

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Fourth day of January 2016, the City of Elkhart Council convened into a Regular Council Meeting at 6:00 p.m. with the following members present:

- Mike Gordon * Councilmember
- Billy Jack Wright * Councilmember
- Chris Sheridan * Councilmember *ABSENT
- Beverly Anderson * Councilmember

A quorum being present, Councilman Mike Gordon called the meeting to order at 6:02 p.m. Citizens present were see Exhibit "A". Citizens speaking were see Exhibit "B". All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Discuss and take action on hearing from Walter Wilhelmi with Prothro, Wilhelmi & Company regarding forensic audit for the City of Elkhart.

Collectively, Councilmen Billy Jack Wright, Mike Gordon and Beverly Anderson agreed to skip agenda item one and two until Walter Willhelmi with Prothro, Wilhelmi & Company was able to make the meeting.

Agenda Item Two: Discuss and take action on hearing from Walter Wilhelmi with Prothro, Wilhelmi & Company regarding employing Prothro, Wilhelmi & Company for the City of Elkhart accounting needs and Audit for 2014-2015 Fiscal Year.

Collectively, Councilmen Billy Jack Wright, Mike Gordon and Beverly Anderson agreed to skip agenda item one and two until Walter Willhelmi with Prothro, Wilhelmi & Company was able to make the meeting.

Agenda Item Three: Discuss and take action on designating Beverly Anderson to sign for documents pertaining to The City of Elkhart and adding Beverly Anderson to CBTx -safety deposit box.

Discussion ensued.

Councilman Billy Jack Wright made a motion to designate Beverly Anderson to sign for documents pertaining to The City of Elkhart and adding Beverly Anderson to CBTx safety deposit box. Councilmember Mike Gordon seconded motion. Councilman Billy Jack Wright and Councilman Mike Gordon voted "aye". Councilman Beverly Anderson abstained. Motion carried.

Agenda Item Four: Discuss and approve purchasing a new high pressure chlorine feed pump and a spare.

Public Works Supervisor, BJ Perry, is addressing the council to explain the need for a new high pressure chlorine feed pump and spare. He stated that the current pump at Newsome Well has been in place for a year and a half, and has worn out to the point that it is not repairable. Councilman Mike Gordon inquired about how long the warranty on the pump is good for; Perry responded that the pump has a one year warranty only. Councilman Billy Jack Wright questioned the estimated cost for a new pump, which Perry researched to be around \$650.00 or so a piece; assuming that \$1400.00 would be enough to cover the cost of the main pump and spare. Perry also suggested budgeting for a new pump each year, as each pump can

only sufficiently run for that amount of time. With the given information and research, the council found that the need for a new pump and spare is both necessary and reasonably priced.

Councilman Billy Jack Wright made a motion to purchase a new high pressure chlorine feed pump and another as a spare for an estimated amount of \$1400.00. Councilman seconded motion. All voted "aye"; motion carried.

Agenda Item Five: Review and approve corrected Holiday schedule.

City Secretary, Carla Sheridan, stated that originally, dates 12/24/2016 and 12/25/2016 were the scheduled Holiday days for employees; however, that actually falls on Saturday and Sunday of year 2016. Sheridan went on to add that the dates, if approved, would need to be changed to 12/23/2016 and 12/26/2016, (Friday and Monday). Councilman Billy Jack Wright stated that he spoke with Frankston and Fairfield city offices regarding their holiday schedule. Frankston City Office follows the Anderson County schedule, which allows only for Monday, December 26, 2016 as a holiday. Fairfield City Office allows both Friday, December 23 and Monday, December 26 of 2016. Public Works Supervisor, BJ Perry, stated that TML also takes the dates of the 23rd and 26th. Wright stated that since the previous schedule was for both the business day before and after December 25th has been in place, and seeing that TML also follows this schedule, he would grant both dates of December 23 and December 26. The other councilman also agreed.

Councilman Billy Jack Wright made a motion to approve Friday, December 23, 2016 and Monday, December 26, 2016 off for the holiday. Councilman Mike Gordon seconded motion. All voted "aye"; motion carried.

Agenda Item Six: Discuss and approve minutes from the December 21, 2015 council meeting.

Discussion ensued.

Councilman Billy Jack Wright made a motion to approve minutes from the meeting on December 21, 2015. Councilman Beverly Anderson seconded motion. All voted "aye"; motion carried.

Agenda Item Seven: Discuss and take action on sending Carla Sheridan to Election Law Seminar in Frisco, Texas January 20-22, 2016.

City Secretary, Carla Sheridan, expressed the importance of attending the seminar in order to fully observe the process of an election and to brush up on the current procedures. Sheridan added that it would not be practical to send Courtney White to the seminar unaccompanied at this time, as she was just appointed her new position as Billing Clerk/Accounts Payable Clerk. Councilman Mike Gordon suggested that once White is more experienced, she could attend the future seminars. Councilman Billy Jack Wright questioned if any person from the office has attended the seminar before; Sheridan stated that to her knowledge, someone has attended the seminar each year and has shown to be very beneficial. Councilman Gordon asked Sheridan if she would receive a certificate of any kind, with which Sheridan responded that she would receive course credit for attending, but wasn't certain about an actual certificate. Councilman Beverly Anderson expressed her concern of the previous election that was held and that she would like to see changes in several areas, including the personnel operating the election. Councilman Wright agreed. Sheridan ended with addressing the council that the seminar would present the existing election policies and guidelines, along with recommendations and improvements, which will certainly be implemented at this year's election.

Councilman Billy Jack Wright made a motion to send Carla Sheridan to Election Law Seminar in Frisco, Texas from January 20th to January 22nd of 2016. Councilman Mike Gordon seconded motion. All voted "aye"; motion carried.

Agenda Item Eight: Discuss and sign off on December adjustments.

Councilman Beverly Anderson began discussion by asking if the city office would be able to charge customers more who continuously write bounced checks. City Secretary, Carla Sheridan, stated that we would not be able to change the fee, and that in her history of working here, there really has not been any repeat offenders of writing bounced checks. Sheridan also went on to add that many times, adjustments are made due to billing errors, or if the customer has encountered a leak.

Councilman Billy Jack Wright made a motion to make adjustments and sign off for the month of December. Councilman Mike Gordon seconded motion. All voted "aye"; motion carried.

Agenda Item Nine: Discuss and take action on approval of Ordinance No. 1042016-1, Juvenile Curfew

Discussion began with Councilmember Beverly Anderson stating she does not see how the given curfew would benefit the community, and therefore, will not approve the ordinance. City Secretary, Carla Sheridan, stated that she could elaborate on the curfew that was recommended by the City Attorney, adding, "We have to tread lightly on a city ordinance...we cannot violate certain rights." Sheridan then began reading off a printout concerning Juvenile Curfew Laws. She also noted that the curfew can be challenged, although the City Attorney had covered all the basics when constructing the ordinance. Councilman Billy Jack Wright suggested that for the time being, the council take no action on the matter. Sheridan responded that the council can certainly choose to table the agenda item, check back with the City Attorney, and address the issue again at a later date once more information has been obtained.

Councilman Mike Gordon made a motion to table agenda item nine until additional information has been researched and presented. Councilman Billy Jack Wright seconded motion. All voted "aye"; motion carried.

Agenda Item Ten: Take action on the appointment of Carla Sheridan as Elkhart City Secretary and recite Oath of Office.

Brief discussion ensued. Councilman Mike Gordon commenced the act of appointing Carla Sheridan as secretary; Sheridan recited the Oaths of Office.

Councilman Mike Gordon made a motion to swear in Carla Sheridan as Elkhart City Secretary by reciting Oath of Office. Councilman Billy Jack Wright seconded motion. All voted "aye"; motion carried.

Agenda Item Eleven: Discuss and approve Ordinance No. 1042016-2 calling for the City of Elkhart General Election for the Election of Officers to the City of Elkhart Council-Place 1,2,3,4,5 and Mayor and the use of Recorded Electronic voting machine.

Discussion ensued.

Councilman Mike Gordon made a motion to approve Ordinance Number 1042016-2 calling for the City of Elkhart General Election for the Election of Officers to the City of Elkhart Council - Place 1, 2, 3, 4, 5 and Mayor and the use of Recorded Electronic voting machine. Councilman Beverly Anderson seconded motion. All voted "aye"; motion carried.

Agenda Item Twelve: Discuss and approve Renewal fee of \$106.00 for Code Enforcement Officer BJ Perry, which will expire on 03-31-2016.

Code Enforcement Officer, BJ Perry, stated that his license will expire on March 31, 2016. Perry also stated it was recommended to renew the license a few days before the expiration date in case of discrepancies.

Councilman Mike Gordon made a motion to approve renewal fee of \$106.00 for Code Enforcement Officer BJ Perry, which will expire on March 31, 2016. Councilman Beverly Anderson seconded motion. All voted "aye"; motion carried.

Agenda Item Thirteen: Discuss and take action on purchase of 12' x 24' budgeted building for Wastewater treatment plant from CD Storage for \$6,900.00 plus upgrades.

Code Enforcement Officer and Public Works Supervisor, BJ Perry, began by stating that the bid from Lowes was the only official bid that he has received. The charge of \$6,900.00 is to erect the building only, in which all other charges being for upgrades to the building. If they were to contract through Lowes, the "Ranch with the Porch" building would be erected within a few days, opposed to a much longer period of time if the city employees were to construct the building themselves. Perry added that the plumbing, electric, etc. would need to be done separately and recommended purchasing all materials themselves to cut cost instead of contracting out to Lowes for such. Other additional upgrades include: (recommended) tank-less water heater, windows, air conditioning, and a larger bathroom with shower to decontaminate when needed. City Secretary, Carla Sheridan, briefly reiterated to the council that a new building was previously budgeted for in the amount of \$15,000.00, leaving ample room for upgrades according to the Lowes bid. Councilman Billy Jack Wright stated this was an adequate building for the price, and that he also recommends adding a few windows to the building. The council went over the cost of upgrades, and after discussion, agreed to approve updates of two 3x3 windows and one 2x2 window for an all in price of

\$7,230.00.

Councilman Mike Gordon made a motion to purchase already budgeted 12' x 24' building for Wastewater treatment plant for cost of \$7230.00 with upgrades of two 3x3 windows and one 2x2 window added. Councilman Billy Jack Wright seconded motion. All voted "aye"; motion carried.

Agenda Item Fourteen: Consider and take action on sending Public Works Supervisor to a TEEX Industrial Pretreatment Wastewater class in Paris, Texas 2-2-2016 through 2-4-2016 for a cost of \$385.00 and hotel stay 2-1-2016 through 2-3-2016.

Councilman Billy Jack Wright made a motion to send BJ to TEEX Industrial Pretreatment Wastewater class in Paris, Texas from February 2nd through February 4th for a cost of \$385.00 plus his three days of hotel stay. Councilman Mike Gordon seconded motion. All voted "aye"; motion carried.

Agenda Item Fifteen: Consider and take action on resignation of Tabitha Franklin's temporary position due to her new job starting date.

Councilman Billy Jack Wright made a motion to accept Tabitha Franklin's letter to resign from her temporary position; her last day being January 13, 2016. Councilman Mike Gordon seconded motion. All voted "aye"; motion carried.

Agenda Item Sixteen: Discuss and take action on contacting garbage disposal services for bids for the City of Elkhart trash service.

Councilman Billy Jack Wright made a motion to let out for any and all bids for garbage disposal through phone calls to trash and disposal companies. Councilman Mike Gordon seconded motion. All voted "aye"; motion carried.

Agenda Item Seventeen: Reports from Code Enforcement/Public Works Supervisor and City Secretary.


Councilman Mike Gordon made a motion to accept reports from Code Enforcement/Public Works Supervisor and City Secretary. Councilman Billy Jack Wright seconded motion. All voted "aye"; motion carried.

Agenda Item Eighteen: Consider setting a date for Workshop for Handbook and review old agenda item requesting City Attorney to have hand book in place of Administrative directives.

Councilman Billy Jack Wright made a motion to set January 14, 2016 at 9:00 a.m. for Workshop for Handbook and to review old agenda for administrative directives. Councilman Mike Gordon seconded motion. All voted "aye"; motion carried.


Agenda Item Nineteen: Adjourn.

Councilman Mike Gordon made a motion to adjourn at 8:12 p.m. Councilman Beverly Anderson seconded the motion. All voted 'aye'. The motion carried, adjourning the meeting at 8:12 p.m. with no further business.



Mike Gordon

ATTEST:



Carla Sheridan- City Secretary

STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On the Twenty-Fifth Day of January 2016, the City of Elkhart Council convened into a Council Meeting at 6:00 p.m. with the following members present:

Mike Gordon
Billy Jack Wright
Chris Sheridan
Beverly Anderson
Attorney Blake Armstrong

A quorum being present, the meeting was called to order at 6:02 p.m. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Hear from bookkeeper, Tina Harper, in relation to QuickBooks and take action, if any, on hiring Tina Harper to oversee and train in QuickBooks, as well as clean up QuickBooks.

Council listened to Mrs. Harper report that the previous version of QuickBooks was not in good condition the way it was set up and urged council to add the new version of QuickBooks. The council discussed with Tina that the previous auditor had requested several years the need for an independent set of eyes on the accounts. Mrs. Harper said that you normally do not write, sign and reconcile the accounts. Tina reported she would only need to come in once or twice a month after the job had been completed.

Councilman Billy Jack Wright made a motion to hire Tina Harper as our Bookkeeper to clean up QuickBooks, oversee accounts and to train employees in QuickBooks for \$50.00 per hour rate. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Two: Discuss and take action on hearing from KSA regarding the following matters: letter from TCEQ - High School booster station, Hwy 287 South EK 37 and EK 38 sewer line study, agenda item from January 4, 2016 for possible study of long term plan on problem areas for Water/Sewer line replacement within the city.

Tracy Hicks with KSA briefed council. The inline booster station at high school was never submitted to the state for approval and were not allowed and had been getting written up for this. Water and system improvements work done by school district engineer and not KSA. Booster was never submitted to commission for approval. KSA put paper work to file exception and it was denied. KSA reported TCEQ we had a long term plan and the in line booster was temporary. Take elevated storage tank out of commission. Rather than construction of a new elevated tank, we could install pressure tanks at wells. The difference would be instead of a two million dollar project, it would be maybe about 1 million for both tanks. Tracy suggested a five year plan. On the Hwy 287 South EK 37 and EK 38 projects, Tracy Hicks reviewed with council over what had already been paid on the project and projected cost to complete it. Mr. Hicks reported that \$3,700.00 and \$4,500.00 had already been spent in 2012. The projected cost to go \$23,000.00. The council questioned if the previously approved sewer line to feed one home of Gary McCoy could be halted and stressed concern with the city recouping the cost of spending that money to serve one home. The updates were reviewed from Tracy Hicks that had been discussed in 2014 and that no work has started yet. The review was a study presented in 2014. Tracy reported he would return with further information on a 5 year plan. Council asked what the fee would be for budgeting purposes.

Councilman Mike Gordon take no action, Councilman Billy Jack Wright seconded. All voted "Aye", the motion carries.

Agenda Item Three: Discuss and take action on repaying the water account for Elkhart Fire Department's electric bill being paid out of wrong account from 2001 to 2015 totaling \$8,248.34.

Carla Sheridan reported to council the item was something Mr. Andrew Chavarrilla had requested when he was on the council. Review with council on the findings regarding the TXU bill. In 2010 address was listed on TXU bill as fire station to ESI- address changed to 103 E. Parker in 2010. The city does not have a 103 E. Parker in the billing system. The Fire Department account we have on file is 205 E. Parker. In 2010 the TXU electric bill then started being taken out of the Water account and stayed in there until now and the fire station was taken off the TXU account to show address as 103 E. Parker. The TXU bill has been handled by three city secretary's since. The amounts were not being taken out of the Fire Departments budgeted funds. The billing address on the TXU account and billing system is now changed to reflect 103 E. Parker as fire department.

Councilman Billy Jack Wright made a motion that the EVFD repay the amount of \$8248.34 to water account. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Discuss with city attorney about the water line laid on private property; options to recover the cost related to the line, and solutions to prevent use of city equipment and funds on private properties owned or occupied by city employees or elected city officials.

Council convened at 7:43 into executive session with attorney on agenda item four.
Council reconvened at 8:13. No action taken.

Agenda Item Five: Hear from Randy McCoy regarding titles for fire trucks and update on clearing vehicles off closed city landfill.

Mr. Wright reported that he spoke to Randy McCoy and that he would not be at the meeting tonight. He also reported that Mr. McCoy mentioned needing titles. BJ Perry reported to that the property had on it, a school bus, a semi, a bull dozer and storage tanks/vehicles. The attorney reviewed the time frame of the letter that was issued to Mr. McCoy. Carla Sheridan reported being confused on titles of vehicles not being a clear answer on who own which vehicles between the EVFD and the City of Elkhart and hard to give council an accurate answer from title confusion.

Councilman Billy Jack Wright made a motion to authorize city attorney and city staff to begin process with for removal of said vehicles from the property at closed city landfill. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Six: Discuss and take action on invoice from city attorney regarding personal advise-ment from non-council member.

City attorney reported Mr. McCoy called him with title questions and the charges were kicked off from Randy calling him. The email exchanges were between attorney and Carla between the city landfill and the EVFD in response to third party contacting attorney over titles and landfill. Councilman Chris Sheridan made a motion to approve the fee and pay out of the fire account for \$52.50. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seven: Discuss and take action on hearing from Walter Wilhelmi with Prothro, Wilhelmi & Company regarding forensic audit for the City Of Elkhart.

Mr. Wilhelmi briefed council on an overview of forensic audit.

Councilman Billy Jack Wright made a motion to permit Mr. Wilhelmi and Carla Sheridan to meet with preliminary discussion concerning a forensic audit. All voted "Aye", the motion carries.

