

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the fifth day of January 2015, the City of Elkhart Council convened into a regular council meeting after a brief delay by Mayor Pro Tem Randy McCoy at 6:24 with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Karen Bridges	*	Councilmember
Erroll Tatum	*	Councilmember
Billy Jack Wright	*	Councilmember
Lucia Butler	*	Councilmember
Jan Stuteville	*	City Secretary

A quorum being present, Mayor Raymond Dunlap called the meeting to order at 6:24 pm. Everyone recited the Pledge of Allegiance. Citizens present were recognized: Kelly and Wes Hart, Connie Davis, Cathy Faust, Haley Hoar, William Yonts, Sarah Pegues, Wes Canady, David Barnes, Matt Lyndon, Rebecca Osborne. Citizens requesting to speak were Wes Canady concerning EYAA, Billy Jack Wright concerning employee complaint (denied), and Gregory Champagne concerning bids for Marquee.

Agenda Item One: Consider approving minutes of the December 1, 2014 Regular Council Meeting:

Councilmember Karen Bridges made a motion to accept the minutes of December 1, 2014; Councilmember Erroll Tatum seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Two: Ordinance No. 01052015-An ordinance calling for the City of Elkhart's General and Special Option Election for the Election of Officers to the City of Elkhart Council, (Place 1, 2, and 4 and Mayor); inclusion of Ordinance No. 12012014 (Local Option Election) and use of direct recording electronic voting machines.

Motion was made by Councilmember Lucia Butler to approve Ordinance No. 01052015 as written above. A seconded was made Councilmember Karen Bridges. All council voted 'aye' and the motion carried.

Agenda Item Three: Hear from David Barnes, Owner of Heartland Park and Recreation (Heartland Play), who has prepared a model and quote.

A motion was made by Mayor Pro Tem Randy McCoy to take no action on the playground at this time. The motion was seconded by Karen Bridges, with all voting 'aye', the motion carried.

Agenda Item Four: Discussion of Sewer Tap Fees for property owners on 287, involving the new High School Sewer lines installed by School Contractors.

A motion was made by Councilmember Lucia Butler to delay decisions on Agenda Item Four until consultation with City Attorney, to see if the City can offer incentives to new businesses, such as adjusting the tap fees and other like incentives, to do business in the City Limits of Elkhart. The motion as seconded by Mayor Pro Tem Randy McCoy. With all council voting 'aye', the motion carried.

Agenda Item Five: Consider bids on removal of tree on Gammage Street.

A motion was made by Councilmember Erroll Tatum to accept the bid of \$800.00 for removal of dead tree on Gammage Street. Councilmember Lucia Butler seconded the motion. With all council voting 'aye', the motion carried.

Agenda Item Six: Discuss sewer line replacement, 202 Hwy 287 S., approximately 206' with 6" pipe.

Mayor Pro Tem Randy McCoy made a motion to buy the Pipe at a bid of \$850.00 and complete the project as time permits. Councilmember Lucia Butler seconded the motion. With all voting 'aye', the motion carried.



Councilmember Lucia Butler made a motion to set up the Workshop for Administrative Policy Guideline review for April 13, 2015 at 6:00 p. m. Councilmember Erroll Tatum seconded the motion. Councilmembers Erroll Tatum and Lucia Butler voted 'aye'. Councilmember Billy Jack Wright opposed.

Agenda Item Seven: (Moved up at the request of Mayor Pro Tem Randy McCoy, with no opposition). Memorandum of Understanding; Use of Warning Sirens; There is a need to formulate the responsibilities of Anderson County and the City with respect to the execution of the Mitigation Grant Project.

Councilmember Erroll Tatum made a motion to approve the Memorandum of Understanding between the City of Elkhart and Anderson County. Councilmember Lucia Butler seconded the motion. Councilmembers Erroll Tatum and Lucia Butler voted 'aye', with Councilmember Billy Jack Wright voting against. Motion carried.

Agenda Item Six: Discuss letter from Blake Armstrong, City Attorney, on the easement information provided to him.

After discussion, Councilmember Billy Jack Wright made a motion to take no action on the letter from the Lawyer. Councilmember Erroll Tatum seconded the motion. Councilmembers Billy Jack Wright and Erroll Tatum voted 'aye', with Councilmember Lucia Butler opposing. The motion carried.

Agenda Item Eight: Discuss and Approve Resolution Awarding the Planning and Capacity Building Fund Contract 7214054.

Councilmember Erroll Tatum made a motion to award the Planning and Capacity Building Fund Contract to Grantworks. Councilmember Lucia Butler made a second. Councilmembers Lucia Butler and Erroll Tatum voted 'aye', with Councilmember Billy Jack Wright voting against. The motion carried.

Agenda Item Nine: Discuss and Approve Resolution Designating Signators for the Contractual Documents for requesting Funds Pertaining to the Texas Community Development Block Grant Program Contract 7214054.

Councilmember Lucia Butler made a motion to designate Mayor and City Secretary as Signators for the Contractual Documents for requesting Funds Pertaining to the Texas Community Development Block Grant Program Contract 7214054. Councilmember Erroll Tatum seconded the motion. Councilmembers Lucia Butler and Erroll Tatum voted 'aye', with Councilmember Billy Jack Wright voting against. The motion carried.

Agenda Item Ten: Discuss and Approve Resolution Adopting a Complaint and Grievance Procedure in Compliance with Texas Community Development Block Grant.

Councilmember Lucia Butler made a motion to approve a Resolution Adopting a Complaint and Grievance Procedure in Compliance with Texas Community Development Block Grant 7214054. Councilmember Erroll Tatum made the second. With Councilmembers Erroll Tatum and Lucia Butler voting 'aye', and Councilmember Billy Jack Wright voting against, the motion carried.

Agenda Item Eleven: Discuss and Approve Proclamation of April as Fair Housing Month.

Councilmember Erroll Tatum made a motion to proclaim April as Fair Housing Month. Councilmember Lucia Butler seconded the motion. Councilmembers Lucia Butler and Erroll Tatum voted 'aye'. Councilmember Billy Jack Wright voted against. The motion carried.

Agenda Item Twelve: Discuss and Approve Resolution for Trash off Day to coincide with don't Mess With Texas Trash Off, April 11, 2015.

Councilmember Lucia Butler made a motion to approve Resolution for Trash Off Day in Elkhart to coincide with Don't Mess With Texas Trash Off, April 11, 2015. Councilmember Erroll Tatum seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Thirteen: Discussion and Action on the position of Public Works Supervisor.

Councilmember Billy Jack Wright made a motion to hire within. There being no second, the motion failed. Councilmember Lucia Butler made a motion to post the job opening, for a qualified Public Works Supervisor. Councilmember Erroll Tatum seconded the motion. Councilmembers Lucia Butler and Erroll Tatum voted 'aye', with Councilmember Billy Jack Wright voting against, the motion carried.

Agenda Item Fourteen: Hear from Carla Sheridan, Billing Clerk/Accounts Payable, on the need for updated policies for customers to pay water bills in a timely manner.

Carla Sheridan brought forth information concerning water bills and the need for updated policies, based on the amount of money Waterworks is losing due to the amount of time we allow customers to go without paying their water bills and rental customers walking out on two months of usage. With all the information to absorb, the item will be brought back to the next council meeting.

Agenda Item Fifteen: Discussion and Action on using Purchase Orders for any expense over \$25.00.

After discussion, Councilmember Lucia Butler made a motion to start using Purchase Orders for any purchase over \$25.00 by all staff, including the EYAA and the Elkhart Volunteer Fire Department (informing the latter two by certified mail). Councilmember Erroll Tatum seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Sixteen: Hear reports from Mayor/Mayor Pro Tem, City Secretary, Public Works Supervisor, Code Enforcement, Emergency Management, and Keep Elkhart Beautiful.

All reports were heard.

Agenda Item Seventeen: Discuss and Approve Financial Reports ending March 31, 2015.

Councilmember Lucia Butler made a motion to accept the Financial Reports after discussion and clarification of questioned expenditures. Councilmember Billy Jack Wright seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Eighteen: Adjournment.

Councilmember Billy Jack Wright made a motion to adjourn the meeting at 11:35. Councilmember Erroll Tatum seconded the motion, with all voting 'aye', the motion carried.



Mayor Pro Tem Randy McCoy

ATTEST:



Jan Stuteville, City Secretary



THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the second day of February 2015, the City of Elkhart Council convened into a regular council meeting at 6:00 p.m. with the following members present:

Raymond Dunlap	*	Mayor
Randy McCoy	*	Mayor Pro-tem
Karen Bridges	*	Councilmember
Erroll Tatum	*	Councilmember
Billy Jack Wright	*	Councilmember
Lucia Butler	*	Councilmember
Jan Stuteville	*	City Secretary

A quorum being present, Mayor Raymond Dunlap called the meeting to order at 6:00 p.m. Everyone recited the Pledge of Allegiance. Citizens present were recognized: Sarah Pegues, Haley Hoar, Connie Davis, Helen Gordon, Mike Gordon, Beverly Anderson, Jason Sobel, Matt Lyndon, Rebecca Osborne.

With no one wishing to speak the meeting progressed.

Agenda Item One: Consider approving the minutes of the Regular Meeting of January 5, 2015.

Councilmember Erroll Tatum made a motion to accept the minutes with the correction of Place 2. Councilmember Karen Bridges made a second to the motion and with all voting "aye" the motion passed.

Agenda Item Two: Hear from Regions Bank, Jason Sobel, concerning refinancing of bond monies.

Jason Sobel present a 2.1% bond refinance, with savings for the City. Councilmember Lucia Butler made a motion to refinance the bond loan of \$560,000.00 with Regions Bank at a fixed rate of 2.1%. Councilmember Karen Bridges seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Three: Hear from Kim Johnson, Auditor, concerning October 1, 2013 through September 30, 2014 Audit.

Kim Johnson, partner in the firm Todd, Hamaker & Johnson, LLP present the audit and findings on Audit of the City of Elkhart and Single Audit due to the amount of grant monies spent during audited fiscal year. Councilmember Erroll Tatum made a motion to accept the audit as presented with recommendations. Councilmember Lucia Butler seconded the motion. All council voted 'aye' and the motion carried.

Agenda Item Four: Hear from Resident Beverly Anderson concerning speeding on Main St. and the need for Speed Bumps.

Councilmember Karen Bridges made a motion to take no action on this item until a signed petition from the residents is presented to the City. The motion was seconded by Councilmember Lucia Butler. With all council voting 'aye', the motion carried.

Agenda Item Five: Discuss Early Voting Box location and access.

After discussion of who, how and where the Voting Box is located and protected during Early Voting, Councilmember Billy Jack Wright made a motion to have the combination of the Vault where the Early Voting Box is kept changed and to have the first early voter everyday take off the seal and sign to that effect. Mayor Pro Tem Randy McCoy seconded the motion, and with all council voting 'aye', the motion carried.

Agenda Item Six: Discuss Jones Road repair and received bids.

After discussion, a motion was made by Councilmember Erroll Tatum to obtain bids for just 1/2 of the road from the West End (Hemby to Woodcrest St.). The motion was seconded by Councilmember Lucia Butler. With all council voting 'aye', the motion passed.



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Agenda Item Seven: Discuss replacing Flow Chart Recorder.

W. L. Lewis informed the council concerning cost of replacement and having it replaced. A motion was made by Councilmember Erroll Tatum to purchase the Flow Chart Recorder from Daniels for \$2,500.00. The motion was seconded by Councilmember Lucia Butler. The motion passed with all council voting 'aye'.

Agenda Item Eight: Discuss purchasing load of Cold Mix for \$1,400.00.

Councilmember Erroll Tatum made a motion to purchase Cold Mix at a cost of \$1,400 a load. The motion was seconded by Councilmember Karen Bridges. The motion was passed with all council voting 'aye'.

Agenda Item Nine: Discuss Amended Ordinance 213-050701 A.

A motion was made by Councilmember Lucia Butler to approve Ordinance 213-050701 A, with corrections, (delete Section 2, B). The motion was seconded by Mayor Pro Tem Randy McCoy. Councilmembers voting 'aye' were Lucia Butler, Randy McCoy, Karen Bridges, and Erroll Tatum. Councilmember Billy Jack Wright voted against. With a majority for the motion passed.

Agenda Item Ten: Discussion/Action on Ordinance 02022015.

Mayor Pro Tem Randy McCoy made a motion, after discussion, to bring this item back to the council with a clearer understanding of the rules and regulations of making reasonable rules for an agenda. Councilmember Billy Jack Wright seconded the motion. All councilmembers voted 'aye' and the motion carried.

Agenda Item Eleven: Discuss changing Council Meetings to twice a month. Resolution No. 272-03302015A.

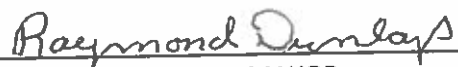
Councilmember Erroll Tatum made a motion to approve Resolution No 272-0330215A to change council meetings to the first and third Monday of every month, at 6:00 p.m. The motion was seconded by Councilmember Lucia Butler. Councilmembers Karen Bridges, Erroll Tatum and Lucia Butler, along with Mayor Pro Tem Randy McCoy voted for the change. Councilmember Billy Jack Wright voted against. With a majority for the change, the motion carried.

Agenda Item Twelve: Financial reports for January, 2015.

Councilmember Lucia Butler made a motion to accept the financial reports, with the exception of check #10550 for \$850.00 to Stanley Tree Service, when the amount approved was \$800.00. Mayor Pro Tem Randy McCoy seconded the motion. With all council voting 'aye', the motion carried.

Agenda Item Thirteen: Adjournment.

Councilmember Lucia Butler made a motion to adjourn. The motion was seconded by Karen Bridges, and with all council voting 'aye', the motion passed. 8:30 p.m.


RAYMOND DUNLAP, MAYOR

ATTEST:


Jan Stuteville, City Secretary



THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the twelve day of February 2015, the City of Elkhart Council convened into a regular council meeting at 6:00 p.m. with the following members present:

| | | |
|-------------------|---|----------------|
| Randy McCoy | * | Mayor Pro-tem |
| Karen Bridges | * | Councilmember |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Lucia Butler | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 5:54 p.m. With no one wishing to speak the meeting progressed.

Agenda Item One: Discuss borrowing from the General Fund to make payment on the Bond due February 15, 2015.

After discussion of monies needed and monies available, Councilmember Lucia Butler made a motion to use \$35,000.00 from the Water/Sewer/Garbage fund, \$8,000 from the Debt Service (Bond) Fund, and borrow monies from the General Fund in the amount of \$71,969.76. Councilmember Karen Bridges seconded the motion. All present voted "aye". The motion carried.

Agenda Item Two: Adjournment.

Councilmember Lucia Butler made the motion to adjourn, with Councilmember Karen Bridges making a second. All present voted "aye" and the motion carried. Adjourn at 6:48 p.m.


RANDY MCCOY, MAYOR PRO TEM

ATTEST:


Jan Stuteville, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the seventeenth day of February 2015, the City of Elkhart Council convened into regular council meeting at 6:00 p. m. with the following members present:

| | | |
|-------------------|---|----------------|
| Randy McCoy | * | Mayor Pro-Tem |
| Karen Bridges | * | Councilmember |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Lucia Butler | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 6:03 p.m. Everyone recited the Pledge of Allegiance. Mayor Pro Tem Randy McCoy read a letter from Mayor Raymond Dunlap concerning Mayor Dunlap's medical leave. Citizens present were recognized: Rebecca Osborne, Matt Lyndon, Mike Gordon, James Stover, Rick and Kay Marsh, Pat Burke, Beverly Anderson, Connie Davis, Richard Cole, James Sheridan, Geri Lynn Wright, Haley Hoar, Sarah Pegues, Helen Gordon, Wes Canaday, Cathy Faust, Kelly Hart, Wes Hart, Jennifer DeFreece.

Rick Marsh spoke on his high water bill and the smell of the water. Pat Burke spoke on her high water bill. Beverly Anderson spoke on requesting ordinance information. James Sheridan asked about information concerning the water tap at the home of City employee Gregg Lewis. With no one else wanting to speak the meeting progressed

Agenda Item One: Minutes of the February 2, 2015 Council Meeting; and February 12, 2015 Called Meeting of the Council.

A motion was made by Councilmember Lucia Butler, seconded by Councilmember Karen Bridges to accept the minutes of the February 2, 2015 Council Meeting and the Special Council Meeting of February 12, 2015, as written. All council voted 'aye', and the motion carried.

Agenda Item Two: Hear from Wes Canady with EYAA (Elkhart Youth Athletic Association).

After discussion by Wes Canaday and Jennifer DeFreece, Councilmember Lucia Butler made a motion to allow the EYAA to cover the dug outs and to form a committee with Councilmember Erroll Tatum, Gregg Lewis and someone from the EYAA (Elkhart Youth Athletic Association) to look at the Park Master Plan and coordinate for installation of Batting Cages, and future plans of both the Park and the Athletic Association. Councilmember Karen Bridges seconded the motion. Mayor Pro Tem Randy McCoy, Councilmember Lucia Butler and Karen Bridges all voted 'aye'. Councilmember Billy Jack Wright voted against the motion. A majority voted 'aye', the motion passed.

Agenda Item Three: Discuss and approve Ordinance 215-0217205: "An Ordinance authorizing the issuance of "City of Elkhart, Texas, General Obligation Refunding Bonds, Series 2015", specifying the terms and features of said bonds; providing for the payment of said bonds by the levy of an Ad Valorem Tax upon all taxable property within the city; and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of said bonds, including the approval and execution of a paying agent/registrar agreement; and providing for an effective date.

James D. Stover, Lawyer, spoke to the council concerning steps to be taken to complete the ordinance. A motion was made by Councilmember Lucia Butler, to sign the 'Notice of Redemption' and to hire Skelton, Slusher, Barnhill, Watkins, Wells, LLPC as Bond Counsel. The motion was seconded by Councilmember Karen Bridges. All councilmembers voted 'aye' and the motion carried.



Agenda Item Four: Discussion of Highway (City) Sign on corner of Hwy 294/287.

After H&S Graphic presented a new sign, with the same dimensions, with a simpler design at a more affordable price, Councilmember Billy Jack Wright made a motion to construct the City Sign at 100 287 N. at a cost of \$5454.02, by H&S Graphics, 16' X 14', to accommodate 10 signs which will be sold by the city for advertising. Councilmember Lucia Butler seconded the motion. All councilmembers voted 'aye', the motion carried.

Agenda Item Five: Discuss Pump (Grinder) for new business on Hwy. 287 N, Rebecca Osborne, Owner.

After extensive discussion, Councilmember Billy Jack Wright made a motion to hire George Bartee at a cost of \$2,300.00 bring a track hoe to this location to hook this business up to our sewer as required, amending it to include the 'first' available and least expensive. Councilmember Karen Bridges made a second to the motion. The council all voted 'aye' and the motion carried.

Agenda Item Six: Discuss paving of half of Jones Road, two bids received.

Councilmember Lucia Butler made a motion to go with the bid by Boswell Asphalt for the bid amount of \$23,500, with the City making the purchase of the mix. Councilmember Erroll Tatum seconded the motion. All councilmembers voted 'aye'.

Agenda Item Nine (Moved to above Item Seven): Hear from Richard Cole, Son of resident Maida Cole, concerning back up in her home.

Councilmember Lucia Butler made a motion that the Council not pay the Insurance Deductible. Councilmember Lucia Butler rescinded her motion. Councilmember Erroll Tatum made a motion to contact the City Attorney concerning this matter. Councilmember Karen Bridges made a second. Mayor Pro Tem Randy McCoy, Councilmembers Karen Bridges and Erroll Tatum, voted yes. Councilmember Billy Jack Wright and Councilmember Lucia Butler voted no. With three yes votes, the motion carried. Mr. Cole asked to be put back on the next agenda.

Agenda Item Seven: Discuss new account through City of Elkhart for donations to Keep Elkhart Beautiful and the Park fund (for donors who want or need tax deductions).

Councilmember Lucia Butler made a motion to transfer funds or rename account with the City of Elkhart, and making sure all transactions were brought before the City Council. The motion was seconded by Councilmember Karen Bridges. Mayor Pro Tem Randy McCoy, Councilmembers Karen Bridges and Lucia Butler voted 'aye'. Councilmember Erroll Tatum abstained. Councilmember Billy Jack Wright opposed. The motion carried.

Agenda Item Eight: Hear from Business Owner Ron Armstrong, The Warehouse, concerning water under and in his business.

No action was taken due to Mr. Armstrong not being able to attend.

Agenda Item Ten: Reports to be heard. Reports were heard from the Public Works Department.


Agenda Item Eleven: Adjournment.

Councilmember Lucia Butler made a motion to adjourn at 9:45. Councilmember Karen Bridges seconded the motion. The motion carried.



Mayor Pro Tem Randy McCoy

ATTEST:


Jan Stuteville, City Secretary



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THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the second day of March 2015, the City of Elkhart Council convened into a regular council meeting at 6:05 p.m. with the following members present:

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|-------------------|---|----------------|
| Randy McCoy | * | Mayor Pro-tem |
| Karen Bridges | * | Councilmember |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Lucia Butler | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 6:05 p.m. Everyone recited the Pledge of Allegiance. Citizens present were recognized: Haley Hoar, Beverly Anderson, Pat Burke, John D. Stover, Connie Davis, Hudson Thomas, Geri Lynn Wright, Dollye Jeffus, Helen Gordon, Mike Gordon, Richard Cole, Tracy Hicks, Linda Martin, and Eddy Martin. The council heard from Beverly Anderson concerning fund raising for Keep Elkhart Beautiful, Pat Burke concerning her water bill, and Chris Sheridan concerning employees.

Agenda Item One: Consider approving the minutes of the Regular Meeting of February 17, 2015 Council Meeting.

Councilmember Karen Bridges made a motion to accept the minutes as written. Councilmember Erroll Tatum made a second to the motion. Councilmembers Karen Bridges, Erroll Tatum and Lucia Butler voted 'aye', with Councilmember Billy Jack Wright opposing the minutes. The motion carried with most voting 'aye'.

Agenda Item Two: Discuss and approve Ordinance 215-02172015 "An ordinance authorizing the issuance of "City of Elkhart, Texas, General Obligation Refunding Bonds, Series 2015", specifying the terms and features of said bonds; providing for the payment of said bonds by the levy of an Ad Valorem Tax upon all taxable property within the city; and resolving other matters incident and relating to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a paying agent/registrar agreement; and providing for an effective date.

Councilmember Erroll Tatum made a motion to accept Ordinance 215-02172105 as written for refinance the bond monies. Councilmember Karen Bridges seconded the motion. All councilmembers voted 'aye', the motion carried.

Agenda Item Three: Tracy Hicks, City Engineer, to discuss Reliable Lift Station.

Mr. Hicks brought forth information to correct the Reliable Lift Station problems and suggested the information and costs be considered for next year's budget. No action was taken at this time.

Agenda Item Four: Tracy Hicks, City Engineer, to discuss modifications to the Newsome Well Rehabilitation Project.

With the input from the current owner of the property located by Newsome Well, Mr. Hicks provided information on ways to work with the current property owner and cost consideration for the City. No action was taken at this time, as the work needed to progress with the rehabilitation and the City will consider options at a later date.

Agenda Item Five: Discuss Rick Marsh's water usage and bill for February 10, 2015.

Resident Rick Marsh spoke to the council concerning his water bill. The city informed him of the once a year adjustment made to his account due to high usage, possible leak during the month of January. After discussion with the resident and there being no further action to take the council went on to the next item.

Agenda Item Six: Discuss Maida Cole's Sewage Backup in her residence.

Richard Cole, Maida Cole's son was present at the meeting. Mayor Pro Tem informed Mr. Cole of the information he had obtained from the city attorney and discussion with the outside workers. Councilmember Billy Jack Wright made a motion to pay the insurance deductible of \$1,250.00 to Mrs. Cole. The motion was seconded by Councilmember Erroll Tatum. With all council voting 'aye', the motion passed.

Agenda Item Seven: Discuss additional speed bumps for Main Street.



After hearing information from Beverly Anderson and taking the petition signed into consideration, Councilmember Erroll Tatum made a motion to purchase one more set of speed bumps (a total of three) for Main Street and would visit the situation in the future if needed. Councilmember Billy Jack Wright seconded the motion. With all council voting 'aye', the motion passed.

Agenda Item Eight: Discuss Water Tap installation at for Gregg Lewis completed in April 2012.

After much discussion concerning the installation of water lines, easements, etc., concerning the water to Mr. Lewis' Property, at the suggestion of Mayor Pro Tem Randy McCoy, the item will be placed on the agenda on March 16, 2015 as an Executive Session Item. There was a consensus of the council.

