to authorize Public Works Supervisor Virgil Simpson and City Secretary Margie Crawford, administrative staff, to adjust water bills. Motion Carried.

Agenda Item No. Five -- Presentation from Justin Epker with GrantWorks, Inc. On the Texas Community Development Programs.

This item was presentation and discussion only, no action was required by council.

Agenda Item No. Six – Consider and Take Action to Initiate Request for Proposal For Grant Administration for the 2005-2006 Texas Community Development Program.

On the Seventh day of June, 2004, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Garth Moran for the City of Elkhart to initiate request for proposals for Grant Administration for years of 2005 & 2006 for Texas Community Development Program. Motion Carried.

Agenda Item No. Seven – Appointment of Financial Investment Officer by Resolution.

On the Seventh day of June, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Garth Moran appointing Mayor Joe Burris as Financial Officer/Investment Officer for City of Elkhart by Resolution No. 249. Motion Carried.

Agenda Item No. Eight – Appoint Signatory for City of Elkhart Checking Accounts by Resolution.

On the Seventh day of June, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Raymond Dunlap to appoint Councilmember Garth Moran as one of the city's official check signers for city bank accounts by Resolution No. 248. Motion Carried.

Agenda Item No. Nine – Approve Financial Report.

On the Seventh day of June, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Garth Moran to approve the Financial Report as presented. Motion Carried.

Agenda Item No. Ten – Consider Amending the Date & Time for City Council Meetings by Resolution.

On the Seventh day of June, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Marion Hortman by the approval, passing, and adopting of Resolution No. 247 changing the time for City of Elkhart Council Meetings from 5:00 P.M. to convene at 5:30 P.M. and continue to meet on the first Monday of each month. Motion Carried.

Agenda Item No. 11 – To Be Heard; Supervisor of Public Works Report.

This item was for discussion only, therefore, no action required by council.

Upon conclusion of report by Public Works Supervisor, a motion to adjourn was asked for by the mayor.

On the Seventh day of June, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Marion Hortman to adjourn the meeting. Motion Carried.

This regular council meeting of June 7, 2004 adjourned as of 6:25 p.m.


JOE BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 21st day of June, 2004, the City of Elkhart council convened into a Special Called Meeting as of 5:30 P.M. with the following members present:

Joe Burris	*	Mayor
Garth Moran	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Raymond Dunlap	*	Councilmember
Wesley Taylor	*	Councilmember

Council members absent were Philip O'Neal and Marion Hortman.

In attendance was City of Elkhart Financial Secretary and Outside Supervisor Virgil Simpson.

Upon convening into open session and a quorum being present to address the agenda item, Mayor Burris declared the council exiting out of open session and convening into executive session under the Open Meetings Act, Section 551.074, Personnel; Emphasize the Power and Duties of the Public Works Supervisor.

Agenda Item No. Two – Executive Session, Section 551.074 of the Open Meetings Act, Personnel; Emphasize the Power And Duties of the Public Works Supervisor.

City of Elkhart Council exited out of open session as of 5:31 P.M. by a motion made by Councilman Garth Moran and seconded by Councilmember Wesley Taylor to convene into executive session. Motion Carried.

City Council went into executive session as of 5:32 P.M. with Mr. Virgil Simpson, outside supervisor remaining in the executive session of the meeting.

City of Elkhart Council exited out of executive session and convened back into open session as of 6:10 P.M.

There was no action taken by council regarding agenda Item No. Two; Personnel, Emphasize the Power and Duties of the Public Works Supervisor.

There being no further business to be addressed by the council, Mayor Burris asked for a motion to adjourn the meeting.

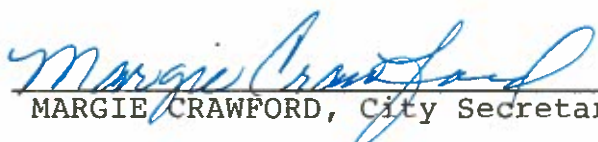
On the 21st day of June, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Raymond Dunlap to adjourn the meeting. Motion Carried.

This Special Called Meeting of June 21, 2004 adjourned as of 6:12 P.M.



