

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the Fifteenth day of June 2017, the City of Elkhart Council convened for a Council Meeting at 5:05 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 the Fifteenth day of June 2017, Mayor Gordon called the meeting to order at 5:05 p.m. Citizens present were BJ Perry, Connie Davis, Nikki Farrell, Deb Wimberg, Randy McCoy.

Agenda Item One: Call regular session to Order.

Agenda Item Two: Executive Session: Pursuant to Texas Government Code, section 551.074 (*Personnel Matters*), the City will convene in executive session to discuss the following:

- (A) City Manager position, evaluation regarding all aspects of position and work performance.
- (B) Code Enforcement Officer position, evaluation regarding all aspects of position and work performance.

Council convened into Executive Session at 5:06 p.m.

Agenda Item Three: Take action necessary, regarding item (A) and (B) discussed in executive session.

Council reconvened in open session at 9:00 p.m.

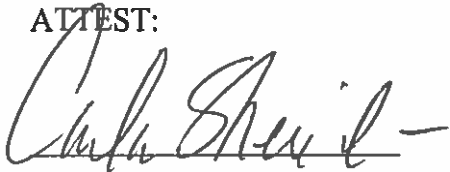
- (A) Councilman Chris Sheridan made a motion to take no action on Agenda Item Two (A) City Manager position, evaluation regarding all aspects of position and work performance. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

(B) Councilman Billy Jack Wright made a motion to eliminate position at this time of the Code Enforcement position to enable the City of Elkhart to restructure code enforcement with the mutual agreement of the city council and Nikki Farrell, Code Enforcement Officer on Agenda Item Two (B). Code Enforcement Officer position, evaluation regarding all aspects of position and work performance. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Adjournment.

Council Lady Rhonda Brewer made a motion to adjourn. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries. Adjournment 9:04 p.m.

ATTEST:



Carla Sheridan– City Secretary



Mayor Mike Gordon

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

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On the Twentieth day of June 2017, the City of Elkhart Council convened into a 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

Citizens present Rose Mary Biel, Randy McCoy, Mr. and Mrs. Bill Cargill, BJ Perry. Mr. Randy McCoy spoke to council and presented to council members a proposal he said he received from Nalcom at a cost of the \$1,635.00. Mr. McCoy said this would enable the system to be activated by a two way radio like the existing siren we have to run the way the system was described in the grant. Mrs. Biel spoke to council stating we are not asking for money, we are asking for your interest. Mrs. Biel spoke about park equipment and sitting flower pots around the town.

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

Agenda Item Two: Discuss and take action regarding tornado sirens for the City of Elkhart.

Council Lady Bice said the people of Elkhart really want the sirens, it is my proposal to turn them over to the EVFD and let them run it and that she is voting for it. Council Lady Bice stated Randy was the one who did all the work to get the sirens. Mayor Gordon asked for all councilmember’s viewpoint on sirens. Councilman Wright stated at the last meeting it was said we were moving forward with a unanimous vote at last meeting on removal of sirens. Councilman Wright said after that meeting he contacted a federal surplus company regarding selling the sirens. Councilman Wright stated he has been speaking with Dave Jackson, a state mitigation officer for the agency who provided the grant for the sirens. Discussion continued regarding sirens over the liability of the person setting sirens off and the sirens needing to be manned twenty four hours a day seven days a week. Councilman Wright said he is waiting on more information from Mr. Jackson. Mr. Wright mentioned a customer at one of the locations where one of the sirens were installed being upset over the siren located at his property. Councilman Sheridan stated the paper work reflecting Anderson County Emergency Management or Sherriff setting off sirens. Council continued discussion over control options of sirens. Mayor Gordon asked Mr. McCoy if he could elaborate on the handheld radio and setting off of siren. Mr. McCoy said he would volunteer to hold a fund raiser to raise the money. Councilman Sheridan stated he did not understand why the sirens did not come with that capability. Councilman Wright asked Mr. McCoy if he was the Fire Chief or Assistant Fire Chief when the grant process took place then he questioned, if so, when he was on the council , did he apply for the siren grant and think he would control sirens. Mr. McCoy stated he did so as the emergency management coordinator. Mayor Gordon said he would like more information on what the qualifications are regarding siren control. Mr. McCoy spoke out saying the locations were to be set in the citys right of way and locations were suggested by a company who did a survey on where they needed to be set. Discussion continued over where the sirens are currently placed.

Council Lady Rhonda Brewer made a motion to table until further information can be gathered from Dave Jackson and more information on who can run the sirens. Council Lady Chris Bice seconded the motion. All voted “Aye”, the motion carries.

Agenda Item Three: Discuss and take action hearing from Mrs. Cargill concerning the need for more code enforcement and clean-up of city.

Mrs. Cargill spoke of area near Oakwood street that needed to be addressed and cleaned up. Councilman Sheridan said he was glad that they were here to address council and all members agreed. Mayor Gordon reported that we need more than the three hour part time code position. The members discussed the poor condition the city has been in concerning several ran down areas and houses. The Mayor has reported he has made several phone calls to citizens regarding cleaning up their houses and areas. Mayor Gordon said we will address this. Councilman Wright stressed concern over the need to move forward on code enforcement.

Council Lady Rhonda Brewer made a motion to take no action. Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries.

Agenda Item Four: Discuss and take action concerning the necessity for more work hours for the City of Elkhart Code Enforcement position and the restructuring all aspects of Code Enforcement for the City of Elkhart.

Council discussed the outdated ordinances and the need to move forward with clean up of the city. Council discussed options of a city employee doing code enforcement. Carla Sheridan reported there is a need for full time code officer.

Councilman Billy Jack Wright made the motion to advertise for a licensed Animal Control Officer and Code Enforcement Officer through the Texas Animal Control Association for a full time code enforcement / animal control position with pay to be based on experience and is negotiable. Council lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Five: Discuss and take action regarding purchase of an aerator for the wastewater treatment plant.

Councilman Billy Jack Wright made a motion to assign the city secretary, Bj Perry and David Malone to review budget to report to council for possible purchase of an aerator from S&N Airflow. A 10 horse power stainless steal airflow 2200 series at approximately \$40,000. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Six: Discuss and take action on cleaning and removal of sludge and sediment from the earthen pond at the wastewater treatment plant.

Councilman Billy Jack Wright made a motion to have city secretary, BJ Perry and David Malone to review to see if pricing would be under \$50,000.00. Council Lady Rhonda Brewer seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seven: Discuss and take action concerning complaints on Hemby Street drainage problems.

Councilman Billy Jack Wright made a motion to contact County Commissioner Greg Chapin using inter-local agreement in trying to get help with Hemby Street drainage problem. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eight: Discuss and take action on residence at 307 N. Main and sewer issues at the location.

Council Lady Beverly Anderson discussed the line at the location running across her property and the line causing problems at her property.

Council Lady Chris Bice made a motion to take no action. Councilman Chris Sheridan seconded the motion. Council Lady Beverly Anderson abstained. The motion carries.