Agenda Item Eight: Discuss and take action on hearing from Walter Wilhelmi with Prothro, Wilhelmi & Company regarding employing Prothro ,Wilhelmi & Company for the City of Elkhart accounting needs and Audit for 2014-2015 Fiscal Year.

Councilman Chris Sheridan made the motion to table agenda item eight. Councilman Mike Gordon seconded. All voted "Aye", the motion carries.

Agenda Item Nine: Discuss and take action declaring Seat #2, currently occupied by Andrew Chavarrilla, vacant.

Councilman Billy Jack Wright made a motion declaring Seat #2, currently occupied by Andrew Chavarrilla as vacant. Councilman Mike Gordon seconded the motion. All voted "Aye" the motion carried.

Agenda Item Ten: Discuss and take action on appointing Mayor Pro Tem.

Councilman Billy Jack Wright nominated Mike Gordon as Mayor Pro Tem, Council Lady Beverly Anderson seconded the motion. The motion carries. Mike Gordon abstained from voting.

Agenda Item Eleven: Discuss and approve financials for the month of December, 2015.

Councilman Chris Sheridan stated he did not want reimbursed the meals and mileage from seminar and to void the check. Councilman Billy Jack Wright made the motion to approve financials for December 2015. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twelve: Consider and take action on sending BJ Perry and Joseph Branson to TEEX Water Utility Calculations in Lufkin, Texas on February 16-18, 2016 for \$50.00 per student.

Councilman Billy Jack Wright made a motion to send BJ Perry and Joseph Branson to TEEX water utility Calculation class in Lufkin, Texas February 16-18, 2016. Councilman Mike Gordon seconded the motion. All voted “Aye”, the motion carries.

Agenda Item Thirteen: Discuss and take action on discussion with Union Pacific Railroad donation of \$5,000.00 and allocation of grant money.

Councilman Wright reported speaking with Union Pacific and council was presented a letter concerning the grant. Councilman Wright said the baseball association had done much for the city park and letter from Union Pacific stating we could use those funds for anything that the council felt was beneficial to the city. Councilman Wright asked if anyone had any other ideas or thoughts. City attorney Blake Armstrong said funds would go in General Fund and commented to the baseball association if the council choses to do so. The Union Pacific wanted a letter in return to know how we used those funds for their records. Councilman Billy Jack Wright made a motion to designate the \$5000.00 of the Union Pacific grant money to Elkhart Athletic Youth Association, to be placed in the General account to be used as it is requested by association and by council approval. Councilman Chris Sheridan seconded the motion. All voted “Aye”, the motion carries.

Agenda Item Fourteen: Reports from Code Enforcement, Public Works Supervisor and City Secretary.

No action was taken on reports heard.

Agenda Item Fifteen: Consider setting a date for Workshop for Handbook and review old agenda item requesting city attorney to construct handbook in place of Administrative directives.


Council considered dates. No action taken.

Agenda Item Sixteen: Adjournment.

Councilman Mike Gordon made a motion to adjourn. Councilman Billy Jack Wright seconded the motion. All voted “Aye”, the motion carries.


Mike Gordon

ATTEST:


Carla Sheridan
City Secretary

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the **First day of February 2016** a meeting of the Elkhart Council convened into a regular meeting with the following member present: Councilman Billy Jack Wright, Councilman Mike Gordon, Councilwoman Beverly Anderson. Councilman Chris Sheridan was absent. A quorum being present the meeting was called to order at 6:02p.m. with the following citizens present: Chris Bice, Connie Davis, Pat Burke and Penny Webb, Greg Champagne, Will.

Citizens address: Greg Champagne spoke to council to ask if he could be put on a future agenda to discuss dropping the price of the sign to advertise. He explained the customer pays 200.00 for sign then 200.00 for an annual fee that the previous council set, said he, "I am trying to fill the sign at a price he proposed to previous council and request future agenda item to discuss dropping fee of the sign for advertising.

Agenda Item One: Discuss and take action on hearing from commissioner Greg Chapin Precinct 1 Commissioner in regard to an inter-local agreement between Anderson County and the City of Elkhart. The council discussed with Commissioner Chapin concerns of drainage areas within the city limits. Commissioner Chapin stated the city would need to draft a letter to submit to the Commissioners Court in the form of an Inter-Local agreement and description of work being requested in the areas of concern. Commissioner Chapin explained that expenditures would be at the expense of the city that the county, pending approval would only provide labor and work. Any culverts or driveways that needed repaired or replaced during the work, would be at the expense of the city.

Motion was made by Councilmember Billy Jack Wright to draft a letter to Commissioner Chapin to present to the Commissioner's Court requesting assistance for drainage ditch work and other available assistance the county could assist the city with concerning drainage within the city limits of Elkhart in the form of an inter-local agreement. Councilman Mike Gordon seconded the motion. All members voted 'Aye'. The motion carried.

Agenda Item Two: Hear from, discuss and take action with the Elkhart Youth and Athletic Association. Wes Canaday and Mr. Rodriquez with the association spoke to council with work they have done to the park for drainage and concerns of poor drainage at the park. Mr. Canaday spoke of batting cages being added to the park. The council also discussed with the association their need for bleachers for the baseball field. The railroad grant money was discussed that had been approved to set aside for the Athletic Association pending preapproval of council on the spending of those funds.

No action was taken on the discussion with the Athletic Association.

Agenda Item three: Hear from Rosemary Biel concerning Keep Elkhart Beautiful and hear from City Secretary Carla Sheridan and Courtney White with records, reports on account and Grants concerning the organization.

Mrs. Biel introduced herself and stated, "I am the President of the developing Keep Elkhart Beautiful Incorporated." Mrs. Biel spoke of the organizations process of paper work being filed

and to be filed and the process of setting the organizations bank account up, and paper work progress of filing for the 501C3 of that organization. Mrs. Biel requested and stated, "I am requesting the council transfer the funds of \$ 4,418.19 at the appropriate time, this is what was in the Keep Elkhart Beautiful commission account as of as of 8-17-2015, from what I understand, the funds were raised by the citizens for Keep Elkhart Beautiful, that they are funds from donation of purchased things and requested the funds to be put in the account of Keep Elkhart Beautiful Incorporated. The newly forming incorporation has similar goals of the Keep Elkhart Beautiful commission with new ideas and added creativity. Mrs. Biel spoke of the two entities as if they were separate. Keep Elkhart Beautiful Commission and Keep Elkhart Beautiful Incorporated. Mr. Wright asked Mrs. Biel if the organization was a 501C3 to date. Mrs. Biel said they were in the process of filing paper work that is needed before they can file for a 501C3. Mrs. Biel stated that the group started in November, December to form. Mr. Wright asked, "What has the organization done with the money that they have raised?" Courtney Kennedy stated, "We had a lot of sale projects to raise money. We bought shirts to sale to raise money." Mr. Wright asked the for the names of the new officers for Keep Elkhart Beautiful Incorporated. Mrs. Biel named Herself, Erroll Tatum, Jan Stuteville, Courtney Kennedy and Karen Bridges. Mr. Wright stated that some of the names were on the previous Keep Elkhart Beautiful board as well and asked if the group would be attending seminars and Mrs. Biel stated, I am not into the seminars." Mr. Wright mentioned documents he was in possession of showing seminars that were attended. Mr. Wright asked if Carla Sheridan could elaborate on the reports. Carla Sheridan read a letter addressed to council in regard to reports over the organization. Mrs. Sheridan stated, "Working in the city office rather if you are on the council or as an employee, we must be good stewards of the tax payer's dollars and with that in mind a breakdown of that particular organization is given. If all grant money and tax payer's dollars given to that account through the council of tax payers dollars were taken away, what that organization has raised is actually in the negative \$2,366.90, essentially the money that was raised or donated have been spent." Mrs. Sheridan reviewed seminars that had been attended by Keep Elkhart Beautiful and concerns over attending one of those seminars without previous council's approval. Mrs. Sheridan reminded council the remaining funds could not just be handed over, that grant money was involved and the city attorney would need to be informed to advise the council on those funds. Mrs. Sheridan explained what the funds had mostly been spent on as far as the funds raised by the citizens for a park in relation to what the tax payers had put in that account allocated by council into the account as well as what grant funds were put in the account. Carla Sheridan presented Mrs. Biel with excel spread sheets regarding the account to show the expenditures and donations. It was also brought to the council's attention the repayment from Greg Champagne for playground equipment previously originally purchased from Tammy Baughman by Keep Elkhart Beautiful and later sold to Greg Champagne and how the repayment was listed.

Motion was made by Councilman Billy Jack Wright to take no action. Motion was seconded by Mike Gordon. All members voted 'Aye', Motion passed.

Agenda Item Four: Hear reports from Code Enforcement, Public Works Supervisor and City Secretary.

William BJ Perry was out of the office for a class, Courtney White gave reports for Bj. Courtney White Reported Tiger Creek would give bid on FM1817 project, reported Ricky Baker would return later in the week to finish picking trash up with community service workers, ticket book still at printing company waiting on company equipment repair before they can print.

Reports from City Secretary, Carla Sheridan thanked Ricky Baker for using his resources to help clean Elkhart up, thanked Ben for his time and council for requesting something be done on the trash in the area. Forty-seven bags of trash were picked up. Reported on Courtney catching on quickly, being a

great help and doing a good job.

No action was taken.

Agenda Item Five: Convene into Executive Session: Open meetings act section 551-074 (Personnel Matters) to discuss pay of City Secretary Carla Sheridan.

Motion was made by Councilmember Billy Jack Wright to take no action at this time. Motion was seconded by Councilman Mike Gordon. All members voted 'Aye'. The motion carried.

Agenda Item Six: Reconvene into Open Session: Open Meetings act section 551-074 (Personnel Matters) to discuss pay of City Secretary Carla Sheridan.

Motion that no action taken on Item Six by Billy Jack Wright, seconded by Beverly Anderson. All voted 'Aye'. The motion carried.

Agenda Item Seven: Discuss and take action on accepting applications for part time filed employee and part time office employee.

Discussion took place of the shape the city was in as far as records and outside and the need for part time employees to try and get the city up to date. The need for part time staff both inside office and outside filled workers were needed.

Motion was made by Councilmember Billy Jack Wright to table the item for a later time. Councilwoman Beverly Anderson seconded the motion. All voted 'Aye'. The motion carried.

Agenda Item Eight: Discuss and take action on having city attorney review contract with Progressive Waste.

Discussion took place on complaints regarding trash service and the time it is taking to resolve the issues. Carla Sheridan spoke to council about the complaints from citizen's and the expiration of the current contract the city has with Progressive trash service. The council requested having city attorney research the expiration contract due to current contract with signatures not being in the office.

Motion was made by Councilmember Billy Jack Wright to have city attorney review current contract with Progressive Waste. Councilman Mike Gordon seconded the motion. All members voted 'Aye'. The motion carried.

Agenda Item Nine: Discuss and take action on reimbursement to Carla Sheridan prepaying the \$75.00 for TMCCP course four.

Carla Sheridan informed the council she had signed up for the class during the Election Law Seminar and paid the \$75.00 for the TMCCP course out of her pocket. Discussion took place over cost of required classes and books involved with the courses. Discussion on previous employees taking courses at cost to tax payers and when courses are not completed, the time and money tax payers have spent are wasted and encouraged council to request employees borrow books instead of purchasing them.

Motion was made by Councilmember Billy Jack Wright to reimburse Carla Sheridan for the TMCCP course in the amount of \$75.00 and encouraged Carla Sheridan to borrow the books needed to complete the course. Mike Gordon seconded the motion. All members voted 'Aye'. The motion

carried.


Agenda Item Ten: Adjournment.

Motion was made by Councilmember Mike Gordon to adjourn. Councilwoman Beverly Anderson seconded the motion. All members voted 'Aye'. The motion carried. Meeting adjourned at 7:25 p.m.



Mike Gordon

Mayor Pro-Tem

Attest 

Carla Sheridan- City Secretary

Councilman Mike Gordon seconded the motion. All voted "Aye" the motion carries.

Agenda Item Six: Consider having city attorney draft letter for summons to appear for animal ordinance violation.

Councilman Billy Jack Wright made a motion to have the City Attorney Blake Armstrong to draft a letter for summons to appear for the animal ordinance violation.

Councilman Mike Gordon seconded the motion. All voted "Aye" the motion carries.

Agenda Item Seven: Discuss and consider streets in need of repair: Davis St., Hortman St., Jones Rd.

Councilman Billy Jack Wright made a motion to entertain bids on completion of Jones Rd. and the portion of Hortman that has never been paved.

Councilman Mike Gordon seconded the motion. All voted "Aye" the motion carries.

Agenda Item Eight: Discuss and take action on having KSA write up wastewater permit renewal.

Councilman Billy Jack Wright made a motion to table the item and have BJ Perry request to have KSA submit a quote for the price of having KSA write the wastewater permit.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Nine: Consider and take action on quotes pertaining to the finishing of the new building at the Wastewater Plant.

Councilman Billy Jack Wright made a motion to accept the bids to finish the building at the wastewater treatment plant with the bids submitted for completion from Ferguson's for \$2102.86, Appliance Sales and Services for the a/c \$669.00 and the bid from Mark Henderson at Henderson Electric for \$2,400.00 and to have the Community Service worker complete the interior in exchange for hours worked.

Councilman Mike Gordon seconded the motion. All voted "Aye" the motion carries.

Agenda Item Ten: Discuss and take action on closing Fannie Bennett Lane until dirt work and drainage work are completed.

Councilman Billy Jack Wright made a motion to purchase a sign that says temporarily closed for construction to place at Fannie Bennett Park.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Eleven: Hear reports from Code Enforcement, Supervisor, City Secretary.

No action was taken on reports heard.

Agenda Item Twelve: Review and approve sending letter to Randy McCoy concerning VFD vehicles left at landfill.

Councilman Billy Jack wright made the motion to send Randy McCoy a certified letter concerning the EVFD vehicles left at the closed city landfill and the cost of moving vehicles will be paid for out of the EVFD account.

Councilman Mike Gordon seconded the motion. All voted "Aye" the motion carries.

Agenda Item Thirteen: Discuss and take action on clearing landfill and removal of unclaimed vehicles towed by fire department to landfill per advisement of TML, city attorney and TCEQ.

Councilman Billy Jack Wright made a motion to obtain Issacs Wrecker Service or Morris Wrecker Services for the duty of removal of the unclaimed vehicles at our closed city landfill and to allow vehicles as payments after the 10-day removal process to claim the unclaimed vehicles has passed as payment for their services.

Councilman Mike Gordon seconded the motion. All voted "Aye" the motion carries.

Agenda Item Fourteen: Discuss and take action on ordering new signs to place at state closed landfill recommended by TML.

Councilman Mike Gordon made a motion to order new signs to be placed on the gate at the closed city landfill as recommended by TML.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Fifteen: Discuss and take action on approving Yard of the Month.

Councilman Billy Jack Wright made a motion to award Truman and Glenda Starr for Yard of the Month for the Month of February 2017.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Sixteen: Council will convene into Executive Session; Pursuant to Texas Government Code Section 551-074, (*Personnel Matters*) to Discuss and take action on appointing Courtney White as Assistant City Secretary.

Council convened into Executive Session at 8:59 p.m.

Agenda Item Seventeen: Reconvene into Open Session; Pursuant to Texas Government Code Section 551-074 (*Personnel Matters*) take action on appointing Courtney White as Assistant City Secretary.

Council reconvened into Open Session at 9:09 p.m.

Councilman Billy Jack Wright made a motion to take no action.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Eighteen: Discuss and take action on purchasing a load of asphalt.


Councilman Billy Jack Wright made a motion to purchase a load of asphalt from Apac for the price of \$100.00 a ton of asphalt rate material and deliver hauling scale ticket with load
Councilman Mike Gordon seconded the motion. All voted "Aye" the motion carries.


Agenda Item Nineteen: Adjournment.

Councilman Mike Gordon made a motion to adjourn.

Council Lady Beverly Anderson seconded the motion. All voted 'aye'. The motion carried, adjourning the meeting with no further business.

ATTEST:


Mike Gordon
Mayor Pro-Tem


Carla Sheridan
City Secretary

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On the Twenty-Ninth day of February 2016, the City of Elkhart Council convened into a Workshop and Regular Council Meeting at 4:30 p.m. with the following members present:

Mike Gordon	*	Mayor Pro Tem
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember

A quorum being present, Councilman Mike Gordon called the Special Called Meeting to order at 4:32 p.m.

Agenda Item One: Executive Session: Pursuant to Texas Government Code Section 551.074 (Personnel) City Council will convene into Executive Session to discuss employment status of utility works operator.

Council convened into executive session at 4:33 p.m


Agenda Item Two: Reconvene: Discuss and take action, if any, on Executive Session Item One:

Council reconvened in regular session at 6:26 p.m.

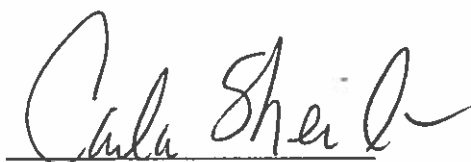
Councilman Billy Jack Wright made a motion to accept the resignation of Benjamin Hamon at his position with the City of Elkhart. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carried.

Agenda Item Three: Adjournment.

Councilman Mike Gordon made the motion to adjourn at 6:28 p.m. Councilman Billy Jack Wright seconded the motion. All voted "Aye", the motion carried.


Mike Gordon

ATTEST:



Carla Sheridan
City Secretary

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On the seventh day of March 2016, the City of Elkhart Council convened into a Regular Council Meeting at 6:00 p.m. with the following members present:

Mike Gordon Mayor Pro tem

Billy Jack Wright

Chris Sheridan

Beverly Anderson

A quorum being present, Mayor Pro Tem Mike Gordon, called the meeting to order at 6:00 p.m.

No citizens requested to speak. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Executive Session: Pursuant to Texas Government Code Section

551.071 (Consultation with attorney) to discuss pending or contemplated litigation.

Council convened into executive session 6:04 p.m.