JOE BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 12th day of July, 2004, the City of Elkhart Council convened into a regular session as of 5:30 P.M. with the following members present:

Joe Burris	*	Mayor
Garth Moran	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Raymond Dunlap	*	Councilmember
Marion Hortman	*	Councilmember
Philip O'Neal	*	Councilmember
Wesley Taylor	*	Councilmember

A quorum being present to do business agenda items were addressed by council as follows:

OLD BUSINESS:

Agenda Item No. One – Consider Inflow and Infiltration Flowing Into Jones Rd. Lift Station.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to remove Agenda Item No. One from the Tabled Item List and bring back as new agenda item in a future meeting. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – City of Elkhart Tour of City's Waste Water Treatment Plant.

The City of Elkhart Council did not tour the Waste Water Treatment Plant as of this time and will do so at a later date; no action required as this item was for discussion only.

Agenda Item No. Two – Approve Minutes of June 7th and June 21st, 2004.

On the 12th day of July, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Wesley Taylor to approve and accept the minutes of June 7th and June 21st, 2004 as presented. Motion Carried.

Agenda Item No. Three – Presentation by Justin Epker of GrantWorks, Inc.

Agenda Item No. Three was posted as discussion only; no action required by council.

Agenda Item No. Four – Presentation by Sherry Tarrant of Gary R. Traylor & Associates.

Agenda Item No. Four was posted as discussion only; no action required by council.

Agenda Item No. Five – Consider Proposals for the Selection of a Grant Consulting Company for 2004/2005 Grant Applications.

On the 12th day of July, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Philip O'Neal to take no action as of this meeting and to consider the selection of Grant Consultants in the next council meeting. Motion Carried.

Agenda Item No. Six – Approval and Acceptance of the City of Elkhart's
Financial Statement Presented by the Firm of Staples,
Larkin & Associates, C.P.A.'s.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Garth Moran to approve and accept the City of Elkhart's annual Financial Statement for fiscal year 2002/2003 as presented by Mr. Tom Watson of Staples, Larkin & Associates, C.P.A.'s. Motion Carried.

Agenda Item No. Seven – City Engineer and City Council to Consider Cost of
Installing In-Line Booster Pumps for Existing Six
Inch Water Line Located St. Hwy 294W.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to table Agenda Item No. Seven. Motion Carried.

Agenda Item No. Eight – To Be Heard; Complaint for Existing Water Line
Being Located on Mitchell Property, Tom Davis.

There was no action on Agenda Item No. Eight as this item was posted as discussion only.

Agenda Item No. Nine – To Be Heard; Presentation by Dale Fout of Rubber
Coating Systems, Inc. (Tank Service).

No Action required for Agenda Item No. Nine as this was for discussion only.

Agenda Item No. Ten – Consider Group Health Insurance for City Employees.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to remain with the present Insurance Carrier of the name Principal Financial Group Health Insurance. Motion Carried.

Agenda Item No. 11 – Consider Establishing a Date for City of Elkhart Budget.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and Councilmember Raymond Dunlap to have the mayor and city secretary develop a calendar for Budget Workshops. Motion Carried.

Agenda Item No. 12 – Consider Submitting Offer for Purchase of Property
Located Next to City of Elkhart Waste Water Treatment
Plant on Hemby Street.

On the 12th day of July, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran to table Agenda Item No. 12. Motion Carried.

Agenda Item No. 13 – Consider Plan of Action to Be Taken for TCEQ
Enforcement Order.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Philip O'Neal for the city to proceed with a SEP program (Supplemental Environmental Project) in meeting city's obligation regarding the TCEQ Enforcement Order. Motion Carried.

Agenda Item No. 14 – Consider Acceptance of Resignations Submitted by Public
Works Employees.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to accept the resignations of James Morgan and Darrell Morgan from their positions in the City of Elkhart's Public Works Department. Motion Carried.

Agenda Item No. 15 – Consider Employment of Persons for Public Works Dept.

On the 12th day of July, 2004, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Marion Hortman to take no action on Agenda Item No. 15 and reschedule the item for Executive Session. Motion Carried.

