

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twenty-Second day of January 2019, the City of Elkhart Council convened into a Regular Council Meeting at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Lucia Butler	*	Councilmember
Raymond Dunlap	*	Councilmember
Chuck Conner	*	Councilmember
Daryll Faulk	*	Councilmember
Taylor Bentley	*	Councilmember

Agenda Item One: Call to order, Prayer, Pledge, Citizen Recognition.

The council meeting was called to order at 6:00 p.m. Recite of prayer and pledge. Attorney Blake Armstrong was present for the meeting.

Agenda Item Two: Discuss and take action presenting the Elkhart Volunteer Fire Department with the monthly recognition award.

The Elkhart Volunteer Fire Department was presented the Monthly Recognition Award from the City of Elkhart.

Agenda Item Three: Council will convene in Executive Session to discuss the following:

- (A.) Pursuant to Texas Government Code Section 551.071 to seek legal advice from City Attorney Blake Armstrong regarding providing utility services.
- (B.) Pursuant to Texas Government Code Section 551. 074 (Personnel) discuss the employment of a code enforcement officer.

Council convened to a closed session at 6:12 p.m. to discuss Agenda Item Three.

Agenda Item Four: Council will discuss and take action as desired on agenda item three (A.) and (B.)

Council reconvened in open session at 6:43 p.m.

Council lady Lucia Butler made the motion to take no action on Agenda Item Three (A.) and (B.) . Council lady Taylor Bentley seconded the motion. All voted “Aye”, the motion carried.

Agenda Item Five: Discuss and take action, if any, hearing from Gary McCoy concerning his agenda request worded as contract on sewer.

City Secretary reported on wording of item. I reported to council, “I cannot locate an agreement or a contract.” Mr. McCoy spoke to council and stated he bought property and started building on house on the property. Mr. McCoy said there was a city sewer line running through his property with no easement. Mr. McCoy said the council told him if he would provide an easement that the city would provide hook ups for free. Mr. McCoy told council he provided an easement to the city. Council also discussed future annexation of area. The Mayor spoke about budgeting for the project. The City Attorney spoke in regards to an easement at location and stated he did not construct a contract. Councilman Conner spoke about needing a signed easement.

Council lady Lucia Butler made the motion that the city honor the easement for Mr. McCoy and that we extend the line properly. City Attorney Blake Armstrong stated, “ Can I ask you to reword that, the easement would not be a contract and the easement would only be to get on the property. I just do not want there to be confusion in the minutes with the motion.” Council lady Butler made a motion that the city upgrade the sewer line up through C&C Processing to TCEQ standards. Councilman Chuck Conner seconded the motion. All voted “Aye”, the motion carried.

After discussion with the city attorney, Mayor Gordon opened item five back to the table. Council lady Butler made the motion to rescind the motion that the city upgrade the sewer line up through C&C Processing to TCEQ standards. Council lady Taylor Bentley seconded the motion. All voted “Aye”, the motion carried to rescind the motion.

Council lady Lucia Butler made the motion that the City of Elkhart upgrade the sewer line through C&C Processing to TCEQ standards and the city also honor its word to Mr. McCoy to provide him sewer services. Council lady Taylor Bentley seconded the motion. All voted “Aye”, the motion carried.

Agenda Item Six: Discuss and take action concerning request of Billy Jack Wright presenting documentation for a request concerning a housing project off F.M 319 South West for the City of Elkhart to construct a new 6 inch, 1500 foot sewer line, lift station and clean out points to accomodate eight new houses to be constructed on said property and for line to be maintained by the City of Elkhart.

Mr. Wright spoke to the council concerning the agenda item. Mr. Wright said he could provide easement to the city. Council discussion ensued over property inside and outside the city limits.

City Attorney asked if the Secretary could provide him a copy of Ordinances pertaining to subdivisions.

Council lady Butler made the motion to table the item until the City Secretary and Attorney can review the Subdivision Ordinances. Councilman Raymond Dunlap seconded the motion. All voted “Aye”, the motion carried.

Agenda Item Seven: Discuss and take action , if any, regarding request by Mr. Johnnie Goff to be connected to city sewer at residence on Bonner's Ferry Rd.

Council heard from Johnnie Goff requesting connection to the sewer system in Elkhart at his residence. Mr. Goff spoke of being a tax payer , the residence next door to him being hooked into the city sewer system and his request to extend the sewer line to his property since he is a tax paying citizen.

Council lady Taylor Bentley motioned to table February meeting until KSA can provide an estimated cost on all three projects. Councilman Raymond Dunlap seconded the motion. All voted "Aye", the motion carried.

Agenda Item Eight: Discuss and take action if any, hearing from Michele Renfro with Colonial Life Insurance Company.

Council lady Taylor Bentley made the motion to table the item until the February 19, 2019 meeting. Councilman Chuck Conner seconded the motion. All voted "Aye", the motion carried.