Agenda Item Nine: Discuss and take action on approval of research for a website for the City of Elkhart for the benefit of the public to review minutes, spending's, possibly pay on line service and access basic material and information that is valuable to the citizens of Elkhart.

City Secretary reported the website would be beneficial to citizen's for posting meetings, agendas and informing the citizen's for burn bans, boil water notices and possibility of paying on line.

Councilman Chris Sheridan made a motion to have city secretary review prices and services for a website for the City of Elkhart and report at future council meeting on findings. Council Lady Rhonda Brewer seconded the motion. All voted "Aye", the motion carries.

Agenda Item Ten: Discuss and take action on options for the water line put in on Hwy 294 W. by city employee to personal property without paying for services or materials and council suggestions to protect the tax payers money in the future against such.

City Secretary reported that we have put a policy in place as purchase orders and just recently added the indemnity policy to the city insurance to protect the tax payer's in the future and hopefully that does not occur any more.

Council Lady Rhonda Brewer made a motion to have City Secretary Carla Sheridan draft a policy requiring two signatures on credit card purchases and consequences of wrongful use of city property and misappropriation of city funds.

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

Agenda Item Eleven: Discuss and take action having Blake Armstrong construct Ordinance for employees and council members for no free services or taps to be fair to all tax payer's, citizen's and to be financially responsible with revenue.

Councilman Billy Jack wright made a motion to request Blake Armstrong to construct an Ordinance for employees and council members for no free services or taps to be fair to all tax payer's, citizen's and to be financially responsible with revenue.

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

Agenda Item Twelve: Discuss and take action on approval of financials for the month of May 2017.

Council was provided balance sheet before Carla Sheridan took the place as city secretary and the balances as of today. Review of the past water fund being deficit in the past and separating meter deposit's from water funds.

Councilman Chris Sheridan made a motion to approve the financials as presented. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Thirteen: Discuss and take action concerning road base at 316 Hemby St. to the wastewater treatment plant.

No action was taken on the agenda item due to the fact the item was addressed at a previous meeting.

Agenda Item Fourteen: Discuss, consideration, action in having city attorney to draft Ordinance for Non Profit donations from the City of Elkhart to be more transparent and encourage more financial responsibility.

Councilman Billy Jack Wright made a motion to request city attorney to draft an Ordinance for Non Profit donations from the City of Elkhart to be more transparent and encourage more financial responsibility.

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

Agenda Item Fifteen: Discuss and take action creating a CBTx bank account for the budget process for non profit donations from the City of Elkhart to be allocated from so funds can be properly distributed and maintained and completely transparent.

Councilman Chris Sheridan made a motion to have the city secretary discuss with attorney and present to council at next meeting.

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

Agenda Item Sixteen: Discuss and take action on approving Yard of the Month for the month of June 2017.

Council Lady Beverly Anderson nominated Missionary Baptist Church for Yard of the Month for June 2017. Council Lady Rhonda Brewer seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seventeen: Discuss and take action on the purchase a spare chlorine feed pump for wells.

Councilman Billy Jack Wright made a motion to purchase a backup spare chlorine feed pump for wells, not to exceed \$1,000.00.

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

Agenda Item Eighteen: Discuss and take action regarding purchase of an aerator for the wastewater treatment plant.

The item was duplicated and addressed on agenda item five during the meeting of June 20, 2017.


Agenda Item Nineteen: Discussion to update council on meter deposit account previously approved for the holdings of money paid by customers for meter deposits.

Council was updated by the city secretary regarding the opening of the account for water meter deposit's and the banking receipts reflecting the \$50,000.00 that was verification of the move from the water fund to the separate water meter deposit account. The council was provided figures and print outs of the money still needed in the water meter deposit account to fully separate from the water revenue. No action was taken on the item.

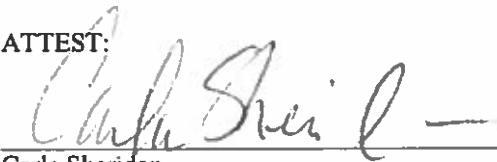
Agenda Item Twenty: Adjournment.

Council Lady Rhonda Brewer made a motion to adjourn at 9:55 p.m.

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


Mike Gordon
Mayor

ATTEST:


Carla Sheridan
City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Eighteenth day of July 2017, the City of Elkhart Council convened into a Council Meeting at 6:00 p.m. with the following members present:

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

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

Citizens present Rose Mary Biel, Randy McCoy, Jennifer McCoy, Bobby Cernouch, Connie Davis, Carl Hallmark, Judge Robert Johnson, David Malone, Attorney Blake Armstrong. BJ Perry.

Agenda Item Two: Discuss and take action regarding tornado sirens for the City of Elkhart.

Mayor Mike Gordon reported that he and Councilman Wright attended a meeting on July 7, 2017 with David Jackson (Mitigation Section Administrator for Texas Division of Emergency Management), Christina Crocket (Anderson County Emergency Management Coordinator), Judge Robert Johnson and Dion Steinsifer (District Coordinator Texas Division of Emergency Management) to discuss a resolution with sirens. We had a good discussion and came to the conclusion that the best decision would be the county run sirens through Anderson County Sherriff's dispatchers office.

Judge Robert Johnson spoke to the council regarding sirens. Judge Johnson said he would be glad to bring before the court. He would be happy to but what we need to talk about is what if the court doesn't want to. Council Lady Chris Bice stated, it was her suggestion to ask the fire department run them. Judge Johnson stated this belongs to you all, we have no say so over it. According to the inter local agreement between Anderson County and the City of Elkhart, that puts the responsibility on the city. Councilman Billy Jack Wright asked Judge Johnson if it was his understanding also that the sirens will only be able to be activated or ran by a organization that is 365 days a year, 24 hours a day, seven days a week? Judge Johnson said, that is the best way to have it run. It has to be available anytime notification comes down that a storm is coming. Councilman Wright said, and that's what he said. Judge Johnson stated straight up that is what it is. Councilman Wright stated there is some confusion on who or who may not be able to be in charge of these things. Council Lady Chris Bice stated well, they have to be on call 365 days a year. Judge Johnson said, they do, not speaking for Mr. Wright, the time between when the national weather service issues that to when these are activated is a very short window. What he is talking about is when we get a warning it immediately comes to the sheriff's department. There is lag time from when the sheriffs department gets it to when they tone out the fire department .