Agenda Item No. 16 – Consider Resolution to Amend Resolution No. 249-060704; Appointment of Investment Officers.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Raymond Dunlap to amend Resolution No. 249-060704 by the approving, passing and adoption of Amended Resolution No. 249-071204; a resolution for the appointment of Financial /Investment Officer with amendment to paragraph Three, Five, and Six to void appointment of Financial Officer and to re-identify positions for appointment of investment officers. Motion Carried.

Agenda Item No. 17 – Consider Resolution 250-071204; Appointment of city of Elkhart Financial Officer.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Philip O'Neal to approve, pass, and adopt Resolution No. 250-071204 appointing Mayor Joe Burris as the city's Financial Officer. Motion Carried.

Agenda Item No. 18 – Approve Financial Report.

On the 12th day of July, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran to approve the Financial Report as presented. Motion Carried.

Agenda Item No. 19 – To Be Heard; Public Works Supervisor's Report

Public Works Supervisor's Report was not given as Mr. Simpson was not present for meeting.

Agenda Item No. 20 – Adjournment.

On the 12th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to adjourn the meeting. Motion Carried.

This regular City of Elkhart Council meeting adjourned as of 8:23 P.M.


JOE BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

077193

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

On the 19th day of July, 2004, the City of Elkhart Council convened into a Special Called Meeting as of 5:30 P.M. with the following members present:

- Joe Burris * Mayor
- Garth Moran * Mayor Pro-tem
- Margie Crawford * City Secretary
- Raymond Dunlap * Councilmember
- Marion Hortman * Councilmember
- Wesley Taylor * Councilmember

Council member absent was Philip O'Neal.

A quorum being present agenda items were addressed by the council as follows:

Agenda Item No. One – Consider Repair of Streets and Roads for the City of Elkhart.

On the 19th day of July, 2004, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Marion Hortman for the City of Elkhart to purchase 30 loads of Oil Sand and two culverts for drainage at an estimated cost of FIVE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$ 5,500) for repair of ACR 136 also known as North Bridges and agree to the Precinct One Commissioner's crew to do the repair of said road and installation of culverts Motion Carried.

Agenda Item No. Two – City Engineer and City Council to Consider Installation And Cost of In-Line Booster Pumps on Six Inch Water Line Located St. Hwy 294

On the 19th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Garth Moran to give Mayor Burris and Outside Supervisor Virgil Simpson authorization to proceed with eliminating the pressure problem on the six inch water line going out St. Hwy 294 W. Motion Carried.

Agenda Item No. Three – Consider Selection of Project for Supplemental Environmental Project.

On the 19th day of July, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to extend the Sewer Line going north U.S. Hwy 287 for the city's SEP project and proceed with the development of SEP Plan. Motion Carried.

Agenda Item No. Four – Executive Session, Open meetings Act, Section 551.074, Personnel; Review of Applications and Consideration of Applicants for Employment for the Public Works Department.

City of Elkhart Council exited out of Open Session and convened into Executive Session as of 6:03 P.M. for discussion only of Agenda Item No. Four.

Executive Session closed at 6:30 P.M. and council convened back into Open Session for action to be taken on Agenda Item No. Five; Consider Employment of Applicants for Public Works Department.

On the 19th day of July, 2004, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Garth Moran that Public Works employee Jason Miller remain employed as Contract Labor at a wage of \$9.00 pr. hr. on a 90 day probation period and that Joseph Pierce be employed as a full-time employee at a wage of \$9.00 pr. hr. and be on a 90 day probation period and Kenneth White be given a merit wage increase of \$1.00 pr. hr. effective immediately. Motion Carried.

Upon conclusion of addressing the agenda items, the mayor asked for a motion to adjourn.

On the 19th day of July, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran to adjourn the special called meeting. Motion Carried.

Special Called Meeting adjourned as of 6:33 P.M.


JOE BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 26th day of July, 2004, the City of Elkhart Council convened into a Budget Workshop for the purpose of creating the City of Elkhart's Budget for the City's fiscal year of 2004/2005 with the following members present:

Joe Burris	*	Mayor
Garth Moran	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Raymond Dunlap	*	Councilmember
Marion Hortman	*	Councilmember
Philip O'Neal	*	Councilmember
Wesley Taylor	*	Councilmember

Vicki Frederick, Financial Secretary, was in attendance of workshop and participated in the process of creating the city's budget.