At the request of several councilmembers, a break was taken. The council reconvened at 8:42 p.m.

Agenda Item Nine: Discuss and approve Keep Elkhart Beautiful dues to Keep Texas Beautiful.

A motion was made by Councilmember Karen Bridges for Keep Elkhart Beautiful to pay the \$100.00 membership dues to Keep Texas Beautiful out of KEB's fund. The motion was seconded by Councilmember Lucia Butler. With all voting 'aye', the motion passed.

Agenda Item Ten: Discuss Asphalt paving on North Church Street by Elementary School; North Main, small strip on the west side of the road; Fire Station, west end parking; Hortman at Main Street; Oakwood and Ridgewood Streets.

A motion was made by Councilmember Billy Jack Wright to bring Agenda Item Ten back to the council at the first April council meeting. Councilmember Lucia Butler seconded the motion. With all council voting 'aye', the motion passed.

Agenda Item Eleven: Discuss replacement of Milltronics HydroRanger to allow auto valve for chlorination. Current unit is 21 years old and causing interference problems.

After discussion and cost, a motion was made by Councilmember Lucia Butler to purchase and install Milltronics HydroRanger at a cost of \$3,500.00. The motion was seconded by Councilmember Erroll Tatum. With all council voting 'aye', the motion passed.

Agenda Item Twelve: Discuss and approve Ordinance No 213-050701 A: An ordinance amending Ordinance No. 213-050701; Creating and implementing policy for the installation of Backflow Preventer(s) for new construction and/or existing sewer lines and requirements for installation of new or replacement sewer lines.

Councilmember Erroll Tatum made a motion to approve Ordinance 213-050701 A, with corrections of 3' inch minimum pipe. Councilmember Lucia Butler seconded the motion. With all council voting 'aye', the motion passed.

Agenda Item Thirteen: Discuss Financial Reports of February 27, 2015.

After discussion of the Financial Reports provided, Councilmember Lucia Butler made a motion to accept the reports. The motion was seconded by Councilmember Karen Bridges. With all council voting 'aye', the motion carried.

Agenda Item Fourteen: Discuss moving the Council Meetings to a larger location.

After discussion, Councilmember Billy Jack Wright made a motion to no action on this item, and remove it from the agenda. Councilmember Erroll Tatum seconded the motion. With all council voting 'aye', the motion passed.

Agenda Item Fifteen: Hear reports from Mayor Pro Tem, City Secretary, Public Works, Code Enforcement, Emergency Management, and Keep Elkhart Beautiful.

Reports were given.

Agenda Item Sixteen: Adjournment.

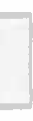
Councilmember Billy Jack Wright made a motion to adjourn. Councilmember Erroll Tatum seconded the motion. With all council voting 'aye', the motion passed and the meeting was adjourned at 10: 25 p.m.

Mayor Pro Tem Randy McCoy

ATTEST:


Jan Stuteville, City Secretary

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THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

On the thirtieth day of March 2015, the City of Elkhart Council convened into a called council meeting at 5:30 p.m. with the following members present:

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|-------------------|---|----------------|
| Randy McCoy | * | Mayor Pro-tem |
| Karen Bridges | * | Councilmember |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Lucia Butler | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 5:30 p.m Citizens present were Beverly Anderson and Mike Gordon.

Agenda Item One: Consider Texas Parks & Wildlife Department Recreation Grant.

After discussion of the the application for the TPWD Recreation Grant, a motion was made by Councilmember Lucia Butler to apply for this grant. The motion was seconded by Councilmember Karen Bridges. Members Lucia Butler, Karen Bridges, Erroll Tatum and Mayor Pro Tem Randy McCoy voted 'aye'. Councilmember Billy Jack Wright voted against. The majority voting 'aye', the motion carried.

Agenda Item Two: Discussion and approval of Resolution 03302015-P, Authorizing the filing of a grant application with the Texas Parks and Wildlife Department, Recreation Grant Branch, Authorizing the Mayor to act on behalf of the City of Elkhart and Keep Elkhart Beautiful in all matters related to the application, etc.

After reading and discussion of the Resolution, Councilmember Karen Bridges made a motion to accept the Resolution as read. Councilmember Erroll Tatum seconded the motion. Members Karen Bridges, Lucia Butler, Erroll Tatum and Mayor Pro Tem Randy McCoy voted 'aye'. Councilmember Billy Jack Wright voted against. The majority voted 'aye', the motion carried.

Agenda Item Three: Adjournment.

Councilmember Lucia Butler made a motion to adjourn. The motion was seconded by Councilmember Karen Bridges. With all members voting 'aye', the motion carried.


Mayor Pro Tem Randy McCoy

ATTEST:

Jan Stuteville, City Secretary

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the sixteenth day of March 2015, the City of Elkhart Council convened into a regular council meeting at 6:05 p.m. with the following members present:

| | | |
|-------------------|---|----------------|
| Randy McCoy | * | Mayor Pro-tem |
| Karen Bridges | * | Councilmember |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Lucia Butler | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 6:05 p.m. Everyone recited the Pledge of Allegiance. Citizens present were recognized: Elaine Lewis, Haley Hoar, Beverly Anderson, Geri Lynn Wright, Mike Gordon, and Pat Burke. Elaine Lewis spoke on behalf of Gregg Lewis; Beverly Anderson spoke on ordinances, where and when are meetings and how are they posted and how often are we audited; and Pat Burke spoke on conditions of the roads.

Agenda Item One: Consider approving the minutes of the Regular Meeting of March 16, 2015 Council Meeting.

Councilmember Karen Bridges made a motion to accept the minutes as written with three corrections. Councilmember Billy Jack Wright made a second to the motion. With all council voting 'aye', the motion carried.

Agenda Item Two: Discuss and take action on creating/changing or reviewing an Ordinance regarding city employees/city equipment used on private property or public property not owned by the City of Elkhart.

Discussion included contacting TML attorney, possibly talking with Jeff Lyons of Palestine. Motion was made by Councilmember Billy Jack Wright to bring the Ordinance regarding private and public property regarding the City's equipment and employees back at a later date. The motion was seconded by Councilmember Karen Bridges. All councilmembers voted 'aye' and the motion carried.

Agenda Item Three: Discuss and take action on the naming of the City Park Street.

The item will be brought back to the council for naming after the city has made the street official with an existing address, in a motion by Councilmember Erroll Tatum, seconded by Councilmember Billy Jack Wright. With all councilmembers voting 'aye', the motion carried.

Agenda Item Four: Executive Session; Open Meetings Act, Section 551-074, Personnel.

Council went into Executive Session to discuss a.) Consider Water Tap and actions to be taken concerning water tap on Hwy. 294, on property owned by the Lewis', b.) Resignation of Public Works Supervisor.

Agenda Item Five: Reconvene into Open Session at 8:07 p.m.; Executive Session; Open Meetings Act, Section 551-074, Personnel

- A. A motion was made by Billy Jack Wright to have City Attorney review Dolittle/Lewis waterline easement and verify if this is or is not legal and/or up-to-date. If the easement is deemed to be illegal or there is no easement, the information needs to be further discussed at Council or the monies spent need to be repaid. There was no second.

Councilmember Lucia Butler made a motion to send the paperwork to the City Attorney to see if this is legal today in 2015. Amend the motion to have the easement between the Mitchell's and Dolittle's, passing down through different owners, looked over by the City Attorney, and to see if this is legal or not. Councilmember Karen Bridges made a second to the motion. With all voting 'aye', the motion carried.

- B. A motion was made by Councilmember Billy Jack Wright to accept the resignation of the Public Works Supervisor. Councilmember Lucia Butler seconded the motion. All council voted 'aye'.

Agenda Item Six: Discussion and Action on Profit and Loss Statements for month ending February 28, 2015.

Councilmember Lucia Butler made a motion to take no action on this item at this time.
Councilmember Karen Bridges seconded the motion. All voted 'aye', and the motion carried.

Agenda Item Seven: Hear reports from Mayor/Mayor Pro Tem, City Secretary, Public Works Supervisor, Code Enforcement, Emergency Management, and Keep Elkhart Beautiful.

The council heard reports from all departments. This was for discussion only and no action was taken.

Agenda Item Eight: Adjournment.

Councilmember Billy Jack Wright made a motion to adjourn. Councilmember Karen Bridges seconded the motion. With all voting 'aye' the motion passed.



Mayor Pro Tem Randy McCoy

ATTEST:


Jan Stuteville, City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the sixth day of April 2015, the City of Elkhart Council convened into a regular council meeting at 6:05 p.m. with the following members present:

| | | |
|-------------------|---|----------------|
| Randy McCoy | * | Mayor Pro-tem |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Lucia Butler | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 6:00 p.m. All present, recited the pledge of allegiance. Citizens present were Gregory S. Champagne, Connie Davis, Kelly Hart, Haley Hoar, J. Wes Canaday, Carl Hallmark, Miranda Harris, Edward Cain, William Yonts, Geri Lynn Wright, James Sheridan. Gregory Champagne talked to the council about buying the used playground equipment purchased by Keep Elkhart Beautiful in 2014.

Agenda Item One: Discuss and approve the minutes from the March 16, 2015 Regular Council Meeting. Discuss and approve the minutes from the March 30, 2015 Called Council Meeting.

After discussion of the minutes, Councilmember Lucia Butler made a motion to accept the minutes of the March 16, 2015 Meeting and the minutes of the called Council meeting of March 30, 2015. Councilmember Erroll Tatum seconded the motion. With all council voting 'aye' the motion passed.

Agenda Item Two: Hear from Wes Canaday on the EYAA program.

A. Discuss and approve location and the building of Batting Cages and installation of Grill.

After discussion, Councilmember Lucia Butler made a motion to approve the installation of the batting cages as described by Mr. Canaday. Councilmember Erroll Tatum seconded the motion. With all councilmembers voting 'aye', the motion carried.

After the EYAA board brought insurance and safety instructions for the Grill and the approval for its installation would be further discussed.

B. Discuss and approve Parking Lot repair/installation (Ditch/Culvert/Rock).

The board requested that EYAA and Keep Elkhart Beautiful contact Heartland Play and discuss the installation of the parking lot and how these fixes will work with our master plan for the Elkhart City Park.

C. Discuss and approve the water line repair.

Mr. Canaday informed the board the leak had been found and repaired. No action was needed.

Agenda Item Three: Hear presentation on current market conditions of electricity and nature gas from Edward Adair, Traditions Energy. Consider taking action to appoint one or two board members or City Secretary to review pricing and execute electricity contract with the winning supplier on behalf of the City of Elkhart.

After hearing from Mr. Adair, Councilmember Billy Jack Wright made a motion to let the volunteers; Billy Jack Wright and Lucia Butler approve and execute the contract with Traditions Energy. Councilmember Lucia Butler seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Four: Discussion of completed "Welcome to Elkhart" sign on Highway; Discuss and take action on how to sell spaces on the sign. Discuss removal of the cedar tree blocking the view.

After discussion of the sign, Councilmember Erroll Tatum made a motion to request Kelly Hart of H&S Graphics to create a sign stating "Rent from City Hall, 903-764-5657", and sell them on first come first serve basis, renewing each year. Councilmember Lucia Butler seconded the motion. With all voting 'aye', the motion carried.

Councilmember Erroll Tatum also made a motion to gather bids for the removal of the Cedar tree that is obstructing the view. Councilmember Lucia Butler seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Five: Discussion of Administrative Policy Guideline updates, and plan a workshop for completing the changes.

After discussion, Councilmember Billy Jack Wright made a motion to begin the Amend the Administrative Policy Guideline Workshop in August, 2015. There being no second to the motion, the motion fails.

Agenda Item Seven: Discuss paving estimates for Jones Road.

Councilmember Lucia Butler made a motion to take no action at this time based on the fact we had no bids. Mayor Pro Tem Randy McCoy seconded the motion. With all voting 'aye', the motion carried.

The Council Meeting was postponed at this time as Councilmember Billy Jack Wright excused himself from the meeting. When Councilmember Billy Jack Wright returned, the council meeting continued.

Agenda Item Eight: Discussion and approval of asphalt repairs at Hawthorn, Woodcrest, Jones, Oakcrest, 294 W, and Fire Station.

Mayor Pro Tem Randy McCoy made a motion to accept the low bid by Boswell Asphalt at \$3000.00. The motion was seconded by Councilmember Erroll Tatum. With all council voting 'aye', the motion carried.

Agenda Item Nine: Discuss amending Ordinance No. 213-050701, Sewer Backflow Devices and Cut Off valves.

A motion was made by Councilmember Lucia Butler to delay Agenda Item Nine until February Council meeting or Special Called Meeting. The motion as seconded by Mayor Pro Tem Randy McCoy. With all voting 'aye', the motion carried.

Agenda Item Ten: Discuss Grease Ordinance No. 255-091409; Charging fees for Sewer Inspections and Fees for Customer Service Inspections.

A motion was made by Councilmember Karen Bridges for City Secretary to research and find copies of signed Ordinance 255-091409, and review with current information provided by Gregg Lewis. The motion was seconded by Mayor Pro Tem Randy McCoy. With all voting 'aye' the motion carried.

Agenda Item Eleven: Review and approve estimate to Plug Day Well.

After discussion with the Council concerning Day Well and the cost, Mayor Pro Tem Randy McCoy made a motion to contact Engineer Tracy Hicks and discuss the bid and his ideas on the Day Well. The motion was seconded by Councilmember Erroll Tatum. The motion carried with all voting 'aye'.

Agenda Item Twelve: Executive Session; Open Meetings Act, Section 551.074: Personnel. Consider and discuss employment with Public Works Supervisor, William G. Lewis.

Council went into Executive Session at 8:50 p.m.

Agenda Item Thirteen: Reconvene into Open Session; 10:40 p.m. Executive Session; Open Meetings Act, Section 551.074: Personnel.

Councilmember Erroll Tatum made a motion to initiate following procedures:

1. Staff is to understand that Gregg Lewis is the Supervisor. Staff is to follow his lead and instructions.
2. Each and every employee will show mutual respect for each other.
3. BJ Perry is second in command and will be in charge when and if Gregg is unavailable and the Council depends on him for this
4. Cooperation among employees, a high degree of cooperation is expected.
5. There will be write up on complaints and problems. After three write ups per employee, the employee will come before the council, and this could result in 3 day suspension without pay and/or further action if necessary.
6. Gregg Lewis will be in the field more.
7. If problems in the field arise, Gregg Lewis will be paged to attend or instruct to solve the problem.

Councilmember Lucia Butler seconded the motion, and with all voting 'aye', the motion carried.

Agenda Item Fourteen: Consider the Financial Analysis.

After discussion, a motion was made by Councilmember Lucia Butler to accept the financial analysis. The motion was seconded by Councilmember Karen Bridges. The motion carried.



Agenda Item Fifteen: Reports were heard: Mayor, City Secretary, Public Works, Code Enforcement, Emergency Management Coordinator, and Keep Elkhart Beautiful.

Agenda Item Sixteen: Adjournment.

A motion was made by Councilmember Karen Bridges, seconded by Councilmember Lucia Butler seconded the motion, to adjourn the meeting. The motion carried with all voting 'aye'. 11:11 p.m.

Raymond Dunlap
Raymond Dunlap, Mayor

Attest:

Janice Shorter

2011年12月14日

2011年12月14日



THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the twentieth day of April 2015, the City of Elkhart Council convened into a regular council meeting at 6:02 p.m. with the following members present:

| | | |
|-------------------|---|----------------|
| Randy McCoy | * | Mayor Pro-tem |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Lucia Butler | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 6:02 p.m. Everyone recited the Pledge of Allegiance. Citizens present were recognized: Beverly Anderson, Connie Davis, Haley Hoar, Pat Burke, Geri Lynn Wright, William Yonts, Wes Canaday, Troy Dancer, Donald Mosley. Beverly Anderson thanked the council for installing the speed bumps in a fast and timely manner. She also reminded the council she has asked some questions and was told she would receive a letter from the City Secretary and she wanted to remind them she had not received such at this time. Donald Mosley spoke to the council concerning the need for drainage ditches in the area, especially his address of 111 Woodcrest, to be cleaned out and reworked. He had previously talked to Mr. Perry, and was pleased with Mr. Perry's response, if he could get to his ditches soon.

Agenda Item One: Approve minutes of the April 6, 2015 Council Meeting.

Councilmember Billy Jack Wright made a motion to accept the minutes of the April 6, 2015 Council Meeting. The motion was seconded by Councilmember Erroll Tatum. With all voting 'aye', the motion carried.

Agenda Item Two: Discuss and Approve selling playground equipment bought in 2014 by Keep Elkhart Beautiful to Gregory Champagne.

Councilmember Lucia Butler made a motion to sell the playground equipment bought in 2014 by Keep Elkhart Beautiful to Gregory Champagne for the amount of \$500.00. Councilmember Erroll Tatum seconded the motion. With all council voting 'aye', the motion carried.

Agenda Item Three: Hear from Wes Canaday on the EYAA program:

A. Installation of Grills: Mr. Canaday indicated the Grill would be enclosed in a chain linked fence. The other question was insurance, and he would get back to us with that information.

B. Discuss and Approve parking lot repair/renovation (ditch/culvert/rock).
Wes Canaday indicated he had talked with Heartland Play and the improvement EYAA wants to do, along with his batting cages, would not affect the master plan of the park by Heartland Play. After discussion, the idea of contacting the Anderson County Barn, Precinct 1, with assistance or use of their equipment was discussed and Mr. Canaday stated he would get in contact with Greg Chapin concerning this improvement. Mr. Canaday stated a citizen offered tons of dirt to work on this and he would check with Mr. Chapin to make sure it would work.

Mr. Canaday also informed the council concerning opening day, plans for parade, Opening ceremonies, and games beginning at 10:00 a.m. on May 9, 2015. The problem of parking was discussed asking EYAA to encourage the families to not park on Hwy 294.

Agenda Item Four: Hear from Residents Mr. & Mrs. Eddy Martin concerning question they have regarding Finances, Bonds, Morale, and Writing Ordinances.

The family did not come to the meeting. Therefore Item Four was removed.

Agenda Item Five: Hear from Councilmember Billy Jack Wright on the signing of contract with Traditions Energy via Constellation NewEnergy, Inc.

Councilmember Billy Jack Wright informed the council of the signing of the contract with Mr. Adair with Traditions Energy via Constellation NewEnergy, Inc. The contract was signed at 0.045026 per KWH, beginning June 7, 2016 through June 6, 2020. Mayor Pro Tem Randy McCoy thanked the committee for their work.

Agenda Item Six: Discuss and Approve contract with Businesses who want to sign up for advertising on the "Welcome to Elkhart" sign on Hwy 287.

After review of the Lease Agreement, with changes, Councilmember Lucia Butler made a motion to approve the Lease Agreement with changes. Councilmember Erroll Tatum seconded the motion. Councilmember Billy Jack Wright opposed. The motion carried with two for and one against.

Agenda Item Nine (Moved by council approval): Discuss and Review invoices from Elkhart Volunteer Fire Department's Electrical work/improvements.

The invoices of the EVFD from Elliott's and Troy Dancer were reviewed, due to the fact the city was not informed of the upcoming expense. The council discussed how to stop this from happening. Councilmember Lucia Butler made a motion to pay the bills with the understanding to the EVFD that no bills

| 1950-1951 | | | | 1952-1953 | | | |
|-----------|------|------|------|-----------|------|------|------|
| Year | Area | Pop. | Area | Year | Area | Pop. | Area |
| 1950 | 11.2 | 1.1 | 11.2 | 1952 | 11.2 | 1.1 | 11.2 |
| 1951 | 11.2 | 1.1 | 11.2 | 1953 | 11.2 | 1.1 | 11.2 |

will be paid without a P.O. number or brought to the council if the expenditure was over \$500.00. Councilmember Erroll Tatum seconded the motion. Councilmembers Butler and Tatum voted 'aye', and Councilmember Billy Jack Wright opposed. With two for the motion carried.

Agenda Item Seven: Discuss the Administrative Policy Guideline updates and schedule a workshop for working on changes.

Councilmember Lucia Butler made a motion to begin the workshop on April 27, 2015 at 6:00 at City Hall. Councilmember Erroll Tatum seconded the motion. Councilmember Lucia Butler and Erroll Tatum voted 'aye', with Councilmember Billy Jack Wright opposing. The motion carried with two for and one against.

Agenda Item Eight: Discuss and adopt a policy on individual Councilmember calling, meeting with and or writing City Attorney.

After discussion, Councilmember Billy Jack Wright made a motion to remove this item from the agenda. Councilmember Erroll Tatum seconded the motion. Councilmember Lucia Butler abstained and Mayor Pro Tem Randy McCoy opposed. With two councilmembers voting for the motion, it carried.

Agenda Item Ten: Discuss opinion from Blake Armstrong, City Attorney, on the easement information provided to him; the construction and all matters concerning water line placement, from the legality to the responsibilities of the City, Landowners, etc., concerning these lines, and discuss flush valve located on private property. Discuss and approve writing letters to homeowners to obtain an easement.

Councilmember Lucia Butler made a motion to write to property owners, Ms. Dolittle and Mr. Gregg Lewis, requesting if they would be willing sign waterline easements. The motion was seconded by Councilmember Billy Jack Wright. The motion carried.

Agenda Item Eleven: Hear from Carla Sheridan, Billing Clerk, and Councilmembers on the need for updated policies for customers to pay bills in a timely manner; legalities of charging rental customers higher deposits; and raising late fees. Review and amend Ordinance 238-011007.

Councilmember Lucia Butler made a motion to raise late fees from 5.00 to 12.50; and cutoff for non-payment would be 15 days after the 10th, 25th of the month. Councilmember Billy Jack Wright seconded the motion. Councilmembers Lucia Butler and Billy Jack Wright voted for. Councilmember Erroll Tatum, abstained.

Council brought to the floor the increase in garbage that was approved in 2007, and consensus was to enforce the increase as previous approved.

Agenda Item Twelve: Approve Ordinance 04202015: Resolution for Appointment of Presiding Judge, Alternate Judge, and Early Voting Clerk.

Councilmember Lucia Butler made a motion to accept Ordinance 04202015; electing Courtney Kennedy as Presiding Judge; Jim Bartee and Alternate Judge; and Jan Stuteville as Early Voting Clerk. Councilmember Erroll Tatum seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Thirteen: Hear from Keep Elkhart Beautiful concerning resignations and new appointments to the Officers of the Board; discuss and approve changes.

Councilmember Lucia Butler made a motion to accept resignation of Affiliate Director position by Erroll Tatum, and appoint Jan Stuteville as Affiliate Director, with Erroll staying on the board as a member, and Carla Sheridan be appointed as President of Keep Elkhart Beautiful. Councilmember Erroll Tatum seconded the motion. Councilmember Lucia Butler and Erroll Tatum voted 'aye'. Councilmember Billy Jack Wright voted against. The motion carried.

Agenda Item Fourteen: Discuss and approve Resolution 04202015, Grant Application for receptacles for recycling through the Coca-Cola/Keep America Beautiful Bin Grant Program.

Councilmember Billy Jack Wright made a motion to remove Item Fourteen from the Agenda. The motion was seconded by Councilmember Lucia Butler. With all voting 'aye', the motion carried.

Agenda Item Fifteen: Hear reports from the Mayor/Mayor Pro Tem, City Secretary, Public Works, Code Enforcement, Emergency Management, and Keep Elkhart Beautiful.

Reports were heard: City Secretary reported on Waco/Budget Seminar and warned the Council that budget workshops would start soon; Public Works, BJ Perry, discussed the Newsome Well Rehab, TCEQ letter was discussed which included Day Well plug, Newsome Well Rehab, capacity, etc.; drainage problems. Emergency Management-- ISO rating for Fire Station, improving every year, trying to get a 6 inside the city limits.

Agenda Item Sixteen: Adjournment.

A motion was made by Councilmember Billy Jack Wright and Seconded by Councilmember Erroll Tatum to adjourn at 11:14. With all voting 'aye', the motion carried.


Mayor Pro Tem Randy McCoy

ATTEST:


Jan Stuteville, City Secretary



THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

*

On the twenty-seventh day of April 2015, the City of Elkhart Council convened into a Workshop session meeting at 6:00 p.m. with the following members present:

| | | |
|-------------------|---|----------------|
| Randy McCoy | * | Mayor Pro-tem |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Lucia Butler | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 6:00 p.m. Citizens present were Chris Sheridan, Beverly Anderson, Linda Martin, and Eddy Martin.

Agenda Item One: A workshop to discuss and update the Administrative Policy Guidelines.

The council went over each and every page, comparing the old with the new. Pages were agreed upon before continuing. The additions were added, to be typed up and brought back, through the Public Works Supervisor position, page XI, but all need to be reviewed for approval.