They are set up to where ever the radios are and I think they are probably in the control box on each of those sirens to be toned out with a radio, but what he is talking about is and I listen to the scanner from the time I get to work to the time I go home and there is sometimes you get toned out two or three times before somebody responds. I think that is what he is making reference to. It doesn't always happen, but it could happen. Council Lady Chris Bice stated, well Randy was the one that helped the other council to get them. Judge Johnson stated, I know, I understand, I was there. They came to me. Council Lady Chris Bice stated he should at least have the chance that if they want to take them to do it. Fire Chief Randy McCoy spoke asking Mayor if he could respond to that. Mayor Gordon allowed and the Fire Chief stated, as far as the fire department I really appreciate what you are saying but as far as the fire department to me that would be a last resort. To me. the Anderson County Sheriff's Department would be the perfect to do it because they tone us out and that is a big responsibility you are putting on anybody, the Volunteer Fire Department hasn't offered to run the siren system but I would think that before we lost it and did not have one we would probably try to help out by doing that but it's not something we want to do. Does that make sense? To me the perfect thing would be for the Sherriff's Department doing that. Council Lady Rhonda Brewer asked Judge Johnson is there was a problem with the Sheriff's Department in anything you see? Judge Johnson replied, except the inter local agreement says the City of Elkhart. Anderson County would have never gone after this grant had the City of Elkhart not wanted it. I can take it to the court and explain it to the court and they can make that decision. The inter local agreement and I am assuming you all have a copy of that is between, it is for you all to man and operate the sirens. Council Lady Anderson stated, I personally would not want just anybody manning that. I would want someone that has education and training and knew what they were doing and were 100 percent they knew what they are doing because if they were not going to push that button when it really needed to be, then what good is it. Judge Johnson stated I agree. I am not here to disagree. Councilman Wright asked a question regarding liability to Judge Johnson. He stated, Judge would you also agree that it is a huge liability to either party, the city or the county? Judge Johnson stated it is to the point of responsibility. You are a governmental entity as far as being sued it is a different story but yes, there is going to be some liability if it is supposed to and right now, it is the City of Elkhart. I am here to help the city do anything but I can but I am just one person. Our plate is pretty loaded as far as stuff at the sheriff's department when we have stuff like that coming. If its two or three minutes before the sheriff's department gets it toned out then, is that too late, I don't know I don't have an answer to that question.

Agenda Item Three: Discuss and take action hearing from Rosemary Biel with Keep Elkhart Beautiful regarding playground equipment for the City of Elkhart baseball field/park.

Mrs. Rosemary Biel spoke to council in regards to wanting a playground at the city park. Council discussed liability concerns. Rose Mary Biel spoke about picking trash up in the city and the placement of planters downtown. No action was taken concerning hearing from Mrs. Biel.

Agenda Item Four: Hear from Carl Hallmark regarding benefits of an Emergency Service District (ESD) for Elkhart and the surrounding community.

Mr. Carl Hallmark addressed council about an emergency service district for the residents within Elkhart. Mr. Hallmark read aloud information pertaining to an emergency service district for Elkhart and his opinion on the benefits of having an ESD. No action was taken hearing from Mr. Carl Hallmark and an ESD.

Agenda Item Five: Discuss and take action on the approval of **Ordinance No. 071820172** an Ordinance for Non Profit donations from the City of Elkhart to be more transparent and encourage more financial responsibility.

Council discussed the need for guidelines when donating to non profit organizations and reviewed laws pertaining to donation of public funds.

Councilman Billy Jack Wright made a motion to adopt Ordinance No. 071820172, an Ordinance for the donation of public funds to non profit organizations. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Six: Discuss and take action on approval of **Ordinance No. 071820171** an Ordinance for employees and council members for no free services or taps to be fair to all tax payer's , citizen's and to be financially responsible with revenue.

Councilman Billy Jack Wright motioned to adopt Ordinance No. 071820171, an Ordinance for employees and council members for no free services or taps to be fair to all tax payer's, citizen's and to be financially responsible with revenue. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seven: Discuss, consider and take action as necessary regarding the opening of a City depository account to hold city funds for possible donation to non-profit organizations where such donations are deemed to benefit a public purpose.

Councilman Billy Jack Wright made a motion to open a non profit account for the city to hold city funds for non profit organizations. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eight: Discuss, consider and take action as necessary regarding the closing of the City maintained depository account concerning the Elkhart Volunteer Fire Department.

Councilman Billy Jack Wright made a motion to take no action until seeking clarity from the auditor. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Nine: Discuss and take action regarding purchase of an aerator for the wastewater treatment plant.

Councilman Billy Jack Wright made the motion to table agenda items nine and ten until the July 25th meeting. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Ten: Discuss and take action on cleaning and removal of sludge and sediment from the earthen pond at the wastewater treatment plant.

Councilman Billy Jack Wright made the motion to table agenda items nine and ten until the July 25th meeting. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eleven: Discuss and take action hearing from City Attorney Blake Armstrong regarding adoption of the Health and Safety Code and code enforcement concerns and council questions regarding code enforcement.

Councilman Billy Jack Wright made the motion to authorize attorney Blake Armstrong to review nuisance abate ordinances. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twelve: Discuss and take action on approving Yard of the Month for the month of July 2017.

Council Lady Beverly Anderson made the motion to award Assembly of God Church for Yard of the Month award. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Thirteen: Executive Session: Pursuant to Texas Government Code, section 551.074 (Personnel Matters), the City will convene in executive session to discuss the following:

(A) The Council will convene in Executive Session pursuant to Texas Government Code section 551.074 (personnel) evaluation regarding all aspects of position, work performance, employment status of City Manager.

(B) Field employee Seth Hollingsworth, evaluation regarding all aspects of position and work performance, consideration of pay raise for passing D wastewater license.

Council convened in closed session at 7:58 p.m.

Agenda Item Fourteen: Council will reconvene to open session to discuss and take action, if any, on agenda item Thirteen (A) and (B).

Council reconvened into open session at 8:37 p.m.

14. (A) Councilman Billy Jack Wright made the motion to terminate the position of city manager for the City of Elkhart effective July 18, 2017. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

14. (B) Councilman Billy Jack Wright made the motion to give Seth Hollingsworth pay raise of \$1.00 and include the \$25.00 a month bonus for receiving his D wastewater license and for pay to be retroactive on pay period from date he passed exam. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fifteen: Discuss and take action setting budget workshop dates.

Councilman Billy Jack Wright made the motion to set budget workshop dates as August 1, August 3, August 7, and August 10. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Sixteen: Hear reports from Mayor, City Manager and City Secretary.

Reports heard, no action taken on reports heard.

Agenda Item Seventeen: : Discuss and take action on approval of financials for the month of June 2017.

Councilman Billy Jack Wright made the motion to approve financials as presented for the month of June 2017. Council lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eighteen: Discuss and take action to move the remainder \$55,882.47 from the Water Sewer Garbage account to the recently opened Water Meter Deposit account for more transparency and separation of actual water revenue and meter deposits to show actual water funds verses actual meter deposit funds.

Councilman Billy Jack Wright made the motion to table the item of agenda item eighteen to the July 25th agenda. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Nineteen: Discuss and update council concerning research for a website for the City of Elkhart for the benefit of the public to review minutes, spending's, possibly pay on line service and access basic material and information that is valuable to the citizens of Elkhart.

Council was briefed on website research and benefits to the citizen's regarding a website.

Agenda Item Twenty: Adjournment.

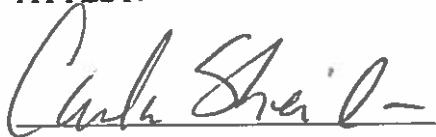
Council lady Rhonda Brewer made the motion to adjourn at 9:35 p.m.. Council lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries. The meeting adjourned at 9:35 p.m.