City of Elkhart Budget Workshop convened at 5:45 P.M.

Council Members and Administrative Staff reviewed and made budget projections in the General Fund up to department 30; Contractual Services.

The Budget Workshop was closed at 6:35 P.M. and reconvened at 7:55 P.M. for completion of review of the General Fund and making financial projections for all accounts within the General Fund.

Upon completion of the General Fund, a motion to adjourn was made by Councilmember Wesley Taylor and seconded by Raymond Dunlap. Motion Carried.

City of Elkhart Budget Workshop adjourned as of 8:28 P.M.



 JOE BURRIS, Mayor

ATTEST:



 MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the 26th day of July, 2004, the City of Elkhart Council convened into open session as of 6.35 P.M. with the following members present:

Joe Burris	*	Mayor
Garth Moran	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Raymond Dunlap	*	Councilmember
Marion Hortman	*	Councilmember
Philip O'Neal	*	Councilmember
Wesley Taylor	*	Councilmember

A quorum being present Mayor Burris declared the open session as being closed and the council convening into executive session under the Open Meetings Act, Section 551.074; Personnel, interview of attorney for possible employment with the City of Elkhart.

City Council exited open session and entered into executive session as of 6:35 P.M. for interview of Charlie Nichols, attorney.

City Council exited out of executive session and re-convened back into open session as of 7:45 P.M.

Mayor Burris asked the council for their consensus and a motion regarding the hiring of an attorney for the City of Elkhart.

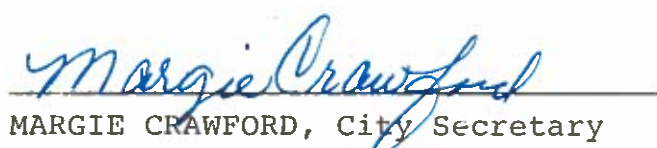
On the 26th day of July, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Philip O'Neal to take no action on consideration to hire attorney for City of Elkhart as of this meeting. Motion Carried.

On the 26th day of July, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Wesley Taylor to adjourn this special called meeting. Motion Carried.

This called meeting of July 26th, 2004, adjourned as of 7.52 P.M.


JOE BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary

C-137

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF TEXAS *

00:198

On the Second day of August, 2004, the City of Elkhart Council convened into a regular session as of 5:30 P.M. with the following members present:

Joe Burris	*	Mayor
Garth Moran	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Raymond Dunlap	*	Councilmember
Marion Hortman	*	Councilmember
Philip O'Neal	*	Councilmember
Wesley Taylor	*	Councilmember

A quorum was present to address the agenda items as follows:

OLD BUSINESS:

Item No. One – Consider Submitting Offer for Purchase of Property Located Next to City of Elkhart Waste Water Treatment Plant on Hemby Street.

On the Second day of August, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to remove agenda Item No. One from the Tabled Item List. Motion Carried.

NEW BUSINESS:

Item No. One – Approve and Accept Minutes of July 12th, 19th, and 26th, 2004.

On the Second day of August, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran to approve and accept the minutes of July 12th, 19th, and 26th, 2004 as presented. Motion Carried.

Item No. Two – Consider Request for a Water Tap at Location on ACR 165; Newton Hambrick.

On the Second day of August, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Raymond Dunlap to approve Mr. Newton Hambrick for one water tap at a location on ACR 165. Motion Carried.

Item No. Three – To Be Heard; Vicki Morin Regarding Quality of Water Service To Morin's Residence.

There was no action to be taken by the council as this item was for discussion only.

Item No. Four – Consider reimbursement of Deductible on Insurance Claim; William Humphrey.

On the Second day of August, 2004, a motion was made by Wesley Taylor and seconded by Councilmember Marion Hortman to table Item No. Four until such time as

city staff receives the claims adjuster report from TML Risk Governmental Pool. Motion Carried.

Item No. Five – Consider Selection of Grant Management Agency.