Councilmembers: A motion was made by Councilmember Lucia Butler that all council members could request something to be placed on the agenda, but if the request was denied, two council members could bring the request to the Mayor, in writing, and the Mayor would then place the item on an agenda. The motion was seconded by Councilmember Erroll Tatum. Councilmembers Lucia Butler and Erroll Tatum voted for, and councilmember Billy Jack Wright voted against. The motion carried.


Agenda Item Two: Adjournment.

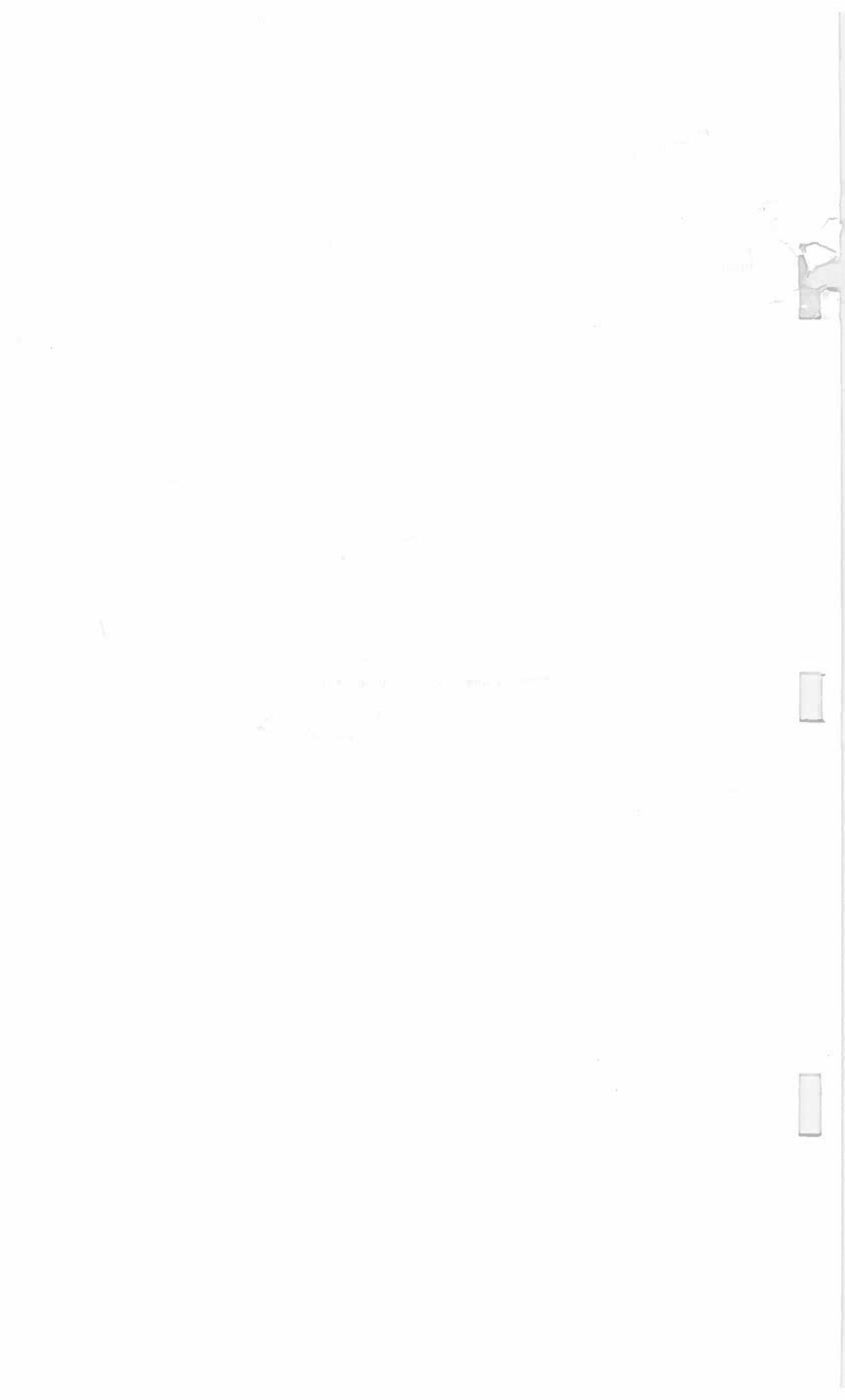
A motion was made by Councilmember Billy Jack Wright and Seconded by Councilmember Erroll Tatum to adjourn at 8:05 p.m.. With all voting 'aye', the motion carried.



Mayor Pro Tem Randy McCoy

ATTEST:


Jan Stuteville, City Secretary



THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the fourth day of May 2015, the City of Elkhart Council convened into Regular Session of the Council, at 6:00 p.m. with the following members present:

| | | |
|-------------------|---|----------------|
| Randy McCoy | * | Mayor Pro-tem |
| Karen Bridges | * | Councilmember |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Lucia Butler | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 6:00 p.m. Citizens present were Connie Davis, Beverly Anderson, Mike Gordon, Haley Hoar, Chris Sheridan, Geri Lynn Wright, Wayne Frazier, Jackson Frazier, Caden Frazier, Eddy G. Martin, and Donald Moseley. Mr. Donald Moseley spoke on his drainage and new culvert and complimented BJ Perry on his quick response to the problem. Mr. Moseley had bought a larger culvert than he previously had and wants to install it.

Agenda Item One: Approve minutes of the April 20, 2015 Council meeting; Approve Minutes of the April 27, 2015, Workshop for the Administrative Policy Guidelines.

Councilmember Lucia Butler made a motion to accept the minutes of the Council Meeting of April 20, 2015. Councilmember Karen Bridges seconded the motion, and with all voting 'aye', the motion carried.

Agenda Item Two: Discuss and Approve Resolution of the City of Elkhart, Texas, Authorizing Designated Signators for Contractual Documents for Requesting Funds Pertaining to the Texas Community Development Block Grant Program Contract 7214054.

Councilmember Erroll Tatum made a motion to approve Resolution of the city of Elkhart, Texas, Authorizing Designated Signators for Contractual Documents for Requesting Funds Pertaining to the Texas Community Development Block Grant Program Contract 7214054. The motion was seconded by Councilmember Lucia Butler. All councilmembers voted 'aye'. Motion carried.

Agenda Item Three: Discuss and Approve Intergovernmental Agreement with Anderson County Precinct 1 for ditch and drainage work at the City Park.

Councilmember Lucia Butler made a motion to approve the Memorandum of Understanding between Anderson County Precinct 1 and Elkhart for the work on the drainage and culverts at the Elkhart City Park, with a letter of agreement to be written between the City and the EYAA. Councilmember Karen Bridges seconded the motion. With all Councilmembers voting 'aye', the motion carried.

Agenda Item Four: Discuss and Review Invoices from Birdsong & Armstrong, City Attorney, numbers: 17165, 17218, 17289.

Councilmember Billy Jack Wright asked for this to be on the agenda. The item was discussed and with no motion to be made, the council continued with the agenda.

Agenda Item Five: Hear report from City Secretary concerning Records Consultants, Inc. on Fixed Asset Management Program and Records Retention Program.

Jan Stuteville advised the council on the meeting with a representative from RCI (Records Consultants, Inc.), but has no proposals at this time, no action was taken.

Agenda Item Six: Discuss and set date for second Administrative Policy Guidelines Workshop.

With the elections and new councilmembers, Councilmember Billy Jack Wright made a motion to schedule a meeting time at a later date. Councilmember Erroll Tatum seconded the motion, and with all voting 'aye', the motion carried.

Agenda Item Seven: Discuss and review Cleaning Ditches and installing Culverts (bought by Residents).

Interim Public Works Supervisor B. J. Perry informed the council of the number of requests the city has received this spring because of the rain concerning new culverts and the drainage ditches. Council requested that he come back at another meeting with more information concerning the cost of installing culverts and a new implement for the New Holland Tractor and the cost of that implement.



Agenda Item Eight: Review and approve rate changes; taps.

After discussion of the revision of tap fees, the council requested more information so they could make an informed decision. Councilmember Billy Jack Wright made a motion to bring Tap fees back to another council meeting with more information. Councilmember Erroll Tatum seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Nine: Discuss and approve letter to residents/customers concerning rates and account numbers.

After discussion, Councilmember Billy Jack Wright made a motion to send out the Letters to inform customers of the changes that will become effective July 1, 2015. (Late fees increased to \$12.50 and customers will be disconnected if not paid by 25th of each month). Councilmember Lucia Butler seconded the motion. With all voting 'aye', the motion carried.


Agenda Item Ten: Review and approve Financial Reports.

After discussion, Councilmember Erroll Tatum made a motion to approve the financial reports, seconded by Councilmember Lucia Butler. With all voting 'aye', the motion passed.

Agenda Item Eleven: Hear reports from Mayor/Mayor Pro Tem, City Secretary, Public Works, Code Enforcement and Emergency Management.
All reports were heard.

Agenda Item Twelve: Adjournment

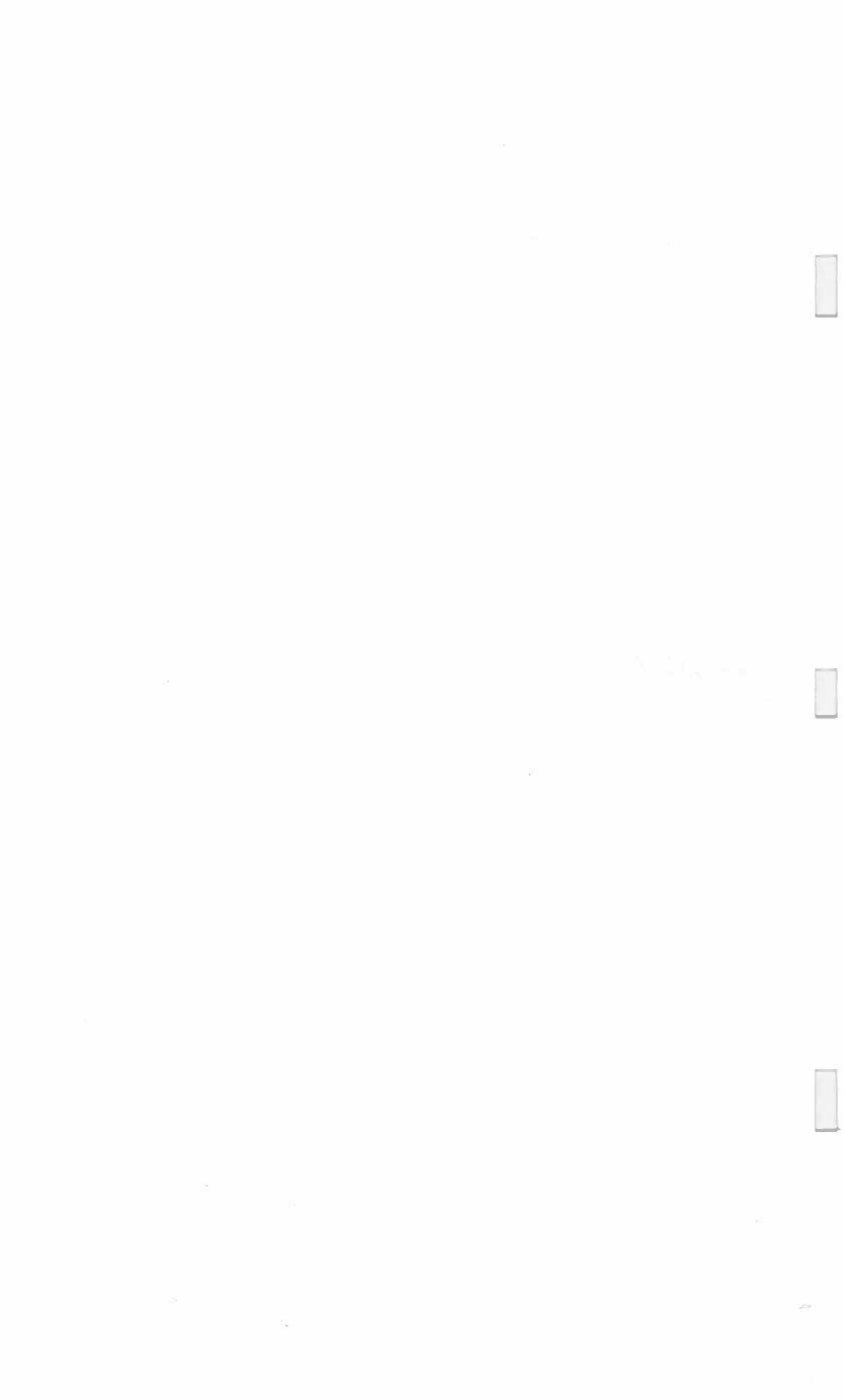
Councilmember Erroll Tatum made a motion to adjourn. Councilmember Billy Jack Wright seconded the motion, and the motion passed with all voting 'aye', 8:10 p.m.



Mayor Pro Tem Randy McCoy

ATTEST:


Jan Stuteville, City Secretary



THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

*

On the eighteenth day of May 2015, the City of Elkhart Council convened into Called Council Meeting at 5:35 p.m. with the following members present:

| | | |
|-------------------|---|---------------|
| Randy McCoy | * | Mayor Pro Tem |
| Lucia Butler | * | Councilmember |
| Erroll Tatum | * | Councilmember |
| Billy Jack Wright | * | Councilmember |

A quorum being present, Mayor Pro Tem Randy McCoy called the meeting to order at 5:24 p.m. Citizens present were Beverly Anderson, Birda Woodard, Juanita Thomas, Angela Thomas, Tracy Atkins.

Agenda Item One: Canvass the votes of the May 9th, 2015 General Election.

The council reviewed the tally sheets from Early Voting and Election Day. Councilmember Lucia Butler made a motion to accept the tally as presented. Councilmember Erroll Tatum seconded the motion. With all voting 'aye' the motion passed.

Agenda Item Two: Administer the Oath of Office to Mayor and new Councilmembers.

Judge Gary Thomas administered the Oath of Office to Mayor Erroll Tatum and then administered The Oath of Office to councilmembers Mike Gordon, Bill Yonts, and Charlie Hobbs.

Agenda Item Three: Proposition 1: Sale of Beer and Wine within the City Limits of Elkhart.

The council reviewed the tally previously. Mayor Pro Tem Randy McCoy made a motion to accept the tally as presented. Councilmember Bill Yonts seconded the motion. Councilmembers Mike Gordon, Randy McCoy, and Charlie Hobbs voted 'aye', and Councilmember Billy Jack Wright voted against. The motion carried.

Agenda Item Thirteen: Adjournment.

Councilmember Billy Jack Wright made a motion to adjourn. Councilmember Bill Yonts seconded the motion, and the motion passed with all voting 'aye', at 5:59 pm.


Mayor Erroll Tatum

ATTEST:


Jan Stuteville, City Secretary



$$\lim_{n \rightarrow \infty} \frac{1}{n} \sum_{k=1}^n f\left(\frac{k}{n}\right) = \int_0^1 f(x) dx$$

$$\lim_{n \rightarrow \infty} \frac{1}{n} \sum_{k=1}^n f\left(\frac{k}{n}\right) = \int_0^1 f(x) dx$$



THE STATE OF TEXAS

*

COUNTY OF ANDERSON

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CITY OF ELKHART

*

On the eighteenth day of May 2015, the City of Elkhart Council convened into Regular Session of the Council, at 6:00 p.m. with the following members present:

| | | |
|-------------------|---|----------------|
| Erroll Tatum | * | Mayor |
| Bill Yonts | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Charlie Hobbs | * | Councilmember |
| Randy McCoy | * | Councilmember |
| Jan Stuteville | * | City Secretary |

A quorum being present, Mayor Erroll Tatum called the meeting to order at 6:00 p.m. Citizens present were Beverly Anderson, Geri Lynn Wright, Eddy G. Martin, Lucia Butler, Carla Sheridan, Laura Stuteville, Robert Stuteville, Helen Gordon, Mike Hayes, Mitchel Stuteville.

Agenda Item One: Approve minutes of the May 4, 2015 Council meeting.

A motion was made by Councilmember Charlie Hobbs, to accept the Minutes with corrections as Noted. Councilmember Randy McCoy seconded the motion. With all voting 'aye' the motion carried.

Agenda Item Two: Appoint a Mayor Pro Tem.

Councilmember Billy Jack Wright nominated Bill Yonts. Mayor Erroll Tatum suggested we continue with Randy McCoy because of his tenure. Councilmember Charlie Hobbs nominated Randy McCoy. Bill Yonts receive three votes; Billy Jack Wright, Mike Gordon, and Bill Yonts. Randy McCoy received one vote by Charlie Hobbs. Councilmember Randy McCoy abstained.

A motion was made by Councilmember Mike Gordon to accept the votes, making Councilmember Bill Yonts, Mayor Pro Tem. The motion was seconded by Councilmember Billy Jack Wright. With all voting 'aye', the motion passed. There was no opposition.

Agenda Item Three: Matt Hayes to discuss Reliable Lift Station.

Business Owner Matt Hayes discussed the problems with the Reliable Lift Station and the continuous disruption of his business for his employees and customers. BJ Perry explained some of the problems that are connected with this situation and hopefully some of the problems there can be alleviated soon.

Agenda Item Four: Executive Session: Open Meetings Act, Section 551.074, Personnel.

Council convened into Executive Session at 6:21 p.m.

Agenda Item Five: Reconvene into Open Session: Executive Session: Open Meetings Act, Section 551.074, Personnel.

Councilmember Randy McCoy made a motion to take no action at this time. Councilmember Charlie Hobbs seconded the motion. Councilmembers Charlie Hobbs, Randy McCoy, and Mike Gordon voted 'aye'. Councilmember Billy Jack Wright and Bill Yonts voted against.

Agenda Item Six: Review and approve Elkhart Volunteer Fire Department's Electrical Rework Bid.

After discussion, Mayor Pro Tem Bill Yonts made a motion to not approve this bid until the EVFD has provided the City office with Financial Records. The motion was seconded by Mike Gordon. With only Councilmember Randy McCoy's abstention, the motion passed with all other councilmembers voting 'aye'.

After continued discussion, Mayor Pro Tem Bill Yonts amended his motion to include a written certified letter to the Fire Chief requesting the financial information. This addendum was seconded by Councilmember Charlie Hobbs. Councilmember voting 'aye' were Charlie Hobbs, Mike Gordon and Mayor Pro Tem Bill Yonts. Councilmember Randy McCoy abstained and Councilmember Billy Jack Wright was opposed.

Agenda Item Seven: Review and approve RCI's proposals on Records Retention and Fixed Asset Management Program.

After discussion, Councilmember Billy Jack Wright made a motion that this item, along with other bids on this subject be brought back to the city council. The motion was seconded by Councilmember Randy McCoy. The motion carried with all voting 'aye'.

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$$f(\theta) = \frac{1}{2\pi} \int_0^{2\pi} f(\theta) d\theta = \frac{1}{2\pi} \int_0^{2\pi} f(\theta) d\theta$$

$$f(\theta) = \frac{1}{2\pi} \int_0^{2\pi} f(\theta) d\theta = \frac{1}{2\pi} \int_0^{2\pi} f(\theta) d\theta$$

Councilmember Billy Jack Wright amended his motion to include the invitation to George Hendrix from RCI to address the council at the next council meeting, June 1, 2015. This was seconded by Councilmember Charlie Hobbs. The motion carried as all council voted 'aye'.

Agenda Item Eight: Discuss and approve Splash Pad at Newsome Well and discuss wash out on private property.

After discussion and explanation from BJ Perry, Public Works, Councilmember Billy Jack Wright made the motion to approve the installation of a "box" instead of a splash pad at Newsome Well and add dirt to the "wash out" on the customer's property. Councilmember Charlie Hobbs seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Nine: Discuss and approve removing Raymond Dunlap's name as signatory; and replacing with newly elected Mayor Erroll Tatum, on all banking accounts in the Elkhart State Bank.

After discussion, Councilmember Randy McCoy made a motion to remove Raymond Dunlap's name, and to add new Mayor Erroll Tatum's name. He also amended Agenda Item Nine to include the Mayor Pro Tem Randy McCoy's name and include the new Mayor Pro Tem Bill Yonts to the signatory. The motion was seconded by Councilmember Billy Jack Wright. With all council voting 'aye', the motion passed.

Agenda Item Ten: Discuss and approve adding new names to the Elkhart State Bank Safe Deposit Box, removing Donna Surber and Raymond Dunlap.

After discussion, a motion was made by Councilmember Randy McCoy to remove the names of Donna Surber and Raymond Dunlap and replace with current Mayor Erroll Tatum, Mayor Pro Tem Bill Yonts and City Secretary Jan Stuteville. The motion was seconded by Councilmember Billy Jack Wright. With all councilmembers voting 'aye', the motion passed.

Agenda Item Eleven: Discuss and set a date and time for Administrative Policy Guidelines workshop.

After discussion, a motion was made by Councilmember Billy Jack Wright to bring this back at a later date. The motion was seconded by Councilmember Charlie Hobbs. With all voting, 'aye', the motion passed.

Agenda Item Twelve: Hear reports from Mayor, Mayor Pro Tem, City Secretary, Public Works, Code Enforcement, Emergency Management, and Keep Elkhart Beautiful.

Reports were heard.

Agenda Item Thirteen: Adjournment.

Councilmember Billy Jack Wright made a motion to adjourn. Councilmember Charles Hobbs seconded the motion, and the motion passed with all voting 'aye', at 9:10 p.m.


Mayor Erroll Tatum

ATTEST:


Jan Stuteville, City Secretary

THE UNIVERSITY OF CHICAGO
LIBRARY
1100 EAST 58TH STREET
CHICAGO, ILL. 60637
TEL: 773-936-3000
FAX: 773-936-3000



THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the fifteenth day of June 2015, the City of Elkhart Council convened into Council Meeting at 6:00 p.m. with the following members present:

| | | |
|--------------------------|----------|----------------------|
| Erroll Tatum | * | Mayor |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Charles Hobbs | * | Councilmember |
| Randy McCoy | * | Councilmember |

A quorum being present, Mayor Tatum called the meeting to order at 6:00 p.m. Citizens present were Beverly Anderson, George Stanley, George Hendrix, Patsy Burke, Linda and Eddy Martin, Connie Davis, Helen Gordon, Chris Sheridan; Lucia Butler, Rosemary Biel. All were asked to stand and recite the Pledge of Allegiance. Citizens speaking were George Stanley (on agenda); Beverly Anderson, thanking the Wrights for the assistance and supplies to post street signs at Garden of Memories; Eddy Martin, discussing council vacancy, and Carla Sheridan, questions concerning her agenda request. There being no one else to speak the council moved to Agenda Item One.

Agenda Item One: Approve minutes of the May 18, 2015 Council meeting and called meeting for the canvass of votes, May 18, 2015.

Councilmember Randy McCoy made a motion to accept the both minutes as presented.

Councilmember Billy Jack Wright seconded the motion. With all voting 'aye', the motion passed.

Agenda Item Two: Discuss and Approve Resignation of Councilmember , Mayor Pro Tem Bill Yonts, dated May 22, 2015.

Councilmember Randy McCoy made a motion to accept the resignation of Bill Yonts. Councilmember Charles Hobbs seconded the motion. Councilmembers Randy McCoy and Charles Hobbs voted 'aye'. Councilmembers Mike Gordon and Billy Jack Wright voted "nay". With there being a tie, Mayor Erroll Tatum cast his vote as "aye", breaking the tie. The motion passed.

Agenda Item Three: Consider filling Council Vacancy.

During discussion concerning ways to fill the Vacancy, Councilmembers Billy Jack Wright and Mike Gordon choose to leave the meeting.

Without a quorum the meeting was adjourned.


Mayor Erroll Tatum

ATTEST:

 Jan Stuteville, City Secretary



THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the sixth day of July 2015, the City of Elkhart Council convened into Council Meeting at 6:00 p.m. with the following members present:

| | | |
|-------------------|---|---------------|
| Erroll Tatum | * | Mayor |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Charles Hobbs | * | Councilmember |
| Randy McCoy | * | Councilmember |

A quorum being present, Mayor Tatum called the meeting to order at 6:00 p.m. Citizens present were Beverly Anderson, George Hendrix, Patsy Burke, Linda and Eddy Martin, Connie Davis, Helen Gordon, Rosemary Biel. All were asked to stand and recite the Pledge of Allegiance. Citizens speaking were Linda Martin, Randy McCoy on EVFD, and Carla Sheridan.

Agenda Item One: Approve minutes of the June 22, 2015 Council Meeting.

Motion was made by Councilmember Billy Jack Wright to accept the Minutes of the June 15, 2015 meeting with the exception of Agenda Item Four. The motion was seconded by Councilmember Charlie Hobbs. The motion carried.