Mike Gordon

Mayor

ATTEST:



Carla Sheridan– City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twenty eighth day of July 28, 2017, the City of Elkhart Council convened into a Council Meeting at 6:00 p.m. with the following members present:

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

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

Council meeting was called to order at 6:00 p.m.

Agenda Item Two: The city council will convene into Executive Session pursuant to Texas Government Code section 551.074 (personnel) to discuss the position of City Manager.


Council convened into close session at 6:02 p.m.

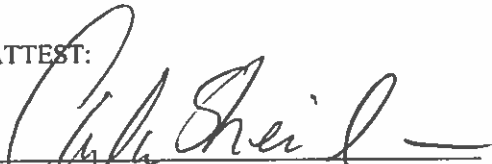
Agenda Item Three: Discuss and take action as necessary on Agenda Item Two.

Council reconvened into open session at 7:44 p.m. Councilman Billy Jack Wright made the motion to hire William BJ Perry as Public Works Supervisor for the City of Elkhart and to have a starting pay of \$70,000.00 salary annually, and to have the city attorney construct 10 year contract from the city. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn at 7:51 p.m.. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries. The meeting adjourned at 7:51 p.m.


Mike Gordon
Mayor

ATTEST: 
Carla Sheridan
City Secretary

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On the First day of August 2017, the City of Elkhart Council convened into a 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

Agenda Item One: Budget Workshop Called To Order.

Agenda Item Two: Hear from Kevin Cashion city auditor and Tina Harper bookkeeper regarding budget for 2017-2018. Council heard from auditor in regards to simplifying and combining streets to general and having the two funds of Water and General to help simplify. Council heard from Tina Harper updating council on condition of accounts and transparency improving.

Agenda Item Three: Review of Proposed 2017/2018 City of Elkhart Budget.
Discussion- Council reviewed budget for 2017-2018.

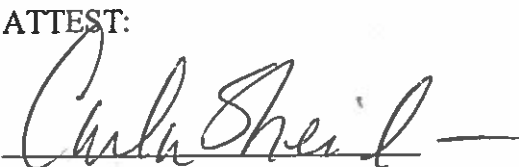
Agenda Item Four: Adjournment of Budget Workshop.
Council Lady Rhonda Brewer made the motion to adjourn at 8:03 p.m.. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries. The meeting adjourned at 8:03 p.m.



Mike Gordon

Mayor

ATTEST:



Carla Sheridan– City Secretary

THE STATE OF TEXAS
COUNTY OF ANDERSON
CITY OF ELKHART

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On the Seventh day of August 2017, the City of Elkhart Council convened for a Council Meeting at 6:00 p.m.
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 Seventh day of August 2017, Mayor Gordon called the budget workshop meeting to order at 6:00 p.m. Citizens present Connie Davis.


Agenda Item One: Budget Workshop Called To Order.

Mayor Mike Gordon called the Budget Workshop to order at 6:00 p.m.

Agenda Item Two: Review of Proposed 2017/2018 City of Elkhart Budget.
Discussion.
Council discussed the 2017/2018 proposed budget for the City of Elkhart.

Agenda Item Three: Adjournment of Budget Workshop.

Council Lady Rhonda Brewer made the motion to adjourn at 7:37 p.m. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries. The meeting adjourned at 7:37 p.m.


Mike Gordon
Mayor

ATTEST:

Carla Sheridan-- City Secretary

THE STATE OF TEXAS
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CITY OF ELKHART

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On the Tenth day of August 2017, the City of Elkhart Council convened for a 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

On the Tenth day of August 2017, Mayor Gordon called the budget workshop meeting to order at 6:02 p.m.

Agenda Item One: Budget Workshop Called To Order.


Mayor Mike Gordon called the Budget Workshop to order at 6:02 p.m.

Agenda Item Two: Review of Proposed 2017/2018 City of Elkhart Budget.
Discussion.

Council discussed the 2017/2018 proposed budget for the City of Elkhart.

Agenda Item Three: Adjournment of Budget Workshop.

Council Lady Rhonda Brewer made the motion to adjourn at 8:12 p.m. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries. The meeting adjourned 8:12 p.m.


Mike Gordon
Mayor

ATTEST:

Chris Sheridan- City Secretary

STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twenty second day of August 2017, the City of Elkhart Council convened for a 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

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

Mayor Gordon called the meeting to order at 6: 00. Mr. Randy McCoy spoke concerning items on fire department tonight. Mr. McCoy stressed the fire department had been doing fun raisers over the last several months and has not seen anyone from the city council out to support. Council Lady Beverly Anderson spoke out with donation to fire department. Mr. McCoy had concern that if the Fire Department stopped receiving that support, it would hurt the department. Mr. McCoy reported in the past the city had been giving about \$10,000 a year for utilities and insurance. And \$10,000.00 a year is a lot of money to the Fire Department.

Agenda Item Two: Executive Session: Council will convene into Executive Session pursuant to Texas Government Code Section 551.074 (Personnel Matters) to discuss employment contracts for supervisory positions of the Outside Supervisor and City Secretary.

Mayor Gordon reported the item would be held in open session. The council did not convene into closed session on the item. Councilman Billy Jack Wright spoke concerning contracts being constructed by city attorney and would have to be approved by council. Mr. Wright mentioned the contracts being in the interest of both parties, the employee and the city. Council wanted to add to the contract that the Mayor needed to be aware of disciplinary action. Council and employees were given a copy of the contracts and reviewed.

Councilman Billy Jack Wright made the motion to approve the contracts concerning the outside Supervisor BJ Perry with the notation to amend contract by saying any disciplinary action will be discussed with current Mayor if that situation does arise. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Councilman Billy Jack Wright made the motion that the contract be given to the City Secretary Carla Sheridan with the notation to amend contract by saying any disciplinary action will be discussed with current Mayor if that situation does arise. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Three: Reconvene: Council will reconvene to discuss and take action, if any, on Agenda Item Two. Item held in open session.

Mayor Gordon reported the item would be held in open session. The council did not convene into closed session on the item. Councilman Billy Jack Wright spoke concerning contracts being constructed by city attorney and would have to be approved by council. Mr. Wright mentioned the contracts being in the interest of both parties, the employee and the city. Council wanted to add to the contract that the Mayor needed to be aware of disciplinary action.

Councilman Billy Jack Wright made the motion to approve the contracts concerning the outside Supervisor BJ Perry with the notation to amend contract by saying any disciplinary action will be discussed with current Mayor if that situation does arise. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Councilman Billy Jack Wright made the motion that the contract be given to the City Secretary Carla Sheridan with the notation to amend contract by saying any disciplinary action will be discussed with current Mayor if that situation does arise. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Discuss and take action to move \$52,600.00 of Water Meter Deposit's in the Water fund to the newly created Water Meter Deposit account for transparency and separation for balance accuracy so funds are not spent from customer deposits as water revenue.