On the Second day of August, 2004, a motion was made by Raymond Dunlap and seconded by Councilmember Garth Moran to select GrantWorks, Inc. for the management of the City of Elkhart's grant application and administrative files. Motion Carried.

Item No. Six – Discussion on City of Elkhart's Hiring Practices; Ron Armstrong.

This item required no action by the council.

Item No. Seven – Executive Session; Open Meetings Act, Section 551.074, Personnel; Consider Applicants for City of Elkhart Public Works Department.

Mayor Burris closed the open session of the council meeting at 6:24 P.M. and declared the council convening into executive session.

City of Elkhart Council exited out of executive session as of 6:44 P.M. and convened back into open session.

Item No. Eight – Open Session; Consider Applicants for Public Works Department.

On the Second day of August, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to appoint Mayor Burris, City Secretary Margie Crawford, and Outside Supervisor Virgil Simpson to be a sub-committee of the council and the duty of the committee is to rank the applications as to which applicants the council may consider to interview for the Public Works Department. Motion Carried.

Item No. Nine – Approve Financial Report.

On the Second day of August, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Philip O'Neal to approve the Financial Report as presented. Motion Carried.


Item No. Ten – Public Works Supervisor Report.

There was no action required by council on Item No. Ten.

Item No. 11 – Adjournment.

On the Second day of August, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Marion Hortman to adjourn the meeting. Motion Carried.

This August 2, 2004 regular council meeting adjourned as of 7:00 P.M.



JOE BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

081180

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

001200

On the Ninth day of August, 2004, the City of Elkhart Council convened into a Special Called Meeting as of 5:30 P.M. with the following members present:

Joe Burris	*	Mayor
Garth Moran	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Raymond Dunlap	*	Councilmember
Marion Hortman	*	Councilmember
Philip O'Neal	*	Councilmember
Wesley Taylor	*	Councilmember

A quorum was present to address agenda items as follows:

Agenda Item No. One – Open Session

Agenda Item No. One was for Mayor Burris to have the council convene into an open session prior to going into executive session; discussion only.

Agenda Item No. Two – Executive Session, Open Meetings Act, Section 551.074, Personnel; Consider Attorney to Serve as the City of Elkhart's Official City Attorney.

Mayor Burris closed the open session of the meeting at 5:31 P.M. and declared the council convening into executive session under the Open Meetings Act, Section 551.074, Personnel at 5:31 P.M.

The City of Elkhart Council exited executive session as of 5:54 P.M. and re-convened back into open session of meeting at 5:55 P.M.

Agenda Item No. Three – Open Session; Consider Attorney to Serve as the City of Elkhart's Official City Attorney.

On the Ninth day of August, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Marion Hortman for the City of Elkhart to utilize the legal services of Attorney Melvin Whitaker for a trial period of four months as agreed between Mr. Whitaker and the City of Elkhart Council and cost for services rendered to the City of Elkhart will be based on an hourly rate of \$200.00 pr. hr. Motion Carried.

Agenda Item No. Four – Consider Location for In-Line Booster Pump on Six Inch Line; St. Hwy. 294 W.

On the Ninth day of August, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to authorize Mayor Burris and Mayor Pro-tem Garth Moran to study all possible sites that may be good locations for the installation of In-Line Booster Pumps and for the two appointees to proceed accordingly. Motion Carried.

Agenda Item No. Five – Consider Alternate SEP Project for the City of Elkhart And Engineer's Work Order for Selected SEP Project.

On the Ninth day of August, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Wesley Taylor for the City of Elkhart to authorize Wisenbaker, Fix & Associates (Engineer) to provide engineering services for project 2004 Enforcement Order by the signing of Work Order No. 8, Project No. EK-015 (SEP Project) and to notify Tracy Hicks to help with the selection of a site for project. Motion Carried.

There being no further agenda items to be addressed, Mayor Burris asked for a motion to adjourn.


On the Ninth day of August, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran to adjourn the meeting. Motion Carried.

This Special Called Meeting adjourned as of 6:40 P.M.