Agenda Item Two: Reconvene: Discuss and take action, if any on Executive Session Item One.

Council reconvened into regular session at 6:37 p.m. Councilman Mike Gordon made the motion to take no action. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Three: Discuss and take action on approving Safety Deposit Box Resolution No. 237-070102-2016 implementing a policy for access and inventory of Safety Deposit Box.

Councilman Mike Gordon updated council that there was a need to have two people present when accessing the City of Elkhart safety deposit box. Carla Sheridan reported that she and to her knowledge neither had Donna Surber been into that safety deposit box. There is a log of entrance to the box. The box was accessed shortly before the council changed and staff changed. The city did receive a copy of the entrance log. The bank has 3 persons logged on entrance log. Vicky Fredrick, Margie Crawford and Jan Stuteville. The box only contained a three tapes that Mike Gordon and Beverly Anderson logged for the city records. It was also reported the city has two keys to the box according to bank records but the city office only has one key. According to the records the bank had showed only three employees going to the box. The Resolution is to implement a policy for better security for the city and to log items in box. The resolution calls for two officers present when entering safety deposit box and to inventory for records.

Councilman Billy Jack Wright made a motion to adopt Resolution 237-070102-2016 for Safety Deposit Box Policy. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: : Discuss and consider request of change of Safety Deposit Box with CBTx bank due to only one key to said box in the city office.

Councilman Billy Jack Wright made a motion to change the box number due to only having one key to the box for security reasons with the same dimension as the current box with CBTx bank. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Five: Discuss and take action on approving Ordinance No. 03072016 repealing Ordinance No. 09102012 concerning the previously approved motion to abolish Keep Elkhart Beautiful Commission.

Councilman Wright made a motion to approve Ordinance No. 03072016 repealing Ordinance No. 09102012 to abolish Keep Elkhart Beautiful Commission.

Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Six: Discuss and take action on approving KSA to draft and submit Wastewater Permit renewal. Current permit expiring January 2017.

Councilman Billy Jack Wright made a motion to table the item until we can have KSA come address the council. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seven: Discuss and take action on approving purchase of four boxes of aero-mod filter bags for Wastewater Plant and discuss future purchase arrangements of the filter bags necessary for day to day function of plant.

Council discussed with BJ Perry the previous purchase order system and spoke of the daily needs to run the plant and water system with purchases like chlorine and filter bags which are necessary.

Councilman Chris Sheridan made a motion to take no action and approving the supervisor and secretary to order the bags as needed. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eight: Discuss and take action on the removal of remaining vehicles at the closed city landfill.

Councilman Billy Jack Wright made the motion to table the item until more information could be gathered. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Nine: Approve minutes from the January 4, 2016 meeting.

Councilman Mike Gordon made the motion to approve the minutes from the January 4, 2016 council meeting. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carried.

Agenda Item Ten: Discuss and approve financials for January 2016.

Councilman Sheridan questioned the un-cleared transactions going back several years from 2011 forward for customer deposits that customers never cashed and wanted the bookkeeper to review and staff to attempt to contact customers again.

Councilman Wright wanted to add to the agenda the closing of the Keep Elkhart Beautiful bank account.

Councilman Billy Jack Wright made a motion to accept the financials for the month of January 2016 and rescinded this motion.

Discussion continued including a Cumby Construction un-cleared check for \$1500.00 and the process in turning over these to the state after it is researched on proper payment verification. The un-cleared checks are in the bank accounts.

Councilman Chris Sheridan made the motion to approve financials for January 2016 and address un-cleared transaction on all accounts in future meeting with staff dating back from September 2011 to current and address those concerns. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eleven: Approval of Proclamation naming April as Fair Housing Month for 2016.

Council was given a brief concerning the requirement by state to apply for grants. Councilman Wright spoke to council stating he spoke to a Mrs. Tino in Austin and she was going to return his call and as of today still has not. Carla Sheridan reported to council that research was done and anytime we take federal money it is required to acknowledge Fair Housing Month.

Councilman Billy Jack Wright made a motion to not adopt April as Fair Housing Month for 2016.

Council members said the item was too vague and requested more information and further discussed what was required from the city. The council questioned if the Fair Housing had anything to do with the housing authority or are we obligating to the homeowners by signing.

Councilman Mike Gordon made a motion to table pending further information. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twelve: Discuss and take action on approval of Proclamation naming the First Saturday in April and the First Saturday in October as "The City of Elkhart Clean-up Day."

BJ Perry reported to council in the past employees had been allowed to take scrap metal from clean-up day and just recently were told they could not do that any longer by Randy McCoy. Council agreed that the employees or fire department personnel should not be allowed to take the metal hauled to the clean-up location. BJ Perry reported the High School Spanish Club doing an excellent job cleaning up trash in the area. Councilman Wright requested that the community service workers clean the ball field also.

Councilman Wright made motion to Proclaim the first Saturday in April and the first Saturday in October as, "The City of Elkhart Clean-Up Day". Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Thirteen: Executive Session: Pursuant to Texas Government Code

551.074 (personnel) the council will convene into Executive Session to discuss applicants for the hiring of part-time position in the Public Works Department.

Council convened into Executive Session at 8:47 p.m.

Agenda Item Fourteen: Discuss and take action, if any on Executive Session Item Thirteen.

Council reconvened at 9:37 p.m. back in regular session.

Councilman Billy Jack Wright made the motion to set March 11, 2016 at 9:00 a.m. to interview all applicants for part time positions for outside field public works department. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fifteen: Discuss and take action on letter from Kyle McMillian selling ads for athletic program for the 2016 2017 school year.

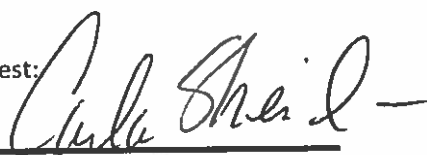
Courtney White briefed council on information regarding the add. Courtney called Christy Adams with TML and reported the information that we were not allowed to use tax payers funds to advertise for any holidays or events unless it involved the city boil water notices or elections and other required notices. Carla Sheridan reported also that she was told you could not use tax payers funds for advertising events outside of what pertains to the city itself.

Councilman Chris Sheridan made the motion to take no action. Councilman Billy Jack Wright seconded the motion. All voted "Aye", the motion carries.

Agenda Item Sixteen: Adjournment.

Councilman Billy Jack Wright made a motion to adjourn. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries. Meeting adjourned at 10:05 p.m.

Attest:


Carla Sheridan- City Secretary


Mike Gordon- Mayor Pro-Tem

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On the Twenty-First of March 2016, the City of Elkhart Council convened into a Regular Council Meeting at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor Pro Tem
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember

Agenda Item One: Discuss and take action hearing from Tracy Hicks with KSA concerning the drafting and submitting of Wastewater Permit renewal. Current permit expiring January 2017.

Council heard from Tracy Hicks with KSA regarding permit and the cost of \$4,500.00 for the application for KSA to submit on behalf of the City of Elkhart.

Billy Jack Wright made a motion to hire Tracy Hicks with KSA to draft and submit wastewater permit expiring 2017. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Two: Discuss and take action hearing from Nathan Rodriquez with Elkhart Youth and Athletic Association concerning the purchasing of bleachers for the baseball field.

Mr. Nathan Rodriquez spoke to council about a bid for the bleacher he was submitting to purchase bleachers for the Baseball Field in Elkhart. Councilman Wright asked Mr. Rodriquez if he could brand the bleachers to say the property of the City of Elkhart. Mr. Rodriquez agreed he could label the bleachers and have them anchored into the ground.

Councilman Billy Jack Wright made the motion to approve the \$1927.40 bid submitted for the EYAA bleachers for the baseball field. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Three: Discuss and take action on Warning Siren approved and discussed from previous council and approval to pay invoice submitted by Denise Walding, Anderson County Assistant Auditor.

Council heard from Mr. Perry that the cost that was reported by Mr. McCoy in the meeting was only supposed to cost a couple of thousand dollars but that the match was \$11995.00 approximately. The council reviewed after speaking with Tammy Lightfoot over the siren grant and were told that Randy McCoy was never supposed to have applied for the grant so the county supposedly took it over. Discussion continued on were the previous council budgeted for the funds to pay the siren grant. Council discussed walking in to an uncompleted budget and stressed concern over the way the grant was handled.

Councilman Mike Gordon motioned to table the item pending further information from the city attorney regarding legal information pertaining to sirens. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Discuss and take action on Certification certifying the Unopposed Candidates for the May 7, 2016 General Election.

Councilman Billy Jack Wright made a motion to approve the certification of the unopposed candidates for the May 7th 2016 General Election as unopposed as Chris Bice Place One, Chris Sheridan Place Five, Beverly Anderson Place Four and Billy Jack Wright Place Three.

Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Five: Discuss and take action on approving Ordinance No. 206-03212016, an ordinance declaring all unopposed candidates for the May 7, 2016 General Election as being duly Elected as follows: Place One- Christine Bice, Place Three- Billy Jack Wright, Place Four- Beverly Anderson and Place Five- Chris Sheridan and declaring the cancelation of said General Election.

Councilman Billy Jack Wright made a motion to approve Ordinance No. 206206-03212016, an ordinance declaring all unopposed candidates for the May 7, 2016 General Election as being duly Elected as follows: Place One- Christine Bice, Place Three- Billy Jack Wright, Place Four- Beverly Anderson and Place Five- Chris Sheridan and declaring the cancelation of said General Election.

Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Six: Discuss and take action on approving Resolution No. 16-03212016, a resolution for the appointment of Presiding Judge, Alternate Judge, Early Voting Ballot Board and Clerks for the Special Election on May 7, 2016 for the Place of Mayor and Seat Two.

Councilman Billy Jack Wright made a motion to approve Resolution No. 16-03212016, a resolution for the appointment of Presiding Judge, Alternate Judge, Early Voting Ballot Board and Clerks for the Special Election on May 7, 2016 for the Place of Mayor and Seat Two.

Councilman Chris Sheridan seconded the vote. All voted "Aye", the motion carries.

Agenda Item Seven: Discuss and approve Inter-local Cooperation Agreement between the City of Elkhart and Anderson County for drainage and ditch work assistance.

Councilman Billy Jack Wright made a motion to and approve Inter-local Cooperation Agreement between the City of Elkhart and Anderson County for drainage and ditch work assistance for Oakwood, Oakdale and Ridgeview Streets in the city.

Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eight: Discuss and take action on the removal of remaining vehicles at the closed city landfill.

Councilman Billy Jack Wright made the motion to have Lee Morris Wrecker Service LLP to remove vehicles at the landfill for the bid price flat fee submitted of \$2,000.00 and to have those fees paid out of the EVFD account.

Councilman Chris Sheridan seconded the vote. All voted "Aye", the motion carried.

Agenda Item Nine was mistakenly not on the agenda. There is no item nine as it was noted.

Agenda Item Ten: Discuss and take action on approving financials for the month of February 2016.

Councilman Billy Jack Wright made a motion to approve the financials for the month of February 2016 as presented. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eleven: Discuss and take action on stopping payment on un-cleared checks from 2011 to 2016 discussed at previous council meeting during financial reports.

Councilman Billy Jack Wright made a motion to take no action on the un-cleared checks from 2011 to 2016.

Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twelve: Hear reports from Supervisor, Code Enforcement and City Secretary. Reports were heard, no action was taken on reports.

Agenda Item Thirteen: Discuss and take action on employee uniforms for both full time and part time employees.

Councilman Chris Sheridan made a motion to approve full time and part time employees uniforms in the amount needed for all staying within the budget.

Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fourteen: Discuss and take action, if necessary on grease storage for restaurants.

Councilman Billy Jack Wright made a motion to contact all agencies regarding problem and take all necessary action to have compliance regarding proper storage of grease to prevent leakage into the ground.

Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fifteen: Discuss and take action on purchasing rock from Logo's Construction.

Councilman Billy Jack Wright made a motion to purchase a belly dump load of rock from Logo Construction for \$575.00 to be delivered to the wastewater treatment plant.

Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Sixteen: Discuss and take action on acquiring a debit card at CBTx Bank with Water, Sewer, Garbage account.

Councilman Mike Gordon made a motion to acquire a debit card for the Water, Sewer, Garbage account with the stipulation that employee must sign in and out for the use of such debit card with witnesses.

Councilman Billy Jack Wright seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seventeen: Discuss and take action on payment and future payments to Aquatic Services for annual calibration of recorder at Wastewater Treatment Plant.

Councilman Billy Jack Wright made the motion to make payment for the calibration and any future payments regarding calibration to be addressed at future meetings at that time.

Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eighteen: Discuss and take action on council attending a TML webinar April 22, 2016 in the City Office.

Councilman Billy Jack Wright made a motion to attend the webinar on April 22, 2016 from 8:00 to 4:15 pm at the City Office.

Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Nineteen: Discuss and take action on purchasing a smart tv for the city office to use for webinars and special viewing during council meetings.

Councilman Chris Sheridan made a motion to table the item for the purchase of a smart TV for a future meeting.

Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twenty: Discuss and take action on approving Duplichain contractors to perform work on Reliable Lift Station.

Councilman Billy Jack Wright made a motion to approve the price of \$9250.00 to have Duplichain contractors to perform work on Reliable Lift Station.

Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

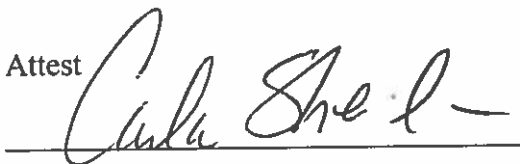
Agenda Item Twenty-One: Adjournment.

Council Lady Beverly Anderson motioned to adjourn. Councilman Billy Jack Wright seconded the motion. All voted "Aye", the motion carries. The meeting adjourned at 9:57 pm.



Mike Gordon

Mayor Pro-Tem

Attest 

Carla Sheridan- City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Fourth day of April 2016, the City of Elkhart Council convened into a Regular Council Meeting at 6:01 p.m.

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

Council heard from Sonny Hubbard regarding trash service company Piney Woods Sanitation introducing his company for some point in the future.

Council heard from Mr. Nathan Rodriquez regarding requesting ditch work at the Baseball Field for drainage and the possibility of having asphalt put at field. Mr. Nathan Rodriquez spoke about gate at field. Councilman Chris Sheridan Absent*

Agenda Item One: Discuss and take action reviewing total *to* date on the tax dollars allocated to pay in supporting the Elkhart Volunteer Fire Department utilities and insurance.

Council was given year to date totals and breakdown in each utility including insurance for EVFD to have a clear understanding of actual fees and projected year end totals. Mr. McCoy spoke in appreciation of reports given and questioned water use of 2,000 gal and asked if we could check on the problem with the toilet possible at the EVFD. Information was provided for budgeting reasons, City Secretary said many reports in other areas would accompany these in the future for budget reason in other areas.

No action was taken.

Agenda Item Two: Executive Session: Council will convene into Executive Session pursuant to *Texas Government Code Section 551.071 (Consultation with Attorney)* concerning pending or contemplated litigation.

Council convened into executive session at 6:17 p.m.

Agenda Item Three: Reconvene: Council will reconvene into Open Session to discuss and take action, if any, regarding Agenda Item One. (Correction– Should show agenda Item Two)

Council reconvened back in regular session at 7:11 p.m.

Councilman Mike Gordon stated agenda item one and corrected to Agenda item Two and Six the following motion was made concerning Executive Session:

Councilman Billy Jack Wright made the motion to have attorney Blake Armstrong write a letter to TWC rejecting Mrs. Baughman's accommodations for her Lemur. To instruct Code Enforcement Officer to issue no later than the closing time of business on April 5, 2016 a citation to Mrs. Baughman.

Councilman Mike Gordon seconded the motion.
All voted "Aye", the motion carries.

No action was taken on Agenda Item Six from Executive Session.

Agenda Item Four: Discuss and take action on hearing from Nathan Rodriguez with Elkhart Youth and Athletic Association regarding installation of a gate and discuss inter- local agreement between the City of Elkhart and Anderson County.

No action was taken on Agenda Item Four. Mr. Rodriguez spoke to Council during the Citizen Recognition portion of the meeting.

Agenda Item Five: Discuss and take action on previously tabled item regarding the Siren grant applied for by previous council concerning payment for the grant and update of grant progress and details.

BJ Perry updated Council. " A representative from Safety Com came to see me a few weeks ago and took me to the areas that were previously proposed to put the sirens. Last week poles were delivered. This week Thursday or Friday they will install sirens and the next week to install controls." The bell tones and exercises of three minutes of an air horn siren were discussed and Mr. Perry was told everyone in town would hear the sirens and reported we selected church bells for tone. Carla Sheridan reported we were required to pay the match for the sirens the previous council approved and that the funds were not budgeted for. A figure for the match was \$11,995.95 approximately for the grant. Carla Sheridan reported Mr. McCoy was in the room and could possibly shed some light on the subject because of the change over in council it left confusion and lack of knowledge regarding the grant. Mr. Wright asked if any more money was involved other than the amount listed. Blake Armstrong said it would be paid as an emergency expenditure and would have to come out of the General Fund. Mr. McCoy said city was approached by Grantworks with the grant and was told it was a matching grant and the city council knew it was a matching grant. Mr. McCoy stated he did not know where the low amount of \$2,000.00 came from. Former Mayor Pro Tem Andrew Chavarrilla and Randy went to the county to review bids and gave their opinions on which one we thought we should have when Andrew Chavarrilla was Mayor Pro Tem. Mr. McCoy stated when ever the city put in for the grant, the city was not advised by anyone that the city had to go through the county. So after the grant was already put in for and approved that was when they were advised that the grant had to go through the county so we lost all control over it at that time. The city didn't qualify for the grant. Mr. McCoy also stated the previous council was aware of the cost of the grant and was done before the sitting council.

Councilman Billy Jack Wright made a motion to pay the \$11,995.95 as agreed in the previous council who attained grant for sirens to be constructed in the City of Elkhart.

Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Six: Discuss and take action on waterline located at 210 7 Hwy 294 West.

No action was taken on the Agenda Item Six. Executive Session was combined with Agenda Item Two and Six in Executive Session with Attorney from 6:17 to 7:11 pm.

Agenda Item Seven: Discuss and take action to clarify previous motion naming Lee Morris towing to correct as Morris Wrecker Service LLC for billing purposes.

Councilman Billy Jack Wright made a motion to use the name Morris Wrecker Service LLP for billing purposes in stead of Lee Morris Towing.

Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Mr. McCoy was allowed to speak and stated to Council the deadline had passed but did report to BJ Perry and City Secretary he had someone remove the vehicles at no cost. Mr. Perry mentioned contacting the attorney and that deadlines had passed when Mr. McCoy stated that. Mr. McCoy asked for a future agenda item to discuss him prospering at the closed landfill. Mr. Perry stated the manhole at landfill was put in at the request of Mr. McCoy and in turn Mr. McCoy stated he had permission to be at landfill from TML and TCEQ as long as there was no structure being built.

Agenda Item Eight: Discuss and take action to correct the wording in a previous motion to clarify the approved bank as Commercial Bank of Texas for obtaining a WSG debit card.

Councilman Billy Jack Wright made a motion to clarify and correct the wording of previous motion that Citizens was meant to state Commercial Bank of Texas for obtaining a debit card for the city WSG debit card.

Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries. All voted "Aye", the motion carries.

Agenda Item Nine: Discuss and take action on the retention of Gollob Morgan Peddy auditing firm for the City's auditing purposes.

Councilman Billi Jack Wright made a motion to obtain Gollob Morgan Peddy Auditing Firm for the City's auditing purposes.

Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Ten: Discuss and take action approving Yard of the Month for April 2016.

Council Lady Beverly Anderson nominated Karen Bridges yard, Mike Gordon nominated Connie Davis.

Councilman Mike Gordon motioned to nominate Connie Davis for Yard of the Month.

Councilman Billy Jack Wright seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eleven: Discuss and take action regarding Electrico invoice for WasteWater Treatment Plant.

Councilman Billy Jack Wright made a motion to pay the invoice that required Mayor approval for the repair of the plant motor.

Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twelve: Hear reports from City Secretary, Code Enforcement, Public Works Supervisor.

No action was taken on reports heard.

Agenda Item Thirteen: Acknowledgement of appreciation to Progressive Waste Solutions for the continuation of service providing the City of Elkhart with dumpsters used in years past for Bi-Annual Clean-Up Days.

Council stressed appreciation of the company and staff for all they do to help in cleaning up the City of Elkhart. Carla Sheridan reported to council that the company does provide the dumpsters in the contract but they go above and beyond with help and courtesy on clean-up. No action was taken.

Agenda Item Fourteen: Discuss and take action on adjustment for Susan Trim water leak.

Councilman Billy Jack Wright made a motion to approve the adjustment for Susan Trim.

Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fifteen: Discuss and take action to approve Ordinance No. 238-011007-4416 amending Ordinance 238-011007 to include raising deposits for rental customers and adjustment procedures.

Carla Sheridan addressed council giving a brief on the amount of loss the city has had with many renters leaving the city and owing money with the city losing over \$30,000 in 3 years on bills left owed by customers and the need to raise the deposit to help to protect the City from losing any-more funds. A careful study was completed on the money loss over a three year period and council was given copies of reports and documentation.

Councilman Billy Jack Wright made the motion to adopt Ordinance No. 238-011007-4416, amending Ordinance 238-011007 to include raising the rental deposits for rental customer to \$250.00. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Agenda Item Sixteen: Executive Session: Council will convene into Executive Session pursuant to Texas Government Code Section 551.074 (Personnel Matters) to discuss the employment of Public Works Supervisor William BJ Perry.

Council convened at 9:47 p.m.

Agenda Item Seventeen: Reconvene: Council will reconvene into Open Session to discuss and take action, if any, on Agenda Item Sixteen:

Council reconvened at 10:12 p.m.

Council took no action.

Agenda Item Eighteen: Discuss and take action on approving water bill adjustments for the month of March. Councilman Billy Jack Wright made the motion to approve the water bill adjustments for the month of March. Councilman Mike Gordon seconded the motion, All voted “Aye”, the motion carries.

Agenda Item Nineteen: Adjournment.

Councilman Billy Jack Wright made the motion to adjourn. Council Lady Beverly Anderson seconded the motion. All voted “Aye”, the motion carries. Meeting adjourned at 10:15 P.M.

ATTEST:



Carla Sheridan City Secretary



Mayor Mike Gordon

STATE OF TEXAS
CITY OF ELKHART
ANDERSON COUNTY

Mike Gordon	*	Mayor Pro Tem
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember

On the Eight of April 2016, A quorum being present, Mayor Pro Tem Mike Gordon, called the meeting to order at 6:02 p.m.

Agenda Item One: Executive Session: Council will convene into Executive Session Pursuant to Texas Government Code 55 I.074 to discuss employment status of Public Works Supervisor/ Code Enforcement Officer.

Council convened into Executive Session at 6:04 p.m.

Agenda Item Two: Reconvene into Open Session: Discuss and take action if any on agenda Item One.

Council reconvened in Open Session at 7:28 p.m.

Mr. Perry read his resignation letter in its entirety.

“First I would like to thank The City of Elkhart, it's administration and the community for providing for my family for the past 5 1/2 yrs. I have been blessed beyond my expectations. With God and my recovery, I have been graced with an awesome career with The City of Elkhart. I am announcing my resignation as an opportunity to take my water/waste water career to the next level. I have been offered a job with potential to make 6 figures and provide for my family better than I ever have and better than was ever provided for me. My father Tony Perry worked as a career Policeman for the City of Palestine and when he passed in 1989 was only making \$32,000.00 a year as Assistant Chief of Police. My father would be proud of the son, father and man that I have finally become. I do have some regrets with my history with The City of Elkhart. I took a blow on the chin as my own when former Mayor Raymond Dunlap had me remove signs that belonged to the Elkhart Oaks Nursing Home and had me call the State Fire Marshall to investigate their facility in retaliation for his termination from employment there. I also had council member Lucia Butler ask me how we could get council member Billy Jack Wright for his gate across Watkins St, council member Errol Tatum called the employees RATS for turning on Gregg Lewis for his illegal water line and council member Randy McCoy yell at me behind closed doors during a private meeting with Mayor Raymond Dunlap, Gregg Lewis, Randy McCoy and myself over a formal complaint I had filed on Mr. Lewis when I interrupted councilman McCoy. The leaders of the City have been less than leaders at times and the stability of our jobs were always questioned amongst employees. I am looking forward to serving the East Texas and Southeast Texas region including Elkhart in my future as a sales representative for water and waste/water supply house.
Thank you for allowing me to serve your community! God Bless, William J Perry.”

Councilman Billy Jack Wright made a motion to retain Mr. William J. Perry on a month to month basis as a Consultant Inspector with his Class C ground water license month to month basis until new staff gains familiarity with the system and daily routines for \$1,000.00 month. Council Lady Beverly Anderson seconded the motion. All voted “Aye”, the motion carries.

Agenda Item Three: Discuss and take action on the consideration of accepting applicants for a Licensed C Class Groundwater Production and Licensed C Class Wastewater Treatment Operator.

Councilman Billy Jack Wright made the motion to advertise for applications for a minimal Class C Water and Class C Wastewater Operator April 11 through April 22 with TML and AWWA. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Adjournment. Council Lady Beverly Anderson made a motion to adjourn at 7:41 p.m. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.



Mike Gordon

ATTEST:



Carla Sheridan

City Secretary

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Eighteenth day of April 2016, the City of Elkhart Council convened into a Regular Council Meeting at 6:00 p.m.

Mike Gordon	*	Mayor Pro Tem
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember

A quorum being present, Mayor Pro Tem Mike Gordon, called the meeting to order at 6:00 p.m.

All were asked to stand and recite the Pledge of Allegiance. Citizens that address the council were Nikki Ferrell Rhonda Brewer and Koren Lee. Nikki Ferrell addressed the council on the possible position of a part-time Code Enforcement Officer for the City of Elkhart. Rhonda Brewer spoke to council about a position on the City Council and introducing herself to the citizens. Koren Lee addressed the council and the citizens introducing himself as a candidate to run for City Council. Present were Randy McCoy, Koren Lee, Rhonda Brewer, Kirk Revell, Connie Davis, Nikki Farrell, Jason Sobel and Chris Bice.

Agenda Item One: Hear from City Secretary Carla Sheridan with documentation in the correspondence with EVFD Fire Chief regarding vehicle removal at closed landfill. City Secretary, Sheridan gave an update to the council pertaining to all documentation regarding the landfill. I was told that I was provided *documentation* that I have *not* been given by Mr. McCoy regarding removal of vehicles at landfill. During April 4, 2016 meeting it was mentioned but after deadlines had already passed. December 14th correspondence from Mr. Randy McCoy requesting vehicle titles and documentation of where I responded back to him saying that the total and that documentation was ready. The next documentation presented was from the city attorney. Documentation showing that the city was moving ahead with removal of vehicles. Documentation provided in an email correspondence to attorney. All time lines had passed before correspondence from the Fire Chief Randy McCoy which stated he had someone to remove for free. Item was on Agenda March 21, 2016 as item 8. On March 24 Mr. McCoy sent email (3 days after council made decision) to state removal at no cost, after council had reached decision and was after he stated he had given documentation to show no cost removal. September 14, 2015 title request from Mr. McCoy, February 16, 2016 documentation from City that City was moving ahead with removal, February 19, 2016 email to attorney, Agenda Item Eight on 21st of March to designate person to remove, March 24, 2016 email from Mr. McCoy stating he had someone to remove free. There was no documentation of any free removal until after the council reached a decision to move forward. No motion was made on the report heard.

Agenda Item Two: Discuss and take action, if any, on hearing from Geri Lynn Wright, requesting an ordinance to close Watkins St. and review information in regard to.

Councilman Billy Jack Wright made a statement excusing himself from discussion or decision regarding the item stating he had interest in the abutting property. Carla Sheridan reported calling TML Bill Longley and presented the documents from TML and due to the fact that a councilman property or interest was involved, I wanted to make sure everything was legal involving the item. Mr. Longley said Mr. Wright was within his legal right to do so and urged

the secretary to consult with city attorney. Mr. Blake Armstrong-City Attorney was contacted and was told that Mr. Wright was within his legal right to do so. Geri Lynn Wright spoke to council regarding request to close street and ownership of property. Petition presented for closing the last 262 ft. 6 inches in length and 20.6 width of Watkins serving no purpose to anyone but to the property owners on both sides of road, Mrs. Geri Lynn Wright and Billy Jack Wright. A conflict of interest disclosure was filed. Petition was provided from property owners as well.

Councilman Chris Sheridan made a motion to draft an Ordinance to close the portion of Watkins Street at the request of Geri Lynn Wright of approx. 262 feet and 6 inches in length and 20 feet 6 inches in width with the legal description of the property starting point of the closure. Councilman Mike Gordon seconded the motion. Billy Jack Wright abstained from voting. Motion carries.

Agenda Item Three: Discuss and take action on setting a date for council to meet to review applicants for the Class C Water/ Class C Wastewater Operator position that has a deadline of 4-22-16 and set a date for interviews.

Councilman Billy Jack Wright made a motion to set Friday April 22, 2016 at 6:00 p.m., to review applications for the Class C Water/Class C Wastewater Operator position. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Hear from Jason Sobel with Regions Bank in reference to meeting council, answering questions concerning the Bond and discussion of financing offers for future reference.

Jason Sobel reported the bank wanted to do more things with the city and stated he is not a financial advisor other than to tell council what the bank could offer. Mr. Sobel reviewed with the council on the funding opportunities available on projects needed. No action was taken on item.

Agenda Item Five: Hear from Michelle Cahal with ETCOG concerning previous purchase of GIS system to inform council of the service and the capabilities both present and future. Discussion to answer questions the council may have in reference to the service.

Due to a scheduling conflict Mrs. Cahal could not be present for the meeting.

Councilman Billy Jack Wright made a motion to take no action. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Six: Discuss and take action, if any, hearing from Kirk Revell, with Cellular One, regarding placing an antenna on top of water tower and discuss rent fees associated with his proposal.

Councilman Billy Jack Wright made the motion to give Kirk Revell permission to contact Michael Karen to bring forward a contract to a future council meeting. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seven: Discuss and take action on sending Courtney White to the Office Professionals Conference with TRWA, June 8, 2016 through June 10, 2016.

Councilman Chris Sheridan made the motion to send Courtney White to the TRWA Office Professional Conference June 8, 2016 through June 10, 2016. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eight: Discuss and take action regarding Certification of Unopposed Candidates form to correct as Place 4, Beverly Anderson and Place 5, Chris Sheridan for documentation purposes that was previously submitted.

City Secretary Carla Sheridan reported she had submitted certification incorrectly and that contact was made with the Secretary of State and as long as Ordinance was submitted correctly that there no action needed other than if I felt the need to submit to council for documentation purposes. The item is to document the mistake. It has no bearing on any outcome. It is merely a correction of wording. A copy of the corrected Certification was provided.

Councilman Billy Jack Wright made a motion to list the following names for unopposed certification correction as Place One Christine Bice, Place Three Billy Jack Wright, Place Four Beverly Anderson and Place Five Chris Sheridan as Unopposed. Councilman Mike Gordon seconded the motion. Councilman Chris Sheridan abstained. The motion carries.

Agenda Item Nine: Discuss and take action sending Mayor Pro Tem Mike Gordon and Councilman Chris Sheridan to Bastrop June 8, 2016 for June 9, 2016 TML One Day Budget, Tax Rate Workshop.

Councilman Billy Jack Wright made the motion to send Mike Gordon and Chris Sheridan to the TML One Day Budget, Tax Rate Workshop in Bastrop, Texas June 8, 2016 to stay overnight for the June 9, 2016 Workshop. Council Lady Beverly Anderson seconded the motion. Councilman Chris Sheridan abstained. The motion carries.

Agenda Item Ten: Discuss and take action on approving financials for the month of March 2016.

Council Lady Beverly Anderson made a motion to approve the financial statements and reports for the month of March 2016. Councilman Billy Jack Wright seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eleven: Discuss and take action on having Henderson Electric install a meter base and weather head at 214 Oakwood and 402 Watkins for the use of new sirens.

BJ Perry reported we were told we have to have a meter base and weather head before they could be hooked up. BJ Perry reported we were not told we had to provide these. Billy Jack Wright asked if the county or city owned the sirens. Carla Sheridan reported all documents had been provided to council pertaining to sirens and the city owns the sirens. Budget questions were raised by Mr. Wright pertaining to funding for the extra items. Carla Sheridan reported the need to add to budget radio controls for the sirens.

Councilman Billy Jack Wright made a motion to obtain a bid from Henderson Electric for meter installation and weather head and information for radio control sirens for the two locations. Council Lady Beverly Anderson seconded. All voted "Aye", the motion carries.

Agenda Item Twelve: Hear reports from Supervisor, Code Enforcement Officer. Items to discuss: Update for an exit interview to update council with a status report concerning current projects, completed projects and future projects. Hear reports from City Secretary. Items to discuss: Reminder of Election, Liability Workshop Webinar April 22, reminder

of budget timeline approaching, and presentation of Siren grant documents to review.
No action was taken on reports heard.

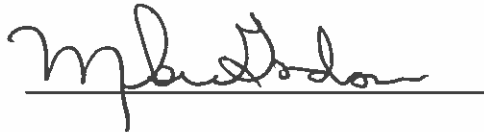
Agenda Item Thirteen: Discuss and take action on installing a fire hydrant meter at 103 E. Parker to meter bulk water and account for state mandated water loss purposes only.

Councilman Billy Jack Wright made a motion to take no action and to bring back at a later meeting. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fourteen: Hear report from Supervisor BJ Perry concerning the 4-5-2016 WWTP inspection from TCEQ.

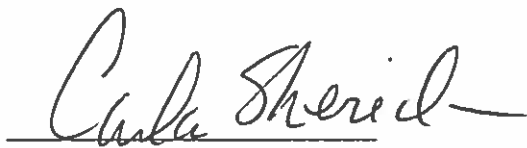
No action was taken on report of an exit interview with TCEQ regarding the resignation of William BJ Perry from the City of Elkhart.

Agenda Item Fifteen: Adjournment. Councilman Billy Jack Wright made a motion to adjourn at 8:41 p.m. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.



Mike Gordon

ATTEST:



Carla Sheridan

City Secretary

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Twenty Second day of April 2016, the City of Elkhart Council convened into a Special Called Council Meeting at 6:02 p.m.

Mike Gordon	*	Mayor Pro Tem
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember

A quorum being present Mayor Pro Tem Mike Gordon called the Special City Council Meeting to order at 6:02 p.m.

Agenda Item One: Pursuant to Texas Government Code Section 551.074 (Personnel Matters), the council will convene into Executive Session to discuss applicants for the position of a licensed C Class Groundwater Production and Licensed C Class Wastewater Treatment Operator.

Council convened into Executive Session at 6:03 p.m.

Agenda Item Two: Council will reconvene into Open Session to discuss and take action, if any, on Executive Session Agenda Item One.

Council reconvened in Open Session at 6:59 p.m.

Councilman Billy Jack Wright made a motion to interview three candidates Earl Chase Andrews, Billy Chastine and Scott Perry on April 26, 2016 at 6:00 p.m. Councilman Mike Gordon seconded the motion. All voted "Aye", the motion carries.

Councilman Billy Jack Wright made a motion to extend the application dates from April 22, 2016 to May 5, 2016 for Class C license applicants. Councilman Chris Sheridan seconded. All voted "Aye", the motion carries.