Agenda Item Two: Hear from George Hendrix, RCI, concerning Fixed Assets Management Program and Records Retention Proposal.

Motion was made by Councilmember Randy McCoy to bring this request back to another council meeting. The motion was seconded by Councilmember Charlie Hobbs. The motion passed with all voting 'aye'.

Agenda Item Three: Hear from Gary Lynch, Parks and Recreation, City of Tyler about Keep Tyler Beautiful.

The council heard from Gary Lynch concerning his involvement with Keep Tyler Beautiful. There being no further action the council moved on.

Agenda Item Four: Consider Lease Agreement for City Sign; Fee waived for 1st year, and \$200.00 per year thereafter.

Motion was made by Councilmember Billy Jack Wright to start leasing the sign per the City's original lease immediately. The motion was seconded by Charlie Hobbs. The motion carried.

Agenda Item Five: Discuss Interlocal Participation Agreement with Buyboard (a purchasing cooperative), for obtaining bids and best prices for equipment, supplies, and other needs of the City and the Utility.

A motion was made by Councilmember Charlie Hobbs to join Buyboard. The motion was seconded by Councilmember Mike Gordon. The motion carried.

Agenda Item Six: Approve Resolution 05182015.

Motion was made by Randy McCoy to accept Resolution 05182015. The motion was seconded by Councilmember Charlie Hobbs. Councilmembers Randy McCoy, Mike Gordon, and Charlie Hobbs voted "aye". Councilmember Billy Jack Wright voted no. The motion carried.

Agenda Item Seven: Approve removing Margie Crawford from all bank accounts with Commercial Bank of Texas and approve removing Gloria McKinney from the Keep Elkhart Beautiful checking account at Commercial Bank of Texas.

Motion was made by Councilmember Billy Jack Wright to remove Margie Crawford from all accounts at Commercial Bank of Texas and to remove Gloria McKinney from the Keep Elkhart Beautiful checking account. The motion was seconded by Charlie Hobbs. The motion carried.

Agenda Item Eight: Discuss Dental Insurance increase through Principal Life.

A motion was made by Councilmember Charlie Hobbs to accept the increase and continue with Principal Life for Dental and Life Insurance for staff. The motion was seconded by Councilmember Billy Jack Wright. The motion carried.

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Agenda Item Nine: Discuss City Park Sign designating hours open.

A motion was made by Councilmember Randy McCoy to post a sign and a gate at the park entrance and to include information such as no alcohol, no firearms and open from Dawn to Dusk. The motion was seconded by Councilmember Billy Jack Wright. All voted "aye", motion carried.

Agenda Item Ten: Consider asking Blake Armstrong, City Attorney, to update Administrative Policy Guidelines and converting it to an Employee Handbook.

Motion was made by Councilmember Billy Jack Wright to take no action at this time until an estimate has been obtained from Blake Armstrong. The motion was seconded by Mike Gordon. The motion passed.

Agenda Item Eleven: Discuss the cost, expenses and approval associated with sending a City Employee to attend a seminar regarding Keep Elkhart Beautiful.


Motion was made by Councilmember Charlie Hobbs to reimburse \$174.96 to Jan Stuteville and \$319.40 to the General Fund by Keep Elkhart Beautiful. Councilmember Randy McCoy seconded the motion. Councilmembers Charlie Hobbs and Randy McCoy voted "aye", Councilmembers Mike Gordon and Billy Jack Wright voted against. There being a tie, Mayor Erroll Tatum voted "aye", breaking the tie. The motion passed.

Agenda Item Twelve: Discuss Tax Increase Exemption status of Disabled and Elderly Citizens from any City Tax increases.

A motion was made by Councilmember Charlie Hobbs to gather information concerning statistics and talk with CPA concerning how this will affect the City's income. The motion was seconded by Billy Jack Wright. The motion carried with all voting 'aye'.

Agenda Item Thirteen: Consider either a Special Election or Appointment for filling the council vacancy. Councilmembers Billy Jack Wright and Mike Gordon walked out of the meeting.

There being no quorum. The meeting was dismissed.


Mayor Erroll Tatum

ATTEST:

Jan Stuteville, City Secretary



THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the third day of August 2015, the City of Elkhart Council convened into Council Meeting at 6:00 p.m. with the following members present:

| | | |
|-------------------|---|---------------|
| Erroll Tatum | * | Mayor |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Randy McCoy | * | Councilmember |

A quorum being present, Mayor Tatum called the meeting to order at 6:04 p.m. Citizens present were Beverly Anderson, Patsy Burke, Connie Davis, Helen Gordon, Rosemary Biel, Lucia Butler, Chris Sheridan, Gerry Goodwin, Nick Hinshaw, Chris Bice, Blake Armstrong, City Attorney and Penny Webb. All were asked to stand and recite the Pledge of Allegiance. Citizens speaking were Billy Jack Wright, Chris Sheridan.

Agenda Item One: Approve minutes of the July 6, 2015 Council Meeting.

Motion was made by Councilmember Billy Jack Wright to accept the Minutes of the July 6, 2015 meeting. The motion was seconded by Councilmember Randy McCoy. The motion carried.

Agenda Item Two: Hear from Pasty Burke concerning Code Enforcement of yards and dogs.

The item was discussed and there was no action taken.

Agenda Item Three: Hear from Vista Solutions Group, Nick Hinshaw, concerning Document Software.

After presentation from Mr. Hinshaw and discussion by Council, Councilmember Billy Jack Wright made a motion to bring the Vista Solutions back to council at a later date. The motion was seconded by Councilmember Randy McCoy. The motion carried.

Agenda Item Four: Executive Session: The City Council convened into Executive Council pursuant to Texas Government Code Section 551.074 (Personnel) to discuss the following positions.

- A. City Secretary
- B. Billing Clerk
- C. Public Works Supervisor

Agenda Item Five: Executive Session: The City Council reconvened into Open Session pursuant to the Texas Government Code Section 551.074 (Personnel) to discuss the following positions.

- A. City Secretary
- B. Billing Clerk
- C. Public Works Supervisor

Councilmember Randy McCoy informed the Council he needed to leave due to illness.

There being no quorum. The meeting was dismissed.

Mayor Erroll Tatum

ATTEST:

Jan Stuteville, City Secretary

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the First day of September 2015, the City of Elkhart convened into a meeting for the Budget Tax Workshop at 5:00 p.m. with the following members present:

| | | |
|-------------------|---|------------|
| Randy McCoy | * | Councilman |
| Billy Jack Wright | * | Councilman |
| Mike Gordon | * | Councilman |

Call to Order

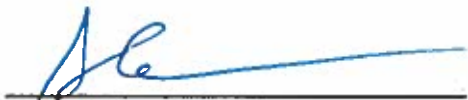
A quorum being present, Councilman Randy McCoy called the meeting to order at 5:08 p.m. Citizens present were Chris Sheridan, Pat Burke and Andrew Chavarrilla. Councilman Randy McCoy made an announcement that Mayor Erroll Tatum was at the hospital with his mother and told the council Mayor Tatum had stated to him he would arrive to the meeting late. The council continued Budget/Tax Workshop after Councilman Randy McCoy stated a quorum was present.

Agenda Item One: Review and decide on a Tax Rate for the 2015 Taxable year.

A motion was made by Councilman Billy Jack Wright to adopt the Tax Rate 0.2945 as the new tax rate for the 2015-2016 Taxable year. The motion was seconded by Councilman Mike Gordon. All voted 'Aye' the motion carried.

Agenda Item Two: Review, discuss and create the Budget for 2015-2016.

Agenda Item Three: Adjournment. A motion was made by Councilman Mike Gordon to adjourn. The motion was seconded by Councilman Billy Jack Wright. All voted 'Aye' the motion carried. The meeting adjourned at 7:09 p.m.



Mayor

ATTEST



Carla Ingram Sheridan- Billing/Accounts Payable Clerk

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Eighth day of September 2015, the City of Elkhart Council convened into Council Meeting at 6:00 p.m. with the following members present:

| | | |
|-------------------|---|---------------|
| Erroll Tatum | * | Mayor |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Randy McCoy | * | Councilmember |

Call to Order
Pledge of Allegiance
Recognition of Citizens

A quorum being present, Mayor Erroll Tatum called the meeting to order at 6:05 p.m. Councilman Charlie Hobbs absent. City Attorney Blake Armstrong present. Citizens present were Linda Martin, Eddy Martin, Andrew Chavarrilla, Lucinda Washington, Floyd Blake, Versalene Logans, Rosemary Beil, Connie Davis, Nikki Padget, Chris Bice, Sandra Rice, Lucinda Washington, Geri Lynn Wright, Helen Gordon, Chris Sheridan. Citizens speaking were Linda Martin- Linda Martin spoke to council in regards to thanking council for serving and hopes of new council not having confusion and division as in past and do best for citizens and in support of Andrew Chavarrilla for vacant council seat. Citizen Eddy Martin gave his support of council and support for Andrew Chavarrilla. Connie Davis spoke of trash concerns. Patsy Burke spoke of trash concerns and also in support of Andrew Chavarrilla. James Sheridan in support of Andrew Chavarrilla and trash concerns. Andrew Chavarrilla spoke of experience for the vacant position and leadership and unity within the city and council. Lucinda Washington spoke about being a victim in Lemur attack and concerns about law for the City to incorporate to prevent injuries in the future.

Agenda Item One: Approve the minutes from the August 17, 2015 council meeting. Councilman Billy Jack Wright spoke in relation to Agenda Item 15 B. Billing Clerk Position not being properly listed on the agenda and job was not under review nor was it in question. Councilman Billy Jack Wright made a motion to except the minutes from the August 17, 2015 with the clarification of Agenda Item 15B and Agenda Item 16B due to job not being in question for the Billing Clerk. Councilman Randy McCoy seconded the motion. All voted 'Aye' the motion carried.

Agenda Item Two: Discuss and approve October 3, 2015 as trash off day. A motion was made by Councilman Randy McCoy to approve October 3, 2015 as trash off day. The motion was seconded by Councilman Mike Gordon seconded the motion. All voted 'Aye' the motion carried.

Agenda Item Three: Discuss and approve City Secretary's resignation. Mayor Erroll Tatum opened the floor for discussion. Council had no discussion. A motion was made by Councilman Billy Jack Wright to accept the resignation of the City Secretary. The motion was seconded by Councilman Mike Gordon. All voted 'Aye' the motion carried.

Agenda Item Four: Discuss and take action on removing Jan Stuteville from all checking accounts and safety deposit box with Commercial Bank of Texas. Councilman Billy Jack Wright made the motion to remove Jan Stuteville from all checking accounts and the safety deposit box from Commercial Bank of Texas 75839. The motion was seconded by Councilman Mike Gordon. All voted 'Aye' the motion carries.

Agenda Item Five: Discuss and approve adding a signatory for checks. Councilman Billy Jack Wright made a motion to add Councilman Mike Gordon to Commercial Bank of Texas as signatory. Councilman Randy McCoy seconded the motion. Councilman Mike Gordon abstained from voting. The motion passed.

Agenda Item Six: Discuss and approve assigning someone to sign off on adjustments for customers. A motion was made by Councilman Billy Jack Wright to bring adjustments before the council for approval until ordinance is revised on Adjustments. The motion was seconded by Councilman Mike Gordon. With all voting 'Aye' the motion carries.

Agenda Item Seven: Convene into Executive Session: Open Meetings Act section 551-074 Personnel, to discuss hiring of a City Administrator or a Registered City Secretary. The council convened into Executive Session.

Agenda Item Eight: Reconvene into Open Session 8:12 p.m. Open Meeting Act Section 551-074, Personal.

A motion was made by Billy Jack Wright to move forward with application process in hiring a City Secretary to meet all the minimum requirements and qualifications as mandated by Elkhart City Council. Councilman Randy McCoy seconded the motion. With all voting 'Aye' the motion carried.

Agenda Item Nine: Consider purchasing a load of asphalt for road repairs. A motion was made by Councilman Mike Gordon to purchase a load of asphalt for road repairs. Councilman Billy Jack Wright seconded the motion. With all voting 'aye', the motion passed.

Agenda Item Ten: Discuss and take action on the removal of Keep Elkhart Beautiful from the city budget until the body can reorganize and present to the council in writing:

- A. Their Organization Structure.
- B. Mission statement and vision for the city of Elkhart.
- C. A proposed calendar of events.
- D. A budget for allocated funding.


Councilman Randy McCoy asked for item 10A. to include position and the person holding the position. Councilman Billy Jack Wright made a motion to remove Keep Elkhart Beautiful from budget until all criteria can be met. Councilman Gordon seconded motion. Councilman McCoy asked a question regarding Keep Elkhart Beautiful on wording of removal of budget or freeze. Councilman Wright rescinded motion. Councilman Billy Jack Wright made a motion to remove Keep Elkhart Beautiful from the city budget. Councilman Mike Gordon seconded the motion. Councilman McCoy discussed dissolving Keep Elkhart Beautiful. City Attorney informed Councilman McCoy the wording on agenda allows for only the removal of Keep Elkhart Beautiful within the budget. With the motion on the floor to remove Keep Elkhart Beautiful, Councilman Gordon again seconded the motion. With all voting 'Aye' the motion carried.

Agenda Item Eleven: Discuss and take action on the allowance of businesses, individuals, and organizations wishing to advertise on the City of Elkhart sign to submit a printed design from the sign manufacture of their choice for approval by the council. A motion was made by Councilman Billy Jack Wright to allow individuals to advertise on the city sign, pending approval of the printed design by the Elkhart City Council. The motion was seconded by Councilman Mike Gordon. All voted 'Aye' the motion carried.

Agenda Item Twelve: Discuss and take action on appointment of vacant city council position pending a unanimous vote or leaving the position vacant until the local general election in Spring of 2016. Mayor Erroll Tatum called out the names of individuals wishing to occupy the vacated seat on the council. The names included, Chris Sheridan, Chris Bice, Deshaun Morgan, Beverly Anderson, Raymond Dunlap, Andrew Chavarrilla and John Parker. A nomination was made by councilman Billy Jack Wright to nominate Andrew Chavarrilla to the vacant seat. The council recessed while the city attorney verified the action to be taken. The Council went back into session at 9:50 p.m. Mayor Tatum asked for a motion. Councilman Billy Jack Wright made a motion in the appoint of Andrew Chavarrilla to the vacant seat of Place 2. Councilman. Mike Gordon seconded the motion. All voted 'Aye' the motion carried.

- Oath of Office and anti-Bribery Oath was administered to Andrew Chavarrilla by Mayor Erroll Tatum.

Agenda Item Thirteen: Adjournment. 10:45 A motion was made by Councilman Billy Jack Wright m to adjourn. Councilman Andrew Chavarrilla seconded the motion. With all voting 'Aye' the motion carried. The meeting adjourned with no further business.



Mayor Pro Tem

ATTEST



Carla Sheridan- Billing Clerk/Accounts Payable Clerk

THE STATE OF TEXAS
COUNTY OF ANDERSON
CITY OF ELKHART

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On the Ninth day of September 2015, the City of Elkhart Council convened for a Budget/ Workshop at 5:00 p.m. with the following members present:


| | | |
|--------------------|---|---------------|
| Erroll Tatum | * | Mayor |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Randy McCoy | * | Councilmember |
| Andrew Chavarrilla | * | Councilmember |

A quorum being present, Mayor Tatum called the meeting to order at 5:07 p.m. Citizens present were Chris Sheridan and Rosemary Beil.

Agenda Item one: Review and decide on Tax Rate for the 2015 taxable year. Councilman Andrew Chavarrilla made a motion to adopt the Tax Rate of 0.2945. Councilman Mike Gordon seconded the motion. All voted 'Aye' the motion carried.

Agenda Item Two: Review, discuss and create the Budget for 2015-2016.

Agenda Item Three: Adjournment. A motion was made by Councilman Mike Gordon to adjourn at 6:49 p.m. Councilman Andrew Chavarrilla seconded the motion. All voted 'Aye' the motion carried. Meeting adjourned at 6:49 with no further business.



Mayor

ATTEST


Carla Sheridan - Accounts Payable/Billing Clerk

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Fourteenth day of September 2015, the City of Elkhart Council convened into an Emergency Council Meeting, (Texas Government Code Section 551.045) at 5:30 p.m. In regards to Appointment of Andrew Chavarilla to place two on the Elkhart City Council with the following members present:

| | | |
|-------------------|---|---------------|
| Erroll Tatum | * | Mayor |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Randy McCoy | * | Councilmember |

Call to Order
Hear from citizens
Pledge of Allegiance

A quorum being present, Mayor Pro Tem Andrew Chavarilla called the meeting to order at 5:35 p.m. Citizens present were City Attorney Blake Armstrong, Beverly Anderson, Connie Davis, Chris Bice, Penny Webb, Eddy Martin, Don Burke, Patsy Burke, Deborah Wimberg. Citizens speaking were Beverly Anderson- addressed council with concern over vacant seat not being addressed and urged council to take care of city business and move forward. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Rescind September 8, 2015 appointment of Andrew Chavarilla to place two on Elkhart City Council due to Andrew Chavarilla not being a registered voter in the city on appointment September 8, 2015. Motion was made to rescind appointment of Andrew Chavarilla by Councilman Randy McCoy. The motion was seconded by Councilman Billy Jack Wright. Motion seconded by Councilman Billy Jack Wright. All voted 'Aye' the motion carries.

Agenda Item Two: Consider filing vacancy of place two of the Elkhart City Council by appointment. Councilman Wright verified that Andrew Chavarilla had corrected his voter registration within the city. After verification, Councilman Wright made a nomination to appoint Andrew Chavarilla to the place two seat. Councilman Randy McCoy seconded the motion. All voted 'Aye' the motion carried.

- Oath of Anti Bribery and Oath of office was given to Councilman Andrew Chavarilla.

Agenda Item Three: Adjourn. Motion was made by Councilmember Billy Jack Wright at 5:51 P.M. to adjourn. Councilman Mike Gordon seconded the motion. With all voting 'aye', the motion carried. The meeting was adjourned with no further business.



Mayor

ATTEST



Carla Sheridan- Billing Clerk/Accounts Payable Clerk

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On the Fourteenth day of September 2015, the City of Elkhart Council convened for a Budget Workshop at 6:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Erroll Tatum | * | Mayor |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Randy McCoy | * | Councilmember |
| Andrew Chavarrilla | * | Councilmember |


Call to Order

A quorum being present, Mayor Erroll Tatum called the Budget Workshop meeting to order at 6:00 p.m. Citizens present were Beverly Anderson, Connie Davis, Chris Bice, Penny Webb, Eddy Martin, Don Burke, Patsy Burke, Deborah Wimberg and Chris Sheridan.

Agenda Item One: Approve the effective Tax Rate of .2945. Mayor Tatum spoke of due to inconsistencies within the nomination, there is need to ratify prior work of tax rate adoption and budget. Councilman Andrew Chavarrilla made a motion to approve the tax rate of .2945. Councilman Mike Gordon seconded the motion. All voted 'Aye' the motion carried.

Agenda Item Two: Review, discuss and create the Budget for 2015- 2016. Mayor Tatum asked for motion to ratify work done on budget. Councilman Billy Jack Wright made a motion to ratify the current work done on the budget. Councilman Andrew Chavarrilla seconded the motion. All voted 'Aye' the motion carried.

Agenda Item Three: Adjourn. Mayor Tatum called to dismiss. After council discussing the proper adjournment had not taken place, Mayor Tatum proclaimed he did not have to adjourn a Budget Workshop meeting. Councilman Randy McCoy made a motion to adjourn. Councilman Andrew Chavarrilla seconded the motion. At 9:08 p.m. there was not a vote on adjournment. Mayor Tatum replied he could just dismiss. Councilman Billy Jack Wright protested adjournment that the meeting was not being adjourned properly. Councilman Mayor Tatum resigned. Councilman Wright opposed adjournment. Councilman McCoy, Councilman Chavarrilla and Councilman Gordon all voted 'Aye' the motion carried.



Mayor Pro Tem

ATTEST



Carla Sheridan- Billing Clerk/Accounts Payable Clerk

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Seventeenth day of August 2015, the City of Elkhart Council convened into Council Meeting at 6:00 p.m. with the following members present:

| | | |
|-------------------|---|---------------|
| Erroll Tatum | * | Mayor |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Randy McCoy | * | Councilmember |
| Charles Hobbs | * | Councilmember |

A quorum being present, Mayor Tatum called the meeting to order at 6:00 p.m. Citizens present were Beverly Anderson, Connie Davis, Rosemary Biel, Chris Sheridan, Gerry Goodwin, Chris Bice, Andrew Chavarrilla Penny Webb, Eddy Martin, James Smith. All were asked to stand and recite the Pledge of Allegiance. Citizens speaking were Andrew Chavarrilla, Chris Sheridan, James Smith and Eddy Martin.

Agenda Item One: Consider purchasing sign for back door (Employees Only-No Trespassing).

Motion was made by Councilmember Randy McCoy to purchase a sign saying "Video Surveillance-No monies on premises." The motion was seconded by Councilmember Charlie Hobbs. Councilmembers Mike Gordon, Charlie Hobbs, and Randy McCoy voted 'aye'. Councilmember Billy Jack Wright opposed. The motion carried.

Agenda Item Two: Consider working with RCI on the Fixed Asset Management Program and the Records Retention Program.

Motion was made by Councilmember Mike Gordon to bring this back to the council at a later date. The motion was seconded by Billy Jack Wright. With all voting 'aye', the motion carried.

Agenda Item Three: Discuss and act upon TCEQ Notice: Day Well, Elevated tank, Capacity of Wells and High School Booster Station.

3A. Councilman Randy McCoy made a motion to contact KSA Engineers for options, along with Public Woks BJ Perry, to get estimates to use as Emergency Well only, to get estimates for pump and to bring back to council all options. Councilmember Billy Jack Wright seconded the motion. With all voting 'aye', the motion carried.

3B. Councilmember Randy McCoy made a motion to contact KSA Engineers to discuss the elevated tank rehabilitation and possible grants and to ask what happens when this tank is brought down for repairs or removal. Councilmember Billy Jack Wright seconded the motion. With all voting 'aye', the motion carried.

3C. Councilmember Billy Jack Wright made a motion to calibrate the wells with Engineer to get accurate Gallons Per Minute Pumping, and have Public Works BJ Perry contact Utility Service Group for estimates on cleaning the wells. Councilmember Charlie Hobbs seconded the motion. With all voting 'aye', the motion carried.

3D. Having just received information from KSA Engineers concerning the approval of the School Booster Station, there was not action taken.

Agenda Item Four: Discuss completion of the Newsome Well Grant.

After discussion, it was noted that the "hard" insulation to be installed on the chlorine line would be brought back to the council for further discussion and action.

Agenda Item Five: Discuss and approve sign for Discount Pool and Herrington & Langley Family dentistry.

Councilmember Randy McCoy made a motion to accept both signs and to inform the owners of the method the City will use to affix the signs. Councilmember Billy Jack Wright seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Six: Consideration and approval of possible charges for customers to complete and city to implement "Customer Request that Personal Information Contained in Utility Records not be Released to Unauthorized Persons."

Motion was made by Councilmember Billy Jack Wright to send out the "Customer Request that Personal Information Contained in Utility Records not be Released to Unauthorized Person", without charge. The motion was seconded by Councilmember Randy McCoy. With all voting 'aye' the motion carried.

Agenda Item Seven: Consider and discuss purchasing Fire Hydrants, and installation of meter for Fire House Hydrant to help with billing bulk water usage and possibly cut down on road issues at the front location.

Motion was made by Councilmember Randy McCoy to bring this back at a later date, depending on the information obtained concerning the Day Well. The motion was seconded by Councilmember Billy Jack Wright. With all voting 'aye', the motion carried.

Agenda Item Eight: Review receipt from Lowe's for Lawn Mower Purchased by Elkhart Summer League (EYAA), requesting reimbursement.



Motion was made by Councilmember Billy Jack Wright to reimburse the Elkhart Summer League \$1,000.00 as budgeted by the City. The motion was seconded by Councilmember Charlie Hobbs. With all voting 'aye', the motion carried.

Agenda Item Nine: Set date for Tax/Budget Workshop.

Motion was made by Councilmember Charlie Hobbs to hold the workshop on August 25, 2015 at 5:00 p.m. The Motion was seconded by Councilmember Billy Jack Wright. With all voting 'aye', the motion passed.

Agenda Item Ten: Discuss and approve amending the City of Elkhart's current animal ordinance to include "it is unlawful for any person to keep within city limits any nonhuman primate, skunk, jaguar, leopard, lynx, tiger, lion, panther, bear, coyote or any carnivorous wild animal or reptile." Councilmember Mike Gordon made a motion to add this wording to our Ordinance, and also include the words, raccoons, Venomous or non-venomous reptiles, with the exception of permitted organizations such as Circus, Carnivals, etc. There was no second, so the motion dies.