JOE BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

001201

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

On the Ninth day of August, 2004, the City of Elkhart Council convened into a Budget Workshop at 6:41 P.M. for the purpose of creating the city's budget for fiscal year of 2004/2005 with the following members present:


- Joe Burris * Mayor
- Garth Moran * Mayor Pro-tem
- Margie Crawford * City Secretary
- Raymond Dunlap * Councilmember
- Marion Hortman * Councilmember
- Philip O'Neal * Councilmember
- Wesley Taylor * Councilmember

Council and Administrative Staff addressed the budget worksheets and proceeded to create a proposed budget for the City of Elkhart's fiscal year of 2004/2005.

Upon conclusion of addressing each city fund and account within that particular fund for budget purposes, Mayor Burris asked for a motion to adjourn.

On the Ninth day of August, 2004, a motion was made by Councilmember Raymond Dunlap and seconded by Marion Hortman to adjourn the Budget Workshop. Motion Carried.

This budget workshop adjourned as of 8:50 P.M.



JOE BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

On the 16th day of August, 2004, the City of Elkhart Council convened into a Special Called Meeting at 5:30 P.M. with the following members present:

Joe Burris	*	Mayor
Garth Moran	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Raymond Dunlap	*	Councilmember
Marion Hortman	*	Councilmember

Council members absent were Philip O'Neal and Wesley Taylor.

A quorum was present to address the agenda items.

Mayor Burris closed the open session of the meeting and declared the council convening into executive session as of 5:31 P.M.

Agenda Item No. Two – Executive Session, Open Meetings Act, Section 551.074, Personnel; Consider Hiring Person (s) for Public Works Department.

Agenda Item No. Two required no action as it was a closed session; discussion only.

Agenda Item No. Three – Open Session; Consider Hiring Person (s) for Public Works Department.

On the 16th day of August, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Marion Hortman to employ Virgil Simpson as a full-time Outside Supervisor at a salary of THREE THOUSAND DOLLARS (\$3,000) per month and to reimburse him for his personal health insurance in the amount of THREE HUNDRED FIFTY-ONE DOLLARS (\$351.00) per month and to hire Brian Simpson for the Public Works Department at an hourly wage of THIRTEEN DOLLARS (\$13.00) per hour with full benefits contingent upon the interpretation of the Nepotism law. Motion Carried.

Agenda Item No. Four – Consider Opening Dead End Section of Oakwood Street And Applying Road Base.

On the 16th day of August, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran for the city to make Oakwood Street a through street and lay road base on the section of street to be opened at an estimated cost of ONE THOUSAND EIGHT HUNDRED DOLLARS (\$1,800). Motion Carried.

Agenda Item No. Five – Adjournment.

On the 16th day of August, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran to adjourn the meeting. Motion Carried.

This Special Called Meeting adjourned as of 7:14 P.M.

ATTEST:


MARGIE CRAWFORD, City Secy


JOE BURRIS, Mayor

001203

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

On the 16th day of August, 2004, the City of Elkhart Council entered into a Budget Workshop at 7:15 P.M. with the following members present:

Joe Burris * Mayor
Garth Moran * Mayor Pro-tem
Margie Crawford * City Secretary
Raymond Dunlap * Councilmember
Marion Hortman * Councilmember

Council members absent were Philip O'Neal and Wesley Taylor.

Agenda Item No. One – To Review and Finalize the city of Elkhart Budget for Fiscal Year of 2004/2005.

City Council reviewed and discussed the totals of the proposed budget for the City of Elkhart's fiscal year of 2004/2005.

Upon completion of review, the council's consensus by motion was to not make any changes to the proposed budget.

On the 16th day of August, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Marion Hortman to accept the proposed budget as is and proceed to a Public Budget Hearing. Motion Carried.

Mayor Burris asked for a motion to adjourn.

On the 16th day of August, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Raymond Dunlap to adjourn the budget workshop. Motion Carried.

This Budget Workshop adjourned as of 7:35 P.M.



JOE BURRIS, Mayor

ATTEST:



MARGIE CRAWFORD, City Secretary

THE STATE OF TEXAS *
COUNTY OF ANDERSON *
CITY OF ELKHART *

On the 13th day of September, 2004, the City of Elkhart Council convened into a regular council meeting with the following members present:

Joe Burris	*	Mayor
Garth Moran	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
Raymond Dunlap	*	Councilmember
Marion Hortman	*	Councilmember
Wesley Taylor	*	Councilmember

Council member absent was Philip O'Neal.