Councilman Billy Jack Wright made the motion to transfer the \$52,600.00 in Water Meter Deposits to the newly created Water Meter Deposit account that was created for transparency and separation of Water Meter Deposits for balance accuracy so funds are not spent from customer deposits as water revenue. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Five: Discuss and take action regarding purchase of an aerator for the wastewater treatment plant.

Supervisor BJ Perry spoke of violation of not having aerator and need to purchase the aerator. Buying two would give a price break but the cost is more than the city could do at the time.

Councilman Billy Jack Wright made the motion to purchase a stainless steel aerator for the wastewater plant that includes five percent for stainless steel configuration for \$36,000.00 which includes machine, update to stainless steel and electrical work. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Six: Discuss and take action on cleaning and removal of sludge and sediment from the earthen pond at the wastewater treatment plant.

BJ Perry spoke to council in regards to TCEQ reported the lagoon needed to be sloped and dredged.

Councilman Billy Jack Wright made the motion to start process for sealed bids on cleaning and removal of sludge and sediment from the earthen pond at the wastewater treatment plant and sloping of lagoon. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seven: Discussion of downtown street light outlets taken down over three years ago and consideration to budget to replace outlets for Christmas lights.

City Secretary reported about three years ago Oncor came through and replaced poles downtown. When poles were removed the outlets the city had used in the past were taken with them as well. We have not been able to hook lights up for Christmas since removal of the outlets. City Secretary reported speaking with Oncor several times in hopes of Oncor replacing the outlets they removed several years ago and have not been able to get Oncor to replace those free of cost. No action was taken.

Agenda Item Eight: Discuss and take action approving the minutes from May 16, 2017 and June 15, 2017.

Councilman Billy Jack Wright made the motion to approve the minutes as presented for May 16, 2017 and June 15, 2017. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Nine: Discuss and take action regarding adoption of policy for non profit donations from the City of Elkhart.

City Secretary reported it was suggested by city attorney that the city have a policy for non profit donations. Council was presented examples of policy and asked for input to create a policy to present to city attorney for approval when finished. The Ordinance and policy is for the protection of the city. A city does not normally donate without contracts and agreements. These are just common sense items. You should have to present financials in order to receive public funds donations of municipality.

Council Lady Chris Bice made the motion to have city attorney review the policy presented to council tonight and bring back to next meeting. Council Lady Rhonda Brewer seconded the motion. Councilman Billy Jack Wright opposed. Council Ladies, Anderson, Bice, and Brewer for. The motion carries.

Agenda Item Ten: Discuss and take action purchasing a blower motor for aerator at the school well.

Councilman Billy Jack Wright made the motion to table the item until future meeting. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eleven: Discuss and take action, if any, regarding all aspects of city paid insurance and utilities for the Elkhart Volunteer Fire Department.

Council discussed cost of utilities and insurance and the lack of knowledge of knowing where some of the vehicles are located that are in the name of the City of Elkhart and have no insurance. Fire Chief McCoy stated he would help locate the vehicles and give information he could on locations with one or all council members. Council discussed liability to tax payers concerning uncovered vehicles and not knowing where some of the vehicles were located. Councilman Billy Jack Wright made the motion to not pay any insurance and also cut off all utilities to building across railroad tracks from this building on the 28th of September for all utilities concerning that building across tracks. Motion dies to lack of a second. Council continued to discuss concerns over lack of knowing location of some of the uncovered vehicles and liability concerns to the city concerning those vehicles unknown locations and no insurance. Council Lady Chris Bice made the motion to table the item regarding utilities and city paid insurance to EVFD. Council Lady Rhonda Brewer seconded the motion. Councilman Billy Jack Wright opposed. Council ladies Bice, Brewer and Anderson voted for. The motion carries to table.

Agenda Item Twelve: Discuss and take action regarding purchasing a website for the City of Elkhart to promote more open government, citizen participation and involvement within the local government.

Council Lady Chris Bice made the motion to purchase our website through Municipal Impact for our promotion and citizen participation and involvement. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Thirteen: Discuss and take action sending Michael Edwards to take his D basic water test on September 14, 2017 in Tyler, Texas.

Councilman Billy Jack Wright made the motion to send Michael Edwards to take his D basic water test on September 14, 2017 in Tyler, Texas. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fourteen: Discuss and take action approving Yard of the Month award for the Month of August 2017.

Council Lady Chris Bice made the motion to award the Frazier family for Yard of Month award. Council Lady Rhonda Brewer seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fifteen: Discuss and take action approving the financials for the month of July 2017.

Councilman Billy Jack Wright made the motion to approve the financials for the month of July 2017 as presented. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Sixteen: Hear reports from the Mayor, Outside Supervisor and City Secretary.

No action was taken on reports heard.

Agenda Item Seventeen: Discuss and take action purchasing a load of rock to place on Main Street near speed bumps.

Councilman Billy Jack Wright made the motion to contact railroad sources to see if there is a possibly they can assist city to help filling rock in said holes near railroad property. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.


Agenda Item Eighteen: Discuss and take action on closing the city maintained EVFD bank account.

City Secretary reported the money is budgeted within General Fund each year for EVFD as with Municipal Court and placed in the city maintained accounts. The money in the EVFD city maintained account is left over budgeted money from 2015. Carla Sheridan asked Mr. McCoy if the county maintains an account for the EVFD funds donated by the county to EVFD. Mr. McCoy said no, they write a check.

Councilman Billy Jack Wright made the motion to close the account maintained by the city concerning the EVFD and return \$3834.35 to the General Fund to the City of Elkhart. Council Lady Rhonda Brewer seconded the motion. Council Lady Chris Bice opposed. Council Ladies Brewer, Anderson and Councilman Wright voted for. The motion carries.

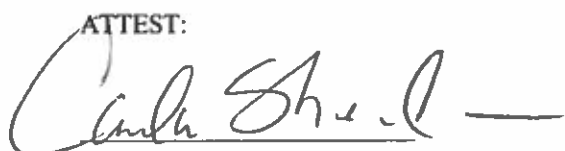
Agenda Item Nineteen: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn at 9:09 p.m. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.



Mike Gordon - Mayor

ATTEST:



Carla Sheridan
City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *


On the Twenty-fourth day of August 2017, the City of Elkhart Council convened into a budget workshop Council Meeting at 6:00 p.m. with the following members present:

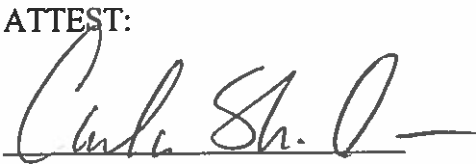
Mike Gordon	*	Mayor
Billy Jack Wright	*	Councilmember
Chris Sheridan	*	Councilmember **ABSENT**
Beverly Anderson	*	Councilmember
Rhonda Brewer	*	Councilmember
Chris Bice	*	Councilmember

Agenda Item One: Budget Workshop Called To Order. Budget workshop was called to order at 6:00 p.m. Councilman Chris Sheridan absent. Citizen’s present Rose Mary Biel, BJ Perry.

Agenda Item Two: Review of Proposed 2017/2018 City of Elkhart Budget , Discussion and workshop. Council discussed the proposed 2017-2018 budget during workshop.