Agenda Item Eleven: At the pleasure of the council, this item was moved to accommodate Agenda Item Fifteen.

Agenda Item Fifteen: Executive Session: The City Council will convene into Executive Session pursuant to Texas Government Code Section 551.074 (Personnel) to discuss the following positions:

- A. City Secretary
- B. Billing Clerk
- C. Public Works Supervisor

While position of billing clerk was listed on agenda item 15B, said position was not discussed by council.

Agenda Item Sixteen: Executive Session: Reconvene into Open Session: Discuss and take action, if any, regarding items discussed in Executive Session.

- A. City Secretary

Councilmember Billy Jack Wright made a motion to remove the City Secretary pursuant to Local Government Code 22.077(a). Councilmember Mike Gordon seconded the motion. Councilmembers Billy Jack Wright and Mike Gordon voted 'aye' and Councilmembers Randy McCoy and Charlie Hobbs voting 'opposed', the vote was tied. Mayor Erroll Tatum broke the tie with a vote in opposition. The motion failed.

- B. Billing Clerk-

Position not discussed therefore councilman Randy McCoy made a motion to take no action on position of the billing clerk. Councilman Randy McCoy's motion was seconded by Councilman Charlie Hobbs. Motion carried all voting 'aye'.

- C. Public Works Supervisor

Councilmember Randy McCoy made a motion to take no action at this time. The motion was seconded by Councilmember Mike Gordon. With all voting 'aye', the motion carried.

Agenda Item Eleven: Review and approve upcoming training seminars for City Secretary, Billing Clerk, Public Works for Wastewater and Public Works for Ground Water Production, Training for Mayor and Public Works Interim Supervisor in Management.

Councilmember Randy McCoy made a motion to approve the training as written. The motion was seconded by Councilmember Charlie Hobbs. Councilmembers Randy McCoy and Charlie Hobbs voted 'aye', with Councilmembers Billy Jack Wright and Mike Gordon opposing. The vote was tied. Mayor Erroll Tatum broke the tie with an 'aye'. The motion carried.

Agenda Item Twelve: Review and approve Financial Reports from May 31, 2015, June 25, 2015, and July 31, 2015.

A motion was made by Councilmember Charlie Hobbs to approve the Financial Reports from May 31, 2015, June 25, 2015, and July 31, 2015. The motion was seconded by Councilmember Randy McCoy. Councilmembers Charlie Hobbs and Randy McCoy voted 'aye', with Councilmembers Billy Jack Wright and Mike Gordon opposed. Mayor Erroll Tatum broke the tie with an 'aye'. The motion carried.

Agenda Item Thirteen: Discuss and take action on the appointment of a representative from the City of Elkhart to be on the Anderson County Appraisal District's Board of Directors.

Motion was made by Councilmember Billy Jack Wright to appoint a current member to the Anderson County Appraisal District's Board of Directors. The motion was seconded by Councilmember Mike Gordon. Councilmembers Billy Jack Wright and Mike Gordon voted 'aye'. Councilmembers Randy McCoy and Charlie Hobbs abstained. The motion carried.

Councilmember Billy Jack Wright nominated himself to be on the board. Councilmember Mike Gordon seconded the nomination. With all voting "aye". Councilmember Billy Jack Wright was appointed to the ACAD's Board of Directors.

Agenda Item Fourteen: Vote on filing vacancy on Council by election or appointment.

Councilmembers Billy Jack Wright and Mike Gordon left the meeting.

There being no quorum, the meeting adjourned at 12:05 a.m.

ATTEST:



Mayor



THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Fifteenth day of September 2015, the City of Elkhart Council convened into an Emergency City Council Meeting at 4:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Andrew Chavarrilla | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Randy McCoy | * | Councilmember |

Call to Order

Pledge of Allegiance

Recognition of Citizens

A quorum being present, Councilman Andrew Chavarrilla called the meeting to order at 4:04 p.m. Citizens present were Beverly Anderson, Tenyse Nathaniel, Pat Burke, Connie Davis, Chris Sheridan, Penny Webb. City Attorney Blake Armstrong present. All were asked to stand and recite Pledge of Allegiance.

Agenda Item One: Executive Session- Pursuant to Texas Government Code section 551.071 (b), the Council will convene into Executive Session to seek legal advice from the city attorney regarding vacancies on the city council and filling said vacancies. The Council reconvened in open session at 4:36 p.m.

Agenda Item Two: Discuss and consider the vacant seat of Councilmember Charlie Hobbs and the filling of said seat- action as desired. Councilman Andrew Chavarrilla read two letters of intent who had been submitted for the vacant seat of Charlie Hobbs from Chris Sheridan and Beverly Anderson. Councilman Chavarrilla asked for any further nominations. Councilman Wright nominated Chris Sheridan, Councilman Randy McCoy nominated Beverly Anderson. With no further nominations or discussion Councilman Andrew Chavarrilla asked that nominations be ceased. Councilman Chavarrilla took a vote on the names of the nominees. Votes for Chris Sheridan received three Ayes from Councilman Chavarrilla, Councilman Wright and Councilman Gordon. A vote was taken on Beverly Anderson receiving one Aye by Randy McCoy. Councilman Chavarrilla asked for a motion based on votes. Councilman Billy Jack Wright made a motion to appoint Chris Sheridan to the vacant seat of Charlie Hobbs. Councilman Mike Gordon seconded the motion. Three 'Ayes' by Councilman Gordon, Councilman Wright and Councilman Chavarrilla with one opposing, Councilman Randy McCoy. The motion passed. Councilman Randy McCoy then turned in his verbal resignation and left the meeting.


- Chris Sheridan was sworn in. Oath of Anti Bribery and Oath of Office we performed by Councilman Andrew Chavarrilla. Councilman Chris Sheridan took his seat as a Councilman in place 4 seat of Charlie Hobbs.

Agenda Item Three: Discuss and consider the resignation of Mayor Erroll Tatum- action as desired.

- a. Discuss and consider accepting the resignation of Mayor Erroll Tatum- action as desired. Councilman Billy Jack Wright motion was made to accept the resignation of Mayor Erroll Tatum. Councilman Mike Gordon seconded the motion. With all voting 'Aye' the motion carries.
- b. Discuss and consider the appointment of a Mayor Pro Tem for the City of Elkhart- action as desired. A motion was made by Billy Jack Wright to appoint Councilman Andrew Chavarrilla as Mayor Pro Tem. Councilman Mike Gordon seconded the motion. With all voting 'Aye' the motion passed.

- c. Discuss and consider filling the vacancy of the position of Mayor for the City of Elkhart-
action as desired. Motion was made by Mike Gordon to take no action on agenda item
three c. The motion was seconded by Mike Gordon. With all voting 'Aye' the motion
carried.

Agenda Item Four: Adjournment/ A motion was made by Councilman Billy Jack Wright to
adjourn. The motion was seconded by Councilman Mike Gordon. With all voting 'Aye' the
motion passed. The meeting adjourned at 4:56 with no further business.



Mayor Pro Tem

ATTEST



Carla Ingram Sheridan – Accounts Payable-Billing Clerk

Carla Ingram Sheridan – Accounts Payable-Billing Clerk

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Eighteenth day of September 2015, the City of Elkhart convened into a Budget Workshop meeting for the Budget/Tax Workshop at 8:00 p.m. with the following members present:

| | | |
|--------------------|---|----------------|
| Andrew Chavarrilla | * | Mayor Pro -Tem |
| Billy Jack Wright | * | Councilman |
| Mike Gordon | * | Councilman |
| Chris Sheridan | * | Councilman |

Call to Order

A quorum being present Mayor Pro tem Andrew Chavarrilla called the meeting to order at 8:05 p.m. with the following members present: Penny Webb, Deborah Wimberg and Connie Davis.

Agenda Item One: Review, discuss and create the Budget 2015-2016.

Agenda Item Two: Adjournment. A motion to adjourn was made by Councilman Billy Jack Wright to adjourn at 9:55 p.m. The motion was seconded by Councilman Chris Sheridan. With all voting 'Aye' the motion carried. The Budget meeting adjourned at 9:55 with no further business.



Mayor Pro-Tem

ATTEST



Carla Sheridan- Accounts Payable/Billing Clerk

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Twenty First day of September 2015, the City of Elkhart Council convened into Council Meeting at 6:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Andrew Chavarrilla | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |

A quorum being present, Mayor Pro Tem called the meeting to order at 6:01 p.m. Councilmember absent Chris Sheridan. Citizens present were Beverly Anderson, Connie Davis, Anita Sedgi Hamm, Chris Bice, Penny Webb, Eddy Martin, Don Burke, Sue Burke, Patsy Burke, Deborah Wimberg. Citizens speaking were Linda Martin. Linda Martin spoke to council in regards to thanking council for serving and hopes of new council not having confusion and division as in past and do best for citizens. Martin nominated Beverly Anderson to fill a vacant seat if needed. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Executive Session– Pursuant to Texas Government Code section 551.074 (Municipal Officer) Council will discuss filling the vacant seat of Councilman Randy McCoy. And Discuss discrepancies in final pay check of City Secretary (Personnel). Council convened into executive session.

Agenda Item Two: The Council Reconvened from Executive Session- Texas Government Code section 551.074 into Open Session at 6:30 p.m.

Agenda Item Three: Discuss and consider rescinding motion that was passed and approved at the September 15, 2015 City Council meeting accepting resignation of Mayor Erroll Tatum allowing position to be vacated by operation of law. Councilman Mike Gordon made a motion to take no action on item three and Councilman Billy Jack Wright seconded motion to take no action on rescinding motion to accept resignation of Mayor Erroll Tatum, the resignation still effective. All voted 'Aye' motion carries.

Agenda Item Four: Consider and discuss accepting the resignation of Councilman Randy McCoy. Councilman Mike Gordon made motion to combine line item four- Consider the resignation of Councilman Randy McCoy with line item five- to Discuss and consider filling the vacant seat of Councilman Randy McCoy. Billy Jack Wright seconded motion with all voting 'aye' the motion carried. Combined line items, Mayor Pro Tem Chavarrilla- As of this date they have two letters of intent to fill that seat. Discussions of names presented were Beverly Anderson and Chris Bice. Councilman Billy Jack Wright made a nomination of Beverly Anderson to fill vacant seat of Randy McCoy. Mayor Chavarrilla asked for a second nomination and Councilman Gordon made a nomination of Beverly Anderson. Councilman Wright made a motion to simultaneously accept the resignation of Randy McCoy and to appoint Beverly Anderson to the vacant seat of Councilman Randy McCoy. Councilman Gordon seconded motion. With all voting 'aye' the motion carried.

- Oath of Office and Oath of Anti Bribery was given to Mrs. Beverly Anderson. Councilwoman Anderson was seated in the vacant seat of Randy McCoy.

Agenda Item Five:

This Agenda item was combined with Agenda Item four. Motion made by Councilmember Mike Gordon, seconded by Councilmember Billy Jack Wright. Motion carried.

Agenda Item Six: Approve the corrected minutes from the August 17, 2015 city council meeting. Motion made by Councilman Billy Jack Wright to approve the amended corrected minutes of the August 15, 2015 council meeting in regards to (B) under Agenda Item Fifteen and (B) under Agenda Item Sixteen. The motion was seconded by Councilman Mike Gordon. With all voting 'aye' the motion carried.

Agenda Item Seven: Jeff Carrillo will publically address council on the closing of CDBG # 713151 grant questions on Newsome Well. Mayor Pro Tem Andrew Chavarrilla made a motion to bring Agenda Item Twenty-four to be in conjunction with Agenda Item Seven. Agenda Item Twenty-four- Mark Fenske from Progressive will address council over concerns of trash service. Councilman Billy

Jack Wright seconded the motion. All voted 'Aye' Motion carries. Jeff Carrillo addressed council over close of Grant. Mark Fenske addressed council over city trash service concerns from Progressive. No Action was taken.

Agenda Item Eight: Discuss and consider prior payments from water, sewer, and garbage account for Elkhart Volunteer Fire Department utilities. Mayor Pro Tem Andrew Chavarrilla made a motion to table Agenda Item Eight until council has opportunity to sit with city finance officials and attorney in executive session to discuss. Councilmember Mike Gordon seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Nine: Discuss and consider Resolution 09212015 removing Raymond Dunlap as the City of Elkhart as representative on the Anderson County District Board of Directors. Councilmember Billy Jack Wright made a motion to remove Raymond Dunlap immediately from the Anderson County Appraisal District Board of Directors. Motion was seconded by Councilmember Mike Gordon. With all voting 'aye', the motion passed.

Agenda Item Ten: Discuss and consider Resolution appointing Billy Jack Wright to the Anderson County Appraisal District Board as Representative for the City of Elkhart, Texas by Resolution 09222015. A Motion was made by Councilman Mike Gordon to appoint by Resolution, Billy Jack Wright to the Anderson County District Board of Directors as Representative for the City of Elkhart effective immediately. Mayor Pro Tem Andrew Chavarrilla seconded the motion. With all voting 'aye', the motion passed.

Agenda Item Eleven: Discuss and approve boot and uniforms. A motion was made by Councilmember Mike Gordon. The motion was seconded by Councilman Billy Jack Wright. With all voting 'aye', the motion passed.

Agenda Item Twelve: Discuss and take action on sending council and or employee to the Fall Management Conference with TRWA October 6—October 7, 2015. Motion made by Councilman Billy Jack Wright to send Andrew Chavarrilla to TRWA Management Conference October 6-7, 2015. Motion was seconded by Councilman Mike Gordon. With all voting 'aye', the motion passed.

Agenda Item Thirteen: Discuss and take action on sending Council member to the Annual Conference and Exhibition September 22– September 25, 2015. A motion was made to take no action by Councilman Mike Gordon. A second was made by Councilwoman Beverly Anderson. With all voting 'aye', the motion carries.

Agenda Item Fourteen: Discuss Group insurance rate increases. Motion was made by Mayor Pro Tem Andrew Chavarrilla to accept the increase renewal rate at eleven percent and continue going forward. The motion was seconded by Councilman Gordon. With all voting 'aye', the motion carries.

Agenda Item Fifteen: Discuss and take action on immediate front desk help/administrative assistant part-time / temporary basis. Motion was made by Councilman Billy Jack Wright to hire on temporary basis for front desk help immediately by hiring Tabitha Franklin to work the hours from 1:00 p.m. to 5:00 p.m. On a part time, temporary basis at the rate of pay at \$10.50 per hour. Mayor Pro Tem Andrew Chavarrilla seconded the motion. With all voting 'Aye', the motion carried.

Agenda Item Sixteen: Discuss and take action on removing Erroll Tatum from all accounts pertaining to the City of Elkhart including the safety deposit box. A motion was made by Councilman Billy Jack Wright to remove Erroll Tatum from all accounts pertaining to the City of Elkhart, in Elkhart, Texas 75839 including the safety deposit box for the City of Elkhart Texas at CBTx bank. The motion was seconded by Councilman Mike Gordon. With all voting 'aye', the motion carried.

Agenda Item Seventeen: Discuss and take action on appointing signatures for all accounts for the City of Elkhart including the safety deposit box. A motion was made by Councilman Billy Jack Wright to add Andrew Chavarrilla and Mike Gordon on all accounts pertaining to the City of Elkhart, in Elkhart, Texas 75839 including the safety deposit box for the City of Elkhart Texas at CBTx bank. The motion was seconded by Councilman Mike Gordon. With all voting 'aye', the motion carried.

Agenda Item Eighteen: Discuss and take action on job posting for Certified City Secretary / Administrator. A motion was made by Mayor Pro Tem Andrew Chavarrilla to continue forward with posting through TML and through the paper for the position for a City Administrator with a minimum of 5 years in General Law City employment with competitive benefits and compensation package based upon experience with a deadline on application of October 31, 2015. The motion was seconded by Councilman Mike Gordon. With all voting 'aye', the motion carried.

Agenda Item: Nineteen: Discuss and take action, if any, of final pay check of City Secretary. Motion was made by Mayor Pro Tem Andrew Chavarrilla to take no action on agenda item. The motion was seconded by Councilman Billy Jack Wright. With all voting 'aye', the motion carried.

Agenda Item Twenty: Discuss and approve Todd, Johnson and Hamaker sending someone to help train billing clerk in QuickBooks and instruction for needs of end of fiscal year requirements. Motion made by Councilmember Billy Jack Wright to approve Todd, Johnson and Hamaker to train Billing Clerk in Quick Books and instructions for needs of end of fiscal year requirements for a period of 5 hours. Motion seconded by Councilman Mike Gordon. With all voting 'aye', the motion carried.

Agenda Item Twenty One: Discuss and approve employee annual cost of living raise. Councilman Billy Jack Wright made a Motion to approve Annual cost of living raise at a rate of Three Percent. Mayor Pro Tem Andrew Chavarrilla seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Twenty Two: Discuss and sign adjustments given to customers. Councilman Billy Jack Wright made a Motion to approve the Adjustments presented. The motion was seconded by Councilman Mike Gordon. With all voting 'aye', the motion carried.

Agenda Item Twenty Three: Discuss and take action on reallocating remainder of funds and products from Keep Elkhart Beautiful. A motion was made by Mayor Pro Tem Andrew Chavarrilla that the funds allocated for Keep Elkhart Beautiful be reallocated to the General Fund and the Keep Elkhart Beautiful remaining merchandise be donated to The Elkhart Little League to sale for the profit of their organization. The motion was seconded by Councilman Billy Jack Wright. With all voting 'aye', the motion carried.

Agenda Item Twenty Four: Mayor Pro Tem Andrew Chavarrilla made a motion to move up in conjunction with Agenda Item Seven. Councilman Billy Jack Wright seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Twenty Five: Consider appointing a Local Health Authority for the 2015– 2017 term. A motion was made by Councilman Mike Gordon that Doctor Larry Burch be reappointed as the Local Health Authority for the term 2015-2017. Councilwoman Beverly Anderson seconded the motion. With all voting 'aye', the motion carried.

Agenda Item Twenty Six: Discuss and take action on the promotion of William J. Perry to Public Works Supervisor at current rate of pay. A motion was made by Councilman Billy Jack Wright to take action promoting William J. Perry to Public Works Supervisor at his current of rate of pay. Mayor Pro Tem Andrew Chavarrilla seconded the motion. With all voting 'aye', the motion carried.

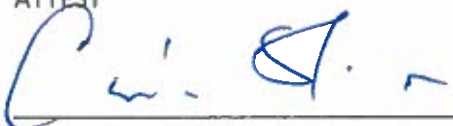
Agenda Item Twenty Seven: No Action taken on report Item

Agenda Item Twenty Eight: Adjourn. Motion was made by Councilmember Mike Gordon to adjourn at 8:36 p.m. Councilmember Billy Jack Wright seconded the motion. With all voting 'aye', the motion carried adjourning the meeting at 8:36 p.m. with no further business.



Mayor Pro Tem

ATTEST



Carla Sheridan- Billing Clerk/Accounts Payable Clerk

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Second day of October 2015, the City of Elkhart Council convened into an Emergency Council Meeting at 2:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Andrew Chavarrilla | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Chris Sheridan | * | Councilmember |
| Beverly Anderson | * | Councilmember |

A quorum being present, Mayor Pro Tem called the meeting to order at 2:00 p.m. Entire Council present. Citizens present were NONE. Citizens speaking were NONE. All were asked to stand and recite the Pledge of Allegiance.


Agenda Item One: Discuss and take action regarding the immediate purchase from Palestine Water Well Service to pull the well and replace down hole pump on the School Well.

TCEQ advised must fix well, no meeting necessary. Discussion ensued.

BJ Perry advised the council on repairs needed to repair the School Well, about the call received from Palestine Water Well Service and Henderson Electric to make certain that the issue was not electrical. Further discussion ensued. Councilman Chris Sheridan discussed the possible allotment of \$3500.00 into an emergency fund to help with possible repairs in the future. Councilman Billy Jack Wright made a motion to allow \$20,000.00 or less to fix the School Well payable to Palestine Water Well Service by replacing the pump. Councilman Chris Sheridan seconded the motion. All voted "aye". Motion carries.

Councilman Chris Sheridan also made a recommendation regarding TCEQ advising City of Elkhart on what the well should contain, as far as pump size for capacity of well.

Agenda Item Two: Adjourn. Motion was made by Councilmember Beverly Anderson to adjourn at 2:26p.m. Councilmember Andrew Chavarrilla seconded the motion. With all voting 'aye', the motion carried adjourning the meeting at 2:26p.m. with no further business.



Mayor Pro Tem

ATTEST



Tabitha Franklin

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Fifth day of October 2015, the City of Elkhart Council convened into Budget Hearing Council Meeting at 5:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Andrew Chavarrilla | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Chris Sheridan | * | Councilmember |

A quorum being present, Mayor Pro Tem called the Budget Workshop to order at 5:03 p.m. Councilwoman Beverly Anderson absent. City Attorney Blake Armstrong present. Citizens present were listed in exhibit "A". Citizens speaking were Randy McCoy. Mr. McCoy spoke to council in regards to Elkhart Volunteer Fire Department funds. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item Two: Review of Proposed 2015-2016 City of Elkhart budget. Discuss.

Discussion ensued. Councilman Andrew Chavarrilla reiterated that the 2014-2015 Fiscal Budget is still missing. Citizen Randy McCoy asked if a copy of the 2014-2015 fiscal budget can be found by a previous councilmember could it be provided to current council at which Councilman Andrew Chavarrilla responded that yes it could be accepted for review.

Councilman Chris Sheridan spoke regarding the 2015-2016 proposed fiscal budget and questioned an 11.75% increase in Water, Sewer, Garbage employee's health insurance. Also, Councilman Chris Sheridan noted that garbage estimate appears to only be for an eleven month period and needs to be revised to include an additional month.

Citizen Randy McCoy asked about \$25,000.00 still on books for Elkhart Volunteer Fire Department and would those funds remain for the Elkhart Volunteer Fire Department use. The council addressed this topic and stated that the funds are still on the books for the Elkhart Volunteer Fire Department and that as long as the allocated funds are spent as budgeted there was not an issue.

Note: Anything over \$25.00 needs a PO and anything over \$500.00 needs council approval, as this is the current policy.

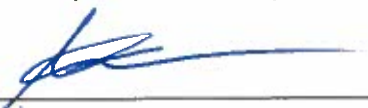
Councilman Billy Jack Wright reiterated that monies spent should be spent through City Council approval.

Councilman Chris Sheridan brought up the topic of the City of Elkhart paying for the Elkhart Volunteer Fire Departments expansion, utilities, and vehicle insurance. Then Councilman Andrew Chavarrilla spoke regarding same and research on monies being paid out of wrong accounts but also noted that the Elkhart Volunteer Fire Departments renovation and expansion monies are not to be touched.


Councilman Andrew Chavarrilla also made council aware of a bond in the amount of \$180,000.00 due February 2016 with no allocation of funds reflected in the proposed budget.

Councilman Billy Jack Wright and Councilman Chris Sheridan spoke of needing checks and balances.

Agenda Item Three: Adjourn. Motion was made by Councilmember Andrew Chavarrilla to adjourn at 5:45 p.m. The meeting adjourned at 5:45 p.m. with no further business.



Mayor Pro Tem

ATTEST


Tabitha Franklin

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Fifth day of October 2015, the City of Elkhart Council convened into Council Meeting at 6:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Andrew Chavarrilla | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Chris Sheridan | * | Councilmember |
| Beverly Anderson | * | Councilmember |

A quorum being present, Mayor Pro Tem called the meeting to order at 6:03 p.m. Entire Council present. City Attorney Blake Armstrong present. Citizens present were "see attached sign in list further referred to as Exhibit A". Citizens speaking were Bobby Cernoch, Justin Crawford, Randy McCoy, Lucia Butler, and Doyle Campbell regarding Elkhart Volunteer Fire Department. Also, addressing the council was Mr. Eddy Martin regarding the topic of general issues. Public Addressing the Council sign in sheet is further referred to as "Exhibit C" and attached hereto. All were asked to stand and recite the Pledge of Allegiance.

After hearing from the public a petition from the public was presented to the City Council "Exhibit B" asking the council to move Agenda Item Twelve regarding relations with the Elkhart Volunteer Fire Department to Agenda Item One. Councilman Andrew Chavarrilla obliged, making a motion to move the original Agenda Item Twelve to Agenda Item Two. Councilman Chris Sheridan seconded the motion. All Councilmembers voted "aye", the motion carried.

Agenda Item One: Pass and adopt a budget for fiscal year 2016. Discussion ensued from previous budget hearing to reiterate amendments needed to budget before approval.