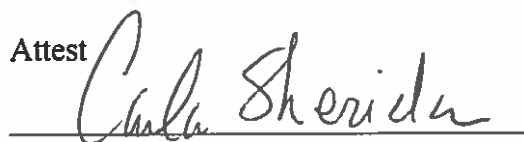
Agenda Item Three: Adjournment. Motion was made by Council Lady Beverly Anderson to adjourn. Councilman Chris Sheridan seconded the motion. All members voted 'Aye'. The motion carried. Meeting adjourned at 7:25 p.m.



Mike Gordon

Mayor Pro-Tem

Attest



Carla Sheridan- City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twenty Sixth day of April 2016, the City of Elkhart Council convened into a Regular Council Meeting at 6:00 p.m.

Mike Gordon	*	Mayor Pro Tem
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember

A quorum being present, Mayor Pro Tem Mike Gordon, called the meeting to order at 6:03 p.m.

Agenda Item One: Executive Session: Pursuant to *Texas Government Code Section 551.074 (Personnel Matters)*, the council will convene into Executive Session to interview and hire for the position of a Licensed C Class Groundwater Production and Licensed C Class Wastewater Treatment Operator.

Council convened into Executive Session at 6:04 p.m.


Agenda Item Two: Reconvene: Council will reconvene into Open Session to discuss and take action, if any, on Executive Session Agenda Item One.

Council reconvened in Open Session at 7:50 p.m.

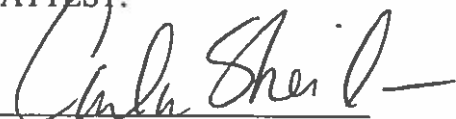
Councilman Billy Jack Wright made a motion to take no action on agenda item one. Council Lady Beverly Anderson seconded the motion. All voted “Aye”, the motion carries.

Agenda Item Three: Adjournment.

Council Lady Beverly Anderson made a motion to adjourn at 7:59. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.


Mike Gordon

ATTEST:


Carla Sheridan
City Secretary

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Second day of May 2016, the City of Elkhart Council convened into a Special Called Council Meeting at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor Pro Tem
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember (Absent)
Beverly Anderson	*	Councilmember

A quorum being present, Councilman Mike Gordon called the meeting to order at 6:00 p.m. Citizens present were see Exhibit "A". Citizens speaking were see Exhibit "B". All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Hear from Michele Cahal with ETCOG concerning GIS features and discuss the system with the council on the benefits to the city regarding.

Councilman Billy Jack Wright made a motion to take no action.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Two: Discuss and take action on hiring Clyde Woods, a consultant for the City of Elkhart.

Councilman Billy Jack Wright made the motion to hire Clyde Woods as a Consultant for the City of Elkhart to lend his services from present until we can find a replacement for the position.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Three: Discuss and take action hearing from Pamela Patterson requesting sewer adjustment.

Mrs. Patterson was not at the meeting. Councilman Mike Gordon stated he needed the field to check and make sure she was not hooked to our sewer system. City Secretary reported the attorney had been contacted and was told that the homeowner has some responsibility to know as to rather or not they are hooked to sewer system.

Councilman Billy Jack Wright made a motion to table the item until more information is obtained as to rather or not the location is hooked into the city sewer system.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Four: Discuss and take action adding Carla Sheridan to CBTx bank for the City of Elkhart in Elkhart, Texas on all bank accounts pertaining to the City of Elkhart through Resolution No. 05022016-1 an official document naming the three-delegated current signatory's as of May 2, 2016, to be Beverly Anderson, Mike Gordon and Carla Sheridan for official signatories for the City of Elkhart for CBTx Bank in Elkhart, Texas pertaining to the city owned bank accounts.

Councilman Billy Jack Wright made a motion to add Carla Sheridan to CBTx bank for the City of Elkhart in Elkhart, Texas on all bank accounts pertaining to the city of Elkhart through Resolution No. 05022016-1 naming the three delegated signatories as of May 2, 2016, to be Beverly Anderson, Mike Gordon and Carla Sheridan.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Five: Discuss and take action on removing Andrew Chavarrilla's name from all banking accounts and safety deposit box with CBTx bank for the City of Elkhart in Elkhart, Texas.

Councilman Billy Jack Wright made a motion to remove Andrew Chavarrilla's name from all bank accounts and safety deposit box from CBTx bank for the City of Elkhart, Texas.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Six: Discuss and take action on council meeting once a month on the first Monday of the month, if the first Monday falls on a holiday, the following Monday for monthly meeting effective June 6, 2016.

Councilman Billy Jack Wright made a motion for the council to meet once a month on the first Monday of the month and if a holiday falls on a Monday to have the council meeting on the following day after the holiday effective June 6, 2016.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Seven: Discuss and take action on approval of the bid submitted by Henderson Electric for the two 110 and weather head installation on the two poles for Tornado Sirens.

Councilman Billy Jack Wright made a motion to not approve the bids for the two 110 and weather head installation on the two poles for the Tornado Sirens.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Eight: Discuss and take action on approving Yard of the Month of May 2016.

Councilman Mike Gordon made the motion to award Joe and Cathy Faust as Yard of the Month for the month of May, 2017.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Nine: Discuss and take action to name streets to be repaired in the Spring of 2016.

Councilman Billy Jack Wright made a motion to open for bids for the footage and width of the West part of Hortman Street to the private property of Norm Griffith, the portion of Church Street from Sheridan Street to where Church Street connects to Parker Street, the road known as Cimarron Street off of Hwy 19/ 287 and the uncompleted section of Jones Road.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Ten: Discuss and take action approving Ordinance No. 05022016 closing Watkins Street at the designating closing distance.

Council Lady Beverly Anderson made a motion to approve Ordinance No. 05022016 closing Watkins Street at the designated closing distance.

Councilman Mike Gordon seconded the motion. All voted "Aye" the motion carries.

Agenda Item Eleven: Discuss and take action adopting Resolution No. 05022016-2 for the creation of a sick leave pool for employees to donate unused sick time effective immediately.

Councilman Billy Jack Wright made a motion to adopt Ordinance No. 05022016-2 for the creation of a sick leave pool designating City Secretary- Carla Sheridan as its administrator.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Twelve: Hear reports from City Secretary, Code Enforcement and Public Works Supervisor.

No action was taken on reports heard.

Agenda Item Thirteen: Adjournment.

Council Lady Beverly Anderson made a motion to adjourn at 7:17p.m.

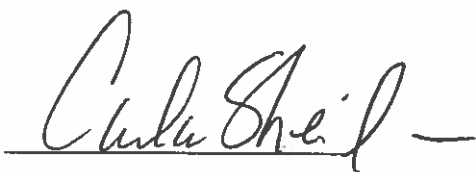
Councilman Billy Jack Wright seconded the motion. All voted 'aye'. The motion carried, adjourning the meeting at 7:17 p.m. with no further business.



Mike Gordon

Mayor Pro Tem

ATTEST:



Carla Sheridan

City Secretary

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On the Sixteenth day of May 2016, the City of Elkhart Council convened to Canvass the votes for the May 7, 2016 Election at 5:00 p.m. with the following members present:

Mike Gordon	*	Mayor Pro Tem
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember *ABSENT
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

On May 16, 2016 the meeting was called to order at 5:01 p.m.

ITEM ONE: Canvass the votes of the May 7, 2016 Special Election.

Councilman Billy Jack Wright made a motion to accept the canvassing of the votes for the Place of Mayor as Mike Gordon 63 votes unopposed. City Council in Place two as Rhonda Brewer 42 votes elected over Koren Lee 34 votes. The remainder of City Council consisting of Place One Chris Bice, Place Four Beverly Anderson, Place Five Chris Sheridan, Place Three Billy Jack Wright as being unopposed and Duly Elected. Council Lady Beverly Anderson seconded the motion. Councilman Chris Sheridan absent. All voted “Aye”, the motion carries.

ITEM TWO: Install newly elected Council Members and Mayor to assume duty of office, effective immediately, pursuant to Texas Local Government Code Section 22.006 and 22.036.

Judge Gary Thomas administered the Oath’s of Office to all Council Members. Members took their seats.

ITEM THREE: Consideration and appointment of Mayor Pro Tem, pursuant to Texas Local Government Code Section 22.037.

Council Lady Beverly Anderson made a motion to appoint Councilman Billy Jack Wright as Mayor Pro Tem for the City of Elkhart. Council Lady Chris Bice seconded the motion. Councilman Billy Jack Wright abstained. The motion carries.

ITEM FOUR: Discuss and approve Resolution No. 265-05162016, appointment Mayor Pro Tem.

Council filled in Billy Jack Wrights name in the Resolution and signed the document.

Council Lady Beverly Anderson made the motion to approve Resolution No. 265-05162016 appointment of Mayor Pro Tem as Billy Jack Wright. Council Lady Rhonda Brewer seconded the motion. Councilman Billy Jack Wright abstained from voting. The motion carries.

ITEM FIVE: Hear reports from City Secretary and Consultants, Clyde Woods and BJ Perry.

No action was taken on reports heard. Water loss in system was noted.

ITEM SIX: Convene into Executive Session, pursuant to Texas Local Government Code 551.074 (Personnel Matters). Council will convene into Executive Session to:

- A. Discuss and take action regarding employee pay raise for expired water license.
- B. Discuss and take action selecting applicants for labor worker, requiring a Class "D" Water and Class "D" Wastewater or higher within a year of hire date.
- C. Employee Evaluations.

Council convened into Executive Session at 6:57 p.m.

ITEM SEVEN: Reconvene into Regular Session. Council will discuss and take action, if any, on Item Six: A, B, & C.

Council reconvened in Open Session at 9:15 p.m.

- A. Councilman Billy Jack Wright made a motion to decrease Mr. Branson pay by \$2.00 an hour for the non license that he does not possess effective immediately. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.
- B. Councilman Billy Jack Wright made a motion to contact Michael Reed, Dillion Bickerstaff, Tommy Cutler and Christopher King concerning the part time water and sewer position requiring a Class "D" Water and Class "D" Wastewater or higher within a year of hire date. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.
- C. Councilman Billy Jack Wright made a motion to take no action on agenda item 6. C at this time. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

ITEM EIGHT: Discuss and take action on posting job opening for Part-Time Licensed Code Enforcement Officer.

Councilman Billy Jack Wright made a motion to post a job opening for a registered Part-Time Licensed Code Enforcement Officer at TML, Palestine and Tyler paper May 17 through June 3, 2016. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

ITEM NINE: Discuss and take action on changing existing lunch hour from 12:00 - 1:00 to proposed lunch hour from 2:30 - 3:30 in order to accommodate citizens.

Councilman Billy Jack Wright made the motion to temporarily change the lunch hour on a trial basis from 2:30-3:30 from the current hours of 12:00 to 1:00 effective June 15, 2016. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

ITEM TEN: Discuss completion of the Gregg Lewis water line at 2107 294 West.

BJ Perry discontinued line killed on both ends. Removed valve and flush hydrant. Some pipe remains. No action was taken on the item. The line to the property is dead. Mr. Billy Jack Wright spoke of the issue briefly and stated the line never should have happened.

ITEM ELEVEN: Adjournment.

Council Lady Beverly Anderson made the motion to adjourn. Council Lady Rhonda Brewer seconded the motion. All voted "Aye", the motion carries. Council adjourned. 9:43 p.m.



Mike Gordon

Mayor Pro Tem

ATTEST:



Carla Sheridan

City Secretary

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Twentieth day of May 2016, the City of Elkhart Council convened for a Called Council Meeting at 5:30 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

On May 20, 2016 a quorum being present, Mayor Mike Gordon called the meeting to order at 5:30 p.m.

Agenda Item One: Executive Session: Council will convene into Executive Session Pursuant to Texas Government Code Section 551.074 (Personnel Matters) Council will convene into Executive Session to conduct interviews for the hiring of part time outside field help.

Council convened into Executive Session at 5:30 p.m.

Agenda Item Two: Reconvene: Council will discuss and take action, if any, on agenda item one for the hiring of part time outside field help.

Council reconvened in Open Session at 7:13 p.m.

Councilman Billy Jack Wright made a motion to hire Tommy Cutler and Michael O’Neal as our two new employees for part time/full time field help at a rate of \$10.00 per hour. Council Lady Chris Bice seconded the motion. All voted “Aye”, the motion carries.

Agenda Item Three: Adjourn.

Council Lady Beverly Anderson made the motion to adjourn. Council Lady Chris Bice seconded the motion. All voted “Aye”, the motion carries. Council adjourned at 7:15 p.m.

ATTEST



Carla Sheridan
City Secretary



Mike Gordon- Mayor

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Twenty Fifth day of May 2016, the City of Elkhart Council convened for a Called Council Meeting at 1:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember * Absent
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

A quorum being present Mayor Gordon called the meeting to order at 1:03 p.m.

Councilmember Chris Sheridan absent.

Agenda Item One: Council will discuss and take action on hiring Butch Harding with Big Lake Utilities to oversee utilities for the City of Elkhart.

Council heard from Butch Harding with Big Lake Utilities in regards to overseeing the Public Works Department.

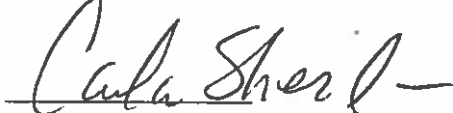
Agenda Item Two: Council will discuss and take action, if any, on agenda item one.

Councilman Billy Jack Wright made a motion to take no action on agenda item one until a proposal is given. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Three: Adjourn.

Council Lady Beverly Anderson made a motion to adjourn. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries. The council adjourned at 1:43 p.m.

ATTEST:



Carla Sheridan

City Secretary



Mike Gordon- Mayor

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Sixth day of June 2016, the City of Elkhart Council convened for a Called Council Meeting at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember * Absent
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

A quorum being present Mayor Gordon called the meeting to order at 6 p.m.

Agenda Item One: Discuss and take action, if any, on hiring Butch Harding with Big Lake Utilities to oversee utilities for the City of Elkhart.

Council discussed the concern over the water system condition and the shape of the city’s infrastructure and the need for further clarification in the proposal from Big Lake Utilities.

Council Lady Rhonda Brewer made a motion to table the item. Council Lady Chris Bice seconded the motion. All voted “Aye”, the motion carries.

Agenda Item Two: Executive Session: Council will convene into Executive Session Pursuant to Texas Government Code 551.074 (Personnel Matters);

Council convened into Executive Session at 6:12 p.m.

- A. Interview Albert Gallegos for the Outside Supervisor position for the City of Elkhart.
- B. Conduct 90-day job evaluation on Courtney White (Billing Clerk– Accounts Payable Clerk).
- C. Accept verbal resignation of Thomas Gilson part-time employee.
- D. Discuss applicants for interviewing for Code Enforcement position for the City of Elkhart.

Agenda Item Three: Reconvene: Council will convene in regular session to discuss and take action, if any, on Agenda Item One: A, B, C, and D.

Council reconvened into Open Session at 9:10 p.m.

A. Councilman Billy Jack Wright made a motion to take no action at this time. Council Lady Chris Bice seconded the item. All voted "Aye", the motion carries.

B. No action was taken on evaluation of Courtney White.

C. Councilman Billy Jack Wright made a motion to accept the verbal resignation of Thomas Golson part time employee. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

D. Council Lady Rhonda Brewer made the motion to take no action on applications for Code Enforcement Officer at this time. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Discuss and take action hearing from Kirk with Cellular One regarding contract for placement of antenna on the water tower located behind the office at 110 W. Parker St.

Councilman Billy Jack Wright made a motion to take no action at this time on Cellular One contract for placement of antenna on the water tower located behind the office at 110 W. Parker St. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Five: Discuss and take action on the request of Nikki Padgett to designate a parking spot for the dog groomer shop located at 106 A W. Parker St.

Councilman Wright spoke to council after speaking with TXDot concerning parking spaces and told the council that TXDot had no problem with the City of Elkhart designating a parking spot and the dog groomer placing a sign in the one spot. Council Lady Rhonda Brewer spoke in regards to just one person having the privilege to designate a spot to park and that no one else was allowed to do so. Councilman Billy Jack Wright made a motion to designate the parking spot for the dog groomer. Council Lady Chris Bice seconded the motion. Council Lady Beverly Anderson voted in opposition and Council Lady Rhonda Brewer followed in opposition. The tie went to the Mayor. Mayor Mike Gordon voted for the parking spot to be designated to the dog groomer. The motion carries.

Agenda Item Six: Discuss and take action on sending Joseph Branson to take his Class C Water test in Tyler, Texas on June 9, 2016.

Councilman Billy Jack Wright made a motion to send Joseph Branson to take his Class C Water test in Tyler, Texas on June 9, 2016 and to reimburse his meal for the day and to take the city vehicle. Council Lady Beverly Anderson seconded the motion. All voted "Aye"

Agenda Item Seven: Discuss and take action, if any, to motion on a previous motion of \$2.00 per hour pay raise per Water or Sewer License achieved.

Councilman Billy Jack Wright made a motion to pay \$25.00 per month per water and wastewater license to include all grandfathered employees effective on June 6, 2016. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eight: Discuss and take action on setting dates for budget workshops for June.

Councilman Billy Jack Wright made a motion to set the dates of 6-23-2016, 6-27-2016, 6-28-2016 to start the budget process for the City of Elkhart. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Nine: Discuss and take action on approving Resolution No. 05202016, a resolution declaring results of May 7, 2016 election.

Councilman Billy Jack Wright made a motion to approve Resolution No. 05202016, a resolution declaring results of May 7, 2016 election. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Ten: Discuss and take action on price quote submitted by Odessa Pumps for the replacement of pumps at Reliable Lift Station.

Council discussed the ongoing sewer back up problem at Reliable Auto Store for many years and the pumps being 20 years old. The council discussed TWDB loaning equipment to do smoke testing and the need to do so. Council also discussed purchasing pumps through buy board at a possible discount. Councilman Wright reported to council that Keith Whinery with Odessa Pumps reported that the pumps had been worn out for years. Councilman Wright voiced concern over the school engineer not properly communicating with the city engineer when the school was built and the cost falling on the tax payers in the City of Elkhart. Councilman Wright reported speaking with Raymond Dunlap regarding and stated to council that Mr. Dunlap said he had it under control.