Agenda Item Three: Adjournment of Budget Workshop.
Council Lady Rhonda Brewer made the motion to adjourn at 8:00 p.m.. Council Lady Beverly Anderson seconded the motion. All voted “Aye”, the motion carried. Council adjourned at 8:00 p.m.


Mike Gordon
Mayor

ATTEST:

Carla Sheridan– City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twenty-ninth day of August 2017, the City of Elkhart Council convened for a Council Meeting 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 **ABSENT**

On the Twenty-ninth day of August 2017, Mayor Gordon called the budget workshop meeting to order at 6:00 p.m.. Council Lady Rhonda Brewer absent.

Agenda Item One: Budget Workshop Called To Order.


Council meeting called to order at 6:01 p.m.

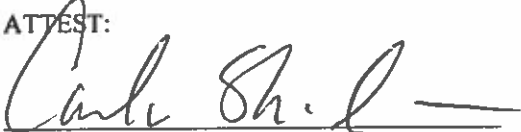
Agenda Item Two: Review of Proposed 2017/2018 City of Elkhart Budget.

Council discussed the budget for 2017/2018.

Agenda Item Three: Adjournment of Budget Workshop.

Council Lady Chris Bice made a motion to adjourn at 8:32 p.m. Council Lady Beverly Anderson seconded he motion. All voted “Aye”, the motion carries. Meeting adjourned at 8:32 p.m.


Mike Gordon
Mayor

ATTEST:

Carla Sheridan
City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Thirty First day of August 2017, the City of Elkhart Council convened into a budget workshop Council Meeting at 6:00 p.m. with the following members present:

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

Agenda Item One: Budget Workshop Called To Order. Budget workshop was called to order at 6:02 p.m. Councilman Chris Sheridan absent. No citizen’s present for workshop.


Agenda Item Two: Review of Proposed 2017/2018 City of Elkhart Budget.

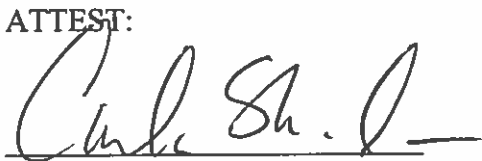
Discussion and workshop

Council discussed the proposed 2017-2018 budget during workshop.

Agenda Item Three: Adjournment of Budget Workshop.

Council Lady Rhonda Brewer made the motion to adjourn at 8:46 p.m.. Council Lady Chris Bice seconded the motion. All voted “Aye”, the motion carried. Council adjourned at 8:46 p.m.


Mike Gordon
Mayor

ATTEST:

Carla Sheridan– City Secretary

THE STATE OF TEXAS
COUNTY OF ANDERSON
CITY OF ELKHART

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On the Fifth day of September, 2017, the City of Elkhart Council convened into a 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


Agenda Item One: Budget Workshop Called To Order.

Budget workshop called to order at 6:00 p.m.


Agenda Item Two: Review of Proposed 2017/2018 City of Elkhart Budget.
Discussion over budget for 2017-2018.

Agenda Item Three: Adjournment of Budget Workshop.

Council Lady Rhonda Brewer made the motion to adjourn at 8:23 P.M. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carried.


Mike Gordon
Mayor

ATTEST:


Carla Sheridan
City Secretary

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART


On the Seventh day of September 2017, the City of Elkhart Council convened into a budget workshop 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

Agenda Item One: Budget Workshop Called To Order. Budget workshop was called to order at 6:03 p.m. Citizen’s present for workshop. Connie Davis, BJ Perry.

Agenda Item Two: Review of Proposed 2017/2018 City of Elkhart Budget , Discussion and workshop Council discussed the proposed 2017-2018 budget during workshop.


Agenda Item Three: Adjournment of Budget Workshop.
Council Lady Rhonda Brewer made the motion to adjourn at 8:08 p.m. Council Lady Beverly Anderson seconded the motion. All voted “Aye”, the motion carried. Council adjourned at 8:08 p.m.



Mike Gordon

Mayor

ATTEST:



Carla Sheridan– City Secretary



THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the Twenty-Sixth day of September 2017, the City of Elkhart Council convened for a 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

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

Meeting called to order at 5:30 p.m., pledge, citizen recognition.

Agenda Item Two: Open of Public Hearing on the City of Elkhart proposed budget for the fiscal year 2017-2018.

Public Hearing began at 5:30 p.m.

Agenda Item Three: Discussion on proposed budget.

Council discussed budget for 2018-2019.

Agenda Item Four: Question & Answer session on budget of 2017-2018.

During question and answer session, Mrs. Rose Mary Biel questioned the sales tax. The sales tax was the same as last years but placed in streets and general line items. Councilman Chris Sheridan explained to Mrs. Biel, no further comments or questions by her. No further questions from anyone regarding the budget were asked.

Agenda Item Five: Discuss and take action in considering the adoption of Ordinance No. 09262017-1 the budget for the City of Elkhart 2017-2018 fiscal year.

Councilman Billy Jack Wright made the motion to adopt Ordinance No. 09262017-1 adopting the City Of Elkhart budget for 2017-2018 fiscal year. Council Lady Chris Bice seconded. All voted "Aye", the motion carries.

The recorded votes; Council lady Chris Bice voted "Aye", Council Lady Beverly Anderson voted "Aye", Councilman Billy Jack Wright "Aye", Councilman Chris Sheridan "Aye" and Council Lady Rhonda Brewer "Aye".

Agenda Item Six: Discuss and take action in considering the adoption of Ordinance No. 09262017-2 for the adoption of the tax rate for the City of Elkhart 2017-2018.

Councilman Billy Jack Wright made the motion to adopt Ordinance No. 09262017-2 to adopt the tax rate for the City of Elkhart 2017-2018 fiscal year. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

The recorded votes; Council lady Chris Bice voted "Aye", Council Lady Beverly Anderson voted "Aye", Councilman Billy Jack Wright "Aye", Councilman Chris Sheridan "Aye" and Council Lady Rhonda Brewer "Aye".

Agenda Item Seven: Discuss and take action approving a policy for non profit donations made with tax revenue for the City of Elkhart.

Council was presented the non profit policy that the city attorney reviewed and okayed. City Secretary reported there has never been a policy put in place and hopes it protects both the city and non profit entity.

Councilman Chris Sheridan made the motion to adopt a policy for non profit donations made with tax revenue for the City of Elkhart. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eight: Discussion with previous council members and or staff concerning all aspects in relation to the water line in reference to 2107 HWY 294 W. Elkhart, Texas.