Council lady Lucia Butler made the motion to move agenda item fifteen before agenda item nine. Councilman Raymond Dunlap seconded the motion. All voted "Aye", the motion carried. The items will remain in posting order for recording purpose of minutes.

Agenda Item Nine: Discuss and take action to consider having attorney draft an Ordinance requiring mandatory hook up to current existing sewer line connections within the city limits.

Councilman Raymond Dunlap made the motion to request City Attorney, Blake Armstrong to draft an Ordinance requiring mandatory sewer connections in the city limits. Councilman Chuck Conner seconded the motion. All voted "Aye", the motion carried.

Agenda Item Ten: Discussion with council to update on the added coverage for the following items to the city's TMLIRP insurance policy; coverage of bulk supply, newly purchased locating equipment, sewer camera, tornado sirens, lift station at 507 Hwy 287 N.

Discussion with council on the successful addition of all the agenda items listed on agenda item ten to the TMLIRP Insurance for coverage.

Agenda Item Eleven: Present council with all emails concerning wording of agenda item twenty one of the December 17, 2019 and January 7, 2019 council meeting agendas.

Presentation of emails concerning the wording of the agenda item twenty one of the December 17, 2018 and agenda item fourteen of the January 7, 2019 meetings. City Secretary presented emails to Council concerning the request for the agenda item . The wording on the agenda item was requested through email from the Secretary and was not returned. Therefore it was reported for clarity on the items purpose. The items of both meetings were for Tornado Siren's to be controlled simultaneously for the city's purpose. No action was taken on the item of providing documentation concerning the agenda item wording and purpose.

Agenda Item Twelve: Discuss and take action approving minutes for the month of December 2018 and the meeting of January 7, 2019.

Council lady Taylor Bentley made the motion to table the agenda item. Councilman Chuck Conner seconded the motion. All voted "Aye", the motion carried.

Agenda Item Thirteen: Discussion with council updating TMLIRP Claim on School Lift Station pumps for the 2017 and 2018 claims being paid to the City of Elkhart in the amount of \$30,081.65 deposited to the City of Elkhart Water account with CBTX Bank.

Council was provided documentation of deposit's of claims to the City of Elkhart from the TMLIRP claims. No action was taken on the item of discussion presenting deposit information of claims and checks in the amount of \$30,081.65.

Agenda Item Fourteen: Discuss and take action concerning all aspects of tank inspections.

Councilman Chuck Conner made the motion to approve the quote submitted by U.S. Underwater for tank inspections. Councilman Daryll Faulk seconded the motion. All voted "Aye", the motion carried.

Agenda Item Fifteen: Discuss and take action on drainage problems and requested ditch work on Woodcrest, Ridgedale, Pilgrim and Hertz Streets.

Council lady Lucia Butler made the motion to move agenda item fifteen before agenda item nine. Councilman Raymond Dunlap seconded the motion. All voted "Aye", the motion carried. The items will remain in posting order for recording purpose of minutes.

Council heard from Ms. Dunnam concerning flooding of church from lack of drainage in the area. The citizen is requesting any ditch work that can be done to the area to protect property.

Councilman Chuck Conner made the motion to seek bids from contractor's on drainage work and replacement of culverts on areas addressed on the item. Councilman Raymond Dunlap seconded the motion. All voted "Aye", the motion carried.

Agenda Item Sixteen: Discuss and take action requesting a quote for cell phones and or tablets for use of field employees.

Council lady Lucia Butler made the motion to receive quotes on two (2) cell phones and one (1) tablet for use of the City of Elkhart. Councilman Chuck Conner seconded the motion. All voted "Aye", the motion carried.

Agenda Item Seventeen: Discuss and take action, if any, on purchasing rock and oil sand for city use.

Councilman Chuck Conner made the motion to purchase four (4) loads of road base and two (2) loads of oil sand. Councilman Raymond Dunlap seconded the motion. All voted "Aye", the motion carried.

Agenda Item Eighteen: Discuss and take action concerning financials and payroll report for the month of December 2018.


Councilman Chuck Conner made the motion to approve the financials for the month of December 2018. Councilman Daryll Faulk seconded the motion. All voted "Aye", the motion carried.

Agenda Item Nineteen: Present and discuss with council with letter concerning Reliable Lift Station provided by KSA Tracy Hicks, City Engineer.

Council provided letter from KSA concerning the Reliable Lift Station from KSA. No action taken on the item of discussion and presentation of letter.

Agenda Item Twenty: Adjournment.

Councilman Chuck Conner made the motion to adjourn. Council lady Taylor Bentley seconded the motion. All voted “Aye”, the motion carried. The meeting of January 22, 2019 adjourned at 9:26 p.m.


Mike Gordon
Mayor

ATTEST:


Carla Sheridan– City Secretary