Councilman Billy Jack Wright made a motion to purchase two new Gorman Rupp Pumps with installation and removal and mileage paid for Odessa Pumps for the replacement of the pumps at Reliable Lift Station for \$10,631.20. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eleven: Discuss and take action, if any, on sending City Secretary Carla Sheridan to TMCCP seminar June 16th and 17th, 2016 for Course 4 of certification.

Councilman Billy Jack Wright made a motion to send City Secretary Carla Sheridan to TMCCP seminar June 16th and 17th, 2016 for Course 4 of certification. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twelve: Discuss and take action Amending Ordinance No. 241-08132007 to appoint Courtney White as Court Clerk for the City of Elkhart, Amended as Ordinance No. 241-08132007-16.

Councilman Billy Jack Wright made a motion to Amend Ordinance No. 241-08132007 to appoint Courtney White as Court Clerk for the City of Elkhart, Amended as Ordinance No. 241-08132007-16. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Thirteen: Discuss and take action on approving financials for the month of April, 2016.

Councilman Billy Jack Wright made a motion to approve the financials as presented for the month of April 2016. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fourteen: Discuss and take action on approving financials for the month of May, 2016.

Councilman Billy Jack Wright made a motion to approve the financials as presented for the month of May 2016. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fifteen: Adjournment.

Council Lady Beverly Anderson made the motion to adjourn. Council Lady Chris Bice seconded the motion. Council adjourned. 10:38 p.m.



Mike Gordon

Mayor

ATTEST:



Carla Sheridan

City Secretary

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Twenty First day of June 2016, the City of Elkhart Council was present as a quorum for a Court Hearing at 10:00 a.m. with the following members present:

Mike Gordon	*	Mayor * Absent
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember * Absent
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember * Absent

A quorum was present. Court Hearing Conducted by Judge Gary Thomas. The City of Elkhart VS. Tammy Baughman. Present: Courtney White- Court Clerk, Billy Jack Wright - Councilman, BJ Perry Code Enforcement Officer, Blake Armstrong- City Attorney, Judge Gary Thomas, Tammy Baughman, Beverly Anderson- Council Lady, Christine Bice- Council Lady.

No business was discussed. A quorum was present at the hearing.



Mike Gordon

Mayor Pro Tem

ATTEST:



Carla Sheridan

City Secretary

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Twenty Fourth day of June 2016, the City of Elkhart Council convened for a Called Council Meeting at 5:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember *ABSENT
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

On the Twenty-fourth day of June 2016, Mayor Gordon called the meeting to order at 5:10 p.m. Citizens present were Connie Davis.

Agenda Item One: Executive Session: Council will convene into Executive Session (Pursuant to Texas Government Code 551.074 (Personnel Matter's)

- A. Discuss and take action on applicant (s) for Licensed Operator for the Outside Field Supervisor position for the City of Elkhart.
 - B. Discuss and take action on selecting applicant (s) to interview for hiring of outside field help.
- Discuss and take action on selecting applicant (s) to interview for Code Enforcement Officer.

Council convened into Executive Session at 5:11 p.m.

Agenda Item Two: Reconvene: Council will convene into Open Session to discuss and take action, if any, on Agenda Item One. A. B. and C.

Council reconvened into Open Session at 7:38 p.m.

- A. Councilman Billy Jack Wright made a motion to hire Albert Gallegos as our new Outside Field Supervisor and Operator for the City of Elkhart on June 24, 2016, and to allow for his current job a two week notice with a yearly salary of \$80,000 which includes his insurance also. No vehicle until on property of City of Elkhart, family insurance paid at employees cost and to follow a six month evaluation. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.
- B. Councilman Billy Jack Wright made a motion to interview Antonio Ramon, Jason Daniel Muck, Brandon White, Kevin Hardy and James Lankford on the 29th of June at 4:00 p.m. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries
- C. Councilman Billy Jack Wright made a motion to interview Tambra (Nikki) Farrell on June 29th at 4:00 p.m. for position of Code Enforcement Office. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Three: Discuss and take action on invoice submitted by Carl Whitley for the repair of 1997 Chevrolet Truck for repair of fuel tank.

Council Lady Rhonda Brewer made a motion to allow Mr. Whitley to repair the 1997 Chevrolet Truck for the repair of the fuel tank.

Council Lady Chris Bice seconded the motion. All voted "aye", the motion carries.

Agenda Item Four: Discuss and take action on sending Seth Hollingsworth to a Basic Wastewater D licensing Class.

Council Lady Beverly Anderson made the motion to send Seth Hollingsworth to a Basic Wastewater D licensing Class. Council Lady Rhonda Brewer seconded the motion call voted "Aye", the motion carries.

Agenda Item Five: Adjournment.

Council lady Rhonda Brewer made the motion to adjourn. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries. Adjournment 7:58 p.m.



Mike Gordon

Mayor

ATTEST:



Carla Sheridan

City Secretary

THE STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Thirtieth day of June 2016, the City of Elkhart Council convened for a Called Council Meeting at 4:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember * ABSENT
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

On the Thirtieth day of June 2016, Mayor Gordon called the meeting to order at 4:00 p.m.

Councilman Chris Sheridan absent. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Executive Session: Council will convene into Executive Session Pursuant to Texas Government Code Section 551.074 (Personnel Matters) for item A and B.

- A. Interview applicant(s) for hiring of outside field help.
- B. Interview applicant(s) for hiring of Code Enforcement Position.

Council convened into Executive Session at 4:03 p.m.

Agenda Item Two: Reconvene: Council will reconvene into open session Pursuant to Texas Government Code Section 551.074 (Personnel Matters) to discuss and take action, if any, on agenda item A and B.

Council reconvened into Open Session at 6:26 p.m.

- A. Councilman Billy Jack Wright made the motion to hire outside field help 30 hours a week, Tony Ramino and Jason Daniel Musick at the rate of \$10.00 per hour. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.
- B. Councilman Billy Jack Wright made a motion to hire Tambara Farrell as Code Enforcement on June 30, 2016 to work 30 hours in the temporary position at \$10.00 per hour. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

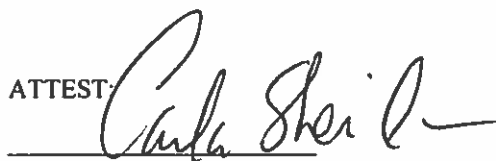
Agenda Item Three: Adjourn. Council Lady Rhonda Brewer made them motion to adjourn. Councilman Billy Jack Wright seconded the motion. All voted "Aye", the motion carries. Adjournment at 6:30 p.m.



Mike Gordon

Mayor

ATTEST



Carla Sheridan

City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Fifth day of July 2016, the City of Elkhart Council convened into a Regular Council Meeting at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Rhonda Brewer	*	Councilmember
Chris Bice	*	Councilmember
Blake Armstrong	*	City Attorney

A quorum being present, Councilman Mike Gordon called the meeting to order at 6:00 p.m. Citizens present were see Exhibit "A". Citizens speaking were see Exhibit "B". All were asked to stand and recite the Pledge of Allegiance. Mr. Wright spoke and thanked Mayor Mike Gordon for going out on checks with the leaks, manhole issues, assisting the city workers and thanked him for his dedication to the city.

Agenda Item One: Discuss and take action on hearing from Tracy Hicks with KSA concerning issues the City is facing for state mandated repairs within the City.

Mr. Hicks reported the deficiencies within the city. Reported the storage tank being too short, water distribution analysis, pressure tank and booster pumps throughout the system. Mr. Hicks also reported on water lines which are drastically undersized and the need to start looking into replacing some of those lines. Tracy reported that the consultant that put in the in line booster pump never sent paper work in to the state and rules on variances changed and harder to get but that he is looking into those. Mr. Hicks reported to council that the City will eventually start receiving fines from the state for not having the new well that is needed.

No action was taken on agenda item one.

Agenda Item Two: Discuss and take action on hearing from Gary Traylor with Traylor and Associates regarding grant possibilities for repairs.

Mr. Traylor spoke to council regarding what grants are there for some of the very issues the city is facing. Mr. Traylor said they can work with KSA to see which grants could apply to our city for system improvements. The next grants would be available in February 2017. Recommended financial reserves and lack of funding preventing fixing issues. Recommended breaking down into manageable sections and portion for repairs which we prioritize and to consider the possibility of urgent repairs and possible issue a certificate of obligation to do some of the urgent repairs and bulk of improvements combination of grants and funding. Based on poverty rate, long term financing for up to 40 years but didn't recommend that. Mr. Traylor spoke to council briefly about the possibilities of a Economic Development Commission and answered councils questions regarding the possibilities of gaining the extra .25 percent on sales tax for the benefit the city.

No action was taken on agenda item two.

Agenda Item Three: Discuss and take action on hearing from Kirk Rival with Cellular One regarding placement of a receiver on water tower at 110. W Parker St., Elkhart, Texas.

Councilman Chris Sheridan made a motion to convene into Executive Session Pursuant to Texas Government Code section 551.071 to consult with attorney regarding Cellular One.

Councilman Billy Jack Wright seconded the motion. All voted "Aye" the motion carried. Council convened into Executive Session at 7:10 p.m. .

Agenda Item Four: Executive Session-- Council will now convene into Executive Session pursuant to Texas Government Code section 551.074 (Personnel/Municipal Officer) to evaluate and discuss the position of municipal court judge. 7:27 p.m.

Agenda Item Five: Discuss and take action, if any, regarding the position of municipal court judge.

Council reconvened into open session at 8:02 p.m. No action taken due to the lack of movement.

Agenda Item Six: Discuss and take action on hearing from City Secretary Carla Sheridan regarding previous motion of East Texas Broadband franchise fees.

City Secretary Carla Sheridan reported during looking over the franchise fees as Kevin Cashion, the city's auditor had requested to do, it was discovered that East Texas Broadband never paid any money for the rental fees it was agreed upon to do back from August 1, 2005 to current for \$150.00 monthly. Blake Armstrong, the city attorney reported to council due to the statute of limitations we could only go back 4 years to try and recoup the money lost to the city. Blake reported that an official agreement/contract should also follow to renew annually.

Councilman Chris Sheridan made a motion to authorize City Attorney Blake Armstrong to contact East Texas Broadband to discuss the payments not received by the City of Elkhart for the rental payments not received by the City of Elkhart.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carried.

Agenda Item Seven: Discuss and take action on transferring the remainder of Keep Elkhart Beautiful account funds to General account, stipulations of the remaining funds collected through the City of Elkhart and closing of Keep Elkhart Beautiful account.

Blake Armstrong spoke to council regarding Keep Elkhart Beautiful funds and transferring the funds to the General account and that the organization was under the city direction and not at the time a 501C3. Mr. Armstrong suggested earmarking the funds to use as much for beautification as possible using the funds for beatification or facility improvements.

Councilman Billy Jack Wright made a motion to close and transfer the funds from Keep Elkhart Beautiful account to the General account and earmark those funds for public beautification of Elkhart or improvements of public facility.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carries/tabled.

Agenda Item Eight: Discuss and take action on hearing from Landon Smith with Mobilitie, LLC. in regards to letter submitted by Mobilitie, LLC concerning permit application.

Councilman Billy Jack Wright made a motion to take no action on Agenda Item Eight and to allow City Attorney Blake Armstrong to negotiate with Landon Smith regarding permit application with Mobilitie LLC.

Councilman Chris Sheridan seconded the motion. All voted "Aye" the motion carried.

Agenda Item Nine: Discuss and take action on hearing from City Secretary Carla Sheridan regarding previous council signing contract with Constellation Energy while still in contract with TXU Energy.

City Secretary briefed council regarding the breach of contract. The previous sitting council signed a contract with Constellation while still in a contract with TXU. The estimated cost to the tax payers approx. \$20,000.00.

No action was taken on the item.

Agenda Item Ten: Discuss and take action on the previous motion of designated parking at 106-A W. Parker St.

No action was taken on the agenda item.

Agenda Item Eleven: Discuss and take action on signing up for Windstream "Auto Attendant" service to assist office staff in answering phones and directing calls.

Councilman Billy Jack Wright made a motion to take no action at this time for the auto attendant through Windstream pending more information.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Twelve: Reports to be heard from City Secretary and Consultants BJ Perry and Clyde Woods.

No action taken on reports heard.

Agenda Item Thirteen: Discuss and take action on establishing a timeline of contractual services and pay of Consultants BJ Perry and Clyde Woods.

Councilman Billy Jack Wright made a motion to end as of July 15, 2016 at 5:00 p.m. the consultant services of Clyde Woods and to retain BJ Perry to continue as a Consultant for the City of Elkhart.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Fourteen: Discuss and take action on hearing from Ricky Henderson requesting a backflow preventer and dirt at his residence on 119 Day Rd.

No action was taken.

Agenda Item Fifteen: Discuss and take action on Scoop invoice submitted by Clyde Woods for Wastewater Treatment Plant.

No action was taken on the item.

Agenda Item Sixteen: Discuss and take action on compensation for Consultant BJ Perry regarding man hours on callout at 294 W. Lift Station.

Council Lady Chris Bice made a motion to pay BJ Perry when called out \$25.74 for the hours of 9.03 hours worked over agreed time for \$232.43 and to pay \$25.74 per hour for any hours worked outside agreed amount of time he had agreed upon for consulting. To exclude weekend rotation.

Councilman Billy Jack Wright seconded the motion. All voted "Aye" the motion carried.

Agenda Item Seventeen: Discuss and take action on the verbal resignation of Joseph Branson.

Council Lady Beverly Anderson made a motion to accept the verbal resignation of Joseph Branson.

Council Lady Rhonda Brewer seconded the motion. All voted "Aye" the motion carried.

Agenda Item Eighteen: Discuss and take action on Yard of the Month for the month of July.

Councilman Billy Jack Wright made a motion to award Roger and Rita Parker for the Yard of the Month for the month of July, 2016.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Nineteen: Discuss and take action on approving financial reports for June, 2016.

Councilman Billy Jack Wright made a motion to approve the financials for the month of June, 2016.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carried.

Agenda Item Twenty: Discuss and take action on setting Budget Workshops dates.

Councilman Billy Jack Wright made a motion to set the budget workshop dates as August 2, August 4, August 8 and August 9 all to be held at 6 p.m.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Twenty-one: Discuss and take action on retaining and compensating Consultants BJ Perry and Clyde Woods for man hours to drain and inspect Newsome Well before the warranty expiration of August 1, 2016 deadline.

Council Chris Sheridan made a motion to retain BJ Perry and any other consultant and employee to drain and inspect Newsome Well before the warranty deadline of August 1, 2016 deadline and to use the men needed to do the job.

Council Lady Rhonda Brewer seconded the motion. All voted "Aye" the motion carried.

Agenda Item Twenty-two: Discuss and take action on no longer accepting cash as a form of payment at the City of Elkhart office.

Council Lady Rhonda Brewer made a motion to table the item until further research is done.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion is tabled.

Agenda Item Twenty-three: Adjournment.

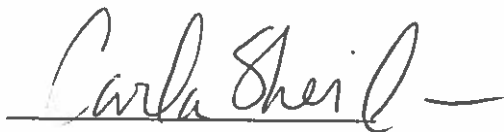
Council Lady Beverly Anderson made a motion to adjourn.

Council Lady Rhonda Brewer seconded the motion. All voted "Aye" the motion carries. Meeting adjourned at 11:45 p.m.



Mike Gordon

ATTEST:



Carla Sheridan

City Secretary

STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Eleventh day of August 2016, the City of Elkhart Council convened for a Budget Workshop at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

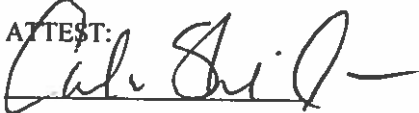
Council present at budget workshop and began reviewing items. Council discussed proposed budget. 6:00 to 9:04 pm.



Mike Gordon

Mayor

ATTEST:



Carla Sheridan

City Secretary

STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Eighteenth day of August 2016, the City of Elkhart Council convened for a Budget Workshop at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember


The council was present at the budget workshop and began reviewing items. Council discussed proposed budget. 6:00 to 9:45 pm.



Mike Gordon

Mayor

ATTEST:



Carla Sheridan

City Secretary

STATE OF TEXAS

*

COUNTY OF ANDERSON

*


CITY OF ELKHART

*

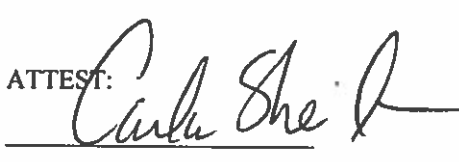
On the Twenty second day of August 2016, the City of Elkhart Council convened for a Budget Workshop at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

Council was present at budget workshop and began reviewing items of the proposed budget. Council discussed proposed budget. 6:00 to 10:04 pm.


Mike Gordon - Mayor

ATTEST:


Carla Sheridan
City Secretary

STATE OF TEXAS

*

COUNTY OF ANDERSON

*

CITY OF ELKHART

*

On the Twenty-fifth day of August 2016, the City of Elkhart Council convened for a Budget Workshop at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

Council was present at budget workshop and began reviewing items of the proposed budget. Council discussed proposed budget. 6:00 to 9:57 p.m.


Mike Gordon - Mayor

ATTEST:



Carla Sheridan

City Secretary

*

*

*

✱

Mayor

*

Councilmember

*

Councilmember

*

Councilmember

*

Councilmember

*

Councilmember

5

Agenda Item Five: Discuss and take action appointing a representative for ETCOG for the City of Elkhart, Resolution 260-09062016.

Council Lady Beverly Anderson made a motion to appoint Mike Gordon the representative for ETCOG for the City of Elkhart with Resolution 260-09062016.

Council Lady Rhonda Brewer seconded the motion. All voted "Aye" the motion carried.