Councilman Billy Jack Wright discussed that there are still folks asking about the water line and questioned Public Works Supervisor what he remembers of the incident. BJ Perry spoke and said, "The Supervisor at that time came to the council and asked for a free meter. Council said they couldn't give a free meter. He wanted a free tap and was told they couldn't do that. The city secretary at the time said he wanted the line to go to his house so the meter would be there and to treat it like you would any other customer. Which, the standard is when you have a main, you do the tap off the main and the meter stays within the right away to a certain extent, usually about 10 foot because you get a 20 ft right of way, 10 on each side, you do the tap and set the meter there and the customer is responsible for the rest of it. He decided he would run a 2 inch line 800 feet to his travel trailer and put a flush hydrant at the end of it as well as a meter at the end of it, which he never paid for and took right at three years to pay for tap in full. We went back and forth with it when he was addressed by the council with it and he decided he would resign or turn in his two weeks notice, rather than being terminated I guess. A few months later, this was brought up again and we ended up getting permission from TCEQ to kill the line after he said he wouldn't pay for the material and the labor which was right around \$10,000.00 all together. Material, labor, fuel, equipment. He refused to pay for that. I think he offered to pay the materials. The council decided not to take that so we went out and disabled the line. We took the meter and flush hydrant and did away with the connection. We capped the line." Councilman Wright said, "The city filed the necessary papers with the Sheriff's Department and the investigation of that somewhat took place as the way I understood it." BJ Perry said, "Investigator was Brian Chason who has since retired with the Sheriff's Department, he came down and interviewed myself and another employee. The supervisor didn't want to be interviewed. They talked to us about what happened. We actually worked on the line from beginning to end so there was about seven days we worked out there on private property, no easement, no right of way. We were hands and we did what we were told. It went to the D.A. and they squashed it. Councilman Wright stated, "I think you're correct. I don't understand that part of it at all. The way it is constructed the county investigates and the D.A. prosecute and I don't know if either one of them were done correctly, I am neither one of those people but for some reason the City of Elkhart ends up with a \$10,000.00 theft." Councilman Sheridan asked if he was an employee and did he witness that this was done?" BJ Perry stated yes. Councilman Sheridan, "In your opinion, if this happened today under your watch, would you consider it to be theft of the citizen's property?" BJ Perry stated, "Very much so." Councilman Wright asked, "The way this is worded, Is there any city councilman who would like to comment on this that might have been on the council at that time?" No further comments made, no one person spoke further. No action was taken.

Agenda Item Nine: Discuss and take action regarding all aspects concerning the EVFD.

Mayor Gordon said, "We have been wrestling with this quiet awhile trying to figure out what is best for the city and the fire department. I think its time we get something resolved here. Time for myself, am ready for it to end so the city can move on and the fire department can move on. We understand they have them a new building on 287 going toward Grapeland. It is time for us to do our thing and move on and let the fire department do their thing and move on and completely separate from the city. It is what we have wanted all along. What we are offering is that we will turn over all titles of the fire vehicles to the EVFD, we will turn over all titles. When Carla gets them all rounded up, I think she has most of them rounded up. She will issue them to Randy or ever who accepts them that he can come get them and they will be in possession of them and you can put them in your name. You will be allowed to get as much water as you want to fight fires from the fire hydrant there at the fire station, but it needs to be closely monitored. We are having a large water loss and we need to keep up with the water that is used. You can do it once a month turn in and have a guesstimate on water that is used on fire vehicles and turn into the city. We will give you 30 days before you have to leave from today to vacate building. Councilman Sheridan asked about titles. City Secretary stated I have been talking to Jennifer and Randy concerning titles and location of vehicles.

Jennifer did locate the other vehicles we have been missing, Mayor Gordon stated all those fixed assets in that building need to stay in that building, those are the property of the City of Elkhart. Councilman Sheridan asked what fixed assets, the Mayor said we need to go in there and find out. Mayor asked for motion. Councilman Sheridan asked about radios. Council was provided information regarding covering the fire department on radios for insurance as well. Bobby Cernouch stated, I don't know if the citizens are aware but their insurance is going to go up because there is no fire department in the city and I think the city council just wants the building for themselves. Fire Chief McCoy asked if he could speak about radios. The fire department doesn't purchase handheld radios. Each firefighter purchases their own, the city at one time said the radios could be covered on the radios. Councilman Wright asked the Mayor if we could get in the building to inventory. The Mayor stated to the fire chief we need to get in there to inventory and see what is in there and asked the Fire Chief if we could get into the building to inventory. Fire Chief Randy McCoy said he had two questions, one, what do consider fixed assets and the other one, my wife and I have rent houses and I know we can't just go in there without setting up an appointment. I would like to talk to the fire department attorney and find out our legal rights before I give you an answer. We would be considered a renter and I would like to get more information on to see if we could be evicted. I can tell you my recommendation if we have 30 days to be completely separate from the city that the fire department obtain a contract to fight fires in the city limits. The Mayor stated, "How long have we needed this contract?" Fire Chief said they have an annual contract with the county and I feel like that would be the same. Councilman Sheridan said, so the citizens who live inside the city limits who pay county taxes they do not have a contract with you, through that contract?" Fire Chief said, according to the Anderson County District Attorney that is correct. Councilman Sheridan said, "The Anderson County District Attorney says we do not have a contract and the City of Elkhart isn't covered? Then the Judge and Attorney are not on the same page because the Judge told me we were covered." Council Lady Anderson stated, that gives us the right to not pay the county taxes. Councilman Wright asked if we were ready for a motion and motioned. Councilman Billy Jack Wright made the motion to go forward with vacating 30 days with the Fire Department, include titles to be turned over to them and add that if the city is not able to occupy the building by October 30 that we will have all utilities shut off. Councilman Chris Sheridan seconded the motion. A citizens asks to speak during the motion. Mayor declined and finished motion. Council Lady Rhonda Brewer abstained, Councilman Wright and Sheridan for, Council Ladies Anderson and Bice for. The motion carries.

The Mayor then asked citizen if she wanted to ask question and she declined.

Agenda Item Ten: Discuss and take action on renewing lease agreement with East Texas Broadband for the tower rental space at 110 W. Parker for the period of October 3, 2017 through October 3, 2022.

City Secretary reported to council the item was previously discussed. All contracts and agreements should renew each September. We have had some issues with franchise fees being overlooked. The agreement last year was for one year and included the \$450.00 and we wanted to start over with a five year period of the \$150.00 month that was approved in 2005. Keith Lively was at meeting to speak to council. Council was also presented information on antenna being at Newsome Well on city property for the school. The equipment is school property, we just maintain it. The school had to have a relay and it is not an ongoing service. Councilman Sheridan asked if the school had anything with East Texas Broadband and Keith said no. Keith Lively spoke to council and said last years contract had the back payments included. Councilman Wright asked if he was okay with the terms and Keith said yes, it is the terms he had agreed to previously with renewal terms. Councilman Sheridan asked if the attorney had reviewed the contract and it was reported that the attorney did review the contract and approved it. This contract runs out in 2022 and will need to be renewed at that time. Councilman Chris Sheridan made the motion to approve the contract with East Texas Broadband for the rental on the water tower space at 110 W. Parker for the antenna from October 3, 2017 to October 3, 2022. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carried.

Agenda Item Eleven: Discuss and take action in consideration of quote submitted by Henderson Electric, Inc. for the replacement of (9) 110 receptacles on TXU poles for Christmas lighting purposes that were never replaced after poles were replaced 3 years ago.