Discussion ensued regarding the missing budget and reiterating that there is no tangible budget to be found in the City of Elkhart office.

A motion was made by Councilman Andrew Chavarrilla to pass and adopt the fiscal year 2016 budget with amendments to follow. Motion seconded by Councilwoman Beverly Anderson. Councilmembers voting "aye" were Councilman Chris Sheridan, Councilman Mike Gordon, Councilman Andrew Chavarrilla and Councilwoman Beverly Anderson. Councilman Billy Jack Wright voted "nay". With a majority council vote the motion carried.

Agenda Item Two: Discussion only regarding the relations with the Elkhart Volunteer Fire Department ensued.

Agenda Item Three: Discuss and take action on appointing/assigning the duties of City Comptroller to a current City Councilman.

A motion was made by Councilman Andrew Chavarrilla to nominate and appoint Councilman Chris Sheridan as City Comptroller and assign duties of End of Month reporting on expenditures and reconciliation to the council. Councilman Mike Gordon seconded the motion. All council voted "aye", the motion carried.

Agenda Item Four: Discuss and take action on tax reimbursement to Elkhart ISD.

A motion was made by Councilman Billy Jack Wright to reimburse Elkhart Independent School District in the amount of \$3,878.34 for monies received by the City of Elkhart in error. (EISD taxed for garbage services for 4 years) Councilman Andrew Chavarrilla seconded the motion. All council voted "aye", the motion carried.

Agenda Item Five: Discuss and take action on sending Ben Hamon and Joseph Branson to Tyler, Texas for TCEQ Water/Wastewater examination.

A motion was made by Councilman Billy Jack Wright to send Ben Hamon and Joseph Branson to Tyler for TCEQ Water/Wastewater examination. Councilman Chris Sheridan seconded the motion. All council voted "aye", the motion carried.

Agenda Item Six: Discuss and take action on amending our current animal ordinance to include a retroactive exotic animal restriction.

The council heard from Greg Taylor regarding the specific wording of the ordinance and its enforceability. At the advice of Blake Armstrong, City Attorney, if having to discuss this issue then the ambiguity need be removed and as this issue is considered a Health and Human Safety issue the Ordinance can be made retroactive. Blake Armstrong will draft the Ordinance amending Ordinance #12-8081301 with a repealing clause.

After discussion a motion was made by Councilman Andrew Chavarrilla to have an Ordinance drafted amending Ordinance #12-8081301. Councilwoman Beverly Anderson seconded the motion. Councilmembers voting "aye" were Councilman Andrew Chavarrilla, Councilman Mike Gordon and Councilwoman Beverly Anderson. Councilmembers voting "nay" were Councilman Billy Jack Wright and Councilman Chris Sheridan. With a majority council vote, the motion carried.

Agenda Item Seven: Discuss and consider adopting a City logo to be utilized on shirts, cards, and other items related to City of Elkhart.

Councilman Billy Jack Wright made a motion to adopt a new City of Elkhart logo as presented to the Council. Councilman Chris Sheridan seconded the motion. Councilmembers voting "aye" were Councilman Chris Sheridan, Councilman Billy Jack Wright, Councilman Andrew Chavarrilla and Councilman Mike Gordon. Councilwoman Beverly Anderson abstained. With a majority council vote, the motion carried

Agenda Item Eight: Discuss and take action on sending BJ Perry and Andrew Chavarrilla to the TRWA (Texas Rural Water Association) 2015 Fall Management Conference in Dallas, Texas, November 4-5, 2015.

A motion was made by Councilman Billy Jack Wright to send BJ Perry and Andrew Chavarrilla to the TRWA (Texas Rural Water Association) 2015 Fall Management Conference in Dallas, Texas, November 4-5, 2015. Councilman Beverly Anderson seconded the motion. All Councilmembers voted "aye", the motion carried.

Councilman Andrew Chavarrilla made a motion to move original Agenda Item Ten to Item Nine and that council go into executive session regarding Agenda Items Eight and Nine due to the items pertaining to personnel matters. Councilman Chris Sheridan seconded the motion. All Councilmembers voted "aye", motion carried. Council adjourned into executive session at 7:24pm

Regular Council Meeting reconvened at 7:48pm

Agenda Item Nine: Discuss and take action on bringing Tabitha Franklin in on a full-time, temporary basis.

Councilman Billy Jack Wright made a motion to immediately bring Tabitha Franklin in on a full-time, temporary basis. Councilman Andrew Chavarrilla seconded the motion. All Councilmembers voted "aye", the motion carried.

Agenda Item Ten: Review applications for City Secretary/City Administrator position.

Councilman Andrew Chavarrilla made a motion to take no action at this time. Councilman Chris Sheridan seconded the motion. All councilmembers voted "aye", the motion carried.

Agenda Item Eleven: Approve Minutes from previous meetings, dated: September 14, 2015, September 15, 2015 and September 21, 2015.

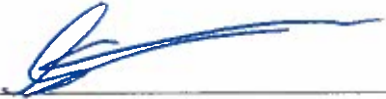
Councilman Andrew Chavarrilla made a motion to table Agenda Item 10 until the next regular scheduled Council meeting. Councilman Chris Sheridan seconded the motion. All voted "aye", the motion carried.

Agenda Item Twelve: Discuss and take action on naming of the City Park road.

Councilman Chris Sheridan made a motion to draft a resolution renaming the Elkhart City Park Road to Fannie Bennett Lane. Councilman Mike Gordon seconded the motion. All councilmembers voted "aye", the motion carried.

Agenda Item Thirteen: Adjournment.

Councilman Andrew Chavarrilla made a motion to adjourn at 8:05 p.m. Councilwoman Beverly Anderson seconded the motion. With all voting 'aye', the motion carried, adjourning the meeting at 8:05 p.m. with no further business.



Mayor Pro Tem

ATTEST



Tabitha Franklin

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twentieth day of October 2015, the City of Elkhart Council convened into Council Meeting at 6:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Andrew Chavarrilla | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Chris Sheridan | * | Councilmember |
| Beverly Anderson | * | Councilmember |

A quorum being present, Mayor Pro Tem called the meeting to order at 6:03 p.m. Entire Council present. City Attorney, Blake Armstrong present. Citizens present were, see attached Exhibit "A". Citizens speaking were, NONE. Public Works Supervisor/Code Enforcement Officer BJ Perry spoke to council in regards to the Elkhart High School Spanish Club, taught by Ms. Chicas regarding the Adopt A Highway program as they were seen working on Highway 287 over the previous weekend. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Present Dr. Larry Burch with the City of Elkhart Faithful Servant Award for his service in the capacity of the Health Authority for the City of Elkhart. Mayor Pro Tem Andrew Chavarrilla spoke of Dr. Burch's service to the City of Elkhart for 34 years and presented Dr. Burch with his award.

Agenda Item Two: Discuss and take action concerning the addition of speed bump(s) and speed limit signs along Anderson County Road 137 aka Miller Road.

Discussion ensued. Councilman Billy Jack Wright briefed council on issue-After seeing traffic on Miller Road and having spoke with some of the residents of Miller Road regarding the issue. Per Councilman Wright citizens are hoping for aggressive speed bumps. Councilman Wright suggested putting speed limit signage at ends of bumps to hopefully deter motorists from trying to go around in the ditches. Public Works Supervisor/Code Enforcement Officer BJ Perry told of speed bumps previously placed on Main St. as well as, the pros and cons of. Councilwoman Beverly Anderson also commented on the speed bumps on Main St. Councilman Chavarrilla made a motion to install 2 speed bumps on portion of Miller Road with addition of 30mph signs to reinforce speed limit also, notify the school of changes. Councilwoman Beverly Anderson seconded the motion. All voted "aye". Motion Carries.

Agenda Item Three: Review, discuss and take action on approving meeting minutes for the month of September on the dates of: 9-1; 9-8; 9-9; 9-14; 9-15; 9-18; 9-21, 2015 and minutes for October 2, 2015 and October 5, 2015 budget hearing and regular council meeting.

Councilman Andrew Chavarrilla made a motion to approve the minutes for the affixed dates of Agenda Item number three. Councilman Billy Jack Wright seconded the motion. All voted "aye". Motion carries.

Agenda Item Four: Discuss and take action on sending Councilmembers Chris Sheridan, Mike Gordon and Billy Jack Wright to the Texas Municipal League Small Cities Problem Solving Clinic on October 30, 2015 in Diboll, Texas.

Councilman Andrew Chavarrilla made a motion to send all three councilmen, Billy Jack Wright, Chris Sheridan and Mike Gordon to the Texas Municipal League Small Cities Problem Solving Clinic on October 30, 2015 in Diboll, Texas. Councilman Chris Sheridan seconded the motion. All voted "aye". Motion carries.

Agenda Item Five: Discuss \$400.00 expenditure payable to Commercial Bank of Texas to recover financial statements dated October 2013 through September 2015 for purposes of retention and verification for accounts held by the City of Elkhart.

Discussion ensued. City Attorney, Blake Armstrong stated he will draft a city retention policy to be adopted by the City of Elkhart at a later meeting. Item tabled, to be placed on an agenda at a later date by Councilman Andrew Chavarrilla.

Agenda Item Six: Discuss and approve Amended Exotic Animal Ordinance for the City of Elkhart and hear testimony from Tammy Baughman and Sheriff Gregg Taylor regarding concerns.

The Council heard testimony from Tammy Baughman regarding incidents with her pet lemur, Keanu. Ms. Baughman described how her daughter first saw Keanu at a party, dyed hot pink and being given alcohol. Ms. Baughman stated how she paid \$100.00 to the person that owned Keanu to rescue him. Ms. Baughman also stated that her lemur is a family member. Ms. Baughman stated her lemur attacked the mail carrier and described the incident that he attacked the mail carrier and a couple of incidents that led up to the attack. Ms. Baughman also described an incident where her son-in-law was injured. According to Ms. Baughman with regard to the "Lucinda incident", as quoted by Ms. Baughman, Lucinda did nothing wrong. Keanu, the lemur, ran up her arm and wrapped his arms and legs around her arm, she tried to fling him off and was harmed in doing so. Ms. Baughman then made accusations regarding Sheriff Greg Taylor and his handling of the situations.

Councilman Andrew Chavarrilla reiterated that since the animal has attacked, it is now a Health & Human Safety issue so, the passing of the amended Ordinance can be and will be made retroactive.

Sheriff Greg Taylor reminded everyone that animals are unpredictable and recommends that the city pass the amended Ordinance as it is in the best interest of the citizens of Elkhart.

Ms. Baughman then brought up the issue of exotic birds, which after re-reading the wording does not include exotic birds.

Councilman Billy Jack Wright asked Ms. Baughman if the lemur had ever been vaccinated for rabies. Tammy Baughman explained at length that the animal had not and why she felt he didn't need to be.

After more discussion and questioning, City Attorney, Blake Armstrong advised the council to not discuss any further or answer questions regarding this issue.

Councilman Chris Sheridan made a motion to adopt the amended Ordinance to include swine language as well as 4H and FFA provisions. Councilman Mike Gordon seconded the motion. Councilmen Andrew Chavarrilla, Chris Sheridan and Mike Gordon voted "aye". Councilman Billy Jack Wright voted "nay". Councilwoman Beverly Anderson abstained. With a majority vote the motion carries.

Agenda Item Seven: Discuss and take action regarding a water adjustment due to the Elkhart Independent School District.

Discussion ensued. Public Works Supervisor/Code Enforcement Officer BJ Perry explained that Elkhart ISD has a hi-low meter and that last month's meter read was extremely high also, found out there was a leak in the system on the roof in the fire line. It was also determined that EISD was watering the new sod during that month so, a sizable increase was to be expected but, they did have a leak, and of course it is up to council to decide regarding adjustment. Councilman Chris Sheridan questioned, did the school make any statements regarding the high usage and watering the field or anything that could have caused the usage to be that high. BJ Perry responded, not to his knowledge.

City Attorney, Blake Armstrong, asked to work on policy for city regarding adjustments and how they are handled.

Councilman Andrew Chavarrilla made a motion to table this agenda item until a later meeting in order to get actual adjustments and amounts together. Councilwoman Beverly Anderson seconded the motion. All voted "aye". Motion carries.

Agenda Item Eight: Review and discuss checks written reports from September 1, 2015 through October 16, 2015.

Councilman Chris Sheridan made the suggestion that the months of August and September 2015 be reconciled before approving.

No further discussion.

Agenda Item Nine: Discuss and approve Fiscal year 2015-2016 Holiday schedule.

Discussion ensued regarding the days previously deemed holidays and the fact that they were in excess to most other places.

Councilman Andrew Chavarrilla made a motion to proceed with the prepared calendar excluding the following days; Texas Independence Day, Emancipation Day, San Jacinto Day and Veteran's Day. Billy Jack Wright seconded the motion. All voted "aye". Motion carries.

Agenda Item Ten: Discuss and take action on closing account with Zito Media for the City Office.

Councilman Mike Gordon made a motion to close the account with Zito Media for the City Office. Councilman Billy Jack Wright seconded the motion. All voted "aye". Motion carries.

Agenda Item Eleven: Discuss and take action on selection and placement of yard of the month sign.

Councilman Billy Jack Wright led discussion regarding and nominating the Old Molandes place, Husband's place, or old Oasis RV Park as the yard of the month due to the extensive clean up done recently to the property.

Councilman Mike Gordon made a motion to designate Husband's place as, or old Oasis RV Park, as yard of the month. Councilman Andrew Chavarrilla seconded motion. All voted "aye". Motion carries.

Agenda Item Twelve: Discuss and adopt Resolution naming the road to the city park, Fannie Bennett Lane and purchasing sign for the road.

Councilman Billy Jack Wright made a motion to adopt the resolution naming the road to the city park, Fannie Bennett Lane and to purchase signs for the naming of that lane. Councilman Andrew Chavarrilla seconded the motion. All voted "aye". Motion carries.

Agenda Item Thirteen: Discuss and take action on updating, purchasing and contracting the information technology department for the City of Elkhart.

Discussion ensued regarding security issues with wi-fi, the phone lines, and the fact that they are exposed according to Gleason's Computing. All council reviewed the updating proposal from Gleason's Computing, again stated there is no record of a contractual agreement with the City of Elkhart and the current Information Technologies representative. City Attorney, Blake Armstrong advised that he never drafted a contract for information technology.

Councilman Andrew Chavarrilla made a motion to proceed with Gleason's and talk to about starting as early as next week to bring the City up to date and secure. Councilman Mike Gordon seconded the motion. All voted "aye" Motion carries.

Agenda Item Fourteen: The Council will convene into Executive Session pursuant to Texas Government Code 551.071 (1) (a) to consult with City Attorney regarding contemplated and pending litigation.

The council convened into Executive Session at 8:20pm pursuant to Texas Government Code 551.071 (1) (a) to consult with City Attorney regarding contemplated and pending litigation.

Agenda Item Fifteen: Reconvene into Open Session (Texas Government Code 551.071 (1) (a).

The council reconvened into Open Session at 9:01pm.

Agenda Item Sixteen: Discuss and take action on the bids and plugging of the Day Well.

Discussion ensued. Three bids were received and reviewed by the council. It was brought up that the reason we are taking bids on this repair in particular is because the Day Well has the longest standing violations with TCEQ. It is the recommendation to plug the well. The Order from TCEQ constitutes an emergency so, money can be moved from General to pay.

Councilman Billy Jack Wright made a motion to employ Palestine Water Well to plug 1200 feet at the Day Well at the cost of \$9,750.00. Councilman Andrew Chavarrilla seconded the motion. All voted "aye". Motion carries.

Agenda Item Seventeen: Hear reports from Clerk, Public Works Supervisor and Mayor Pro Tem.

Public Works Supervisor/Code Enforcement Officer BJ Perry reported on the following;

- The new pump being put in and still having testing issues. They will try to flow well - have chlorinated three times and still have test issues.
- PW Department dealt with multiple leaks around the city
- HOCH training – each employee will get testing, and receive a free meter and kit for each that attends.

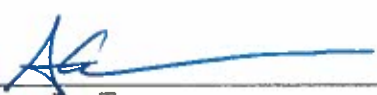
Billing/Accounts Payable Clerk Carla Sheridan reported on the following;

- Texas Workers Compensation Audit took place earlier in the week. City received a bad report and will be assessed a penalty of between \$400.00 and \$700.00.

Mayor Pro Tem Andrew Chavarrilla reported on the following;

- Nothing to report at this time.

Agenda Item Eighteen: Adjourn. Motion was made by Councilman Andrew Chavarrilla to adjourn at 9:20 p.m. Councilwoman Beverly Anderson seconded the motion. With all voting 'aye', the motion carried adjourning the meeting at 9:20 p.m. with no further business.



Mayor Pro Tem

ATTEST



Tabitha Franklin

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Second day of November 2015, the City of Elkhart Council convened into Council Meeting at 6:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Andrew Chavarrilla | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Chris Sheridan | * | Councilmember |
| Beverly Anderson | * | Councilmember |

A quorum being present, Mayor Pro Tem called the meeting to order at 6:06 p.m. Entire Council present. Citizens present were "see attached sign in list further referred to as Exhibit A". Citizens speaking were Rosemary Biel, regarding Keep Elkhart Beautiful. Public Addressing the Council sign in sheet is further referred to as "Exhibit B" and attached hereto. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Approve Minutes of the October 20, 2015 Meeting.

No discussion. A motion was made by Councilman Billy Jack Wright to approve the minutes as presented for the October 20, 2015 meeting. Motion seconded by Councilwoman Beverly Anderson. All Councilmember's voted "aye", the motion carried.

Agenda Item Two: Discuss and approve plumbing reimbursement for Joan Kozik at 112 Woodcrest in the amount of \$450.00.

Councilman Andrew Chavarrilla started discussion regarding the sewer stop up at Ms. Kozik's and the tap that was originally tied into the water line. At first sight the City believed that the leak was on Ms. Kozik's side. In the mean time Ms. Kozik had contacted a plumber and when the line was dug up it was realized that the issue was actually on the city side. Ms. Kozik paid the plumber and is asking for a reimbursement of that payment.

Councilman Chris Sheridan asked why or when the original tap had been placed. Public Works Supervisor, BJ Perry said that there is no way of knowing with any certainty. Ms. Kozik asked regarding replacement of pipe to help head off these types of issues in the future. Public Works Supervisor, BJ Perry stated that there is 4 inch pipe that needs to be replaced with 6 inch pipe and furthermore the previous council had started on this replacement and stopped short of Ms. Kozik's property.

Councilman Andrew Chavarrilla assured Ms. Kozik that the current council will place an item on a later agenda to discuss this item with the intention of resolving the issue of the inadequate pipe.

Councilman Andrew Chavarrilla then made a motion to reimburse Ms. Joan Kozik in the amount of \$450.00 for plumbing issue. Councilman Chris Sheridan seconded the motion. All councilmember's voted "aye", the motion carried.

Agenda Item Three: Consider and take action on the acceptance of minimum bid offer for the tax sale struck off properties previously owned by C.W. Ross, Cause No. 3-41337.

Council heard from Mr. Hudson explaining the process when properties go up for tax sale. Billy Jack Wright asked if it was possible to get a report or list of properties that had gone under the same situation regarding tax sale. Mr. Hudson is to provide a list of properties that this situation has befallen with similar outcomes that the city of Elkhart held an interest in. Councilman Billy Jack Wright made a motion to accept the proposed minimum bid offer for the tax sale struck off properties previously owned by C.W. Ross, Cause No. 3-41337. Councilman Andrew Chavarrilla seconded the motion. All councilmember's voted "aye", the motion carried.

Agenda Item Four: Discuss with Kim Johnson of Todd, Hamaker & Johnson concerning city audit for fiscal year 2015 and city financial services.

Heard from auditor Kim Johnson regarding audit for end of fiscal year 2015. Councilman Chris Sheridan asked questions regarding how long the firm has been handling the city's auditing needs. Kim's response was between six and seven years.

Kim Johnson stated that the books had not previously been in good shape and that there needed to be an appointment of an overseer of her firm's audit going forward. Councilman Chris Sheridan asked Ms. Johnson if the issues with the books was a common issue among cities and was told unfortunately, yes by Ms. Johnson.

Also, asked of Ms. Johnson was the question, "What are the biggest issues with the city's current accounting?" Ms. Johnson stated that some of the biggest issues are with multiple funds and a lack of general bookkeeping knowledge. Ms. Johnson stated that it was troubling that the city previously has accounting software that was not even being used to report to council in the past. Ms. Johnson also made mention of the fact that there is no real inventory of anything such as but not limited to supplies, large assets, etc.

Councilman Andrew Chavarrilla brought up the most recent audit findings letter dated Jan. 30, 2015 and some of the inadequacies listed that are currently being addressed by staff and council.

Ms. Johnson wanted to bring to the council's attention that lots of cities operate on two staff members but that there must be oversight by the council and that council needs to review the financials closely and be provided good information for review.

Ms. Johnson was made aware of the appointment of Councilman Chris Sheridan as the city's Comptroller in previous meeting to do just that.

Councilman Andrew Chavarrilla asked what recommendation would she make as to the person to be appointed for the oversight of the financials. Councilman Chris Sheridan stated that he believes there may have been a miscommunication. Ms. Johnson agreed.

There was some discussion regarding the city's investment policy and that an investment policy had not previously been produced. Ms. Johnson may have seen an old investment policy and stated that this has become a hot topic especially with granting agencies. It doesn't have to be elaborate and recommended utilizing TML for those things and as well as things like job descriptions.

Councilman Andrew Chavarrilla then asked Ms. Johnson if she could objectively do her job representing the city council of Elkhart, and the basis for this topic being emails that had been discovered between Ms. Johnson and former city secretary regarding specific current city council members. The correspondence could be construed as personal and unprofessional due to the subject matter and content. Councilman Andrew Chavarrilla then asked, "How do you feel you can represent a municipality objectively when to borrow from you're own words, you say the work that we are doing, based on what you read in the paper, is ridiculous?"

Councilman Billy Jack Wright then read aloud the Webster's Dictionary definition of the word audit. Ms. Johnson expressed that she felt that she was doing too much with regard to trying to help and train people and it is taking away from her auditor duties.

Billing/Accounts Payable Clerk Carla Sheridan spoke regarding Ms. Johnson's helping to train and get the city office back on track with where it needs to be and some of her initial concerns when faced with the emails.

Councilman Andrew Chavarrilla spoke regarding the scope of the emails, and the information discussed within is a concern for the city. Per Ms. Johnson she sees how the lines have become blurred with regard to her duties. It didn't get blurred due to any motivation to profit for herself, says Ms. Johnson. Ms. Sheridan agreed and stated that she has heard Ms. Johnson come before the council with her concerns.

Councilman Billy Jack Wright asked the very pointed question of, "What was Ms. Johnson's honest opinion of the previous City Secretary. To which Ms. Johnson responded that, "Jan had no business doing that job." Councilman Billy Jack Wright then asked her opinion of the prior Secretary to

which Ms. Johnson responded that Donna probably wasn't qualified in the beginning but took courses to help further herself. Ms. Johnson then stated she felt by the questioning of the council that her objectivity was being called into question and stated she didn't understand why.

Next was the topic of the Debt Service fund with regard to the outstanding Bond balance and the payment coming due in February. Councilman Chris Sheridan informed of how in reviewing financial reports it seemed that prior to September 2012 deposits were being made in the amount of approximately \$10,700.00, and then just stopped. Then sporadic deposits were being made with no consistency. The balance in the fund made it possible to skate by and have enough funds available to cover the payment in 2013 and that the funds had been dwindled enough that there are currently no funds available for the bond repayment of \$120,000.00 in February 2016 and questioned was this not the responsibility of the auditor to oversee the money and bring to someone's attention that the funds to cover payment would not be available. Ms. Johnson then informed the council that no, it is not the function of the auditor in the current capacity to manage the money and furthermore there has been no previous managing of money where the city is concerned.

Councilman Andrew Chavarrilla asked Ms. Johnson, "Knowing the issues with the city would she be more comfortable managing the funds or just being an auditor?" Ms. Johnson answered, "either."

Councilman Andrew Chavarrilla asked Ms. Johnson, "What are her recommendations to prepare for the audit?" This question was not directly answered.

Billing/Accounts Payable Clerk Carla Sheridan thanked Ms. Johnson and members of her firm again for all the work that they have done to help get the city where it needs to be.

Question was then asked what are the bond holder requirements? Kim stated the city needs to obtain the amortization schedule from the bond holder.

Councilman Chris Sheridan asked, "If the city did hire someone for accounting, what kind of time are you looking at? Ms. Johnson stated around twenty-four hours a month, or three eight hour days per month.