Agenda Item Six: Discuss and take action on Resolution 278-09062016 naming the Grapeland Messenger as the official newspaper for the City of Elkhart for the fiscal year 2016-2017.

Councilman Billy Jack Wright made a motion to name the Grapeland Messenger as the official newspaper for the City of Elkhart for the fiscal year 2016-2017 with Resolution No. 278-09062016.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Seven: Discuss and take action naming Yard of the Month of September 2016.

Council Lady Beverly Anderson made a motion to award the yard of the month to George and Ruby Crawford for the month of September 2016.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Eight: Discuss and take action to designate first weekend in October as Fall clean-up Day.

Council Lady Chris Bice made a motion to not have the clean-up day in October until we were better organized from all the dumping outside of dumpsters. Council Lady Beverly Anderson seconded the motion.

Council Beverly Anderson rescinded the motion of the second.
Chris Bice seconded the motion.

All voted "Aye", the motion was rescinded.

Councilman Chris Sheridan made a motion to designate the first Saturday in November on the 5th as the Fall Clean-Up Day.

Council Lady Beverly Anderson seconded the motion. Councilman Billy Jack Wright opposed. The motion carried.

Agenda Item Nine: Discuss and take action adding another council member to Commercial Bank of Texas bank accounts for the City of Elkhart, Texas for signatures on accounts.

Council Lady Beverly Anderson made a motion for Rhonda Brewer to be added to all bank accounts at Commercial Bank of Texas for the City of Elkhart, Texas.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Ten: Discuss and take action on water pressure concerns at the location of 137 PR 6131.

Councilman Billy Jack Wright made a motion to inform customer if a regulator was needed to purchase at his expense that city employees would not assist or advise.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Eleven: Discuss and take action on approving the holiday schedule for 2016-2017.

Councilman Billy Jack Wright made a motion to adopt the Holiday calendar for the City of Elkhart for 2017 with the omission of Columbus Day on 10-9-17 and adding 11-10-17 for Veteran's Day and also adding 1-2-17 New Year's Day on Monday.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Twelve: Discuss and take action on installing water meter for the baseball fields.

Councilman Billy Jack Wright made a motion to install a water meter at the baseball field to meter the water used at the field.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Thirteen: Discuss and take action on securing the City of Elkhart's Public Works building property line located at 100 HWY 287 N.

Councilman Chris Sheridan made a motion to designate Councilman Billy Jack Wright to research on property line located on the City of Elkhart property located at 100 287 N. and report to council on findings.

Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carried.

Agenda Item Fourteen: Discuss and take action on back payments of sewer charges for accounts that have not paid sewer, accessing the sewer system.

Councilman Billy Jack Wright made a motion to send customer's letters who have been accessing the city's sewer system without paying and to give the customer's the opportunity to come to council meeting should they have any questions regarding the sewer charges.

Council Lady Beverly Anderson seconded motion. All voted "Aye" the motion carried.

Agenda Item Fifteen: Discuss and approve financials for the month of July.

Councilman Billy Jack Wright made a motion to approve the financials as presented for the month of July 2016, stipulating to close the Keep Elkhart Beautiful account that has a \$25.00 balance to be officially closed.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Sixteen: Discuss and take action on email submitted by Shirley Mays concerning the hazard mitigation grant for previously awarded sirens.

Councilman Chris Sheridan made a motion to take no action on agenda item sixteen.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda item Seventeen: Discuss and take action on letter submitted by TXU concerning the contract that was breached by previous council and settlement fee proposal.

Councilman Chris Sheridan made a motion to have the City Secretary to contact the city attorney Blake Armstrong to update and have him look at contract regarding TXU and the proposal regarding settlement fees.

Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

Agenda Item Eighteen: Executive Session: Council will convene into Executive Session Pursuant to Texas Government Code Section 551.074 (Personnel Matters) ;

- A. Accept the resignation of Courtney White.
- B. Discuss options for staffing of clerk position.
- C. Discuss job title for public works employee Kenneth White.

Council convened into Executive Session at 10:02 p.m.

Agenda Item Nineteen: Reconvene: Council will convene in regular session to discuss and take action, if any, on Agenda Item Eighteen: A. B. and C.

Council reconvened into Open Session at 10:36 p.m. to take the following actions;

(A.) Councilman Billy Jack Wright made a motion to accept the resignation of Courtney White dated September 6, 2016 as last day of employment effective on October 7, 2016. Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

(B.) Councilman Chris Sheridan made the motion to designate Carla Sheridan to contact Work Co. staffing for hiring someone clerical to work part time until we can fill the clerk position and to post the opening for a full time clerk. Council Lady Chris Bice seconded the motion. All voted "Aye" the motion carried.

(C.) Councilman Billy Jack Wright made a motion to take no action on job title of Kenneth White. Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carried.

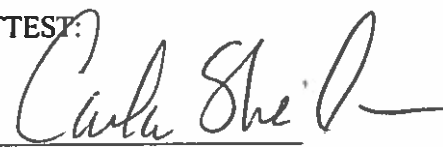
Agenda Item Twenty: Adjournment.

Council Lady Rhonda Brewer made a motion to adjourn at 10:41 p.m.

Council Lady Chris Bice seconded the motion. All voted 'aye'. The motion carried, adjourning the meeting at 10:41 p.m. with no further business.


Mike Gordon
Mayor

ATTEST:


Carla Sheridan
City Secretary

STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twelfth day of September 2016, the City of Elkhart Council convened for Budget Hearing Fiscal Year of 2016/2017.

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

A quorum being present the Mayor called the Budget Hearing meeting to order at 6:01 p.m Citizens present were BJ Perry.

Agenda Item One: Opening of Public Hearing on City of Elkhart Proposed Budget for Fiscal Year of 2016/2017.

No citizens were present.

Agenda Item Two: Discussion on Proposed Budget

Council did discuss the budget and discussed no clear answer on the cost of insurance to properly budget for the EVFD due to First Responder vehicles being listed in the insurance and no record of approving to cover those vehicles and no clear answer on the vehicles insurance in general. Council discussed the utilities to be paid out of general until we get a clear answer on the actual cost to the tax payers and do title research so that the monies will be properly and appropriately disbursed. Council discussed the waste of tax funds from the mix up of insurance and that the budgeted funds for EVFD insurance was also paying for First Responder vehicles out of EVFD budgeted funds as well as tax funds paying insurance on dead vehicles. No discussion from the EVFD on a recently purchased fire truck by EVFD without contacting the city concerning insurance cost. Council concerns over properly budgeting due to the confusion in records and oversight. Funds budgeted in general until council finds the accurate cost.

Agenda Item Three: Question and Answer Session.

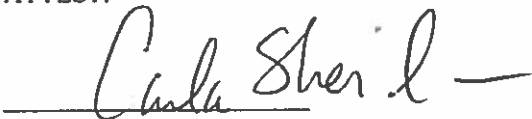
No action was taken on agenda item. No citizen questions were asked.

Agenda Item Four: Adjourn Budget Hearing.

Council Lady Beverly Anderson made a motion to adjourn. Council Lady Chris Bice seconded the motion. The meeting adjourned at 7:40 p.m.


Mike Gordon - Mayor

ATTEST:


Carla Sheridan
City Secretary

STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On the Sixteenth day of September 2016, the City of Elkhart Council convened for Public Hearing Tax Rate/ Adoption of
Proposed Tax Rate FY 2016/2017 at 6:00 p.m.

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember * ABSENT
Rhonda Brewer	*	Councilmember

A quorum being present the Mayor called the meeting to order at 6:01 p.m. Citizens present were BJ Perry. Council member Chris Bice absent.

Agenda Item One: Consider approval of Ordinance No. 09162016, an Ordinance Adopting the fiscal year 2016/2017 Annual Budget for the City of Elkhart.

Councilman Chris Sheridan made the motion to adopt Ordinance No. 09162016, Adopting the fiscal year 2016/2017 Annual Budget for the City of Elkhart.

Council Lady Rhonda Brewer seconded the motion. All voted "Aye" the motion carries.

Votes cast are recorded as follows;

Beverly Anderson "Aye", Billy Jack Wright "Aye", Chris Sheridan "Aye", and Rhonda Brewer "Aye" *Council Lady Chris Bice absent.

Agenda Item Two: Consider approval of Resolution No. 09162016 ratifying the tax revenue for the tax year 2016 (2016-2017) for the City of Elkhart.

Councilman Chris Sheridan motioned to adopt Resolution No. 09162016 ratifying the tax revenue for the tax year 2016 (2016-2017) for the City of Elkhart. Councilman Billy Jack Wright seconded the motion. All voted "Aye", the motion carries.

Votes cast are recorded as follows;


Beverly Anderson "Aye", Billy Jack Wright "Aye", Chris Sheridan "Aye", and Rhonda Brewer "Aye" *Council Lady Chris Bice absent.

Agenda Item Three: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries. Meeting adjourned at 6:13 p.m.


Mike Gordon - Mayor

ATTEST:


Carla Sheridan
City Secretary

STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twenty Second day of September 2016, the City of Elkhart Council convened for Public Hearing
Tax Rate/ Adoption of Proposed Tax Rate FY 2016/2017 at 6:00 p.m.

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tem
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Christine Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

Mayor Gordon called the meeting to order at 6:03 p.m. Citizens present, BJ Perry. Citizens were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Public Hearing to discuss the City of Elkhart, Texas , Proposed Property Tax Rate.

No citizens signed up to speak. Mayor asked if there were any questions or comments. No public comments.

Agenda Item Two: Discuss and take action approving the Proposed Property Tax Rate of **0.3013** for the City of Elkhart, Texas FY 2016/2017 tax year.

Councilman Chris Sheridan made a motion to increase the property tax rate by adoption of the tax rate of 0.3013 percent which is effectively a 4.364 percent increase of the tax revenue.

Councilman Chris Bice seconded the motion. All voted "Aye", the motion carries.

Vote record cast was as follows;

Beverly Anderson "Aye"

Billy Jack Wright "Aye"

Chris Sheridan "Aye"

Rhonda Brewer "Aye"

Chris Bice "Aye"

Agenda Item Three: Discuss and take action approving Ordinance 09222016, an Ordinance adopting the Proposed Property Tax Rate for the City of Elkhart FY 2016/2017.

Councilman Billy Jack Wright made a motion to adopt and approve Ordinance No. 09222016 increasing the property tax rate to 0.3013 which is a percentage of 4.364 percent increase and to include clarification

and correction to section Three of the Ordinance and payment process to both reflect Palestine, Texas Anderson County.

Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Vote record cast was as follows;

Beverly Anderson "Aye"

Billy Jack Wright "Aye"

Chris Sheridan "Aye"

☐ Rhonda Brewer "Aye"

☐ Chris Bice "Aye"


Agenda Item Four: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries. Meeting adjourned at 6:20 p.m..



Mike Gordon

ATTEST:

☐ 

Carla Sheridan

City Secretary

☐

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

*

*

*

On the Third day of October 2016, the City of Elkhart Council convened into a Regular Council Meeting at 6:00 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tempore
Chris Sheridan	*	Councilmember
Beverly Anderson	*	Councilmember
Chris Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

A quorum being present, Mayor Mike Gordon called the meeting to order at 6:03 p.m. Citizens present were Latoyer Carwell, Todd Gibbs, BJ Perry, Connie Davis, Carlos Bicerio. Citizens speaking were Latoyer Carwell with concerns over her water bill needing an adjustment from leak, Todd Gibbs with Waste Connections spoke to council and introduced himself letting council know he would do all he could to make sure he got trash picked up in the area. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Public Hearing: Grantworks will present maps and text produced for the City’s TxCDBG Planning Study Contract No. 7214054; citizen comment.

Carols Bacerio with Grantsworks gave a brief to council and reviewed Planning Study information with council on contract no. 7214054 which was applied for by previous council. No action was taken.

Agenda Item Two: Action Item: Review text and maps associated with TxCDBG Planning Grant, Contract No. 7214054 and Adopt Resolution No. 10032016-7214054 required by TDA affirming review of the plan and its suitability to guide future policy decisions.

Councilman Billy Jack Wright made a motion to adopt Resolution No. 10032016-7214054 required by TDA affirming review of the plan suitability to guide future policy decisions. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Three: Discuss and take action on free Water and Sewer Taps approved by previous council, located on private property listed as 411B Hwy 287 S. in the name of First Responders.

Councilman Billy Jack Wright made the motion to send a registered letter to owner of 411 B Hwy 287 S. to have a chance to pay for water and sewer taps for the fee of approximately \$650.00 each and to allow 30 days to comply or immediate removal of both lines. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Four: Discuss and take action on the previous council’s motions and resolutions designating the private property located at 413 Hwy 287 S. deeming said private property a Substation to Elkhart Volunteer Fire Department (EVFD).

Councilmember Chris Sheridan made the motion to draft a resolution or ordinance at the city attorneys advice deeming 413 Hwy 287 S not a substation to the City of Elkhart in any capacity. Councilman Billy Jack Wright seconded the motion. All voted "aye"; motion carried.

Agenda Item Five: Discuss and take action on the consideration of continued coverage of city paid insurance on vehicles not belonging to Elkhart Volunteer Fire Department (EVFD) in the title name of First Responders and to consider the continuation of city paid insurance on two vehicles and liability issues regarding coverage of said vehicles.

Councilman Billy Jack Wright made a motion to discontinue coverage on vehicles in the name of First Responder's a separate non profit entity from city or EVFD and to send a registered letter to Randy McCoy stating the vehicles will be dropped immediately and will no longer be covered by the City of Elkhart. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Six: Discuss and take action on hearing from Rebecca Osbourne requesting relocation of service located at 317 Hwy 287 North.

Councilman Billy Jack Wright made a motion to take no action. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.

Agenda Item Seven: Discuss and take action approving and signing agreement approved by City Attorney for East Texas Broadband's Real Estate Lease Agreement for use of tower space located at 110 West Parker for the collection of unpaid rental fees since 2005 and signing a new agreement to renew annually starting October 2016.

Councilman Billy Jack Wright made the motion to accept the agreement with East Texas Broadband for tower rental lease located at 110 W. Parker. Council Lady Chris Bice seconded the motion. All voted "Aye"; motion carried.

Agenda Item Eight: Discuss and take action on hearing from Mr. Ellzey regarding possibly adding an addition of homes and questions for proposed homes on Jenkins Rd.

Councilman Billy Jack Wright made the motion to take no action. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.

Agenda Item Nine: Discuss and take action on hearing from staff regarding Progressive trash service complaints and review of work orders issued concerning missed trash.

Council Lady Beverly Anderson made a motion to combine item number nine and item number fourteen (Item Fourteen was labeled on agenda as Agenda Item Thirteen- this was a numbering error on the agenda. Council corrected during meeting to reflect Agenda Item Thirteen as Agenda Item Fourteen which originally stated; Agenda Item Thirteen; Discuss and take action designating a date in November for the Clean-Up Day and setting guidelines for the use of dumpsters.) to combine as one item. Council Lady Rhonda Brewer seconded the motion of Council Lady Beverly Anderson to combine the two items. Councilmember Chris Sheridan opposed the motion. The motion carries. Council reviewed complaints and heard concerns over the service of the trash company Progressive Waste. Area supervisor Mr. Todd Gibbs reassured the council he would make sure everything was picked up and that improvements would be made. Councilman Billy Jack Wright made a motion to take no action on agenda item number nine and to set November 5, 2016 as the fall cleanup day, with residents to show proof of residency upon use of the dumpsters. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Nine: Discuss and take action on updating council regarding auto attendant previously implemented to assist office staff answering calls.

Agenda Item Nine: Hereafter due to error in construction of the agenda , item nine listed above corrected by council as Item number Ten. Agenda Item Ten: Council was given a brief by City Secretary, Carla Sheridan on the auto attendant system through Windstream. Councilman Chris Sheridan made the motion to take no action on the auto attendant update. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.

Agenda Item Ten: Discuss and take action naming Yard of the Month of October 2016.

Hereafter due to error in construction of the agenda , Item Ten listed above corrected by council as Item Number Eleven. Council Lady Chris Bice nominated Mr. and Mrs. Tom Hamby on Hwy 287 N. for Yard of The Month of October 2016. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.

Agenda Item Eleven: Discuss and take action on purchasing a Dissolve Oxygen-handheld meter for the field.

Hereafter due to error in construction of the agenda , Item eleven listed above corrected by council as Item Number Twelve. Councilman Billy Jack Wright made a motion to purchase the Dissolve Oxygen handheld meter for the field for the price of \$801.00 . Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Twelve: Discuss and take action on quote submitted by Ives Technical Service for the surveying of 100 HWY 287 NORTH, City Public Works Building.

Hereafter due to error in construction of the agenda , Item Twelve listed above corrected by council as Item Number Thirteen: Council Lady Beverly Anderson made a motion to accept survey quote from Lynn Smith with Ives Technical Service in the amount of \$600.00 to survey the property at 100 Hwy 287 N, the City Public Works Building. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Thirteen: Discuss and take action on designating a date in November for the Fall Clean-Up Day and setting guidelines for the use of dumpsters.

Hereafter due to error in construction of the agenda , Item Thirteen listed above corrected by council as Item Number Fourteen. Item was moved to combine item nine and item fourteen. Council Lady Beverly Anderson made the motion, Council Lady Rhonda Brewer seconded the motion, Councilman Chris Sheridan opposed the motion. All voted "aye"; motion carried. The items were combined.

Agenda Item Fourteen: Discuss and take action on the purchase of credit card interface program through RVS for water billing department at a cost of \$850.00, a one time fee.

Hereafter due to error in construction of the agenda , Item Fourteen listed above corrected by council as Item Number Fifteen. Councilman Billy Jack Wright made the motion to purchase the interface program through RVS for the water billing department for the one time cost of \$850.00. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Fifteen: Discuss and take action for employees annual cost of living pay raise increase.