This meeting was called to order by Mayor Burris as of 5:53 P.M.

A quorum being present, the agenda items were addressed as follows:

OLD BUSINESS:

Agenda Item No. One – Consider Reimbursement of Deductible on Insurance Claim; William Humphrey.

On the 13th day of September, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Garth Moran to deny Mr. William Humphrey's request for reimbursement of his FIVE HUNDRED DOLLAR (\$500) deductible required of Mr. Humphrey for filed insurance claim on his house. Motion Carried.

NEW BUSINESS:

Agenda Item No. One – Approve Minutes of August 2nd, 9th, and 16th, 2004.

On the 13th day of September, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Raymond Dunlap to approve and accept the minutes of August 2nd, 9th, and 16th, 2004 as presented. Motion Carried.

Agenda Item No. Two – Approve and Adopt Budget for Fiscal Year of 2004/2005.

On the 13th day of September, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Raymond Dunlap to approve, pass, and adopt the presented City of Elkhart budget for the city's fiscal year of 2004/2005. Motion Carried.

On the 13th day of September, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Raymond Dunlap to amend the previous motion adopting the budget; a motion was made by Councilmember Garth Moran and seconded by Councilmember Raymond Dunlap to approve, pass, and adopt Ordinance No. 223-091304 accepting the budget as presented for city's fiscal year of 2004/2005. Motion Carried.

Agenda Item No. Three – Consider Ordinance Adopting City of Elkhart Property

Tax Rate.

On the 13th day of September, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Marion Hortman to approve, pass, and adopt Ordinance No. 224-091304 implementing a Property Tax Levy and establishing a tax rate for the property tax year of 2004. Motion Carried.

On the 13th day of September, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Marion Hortman to amend the previous motion and to have the motion include the adopted tax rate of 0.2853 per \$100 assessed valuation. Motion Carried.

Agenda Item No. Four – Consider Resolution to Apply for 2005-06 TCDP Assistance.

On the 13th day of September, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Raymond Dunlap to approve, pass, and adopt Resolution No. 251-091304; a resolution authorizing the mayor to act in all matters pertaining to the submitting of a TCDP grant application on behalf of the City of Elkhart and to implement the process of submitting an application for grant funding. Motion Carried.

Agenda Item No. Five – Consider Request for Walk-way Crossing Railroad Tracks; Jim Bob Parker.

On the 13th day of September, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Garth Moran for the city to send a certified letter to Mr. Wood of the Union Pacific Railroad requesting information as to how may the city obtain approval to proceed with the construction of a walk-way to cross the Union Pacific Railroad tracks. Motion Carried.

Agenda Item No. Six – Consider Audit Preparation for City of Elkhart Annual Audit.

On the 13th day of September, 2004, a motion was made by Councilmember Garth Moran and seconded by Councilmember Marion Hortman to retain Staples, Larkin & Associates to do the City of Elkhart's annual audit; fiscal year of 2003/2004. Motion Carried.

Agenda Item No. Seven – Approve Financial Report.

On the 13th day of September, 2004, a motion was made by Councilmember Wesley Taylor and seconded by Councilmember Garth Moran to approve and accept the Financial Report as presented. Motion Carried.

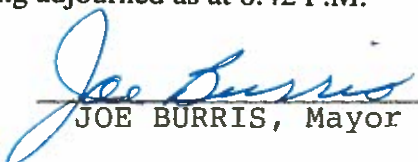
Agenda Item No. Eight – Public Works Supervisor Report.

Public Works Supervisor Virgil Simpson presented his report to the council and upon conclusion Agenda Item No. Nine was addressed.

Agenda Item No. Nine – adjournment.

On the 13th day of September, 2004, a motion was made by Councilmember Marion Hortman and seconded by Councilmember Garth Moran to adjourn the meeting. Motion Carried.

This regular City of Elkhart Council Meeting adjourned as at 6:42 P.M.


JOE BURRIS, Mayor

ATTEST:


MARGIE CRAWFORD, City Secretary