Discussion closed. No action taken on this item.

Councilwoman Beverly Anderson recommends that Agenda Item Number Eleven be moved to Agenda Item Number Five and Agenda Item Number Five then move to Agenda Item Eleven. Council agreed.

Agenda Item Five: Hear from Tammy Baughman requesting a stay of enforcement on Ordinance No. 112081307-1, pending a 30 day plan for animal extraction.

Councilman Andrew Chavarrilla asked that Ms. Baughman just explain her 30 day plan with Keanu's plan for extraction. He again explained that Ms. Baughman would need to present council with legal binding documentation regarding a civil rights violation or a lawsuit against the city. At which time, if legal binding documentation is provided and after discussion with the City Attorney regarding same a decision will be made.

Ms. Tammy Baughman states Social Security prescribed Keanu as an emotional support animal. No documentation has been provided at this time.

Councilman Andrew Chavarrilla states that he cannot promise the stay. The council will give the best information as provided them by the City Attorney.

Again, Councilman Andrew Chavarrilla asked, "what is the plan with Keanu in the event that the documents you provide are not legal as per the city's attorney's review?"

Note in open meeting: Councilman Billy Jack Wright asked for the date of the thirtieth day at 7:40pm. The thirty day stay will expire Tuesday December 1, 2015 at 7:40pm.

Ms. Baughman told the council that she has made arrangements for someone to take Keanu out of the Elkhart city limits, if the documents she provides are deemed not legal binding documents. Ms. Baughman also stated that she will sell her home and move from Elkhart.

Councilman Andrew Chavarrilla made a motion to allow the 30 days to remove the animal. Councilman Billy Jack Wright seconded the motion. Four voted, "aye", Councilmen Billy Jack Wright, Mike Gordon, Chris Sheridan and Councilwoman Beverly Anderson abstained from the vote. The motion carried.

Agenda Item Six: Take action on presenting the location of 519 Hwy 287 N with yard of month recognition.

Councilman Andrew Chavarrilla started discussion that city has presented them with the yard sign and that is in place, home owners were unable to attend the meeting tonight but the city will deliver the recognition placque.

With no further discussion, council moved onto next agenda item.

Agenda Item Seven: Discuss and take action on renewal fee of BJ Perry Wastewater license with TCEQ expiring 12-2015.

Councilman Andrew Chavarrilla opened and started discussion by stating that BJ has to renew his license in order to continue the work that he is doing and to keep the city in code, the fee for the renewal is \$111.00. No further discussion ensued.

Councilman Billy Jack Wright made the motion to pay the renewal fee of \$111.00 for BJ Perry to renew his Wastewater license with TCEQ. Councilman Mike Gordon seconded the motion. All voted, "aye". The motion carried.

Agenda Item Eight: Discuss and approve adjustment for Jaymie Hudnall water leak.

Council heard from BJ Perry regarding what he talked about with Ms. Hudnall regarding possible leak. BJ said the previous month had high usage and that oddly her neighbor's meter was spinning but not hers. Needless to say it was high. BJ stated he told Ms. Hudnall that it was a possible toilet hanging, water hose left on and so on. BJ provided scenario to council regarding how these things can drastically raise a water bill.

Councilman Billy Jack Wright questioned whether Ms. Hudnall is a sewer customer and it was then stated that the customer can only receive an adjustment on the sewer amount and only once in a twelve month period.

Ms. Sheridan discussed that we currently do not have a policy with regard to adjustments and that adjustments are done daily and that this particular one is being brought before the council due to the amount of the proposed adjustment being so high.

BJ Perry, Public Works Supervisor stated that he did speak with Ms. Hudnall when she came in to the office and that the disconnect was waived pending the outcome of the meeting and the decision on the topic of her adjustment.

Carla Sheridan, Billing/Accounts Payable Clerk made the point that the adjustment amount was not such a difference from what she would normally adjust herself but that due to the current situation and the city being without a city secretary the decision to adjust such an amount needed to go before the council.

Councilman Billy Jack Wright made a motion to credit Jaymie Hudnall's \$130.00 adjustment toward the sewer portion of her water bill. Councilman Andrew Chavarrilla seconded the motion. All voted, "aye". The motion carried.

Agenda Item Nine: Elkhart City Council will convene into Executive Session pursuant to Texas Government Code 551.074 (*Personnel Matters*), to review City Secretary applications; to set interview dates, to hear from Ben Hamon regarding position request.

Councilman Andrew Chavarrilla closed the regular session meeting at 7:51pm

Agenda Item Ten: Reconvene into open session pursuant to Texas Government Code 551.074(*Personnel Matters*).

Councilman Andrew Chavarrilla reconvened the open session at 8:58pm.

After discussing in executive session personnel matters regarding Ben Hamon and the City Secretary position at this time we will ask the council to now take a vote on the promotion of Ben Hamon to the outside supervisor for the Public Works Department. Comment is now open for discussion or the Council will entertain a motion.

Councilman Billy Jack Wright started discussion and made a motion to take no action at this time on the promotion of Ben Hamon. Councilman Mickle Gordon seconded the motion. Council voted 3 "ayes", Councilman Billy Jack Wright, Councilman Chris Sheridan and Councilman Mike Gordon. Councilman Andrew Chavarrilla abstained from vote and Councilwoman Beverly Anderson voted "nay." The "ayes" have it. The motion carried.

Councilman Andrew Chavarrilla then addresses the second portion of the Executive Session agenda item with regards to moving forward with the hiring for the position of City Secretary and states that the council has made the decision to cease the application process the council will no longer be accepting applications for the position of City Secretary and moving forward with the interview process and have narrowed the applications from about 40 to about 4 applicants that will be interviewed over the coming weeks for this position.

Agenda Item Eleven: Discuss TML insurance payment to send in and coverage contained in policy.

Discussion ensued. Councilman Andrew Chavarrilla discussed the steps that the city is going through in order to maintain serial numbers and verify inventory on hand and on the policy. Also, discussed was the information provided us by the TML representative that met with the city earlier this week regarding all the training information and what the TML contribution really brings to the city.

Further discussion regarding vehicle issues that need to be resolved on the policy as well.

There was also discussion regarding the issue of the deeming of the substation to the EVFD.

Discussion only, no action taken.

Agenda Item Twelve: Approve financial statements for August 2015 and September 2015.

Councilman Chris Sheridan made a motion to approve the financial statements for August and September 2015. Councilman Andrew Chavarrilla seconded the motion. All voted, "aye". The motion carries.

Agenda Item Thirteen: Review and sign adjustments for water leaks for the month of October, 2015.

Adjustments for water leaks for the month of October, 2015 were reviewed and signed.

Agenda Item Fourteen: Discuss and take action on allocation of bond money to be allocated.

In conversation with city attorney regarding policies, ordinances, and resolutions and pending ordinances from city attorney.

Councilman Andrew Chavarrilla made a motion to table items Fourteen and Fifteen pending ordinances from the city attorney. Billy Jack Wright seconded the motion. All voted, "aye". The motion carries.

Agenda Item Fourteen TABLED.

Agenda Item Fifteen: Discuss and take action on amending Budget for legal fees.

Agenda Item Fifteen TABLED.

Agenda Item Sixteen: Review, discuss and take action on letter from First Baptist Church requesting a new water meter at 424 W. Parker.

Heard from BJ Perry Public Works Supervisor regarding. BJ stated that once the old meter is pulled, the meter is not reusable. BJ went through normal cutoff/leak scenarios with the church. They stated they have no leaks and have done all the checks on toilets and walked the property looking for leaks and cannot find any. Mr. Perry stated that between October 20 and November 2 they've already shown usage of 15,000 gal.

Councilman Chris Sheridan discussed the church having a cutoff on their side. BJ Perry suggests replacing the register not the meter.

Councilman Billy Jack Wright makes a motion to the recommendation to replace the meter at the First Baptist Church. BJ Perry says he will make a request for the church to replace the cutoff on their side also. Councilman Andrew Chavarrilla seconded the motion. Councilman Billy Jack Wright, Councilman Andrew Chavarrilla and Councilwoman Beverly Anderson voted, "aye". Councilman Chris Sheridan and Councilman Mike Gordon both voted, "nay". The motion carries.

Agenda Item Seventeen: Approve amended minutes from the meeting held on August 17, 2015.

Councilman Andrew Chavarrilla made a motion to approve the amended minutes from the meeting held on August 17, 2015. Councilman Billy Jack Wright seconded the motion. Councilmen Billy Jack Wright, Chris Sheridan, Andrew Chavarrilla, Mike Gordon voted, "aye". Councilwoman Beverly Anderson abstained. The motion carries.

Agenda Item Eighteen: Hear reports from Mayor Pro Tem, Public Works Supervisor and Clerk.

Heard from Secretary Sheridan, Ms. Sheridan reiterated that every corner finds something new and disturbing but things are looking better. It has come to her attention that Joseph Brannon has no life insurance as he was never offered it, this is something that is paid by the city.

No money budgeted for the lawnmower - take from general.

Mayor Pro Tem Andrew Chavarrilla reported on the good job being done with regard to the City Secretary duties by Ms. Carla Sheridan. Phenomenal job despite all the hurdles. Also, thanked the councilmembers and citizens for their patience and support.

Public Works Supervisor BJ Perry reported on KSA invoices that were uncovered 207-208 approximately \$13,000.00, Wholesale Pumps since May for warranty, no warranty received. Also, regarding the School Well BJ spoke with TCEQ in Austin regarding positive samples keeping us from putting the well back online. BJ came in and super chlorinated, sample taken, super chlorinated. Advised we need one negative sample to put the well back in use. Several leaks have been repaired - asphalt supply is dwindling down. City has one violation at the wastewater plant due to rain. Also, as a reminders BJ Perry and Councilman Andrew Chavarrilla will be going to the TRWA conference in Rockwall next week and Ben and Joseph taking TCEQ exams next week.



Mayor Pro Tem

ATTEST



Tabitha Franklin

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Sixteenth day of November 2015, the City of Elkhart Council convened into Council Meeting at 5:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Andrew Chavarrilla | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Chris Sheridan | * | Councilmember |
| Beverly Anderson | * | Councilmember |

A quorum being present, Mayor Pro Tem called the meeting to order at 5:03 p.m. Entire Council present. Citizens present were see attached Exhibit "A". Citizens speaking were see attached Exhibit "B". No citizens addressed the council. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Executive Session-Pursuant to Texas Government Code section 551.074, the council will convene into executive session (Personnel) Council will discuss City Secretary interviews.

The council convened into Executive Session-Pursuant to Texas Government Code section 551.074, regarding personnel issues to perform and discuss City Secretary interviews at 5:05PM.

Agenda Item Two: Reconvene into open session - Pursuant to Texas Government Code section 551.074.

The council reconvened into open session-Pursuant to Texas Government Code section 551.074 at 6:11PM.

No action will be taken at this time with regard to Agenda Items One and Two.

Agenda Item Three: Approve Minutes of the November 2, 2015 meeting.

Councilman Andrew Chavarrilla made a motion to approve the minutes of the November 2, 2015 meeting as provided. Councilwoman Beverly Anderson seconded the motion All voted "aye". The motion carries

Agenda Item Four: Discuss and approve Bland Insulation for Newsome Well chlorine line.

Councilman Andrew Chavarrilla started discussion stating that the proposed bid amount from Bland Insulation is approximately \$2,020.00.

Public Works Supervisor BJ Perry then showed a piece of insulation comparable to what the bid is being given for. Mr. Perry then went on to advise the council as to why this particular insulation is a good investment. Describing the insulation as 1 1/2" fiberglass covered by an aluminum jacket as opposed to something of a cheaper material or quick fix that would need replacing more often in the future

Councilman Billy Jack Wright made a motion to employ Bland Insulation for approximately 50' of insulation placement at the Newsome Well for the amount of \$2,020.00. Councilman Andrew Chavarrilla seconded the motion. All voted "aye". The motion carries.

Agenda Item Five: Discuss and take action on employee Christmas bonuses.

Billing/Accounts Payable Clerk Carla Sheridan informed the council that the previous Christmas bonuses had been given in the amount of \$400.00 every year to each employee.

Councilman Andrew Chavarrilla made a motion to approve \$400.00 Christmas bonuses after no second. Councilman Andrew Chavarrilla opened the Item back up for discussion or for a new motion to be entertained. Councilman Mike Gordon made a motion to table Agenda Item Five. Councilwoman Beverly Anderson seconded the motion. Councilman Billy Jack Wright, Councilman Mike Gordon and Councilwoman Beverly Anderson voted "aye". Councilman Andrew Chavarrilla and Councilman Chris Sheridan abstained. The motion carries.

Agenda Item Six: Discuss and take action on relocating 2" water line on FM 1817 that is in TxDOT right of way.

Councilman Andrew Chavarrilla started discussion by stating that the relocating of the water line is not a question of whether we have to do it, this is a matter of when.

Councilman Billy Jack Wright made a motion to table Agenda Item Six. Councilman Andrew Chavarrilla seconded the motion. All voted "aye". The motion carries.

Agenda Item Seven: Discuss and take action on resubmittal of bid proposal dated 5-8-15, invoice numbered Quote 5815-1 in the amount of \$1492.78 for electrical rework at fire department.

Agenda Item to be reworded as Quote 5815-1 in the amount of \$1,492.78 is actually for electrical work on the addition building at the EFVD.

Council heard from Fire Chief Randy McCoy regarding the bid.

Since the original bid was given in May, 2015 the council asks that Public Works Supervisor BJ Perry obtains a new bid for the same work to the addition building of the Fire Department from Henderson Electric Company, prior to the next meeting.

Councilman Billy Jack Wright makes a motion to table Agenda Item Seven at this time and that additional information be obtained prior to the next meeting. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Eight: Discuss and take action on adding two additional radios to the city insurance policy requested by Randy McCoy for EVFD.

There was a short discussion by the council and Fire Chief Randy McCoy as to the value of the radios and who the radios actually belong to.

Councilman Andrew Chavarrilla made a motion to add two additional radios belonging to the Fire Department to the City of Elkhart's insurance policy. Councilwoman Beverly Anderson seconded the motion. Councilman Chris Sheridan, Councilman Andrew Chavarrilla and Councilwoman Beverly Anderson voted "aye". Councilman Billy Jack Wright and Councilman Mike Gordon voted "nay". The motion carries.

Agenda Item Nine: Discuss and take action on removal of sign at the City Park stating city is affiliated with Keep Texas Beautiful.

Councilman Billy Jack Wright started the discussion regarding the sign and trash cans at the City Park. Billing/Accounts Payable Clerk Carla Sheridan informed council that to her knowledge Keep Texas Beautiful came by when Keep Elkhart Beautiful started up and offered the trash cans for use. Public Works Supervisor BJ Perry stated that he remembers there being a stipulation that the cans be visible from the road.

Councilman Billy Jack Wright made a motion for the immediate removal of the Keep Texas Beautiful sign at the City Park. Councilman Andrew Chavarrilla seconded the motion. All voted "aye". The motion carries.

Agenda Item Ten: Adjourn.

Councilman Andrew Chavarrilla made a motion to adjourn at 6:40 P.M. Councilman Mike Gordon seconded the motion. All voted 'aye'. The motion carries adjourning the meeting at 6:40 p.m. with no further business.



Mayor Pro Tem

ATTEST



Tabitha Franklin

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twentieth day of November 2015, the City of Elkhart Council convened into a Special Council Meeting at 5:00 p.m. with the following members present:

| | | |
|--------------------|---|---------------|
| Andrew Chavarrilla | * | Mayor Pro Tem |
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Chris Sheridan | * | Councilmember |
| Beverly Anderson | * | Councilmember |

A quorum being present, Mayor Pro Tem Andrew Chavarrilla called the meeting to order at 5:01 p.m. Entire Council present. Citizens present were, see attached Exhibit "A". Citizens speaking were, see attached Exhibit "B". All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Executive Session-Pursuant to Texas Government Code section 551.074, the council will convene into executive session (Personnel) Council will discuss City Secretary interviews and the hiring or resubmitting the job vacancy for more applicants.

The council convened into Executive Session-Pursuant to Texas Government Code section 551.074, regarding personnel issues to discuss City Secretary interviews and the hiring or resubmitting the job vacancy for more applicants at 5:03 P.M.

Agenda Item Two: Reconvene into open session - Pursuant to Texas Government Code section 551.074.

The council reconvened into open session-Pursuant to Texas Government Code section 551.074 at 5:15 P.M.

Councilman Billy Jack Wright made the motion to re-open the job posting for submission of applications and resume's through the TML website from November 23, 2015 through December 7, 2015 at 12:00p.m/noon. Councilman Chris Sheridan seconded the motion. Councilmen Billy Jack Wright, Chris Sheridan, Mike Gordon and Councilwoman Beverly Anderson voted "aye". Councilman Andrew Chavarrilla abstained. The motion carries.

Agenda Item Three: Discuss and approve sending Ben Hamon and Kenneth White to Tyler, Texas December 9, 2015; Joseph Branson and BJ Perry to Nacogdoches, Texas on December 10, 2015 for Hach Chlorinator Class. The cost of the class is \$400.00 each.

Councilman Andrew Chavarrilla discussed that the class includes a meter for each employee in attendance. The City has four meters currently and the warranty has been voided on two of those so the City is actually left with 2 that are in working order with valid warranties in the event they need repair.

Councilman Billy Jack Wright made the motion to approve sending Ben Hamon and Kenneth White to Tyler, Texas on December 9, 2015 and Joseph Branson and BJ Perry to Nacogdoches, Texas on December 10, 2015 for Hach Chlorinator Class at the cost of \$400.00 each.

Councilman Andrew Chavarrilla seconded the motion. All voted "aye". The motion carries.

Agenda Item Four: Hear reports from Mayor Pro Tem, Code Enforcement, Outside Supervisor and Accounts Payable Clerk.

Mayor Pro Tem Andrew Chavarrilla

- Nothing to report.

Public Works Supervisor/Code Enforcement BJ Perry

- Insurance claim on fire hydrant, city should be hearing back soon regarding this claim
- Heard back from TML regarding the School Well claim, most of it will be covered - what won't be covered is the check valve. Most of the repair will be reimbursed to the city.

- Made council aware of an employee out with a sick spouse, in the hospital.
- Sewer stops in habitual problem areas - check for roots or bad taps with camera scope.

Accounts Payable Clerk Carla Sheridan

- Letter from Comptroller to the State of Texas Comptroller regarding refund due has been initiated;
- Regarding vehicles on TML policy, spoke to Dorsey regarding refund on 2 from Fire and 2 from Water; dollar amount not available yet for reimbursement on vehicles;
- Regarding radio inventories, added 3rd person to Fire Department Radio Inventory as the increase in the premium was just pennies;
- Come to attention that AFLAC supplemental insurance had been taxed incorrectly, per individual employee - is now corrected;
- Working on getting Joseph Branson's life insurance straightened out. Letter has been drafted to forward to Principal Underwriting Counsel for review;

No further discussion.

Agenda Item Five: Review and approve October Financial Reports.

Councilman Andrew Chavarrilla made the motion to table Agenda Item Five until a council meeting at a later date. Councilman Billy Jack Wright seconded the motion. All voted "aye". The motion carries.

Agenda Item Six: Discuss and take action on relocating 2" waterline on FM 1817 that is in the TxDOT right of way.

Heard from Public Works Supervisor BJ Perry, 2" waterline runs in the middle of the TxDOT right of way. City can put inside their right of way at thirty-five feet will have to be bored. Terry Black gave bid. Also, Terry says that it can be done in one day. Further discussion ensued regarding the price difference if the city does the work themselves.

Councilman Chris Sheridan made a motion to relocate the 2" waterline on FM 1817 that is in the TxDOT right of way with the City to incur expenses and labor by having the city employees complete the work. Councilman Billy Jack Wright seconded the motion. Councilmen Billy Jack Wright, Chris Sheridan, Mike Gordon and Councilwoman Beverly Anderson voted "aye". Councilman Andrew Chavarrilla abstained. The motion carries.

Agenda Item Seven: Discuss and take action on resubmittal of bid proposal dated 5-8-15, invoice numbered Quote 5815-1 in the amount of \$1,492.78 for electrical rework at fire department.

The council opened up the floor to Elkhart Volunteer Fire Department Fire Chief Randy McCoy. Fire Chief Randy McCoy asked that the council table Agenda Item Seven at this time. Councilman Billy Jack Wright asked about the possibility of using the bays as City storage if the building is owned by the city, to which Councilman Mike Gordon said the building is owned by the city.

Councilman Andrew Chavarrilla made a motion to table Agenda Item Seven at this time, and place on an agenda for a later meeting. All voted "aye". The motion carries.

Agenda Item Eight: Discuss and take action on purchasing Dishonesty Policy through TML.

Councilman Andrew Chavarrilla opened the floor to Billing/Accounts Payable Clerk Carla Sheridan. Ms. Sheridan informed the council that it has come to her attention that the city has never had the Dishonesty policy that is required according to the Grant Works representative that recently visited the city office.

Further, this will be an issue during the upcoming Grant process if the council does not choose to take corrective action at this time. Ms. Sheridan has spoken with the City's TML representative and obtained quotes for coverage.

Councilman Billy Jack Wright made a motion to adopt and purchase a Dishonesty policy through TML with the annual cost not to exceed \$500.00. Councilman Andrew Chavarrilla seconded the motion. All voted "aye". The motion carries.

Agenda Item Nine: Discuss and take action on setting curfew for Elkhart.

This agenda item was opened for discussion by Councilwoman Beverly Anderson. Councilwoman Anderson discussed an incident that took place recently and affected her personally.

One recent Friday evening following a football game there were young people, looking to be as young as eleven and twelve years of age wandering the streets well after dark. She looked across the room at her daughter and noticed a red light shining on her chest. Councilwoman Anderson contacted the Anderson County Sheriff's Office and the deputy that was dispatched showed her how the light from his weapon looked on the wall to which Councilwoman Anderson was certain that it was the same as what she had seen shining on her daughter.

Councilwoman Anderson also brought to the attention of the council and citizens that there are numerous sex offenders in the area and something needs to be done to deter these young kids from roaming the streets.

Councilman Andrew Chavarrilla asked, "who will enforce the curfew and at what cost?"

Deputy present in the audience was asked if he would comment on the City of Palestine curfew, to which he responded, "the City of Palestine's curfew for citizens under the age of sixteen is 10:00p.m and the curfew for citizens sixteen years of age and older is 12:00a.m midnight."

Councilman Billy Jack Wright suggests that the council invite Anderson County District Attorney, Allison Mitchell and Anderson County Sheriff, Greg Taylor to discuss the topic of a curfew for the city of Elkhart with council and any concerned citizens at the December 7, 2015 council meeting.

Councilman Andrew Chavarrilla made a motion to take no action until further information is obtained from the Anderson County District Attorney and Anderson County Sheriff. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Ten: Discuss and take action on enforceability of the City of Elkhart Exotic Animal Ordinance in reference to documents provided by Tammy Baughman.

The council opened the item up for discussion with Councilman Andrew Chavarrilla first stating that according to the City attorney, Department of Justice, and the Housing and Urban Development department guidelines as well as the documents provided by Tammy Baughman, the City of Elkhart still has an enforceable Ordinance.

Councilman Andrew Chavarrilla read from the Department of Justice website printout and also about the HUD's authority regarding the Fair Housing Act. Stating that the owner must display/prove that the owner/handler has full control of the animal at all times.


Ms. Baughman wanted to discuss a case that she had found online that she felt pertained to this ordinance. Councilman Andrew Chavarrilla read aloud an excerpt that Ms. Baughman felt especially held specific information that the council should hear.

Each member of the council stated that they are not individually attorneys nor did they want or could they interpret case law.

Councilman Billy Jack Wright made a motion that the City of Elkhart Exotic Animal Ordinance is enforceable with regard to documents provided by Tammy Baughman.

Agenda Item Eleven: Adjourn.

Councilman Andrew Chavarrilla made a motion to adjourn at 6:20 p.m. Councilwoman Beverly Anderson seconded the motion. All voted 'aye'. The motion carries adjourning the meeting at 6:20 p.m. with no further business.



Mayor Pro Tem

ATTEST



Tabitha Franklin

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

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On the Seventh day of December 2015, the City of Elkhart Council convened into a City Council Meeting at 6:00 p.m. with the following members present:

| | | |
|-------------------|---|---------------|
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Beverly Anderson | * | Councilmember |

A quorum being present, Councilman Mike Gordon called the meeting to order at 6:03p.m. All were asked to stand and recite the Pledge of Allegiance. Citizens present were, see attached Exhibit "A". Citizens speaking were Chris Bice regarding her thoughts on who the council should hire for the City Secretary position and Randy Mc Coy also addressed the council on a few topics. Mr. McCoy asked for notification when an item is on the Agenda regarding the Elkhart Volunteer Fire Department so that a representative can be present. Also, made a statement regarding Agenda Item Twenty One, that there are no empty bays at the fire department, asking the council to please come to fire department and take a look for themselves. Regarding Agenda Item Fifteen Mr. McCoy also stated that there had previously been an agreement between the city and the fire department. Mr. McCoy was also under the impression that TML had been asked about the vehicles at the landfill for the use of training for the fire department and that previously TML had no issue with it as long as there were no live fires during the training.