Hereafter due to error in construction of the agenda , Item Fifteen listed above corrected by council as Item Number Sixteen. Councilman Billy Jack Wright made the motion to allow for Carla Sheridan and Kenneth White who have been employed a year or longer a three percent cost of living raise. Council Lady Chris Bice seconded the motion. Councilman Chris Sheridan abstained. The remainder members voted "aye"; motion carried.

Agenda Item Sixteen: Executive Session– Council will convene into Executive Session *Pursuant to Texas Government Code 551.074 (Personnel Matters)* ;

- A. Conduct job evaluation of Albert Gallegos (Outside Field Supervisor).
- B. Accept resignation of Jason Musick , field employee.
- C. Discuss and take action on submitted applications and options for the hiring of outside field employees, requiring a Class “D” Water and Class “D” Wastewater or higher within a year of hire date.

Hereafter due to error in construction of the agenda , Item Sixteen listed above corrected by council as Item Number Seventeen. Council convened into Executive Session at 9:42 p.m.

Agenda Item Seventeen: Reconvene -Council will convene in regular session to discuss and take action, if any, on Agenda Item Sixteen- A. B. and C.

Hereafter due to error in construction of the agenda , Item Seventeen listed above corrected by council as Item number Eighteen. Council Reconvened into Open Session at 11:03 p.m.

- A. Councilman Billy Jack Wright made a motion to take no action on A. job evaluation of Albert Gallegos. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.
- B. Councilman Billy Jack Wright made a motion on B. to accept the resignation of Jason Musick effective October 7, 2016. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.
- C. Councilman Chris Sheridan made the motion C. to publish a hiring notice in the Grapeland Messenger, place on Anderson County What's Happening site online in Anderson County and to place signs in high traffic areas. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.

Agenda Item Eighteen: Discuss and take action on letter submitted by Toys For Tots to allow drop off location at City Hall 110 W Parker Elkhart, Texas 75839 for a toy drive.

Hereafter due to error in construction of the agenda , Item Eighteen listed above corrected by council as Item Number Nineteen. Councilmember Billy Jack Wright made a motion to allow 110 W. Parker to be a drop off location for Toys for Tots Christmas drive. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Nineteen: Discuss and take action on requesting price quotes to be submitted to council for new flooring at City Hall at 110 W Parker.

Hereafter due to error in construction of the agenda , Item Nineteen listed above corrected by council as Item Number Twenty. Councilman Billy Jack Wright made a motion to allow for the process to receive bids for flooring at City Hall. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Twenty: Discuss and take action on approving financials for the month of August, 2016.

Hereafter due to error in construction of the agenda , Item Twenty listed above corrected by council as Item Number Twenty-One. Councilman Billy Jack Wright made a motion to approve the financials as presented. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Twenty One: Discuss and take action on submitting a claims notice to TML regarding Day Well.

Hereafter due to error in construction of the agenda , Item Twenty-One listed above corrected by council as Item Twenty-Two. Councilman Billy Jack Wright made a motion to submit a claim to TML on the loss of Day Well to include all information on the loss of Day Well. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Twenty Two: Discuss and take action sending council member's to attend a Texas Water Development Board (TWDB) workshop in Corsicana on Regional Financial Assistance.

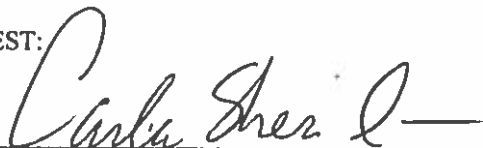
Hereafter due to error in construction of the agenda , Item Twenty-Two listed above corrected by council as Item Number Twenty- Three. Councilman Billy Jack Wright made the motion to send any council members and Mayor to the Texas Water Development Board Workshop in Corsicana, Texas , Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Twenty Three: Adjournment.

Hereafter due to error in construction of the agenda , Item Twenty-Three listed above corrected by council as Item Number Twenty-Four. Council Lady Rhonda Brewer made the motion to adjourn. Council Lady Chris Bice seconded the motion to adjourn. The meeting adjourned at 11:45 P.M.


Mike Gordon
Mayor

ATTEST:


Carla Sheridan
City Secretary

THE STATE OF TEXAS
COUNTY OF ANDERSON
CITY OF ELKHART

*
*
*

On the Seventh Day of November 2016, the City of Elkhart Council convened into a Council Meeting at 6:00 p.m. with the following members present:

Mike Gordon
Billy Jack Wright
Chris Sheridan
Beverly Anderson
Chris Bice
Rhonda Brewer
Blake Armstrong

*
*
*
*
*
*
*

A quorum being present, Councilman Mike Gordon called the meeting to order at 6:00 p.m. Citizens present were Matt and Rebecca Osbourne, Connie Davis, Steve Goforth. Citizens speaking were Bob Neal with concerns of water chlorine levels at his residence, Steve Goforth with concerns over fence being placed at Public Works building near his property, BJ Perry regarding meter at The Warehouse being tested and accurate, Ron Armstrong complaints over high water bill and concern over meter accuracy. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Executive Session: Council will convene into Executive Session to discuss the following;

A) Contemplated litigation regarding water and sewer taps located at 411B Hwy 287 S. *Pursuant to Texas Government Code 551.071 (Consultation with attorney/contemplated litigation)*

(B) Evaluation of Seth Hollingsworth, outside field worker, *Pursuant to Texas Government Code Section 551.074 (Personnel Matters)*

(C) To discuss TXU contract *Pursuant to Texas Government Code Section 551.071 (Consultation with attorney/ contemplated litigation)*

Council convened into Executive Session at 6:20 P.M.

Agenda Item Two: Discuss and take action if any as follows;

- A. Contemplated litigation on water and sewer taps located at 411B Hwy 287 S.
- B. New hire evaluation of Seth Hollingsworth, field employee.
- C. Contract with TXU.

Council reconvened back into open session at 7:18 P.M and the following action was taken;

- A. No action.
- B. No action.
- C. No action.

Agenda Item Three: Discuss and take action hearing from Ed Adair with Reflective Energy Solutions regarding the breach of contract with TXU signed by previous council on possible solutions.

Councilman Chris Sheridan reported speaking with Ed Adair in reference to signing a LOI (Letter of Intent) with Ed Adair to give him a chance to resolve the matter with TXU concerning a breach of contract. Council Lady Chris Bice made a motion to sign document that allows Mr. Adair an opportunity to resolve the matter. Councilman Chris Sheridan seconded the motion. All voted "aye"; motion carried.

Agenda Item Four: Discuss and take action if any, regarding fence at the property at 100 Hwy 287 South, City of Elkhart Public Works building and reviewing survey of property, quotes for fence and pictures of the property.

Discussion ensued regarding the city property line and potential future fence located at 100 287 S. Councilman Billy Jack Wright reported on lay out of property and potential fence of Day Well. Mr. Wright stressed concern over the liability on the city without securing the city property. Billy Jack Wright stressed concern of security of the property. Mr. Sheridan stressed concern over north entrance to building and heavy trucks at the home next door knocking the driveway out. Council Lady Anderson stated it was not personal but that was a security issue. Beverly Anderson reminded council we had already had problems at the well site. Council heard from Steve Goforth property owner who spoke in opposition of the fence. Mr. Goforth stated he had a prescriptive Easement for the property. City Secretary reported she had researched prescriptive easements and did not believe prescriptive easement included city or governmental property. Attorney Blake Armstrong stated, fundamentally there was nothing prohibiting from us protecting or fencing our own property. Mr. Armstrong said he believed Mr. Goforth was concerned over having access to his rental trailer behind said property and asked if there was another entrance. It was discussed that there is a drive on the side of Mr. Goforth's property. Mr. Goforth reported he had a surveillance camera out at this property because he had problems with a renter and that the renter was going through his property. Council Lady Beverly Anderson spoke to Mr. Goforth saying it had been recommended to secure the city's property and the decision was not a personal attack. Councilman Sheridan asked City Attorney Blake Armstrong if we were required to give notice of construction of erecting a fence and Blake Armstrong responded, "no." Mr. Goforth offered to purchase a section from the city and that was responded back to from the city attorney. Blake stated, "Because we are a governmental entity we cannot sell real property, we would have to put the property up at a public auction or take sealed bids. There would be a process we would need to go through." Council Lady Beverly Anderson made a motion to table to the next council meeting to allow the city attorney an opportunity to research prescriptive easements pertaining to city property and to receive more bids on fencing. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Five: Discuss council workshops with attorney.

No action was taken.

Agenda Item Six: Discuss and take action on Elkhart City water quality and solutions to improve the water quality in the system.

A motion was made by Councilman Billy Jack Wright to instruct our outside supervisor to flush lines on the 1st and 15th twice a month for 15 minutes all outside water system flush valves, fire hydrants, in doing so estimate water loss and record residuals at each flush point. Motion was seconded by Council Lady Chris Bice. All voted "aye"; motion carried.

Agenda Item Seven : Discuss and take action appointing a council member to research payment of a claim paid by TML insurance to the City of Elkhart in 2011 and 2014.

Motion was made by Councilman Sheridan to appoint Rhonda Brewer to research payments and the motion was seconded by Chris Bice. All voted "aye"; motion carried.

Agenda Item Eight: Discuss and take action hearing from Rebecca Osbourne requesting city to provide concrete repairs at the location of 317 Hwy 287 N. after request of moved water line is completed.

Councilman Billy Jack Wright made the motion to have Rebecca Osbourne provide for the concrete repairs to 317 Hwy 287 N. after work is completed,. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Nine: Discuss and take action on sending Seth Hollingsworth to retake his Class D wastewater exam.

A motion was made by Councilman Billy Jack Wright to send Seth Hollingsworth to retake his D wastewater exam in Tyler, Texas at the appropriate time and date. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.

Agenda Item Ten: Discuss and take action closing office on Veteran's Day November 11, 2016.

Councilman Chris Sheridan made the motion to close the office for Veteran's Day November 11, 2016. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Eleven: Discuss and take action naming Yard of the Month of November 2016.

Council Lady Chris Bice made a motion to nominate Elkhart Oaks Nursing Center for Yard of The Month for the month of November, 2016. Council Lady Rhonda Brewer seconded the motion. All voted "aye"; motion carried.

Agenda Item Twelve: Discuss and take action on quote submitted by Sherwin Williams for flooring at City Hall.

Councilman Billy Jack Wright made a motion to request additional bids to be submitted for the flooring at City Hall. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Thirteen: Discuss and take action requesting to hire someone to finish painting the front office at City Hall.

Council Lady Chris Bice made a motion to hire Paint Slingers, Crystal Rhyne to paint City Hall for the amount of \$1500.00. Councilman Billy Jack Wright seconded the motion. All voted "aye"; motion carried.

Agenda Item Fourteen: Discuss and take action approving financials for the month of October, 2016.

Councilman Billy Jack wright made the motion to accept the financials as presented with the exception of Petty Cash where recorded amount was in error. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

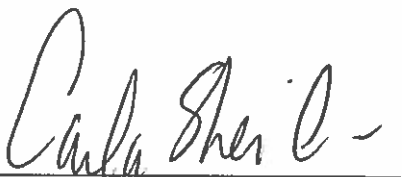
Agenda Item Fifteen: Discuss and take action sending Carla Sheridan to Frisco, Texas January 25th -27th, 2017 for the Election Law Seminar.

Council Lady Chris Bice made a motion to send Carla Sheridan to the Election Law Seminar in Frisco, Texas January 25th - 27th, 2017. Council Lady Beverly Anderson seconded the motion. Councilman Chris Sheridan abstained. The motion carried.

Agenda Item Sixteen: Adjournment.

Council Lady Rhonda Brewer made a motion to adjourn. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried. The meeting adjourned at 9:52 p.m.

ATTEST:



Carla Sheridan
City Secretary



Mike Gordon
Mayor

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

On the Twenty-First day of November 2016, the City of Elkhart Council convened into a Called Workshop and Council Meeting at 5:30 p.m. with the following members present:

Mike Gordon	*	Mayor
Billy Jack Wright	*	Mayor Pro Tempore
Chris Sheridan		ABSENT
Beverly Anderson	*	Councilmember
Chris Bice	*	Councilmember
Rhonda Brewer	*	Councilmember

A quorum being present, Councilman Mike Gordon called the workshop portion of the meeting to order at 5:31 p.m. Councilman Chris Sheridan was absent. Citizens present were Connie Davis, Michael Edwards, Steve Goforth. Citizens speaking were none. All were asked to stand and recite the Pledge of Allegiance.

Agenda Item One: Call regular session to Order, Pledge, Citizen Recognition.

At 6:00 a quorum still being present Mayor Mike Gordon called the regular session of the meeting to order. Citizens again were asked to stand and recite the Pledge of Allegiance. Citizen Steve Goforth spoke to council regarding concerns of placing a fence on the property at 100 Hwy 287 N., said property belonging to the City of Elkhart.

Agenda Item Two: Discuss and take action on quotes for fence located at the Public Works building at 100 Hwy 287 N.

Councilman Billy Jack Wright made a motion to have Wilson Fence construct the fence located at the Public Works building and any change in footage be compensated for, Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Three: Reports to be heard from City Secretary, Outside filed Supervisor and Code Enforcement. Brief reports were heard from staff. No action was taken.

Agenda Item Four: Convene Into Executive Session: Council will convene into Executive Session Pursuant to Texas Government Code 551.074 (Personnel Matters) ;

A. Discuss employee Michael Edwards, consider making employee full time.

B. Adjourn to Open Meeting.

Council reconvened into open session at 6:40 P.M

C. Consider action if any on item A. Michael Edwards.

Councilman Billy Jack Wright made a motion to hire Michael Edwards as of November 21, 2016, full time. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Five: Discuss and take action on accepting guidelines for employee's eligibility for consideration of employee's Christmas bonus.

Council Lady Chris Bice made the motion current employees working for 5 years receive a \$400.00 bonus, new employees to receive a \$100.00 bonus and \$50.00 per year of service thereafter up to fifth year of employment. Council Lady Beverly Anderson seconded the motion. Council Lady Rhonda Brewer abstained. The motion carried.

Agenda Item Six: Discuss and take action regarding request of new street light near 216 Woodcrest.

Council reviewed documentation from Oncor concerning the light being placed on existing pole with basic charges of street light fees to apply monthly. Councilman Billy Jack Wright made a motion to have Oncor place a street light on an existing pole located at 213 Woodcrest St. with the ESID 6000305. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Seven: Discuss and take action regarding sewer problems at 202 Lily area and 307 Main sewage problems.

Discussion took place between Albert Gallegos, Outside Field Supervisor and council members with concern over Lily St and the sewer problems over the years. City Secretary reported to the council problems regarding sewer backups on Lily St. had taken place for over 5 years. Albert Gallegos reported inspecting the area and that the current field employees can replace the sewer line in the problem area on Lily and felt tree roots were the cause of sewage backup problems. Albert reported the need to use root treatment in sewer line. Council Lady Beverly Anderson spoke of sewer problem at the area of 307 N. Main and sewer line being ran across her property and not properly tied into the sewage system many years ago, causing sewage problems around the area. Councilman Billy Jack Wright made a motion to replace all pipe of concern on Lily St and to have the work done as soon as possible. The address at 307 N. Main to be placed as a future agenda item after more research is done regarding the location. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.

Agenda Item Eight: Discuss and take action hearing from Albert Gallegos concerning the lagoon at the wastewater treatment plant.

Councilman Billy Jack Wright made a motion to table the item until the next council meeting to receive more information and bids. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Nine: Discuss and take action concerning bid submitted by Etheredge Electric Company for repair of Aerator for the Wastewater treatment plant.

Discussion took place over cause of aerator not working and concerns over lagoon needing to be dredged possibly causing the problems with aerator. Motion was made by Councilman Billy Jack Wright to repair the aerator at a cost of \$3,450.00 through Etheredge Electric and not to place aerator back in the lagoon after repaired until the council reviews dredging options. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Ten: Discuss and take action on purchasing oil sand to repair drive at 294 W. near Christie's Classy Cuts.

Discussion took place regarding the area needing to be repaired. Councilman Wright motioned to purchase 5 tons of oil sand for the price of \$350.00 to store on city property and to use the oil sand to repair the drive at Christie's Classy Cuts near 294 W. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.

Agenda Item Eleven: Discuss and take action on purchasing fire hydrants for replacement of broken hydrants on Day Rd., behind City Hall and on Parker St.

Councilman Billy Jack Wright made a motion to table the item until more bids are presented. Council Lady Chris Bice seconded motion. All voted "aye"; motion carried.

Agenda Item Twelve: Discuss and take action concerning fuel for the city diesel generators.

Councilman Billy Jack Wright motioned to contact Sommerall to fill the city generators to capacity. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

Agenda Item Thirteen: Discuss and take action on bids submitted for flooring at City Hall 110 W Parker.


Councilman Billy Jack Wright made the motion to table the item to receive more bids for City Hall flooring located at 110 W Parker, Elkhart, Texas 75839. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried.

Agenda Item Fourteen: Discuss and take action on bid submitted by Odessa Pumps for Jones Rd lift station.

Discussion ensued over problems at Jones Rd lift station. Albert Gallegos had contacted Odessa Pumps to repair the pumps. Albert reported to council that Odessa Pumps repairman suggested the pumps needed to be replaced. Councilman Billy Jack Wright made the motion to table the item until the December 5th meeting. Council Lady Chris Bice seconded the motion. All voted "aye"; motion carried.

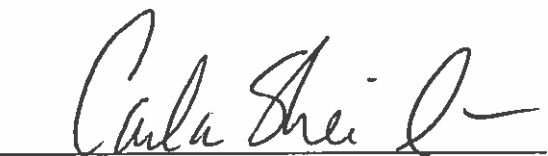
Agenda Item Fifteen: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn. Council Lady Beverly Anderson seconded the motion. All voted "aye"; motion carried. Meeting adjourned at 8:29 P.M.



Mike Gordon
Mayor

ATTEST:



Carla Sheridan
City Secretary