Agenda Item One: Discuss and take action on phone system and hear from Kelly Butler with Windstream regarding options for phone lines.

Windstream representative, Kelly Butler, could not attend the meeting.

Agenda Item One is skipped at this time.

Agenda Item Two: Discussion and action on Public Hearing –Carlos Beceiro with Grantworks, Inc. will facilitate a planning workshop associated with TxCDBG Planning Study Contract No. 7214054 as part of the City's comprehensive planning process for the 2016-2026. Items to be discussed include provision of services for parks, economic development, water, wastewater, drainage and streets, as well as housing conditions and land use and zoning patterns.

Carlos Beceiro began workshop by passing out a handout to the public and council regarding the topics of the workshop. Carlos had researched and visited the city checking on streets, housing conditions, parks, mapping of drainage facilities in town and, other such topics of discussion. Councilman Billy Jack Wright requested research be done on evaluating the City of Elkhart regarding Economically Distressed Area Program.

There was no further discussion when the workshop was closed and no action taken at this time.

Agenda Item Three: Hear from Sherriff Taylor and District Attorney regarding Animal Ordinance 112-081307-1.

Discussion ensued from Anderson County District Attorney Allison Mitchell and Anderson County Sheriff Greg Taylor regarding Animal Ordinance being enforceable. In order for the Anderson County Sheriff's Department to enforce the said Ordinance or any other Ordinance for that matter, the City of Elkhart would need to have a contract or Interlocal Agreement with the Anderson County Sheriff's Department. Anderson County District Attorney Allison Mitchell recommended contacting the City of Palestine's Code Enforcement Officer Patsy Smith regarding Palestine's Interlocal Agreement with the Anderson County Sheriff's Department.

Agenda Item Four: Hear from and discuss with District Attorney's office in regards to case update on the water line located at 2107 Hwy 294 West.

Per Councilman Mike Gordon Agenda Item Four will now be combined with Agenda Items Twenty and Twenty-One.

Agenda Item Five: Executive Session - pursuant to Texas Government Code section 551.074, the council will convene into Executive Session regarding (Personnel matters and to discuss Pending/Contemplative Litigation) Council will also discuss the hiring of a City Secretary, applicants and position. (previously Agenda Item Twenty)

At this time, 6:45pm the Council did convene into Executive Session- pursuant to Texas Government Code section 551.074, regarding (Personnel matters and to discuss Pending/Contemplative Litigation) Council will also discuss the hiring of a City Secretary, applicants and position.

Agenda Item Six: Reconvene into Open Session - Pursuant to Texas Government Code section 551.074 (Personnel) hiring of a City Secretary, applicants and position. (previously Agenda Item Twenty-One)

At 7:10pm the City Council reconvened the meeting into Open Session.

There was no discussion, nor any action taken at this time.

Agenda Item Seven: Discuss and take action on setting curfew for Elkhart, and hear from Sherriff Taylor and District Attorney Allyson Mitchell relating to the setting of a curfew.

Anderson County District Attorney Allison Mitchell said there will have to be specific time frames, from her preliminary research she provided copies of other city's ordinances also, reiterating the need for a contract between the City of Elkhart and the Anderson County Sheriff's Department as well as an Interlocal Agreement in order for the Sheriff's Department to enforce a curfew put in place by an ordinance.

There was also discussion from Sheriff Taylor regarding the fact that there are occurrences that a deputy may not be readily available in the Elkhart area, due to normal business issues such as shift shortages, vacation times scheduled off and other such personnel matters but that a deputy would of course, be dispatched out in the event of an emergency call to the Sheriff's Department.

Further discussion was regarding some recommendations of possible punishments such as the offender receiving a Class C misdemeanor offense, fines, community service and the offender being taken back to the parents when found in violation of the curfew.

City Attorney Blake Armstrong offered to put together an Ordinance for the curfew. Anderson County District Attorney Allison Mitchell will draft a contract or Interlocal Agreement for review at a later date between the City of Elkhart and the Anderson County Sheriff's Department.

Councilman Mike Gordon made a motion to have City Attorney Blake Armstrong draft a City Ordinance for review and approval at a later date. Councilwoman Beverly Anderson seconded the motion. All voted "aye". The motion carries.

Agenda Item Eight: Approve Ordinance No. 10052015, Adoption of the Budget for the fiscal year ending 2016.

Councilman Billy Jack Wright made a motion to adopt the Ordinance No. 10052015 for the Budget for the fiscal year ending 2016. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Nine: Discuss and take action on City Landfill equipment and vehicles stored on City property after consulting with TML.

This Agenda Item will be combined with Agenda Item Fifteen per council.

Agenda Item Ten: Discussion of meeting with TML representative regarding liabilities to the City and approve presenting a letter to identify ownership of junk vehicles at landfill. (previously Agenda Item Fifteen)

Councilman Billy Jack Wright stated meeting held with TML representative Courtney Sturgin regarding the liabilities, all types of vehicles, school buses, bull dozer, etcetera, also, items need to go from wastewater plant.

Heard from Elkhart Volunteer Fire Department, Fire Chief, Randy McCoy who requested a letter from TML stating that they came to Elkhart and discussed liabilities with regard to the vehicles that are used for the Elkhart Volunteer Fire Department's training at the City of Elkhart landfill.

Fire Chief McCoy asked about the three carports behind Judge Thomas' office and that are not being utilized by the city to cover their vehicles. Also, Fire Chief McCoy discussed the certification classes that are required and the training that is given by the Elkhart Volunteer Fire Department and that the City landfill location is used when training and that firefighters come from all over Texas to participate in the training school. McCoy then stated that HB 2604 grant that allows \$75.00 fee per day, per student to be assessed for the training school.

Fire Chief McCoy asked and invited the City council to come down to the fire station and take a look and receive a tour of the facility.

Discussion went back and forth regarding the open bays or lack there of as stated by McCoy and McCoy stating that it would be cheaper for the city to secure the vehicles at the landfill than to remove.

Councilman Billy Jack Wright made a motion to table agenda items Seven and Fifteen, now Agenda Items Nine and Ten. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carried.

Agenda Item Eleven: Discuss and take action on employee budgeted Christmas Bonuses.

Councilman Billy Jack Wright states he does not think the city is prepared this year to pay bonuses. Councilman Mike Gordon also agrees with the city's current financial state, bonuses cannot be given.

Councilman Mike Gordon made a motion to not budget any Christmas bonuses for the fiscal year of 2015. Councilman Billy Jack Wright seconded motion. Councilman Mike Gordon and Councilman Billy Jack Wright voted "aye". Councilwoman Beverly Anderson voted "nay". The motion carries.

Agenda Item Twelve: Discuss and sign adjustments for the month of November, 2015.

Adjustments for the month of November, 2015 were discussed and signed.

Agenda Item Thirteen: Hear reports from Mayor Pro Tem, Outside Supervisor /Code Enforcement and Accounts Payable Clerk.

Mayor Pro-Tem, Andrew Chavarrilla, not present. No report given.

Outside Supervisor/Code Enforcement Officer, BJ Perry discussed the following

- School Well is now up and running - distribution started over the weekend;
- 294 leak Saturday, Davis Street leak today;
- Tiger Creek laying a gas line,
- when School Well went back on line the pump is unofficially pumping 300 gallons per minute, for submittal to TCEQ. TCEQ is coming Friday to discuss pretreatment.
- TCEQ seminar was missed due to not enough time for approval prior to seminar
- TxDOT application for relocating line on FM 1817 has been approved instead of 3/4" service line bore it will be a 2" line, waiting to do the line work due to soft ground from all the recent rainfall.
- 2 employees did not make the grade on last test
- Math book has been purchased by the Public Works Supervisor to use by the outside guys for study purposes.
- Code Enforcement would like to order a citation book for citing, Mr. Perry is licensed Code Enforcement Officer but has not been able to write citations until now.

Accounts Payable Clerk, Carla Sheridan has nothing to report at this time.

Agenda Item Fourteen: Review and approve October Financial Reports.

Councilman Mike Gordon made a motion to table item as Councilman Chris Sheridan, City Comptroller is not present. Councilman Billy Jack Wright seconded the motion. All voted "aye". The motion carries

Agenda Item Fifteen: Discuss and take action on removing fees associated with water tap that was left unattended from previous staffing, located at 126 Woodcrest, Elkhart, Texas 75839.

Public Works Supervisor BJ Perry stated that Mr. McShan had purchased a water and sewer tap and that Mr. McShan was told it would not be at any further expense to him. Council asks that Mr. McShan be contacted and asked to provide any documentation if possible of payment or agreement with the city of Elkhart at the original time of work.

Councilman Mike Gordon made a motion to table Agenda Item Fifteen to see if Mr. McShan can produce any documentation. Councilwoman Beverly Anderson seconded the motion. All voted "aye". The motion carries.

Agenda Item Sixteen: Discuss and approve Minutes from the November 16, 2015 Council Meeting.

Councilman Billy Jack Wright made a motion to table the minutes until December 21, 2015 council meeting. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Seventeen: Consider and approve Adopting Ordinance No. 12072015 for Records Management.

Councilman Billy Jack Wright recommends adopting the recommended retention schedule as set forth by the State of Texas. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Sixteen: Discuss and take action on approving renewal of Palestine Herald Press annual subscription.

Discussion ensued. Councilman Billy Jack Wright made a motion to approve the renewal of the Palestine Herald Press annual subscription. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Seventeen: Discuss and take action Purchase Orders and who can request them.

Discussion ensued suggesting to allow city employees, council members and mayor authority to request Purchase Orders. Councilman Billy Jack Wright made a motion to allow Carla Sheridan to prepare a policy and order a Purchase Order book. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Eighteen: Review and discuss pages 1-10 in submitted employee handbook.

Discussion ensued. Council members took the advice of Carla Sheridan to divide the proposed handbook up into sections and set workshop dates and times to allow time to read through the proposed Employee Handbook and to make it easier to tackle a section of pages at a time.

Councilman Mike Gordon made a motion to set dates for workshops for the review of the Employee Handbook as follows; the first workshop will be December 21, 2015 at 5:00pm, prior to the regular scheduled Council meeting; the second workshop will be held on January 4, 2016 at 5:00pm, prior to the regularly scheduled Council meeting. Councilman Billy Jack Wright seconded the motion. All voted "aye". The motion carries.

Agenda Item Nineteen: Discuss and take action on possibility of City using bay at the EVFD to cover and protect new model backhoe and tractor from damage.

Per Fire Chief Randy Mc Coy there are no empty bays at the fire department and the council is invited to come down and take a look for themselves any time.

Councilman Billy Jack Wright made a motion to take no action on Agenda Item 19 at this time. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Twenty-Two: Adjourn.

Councilman Billy Jack Wright made a motion to adjourn at 9:17p.m. Councilwoman Beverly Anderson seconded the motion. All voted 'aye'. The motion carries adjourning the meeting at 9:17p.m. with no further business.



Mike Gordon, Councilman

ATTEST



Tabitha Franklin

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twenty-first day of December 2015, the City of Elkhart Council convened into a Regular Council Meeting at 5:00 p.m. with the following members present:

| | | |
|-------------------|---|---------------|
| Mike Gordon | * | Councilmember |
| Billy Jack Wright | * | Councilmember |
| Chris Sheridan | * | Councilmember |
| Beverly Anderson | * | Councilmember |

A quorum being present, Councilman Mike Gordon called the meeting to order at 5:10 p.m. Citizens present were see attached Exhibit "A". Citizens speaking were see attached Exhibit "B". All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Workshop to review submitted Employee Handbook.

The workshop is being held to review the drafted Employee Handbook submitted by the city attorney, Blake Armstrong and make necessary changes in order to adopt the Employee Handbook for the city.

Discussion ensued.

Councilman Chris Sheridan discussing his concerns regarding the structure of the harassment policies, who and how a complaint of harassment is to be addressed. The issue being that the employee needs the freedom to go to anyone they feel comfortable with to make a complaint. Council discussing suggestions about adding or changing language that the employee can come to any city council member and even bypass the department director to address a situation so that in the event the harassment is coming from a department director or the city secretary the harassed individual has a way to file a complaint and not be considered as being subordinate. Councilman Chris Sheridan stated that the employee handbook seems to be for a larger city and definitely needs some rewording in order to be functional for the city of Elkhart.

Further discussion ensued regarding each section and policy in the proposed employee handbook.

Agenda Item Two: Hear from KSA Tracy Hicks regarding upcoming projects for review by council.

Tracy Hicks, KSA Engineer is addressing the council to bring them up to speed on projects that are currently ongoing, upcoming and an update on recently finished projects.

Tracy Hicks, KSA Engineer discussed issues regarding the water system and the last TCEQ water system inspection the most pressing being the inoperable Day Well, either use it or plug it, and the fact that without the well, on paper, the city does not have enough water well capacity to meet the minimum design requirements.

Mr. Hicks explained that he is working with BJ Perry, Public Works Supervisor in order to do daily reads from the wells for the 36 month pumping information. KSA will then take that and divide it by the total number of active connections the city has had and if it can be proved that from that data that as a water system the city used less than what they say by standard you have to have you can get a variance to that, that will allow you to have how many gallons/per minute the wells are supposed to produce.

The School Well, since repaired recently is producing a bit more water so, that will help the city out with the pumping numbers. Mr. Hicks believes that the numbers will be significantly less than the 0.6 standard and that by these things the city can get out of the compliance trap it is in and avoid fines.

Another issue was a write up years ago about the condition of the elevated storage tank in the back, the stand pipe. KSA has recently finished the grant project that rehabbed the Newsome stand pipe and now has it up to standard.

Also, a water system analysis was done a couple years ago by KSA and through that discovered that the city's stand pipes and storage tanks are too short to provide what the state now requires minimum pressures to be. When these facilities were built these standards were not in place and in order to meet the minimum pressure standards we would have to increase pressure in the system. The first suggestion is to build a new elevated tank at a higher level and pump everything into it. Mr. Hicks is currently looking at other options, that are more cost efficient for the city such as, putting in pressure tanks and booster pumps. The City of Elkhart is a small enough system that this option would be at a significant savings to the city and, since the City already has generators Mr. Hicks says he is reasonably optimistic about this being a solution to the pressure issue.

Next, in the same study it was revealed that the system has a lot of small water lines and bottle necks that are causing additional pressure problems that need to be addressed at some point in an orderly manner. Line replacements aren't as urgent as the other issues.

The items discussed are the most pressing issues. Mr. Hicks would like to come back in March and discuss budgets for the projects needed. Also, the permit will need to be renewed soon and there is a fee to TCEQ and whomever the council hires to do the work. Just so the council is aware of the costs coming up to renew and the renewal is every 5 years.

Agenda Item Three: Discuss and take action on consideration of contacting Auditing firm Prothro Wilhelmi for a forensic audit.

Heard from Councilman Billy Jack Wright concerning his conversation with Mr. Wilhelmi. Councilman Billy Jack Wright would like to have Mr. Wilhelmi come and address the council regarding forensic and traditional audits and what their firm can offer.

Councilman Chris Sheridan questioned the amount of the consultation fee, which at this time the council is not aware of the amount.

Councilman Mike Gordon made a motion to contact the firm of Prothro, Wilhelmi & Company, PLLC.

Councilman Mike Gordon made a motion to rescind the motion to contact the firm of Prothro, Wilhelmi & Company, PLLC. Councilwoman Beverly Anderson seconded the motion. All voted "aye". Motion to rescind the motion to contact the firm of Prothro, Wilhelmi & Company, PLLC carries.

Councilman Chris Sheridan made a motion to contact the firm of Prothro, Wilhelmi & Company, PLLC to hear from regarding possible forensic audit and yearly fiscal audit at the next regularly scheduled council meeting if the consultation fee does not exceed \$300.00. Councilwoman Beverly Anderson seconded the motion. All voted "aye". The motion carries.

Agenda Item Four: Discuss and take action on contacting an Auditor for the fiscal year 2014-2015 audit.

Councilman Billy Jack Wright made a motion to contact the firm of Prothro, Wilhelmi & Company, PLLC regarding conducting the fiscal year 2014-2015 audit. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Five: Discuss and take action on allocating insurance reimbursement from TML for school well pump to the debt service fund to pay toward bond.

Councilman Chris Sheridan made a motion to allocate the insurance reimbursement from TML for the School Well pump to the debt service fund to pay toward the bond. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Six: Discuss and take action on allocating the insurance reimbursement for fire hydrant to the debt service fund to pay toward bond.

Councilman Chris Sheridan made a motion to allocate the insurance reimbursement for the fire hydrant to the debt service fund to pay toward bond. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Seven: Discuss and approve minutes from the November 16th, November 20th and December 7th meetings.

Councilman Billy Jack Wright made a motion to approve the minutes from the November 16th, November 20th and December 7th 2015 meetings. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Eight: Discuss and take action on approving Purchase Order Policy.

Councilman Chris Sheridan made a motion to approve the Purchase Order Policy with the amendment that employees must print and sign their name on purchase orders issued to them. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Nine: Discuss and take action on Yard of the Month for December.

Councilman Billy Jack Wright suggested making 307 North Main Street the yard of the month for December. Councilman Billy Jack Wright made a motion to dedicate the yard of the month to 307 North Main Street for the month of December. All voted "aye". The motion carries.

Agenda Item Ten: Discuss and approve Resolution (to be numbered 12212015) establishing and implementing a records control schedule.

Councilman Chris Sheridan questioned whether the city is in compliance. Billing Clerk Carla Sheridan instructed him that the city attorney Blake Armstrong constructed the Resolution in order to bring the city up to compliance. Councilman Chris Sheridan also suggested that the clerk, secretary, whomever please review the state guidelines for records retention.

Councilman Chris Sheridan made a motion to approve Resolution 12212015. Councilman Billy Jack Wright seconded the motion. All voted "aye". The motion carries.

Agenda Item Eleven: Discuss and take action on adding a third signatory to CBTx Bank for the City of Elkhart bank accounts.

Councilman Billy Jack Wright made a motion to add Councilwoman Beverly Anderson as the third signatory to the Commercial Bank of Texas bank accounts for the City of Elkhart. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Twelve: Discuss and approve financial statements for November and December 2015.

Councilman Billy Jack Wright made a motion to approve and request for overtime reporting monthly. Councilman Billy Jack Wright made a motion to rescind his previous motion. Councilman Chris Sheridan seconded the motion to rescind. All voted "aye". The motion carries.

Councilman Billy Jack Wright made a motion to approve October and November financials with additional overtime report for each month. Councilwoman Beverly Anderson seconded the motion. All voted "aye". The motion carries.

Agenda Item Thirteen: Discuss and take action on sending an employee to election law seminar in Frisco, Texas on January 21, 2015 through January 23, 2015.

As discussion ensued on the election law seminar it was realized that the information on the website was for the year of 2015 and not the upcoming 2016 election law seminar.

Councilman Billy Jack Wright made a motion to table agenda item thirteen at this time. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Fourteen: Discuss and take action on purchasing skimmer wiper and spring blades for Amwell Clarifier at Wastewater Treatment Plant.

The council heard from Public Works Supervisor BJ Perry regarding the needed parts to replace for the sludge removal at the Wastewater Treatment Plant.

Councilman Billy Jack Wright made a motion to purchase skimmer wiper and spring blades for Amwell Clarifier at Wastewater Treatment Plant at the price of \$778.00 plus shipping. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Fifteen: Discuss and approve renewal for the Grapeland Messenger annual subscription fee of \$22.00.

Councilman Billy Jack Wright made a motion to renew the annual subscription to the Grapeland Messenger in the amount of \$22.00. Councilwoman Beverly Anderson seconded the motion. All voted "aye". The motion carries.

Agenda Item Sixteen: Discuss a plan of action for problem water line areas for rehab and the city's infrastructure.

This item was actually added to agenda item two and the council heard from Public Works Supervisor at this time regarding old Asbestos Concrete lines. Tiger Creek is currently adding new gas lines and had some issues and fixing due to hitting the lines. It was agreed that the council and Public Works department need to start collaborating and creating a plan of action. Councilman Chris Sheridan requested that someone contact Tracy, Engineer from KSA and ask them to put together a plan of action for problem areas within the city.

Agenda Item Seventeen: Discuss and take action issuing recognition lagniappe, a previously consented expenditure.

Discussion ensued. Councilman Billy Jack Wright made a motion to give a \$400.00 Christmas bonus to all city employees. Councilman Mike Gordon seconded the motion. Councilman Billy Jack Wright, Councilman Mike Gordon and Councilwoman Beverly Anderson voted "aye", Councilman Chris Sheridan abstained. With a majority vote the "ayes" have it and the motion carries.

Agenda Item Eighteen: Discuss and take action on letter from TML in reference to the city's liability on junk vehicles.

Council will consult further with city attorney Blake Armstrong regarding the liabilities and the cost to the city to dispose of the vehicles properly. Also, as city employees are they responsible for signage and securing the junk vehicle.

Councilman Billy Jack Wright made a motion to get and send documents to Blake for review and a letter be drafted regarding the junk vehicles at city property for his consideration and opinion. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Nineteen: Discuss and approve sending letter's out to claim abandoned vehicles on city landfill.

Councilman Billy Jack Wright made a motion to send letters out to Ty Woodall, Jim Bob Parker, Randy McCoy and the Elkhart Volunteer Fire Department concerning the vehicles and claim thereof for abandoned vehicles on city property. Councilman Billy Jack Wright made a motion to rescind his motion to send letters out to Ty Woodall, Jim Bob Parker, Randy McCoy and the Elkhart Volunteer Fire Department concerning the vehicles and claim thereof for abandoned vehicles on city property. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Councilman Billy Jack Wright made a motion to send out certified letters regarding titles of vehicles on City of Elkhart property to Randy McCoy, Ty Woodall, Elkhart Volunteer Fire Department, Jim Bob Parker and First Responders. Councilman Mike Gordon seconded the motion. All voted "aye". The motion carries.

Agenda Item Twenty: Consider and take action on approval to allocate General fund and set monthly amount dedicated toward Bond Fund due in February, 2016. Review letter from attorney regarding using money from General.

Councilman Chris Sheridan made a motion to allocate \$9,000.00 for January and February from General to the debt service fund toward payment for series 2005 bond. Councilman Billy Jack Wright seconded the motion. All voted "aye". The motion carries.

Agenda Item Twenty-One: Executive Session-Pursuant to Texas Government Code section 551.074, the council will convene into executive session (Personnel). Council will discuss: Personnel. Council will discuss and take action on hiring a City Secretary; applicants and position. Council will discuss and take action on length of time to retain temporary hired office help, pending outcome of City Secretary position and or discuss and take action on hiring additional office staff.

The council convened into executive session at 8:53 pm.

Agenda Item Twenty-Two: Reconvene into Open Session-Pursuant to Texas Government Code section 551.074 (Personnel): Personnel. Discuss and take action on hiring City Secretary; applicants and position. Discuss and take action on length of time to retain temporary hired office help, pending outcome of City Secretary position and or discuss and take action hiring additional office staff.

The council reconvened into open session at 10:19 pm.

There was no further discussion needed and the action taken is as follows;

Councilman Billy Jack Wright made a motion to hire as City Secretary, Carla Sheridan at the salary of \$35,000.00 per year. Councilman Mike Gordon seconded the motion. Councilman Billy Jack Wright, Councilman Mike Gordon and Council woman Beverly Anderson voted "aye", Councilman Chris Sheridan abstained. With the majority vote the "ayes" have it. The motion carries.

Councilman Mike Gordon made a motion to hire as Billing Clerk, Courtney White at the salary of \$32,000.00 per year, with a 90 day probationary period. Councilwoman Beverly Anderson seconded the motion. All voted "aye". The motion carries.

Councilman Mike Gordon made a motion to retain temporary hired office help, Tabitha Franklin at her current rate of pay until February 29, 2016. Councilwoman Beverly Anderson seconded the motion. All voted "aye". The motion carries.

Agenda Item Twenty-Three: Adjournment.

Councilman Billy Jack Wright made a motion to adjourn at 10:24 p.m. Councilman Mike Gordon seconded the motion. All voted 'aye'. The motion carries adjourning the meeting at 10:24 p.m. with no further business.


Mike Gordon, Councilman

ATTEST


Tabitha Franklin