City Secretary reported summary. Oncor came out and replaced poles downtown and when they did so, they took the 110 outlets on poles we plug in our Christmas seasonal lighting into. This was done about three or four years ago. The customers don't like it, they just think we are not plugging in Christmas lights. BJ reported that the reason they probably didn't replace them is that they were not wired correctly to start with. Councilman Billy Jack Wright said he has asked around and people he has spoken to do want the lights for Christmas.

Councilman Billy Jack Wright made the motion to approve quote of \$1,300.00 to Henderson Electric to replace the 9 110 volt receptacles for purpose of seasonal lights and Christmas lights. Council Lady Chris Bice seconded the motion. Councilman Chris Sheridan abstained. Councilman Wright, Council Ladies Bice, Brewer and Anderson voted for. The motion carries.

Agenda Item Twelve: Discuss and take action to appoint Dr. Larry Burch to serve as the Local Health Authority for the City of Elkhart.

Council Lady Chris Bice made the motion to appoint Dr. Larry Burch to serve as the local Health Authority for the City of Elkhart. Councilman Billy Jack Wright seconded the motion. All voted "Aye", the motion carries.

Agenda Item Thirteen: Discuss and take action on approval of financials for the month of August 2017.

System Totals report reviewed and water loss a little lower this month. Review of RVS refund tab— Water Meter Deposit account may actually owe Water Fund back a couple of thousand dollars to balance those two concerning System Totals and Bank Statement. Speaking to auditor and bookkeeper regarding those.

Councilman Billy Jack Wright made the motion to approve the financials for the month of August 2017 as presented. Council lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fourteen: Discuss and take action on approving minutes for May 2017 and June 2017.

The item was tabled due to June 26, 2017 minutes needing to be completed and May being already approved.

Agenda Item Fifteen: Discuss and take action on sending Outside Supervisor BJ Perry to Hillsboro, Texas October 18th through October 20, 2017 for Water Utility Management course by TEX Training.

Councilman Billy Jack Wright made the motion to send Supervisor BJ Perry to Hillsboro, Texas October 18th through October 20, 2017 for Water Utility Management course by TEX Training. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Sixteen: Discuss and take action on quote submitted by U.S. Underwater Services, LLC in the amount of \$1,097.00 for tank inspections.

Councilman Billy Jack Wright made the motion to made the motion to authorize BJ Perry to spend up to \$1397.00 using U.S Underwater Services LLC to inspect three tanks— 100,000 gallons, 200,000 gallons and a 50,000 gallon deer feeder with his discretion of man or robot. Council lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seventeen: Discuss and take action on setting Fall Clean Up Day for the City of Elkhart.

Councilman Billy Jack Wright made the motion to set October 28th as Fall Clean-up day for citizens to bring water bills from 8:00 to 4:00 and to have porta potty's set up to access. Council lady Rhonda Brewer seconded the motion. All voted "aye", the motion carries.

Agenda Item Eighteen: Discuss and take action on Yard of the Month awards for the City of Elkhart.

Council Lady Beverly Anderson made the motion to nominate Joan Kozik for the Yard of the Month award. Council Lady Rhonda Brewer seconded the motion. All voted "Aye", the motion carries.

Agenda Item Nineteen: Discuss and take action opening a separate bank account for Child Safety Trust for funds toward child safety, health, nutrition and/or security.

The Child Safety is a new fee that will be sent in from the county to the city quarterly and has to have its on account and funds are to be designated and earmarked for child safety, health, nutrition and or security. State guideline should be followed depositing and spending of funds in account. We have to have a separate bank account to keep those funds and spending is restricted to the agenda item specifically. No Ordinance or Resolution is needed and was ran by city attorney. Discussion regarding cross walks for schools and if those would be included, council discussed that main road on list to redo. Council continued discussing ways the funds could be utilized.

Councilman Billy Jack Wright made the motion to open a separate bank account for Child Safety Trust Funds to be applied for safety, health or security. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twenty: Discuss and take action on accepting applications for outside utility employee. Supervisor BJ Perry discussed, hiring was discussed during budget process . We will have an employee out for surgery for awhile.

Councilman Billy Jack Wright made the motion to start taking applications for outside field employees. Council lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twenty One: Discuss and take action on bid submitted by George P. Bane, Inc. for Kobelco SK35SR-6E, mini excavator.

Supervisor BJ Perry spoke to council about the excavator and the benefit the specialized equipment would be for helping repair leaks and replacing water lines in the city. Mr. Bane had contacted me and Carla on a leased excavator with a \$8,000 savings and it includes thumb for more movement. Council discussed budgeting for the item and if we are going to replace these water lines, needing the item. The warranty is 3000 hours or 3 years. The machine according to BJ has to be left in the building to protect it and it would be a good investment for the city.

Councilman Billy Jack Wright made the motion to purchase the mini excavator from George P. Bane Inc, the Kobelco SK35SR-6E mini excavator delivered for a purchase price of \$30780.00. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twenty-Two: Executive Session: Council will convene in Executive Session pursuant to Texas Government Code 551.074 Personnel Matters to discuss;

(A) Field employee Michael Edwards, evaluation regarding all aspects of position and work performance, consideration of pay raise for passing D class water license.

Council convened in to closed session at 8:34 p.m.

Agenda Item Twenty-Three: Reconvene: Council will reconvene in open session to take action, if any, on Agenda Item Twenty-Two (A).

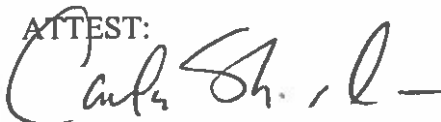
Council reconvened at 9:16 p.m.

Councilman Billy Jack Wright made the motion to give Michael Edwards \$25.00 month bonus plus \$1.00 an hour more making hourly pay \$11.14 an hour and for pay to be retro active from test pass date. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twenty-Four: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn. Council lady Chris Bice seconded the motion. All voted "Aye", the motion carries. Council adjourned at 9:18 p.m.

ATTEST:


Carla Sheridan- City Secretary


Mayor Mike Gordon

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On the Eleventh day of October 2017, the City of Elkhart Council canceled meeting due to the lack of enough council members. No business was discussed, meeting canceled.

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


CANCELED– Council meeting canceled.

Agenda Item One: Call to order.

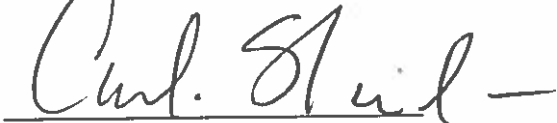
Agenda Item Two: The city council will convene into Executive Session pursuant to Texas Government Code section 551.074 (personnel) to discuss position for outside field employee (s).

Agenda Item Three: Discuss and take action as necessary on Agenda Item Two.

Agenda Item Four: Adjournment.


Mike Gordon
Mayor

ATTEST:


Carla Sheridan– City Secretary

THE STATE OF TEXAS

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COUNTY OF ANDERSON

*

CITY OF ELKHART

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On the Seventeenth day of October 2017, the City of Elkhart Council convened into a 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

Agenda Item One: Call regular session to Order, Pledge, Citizen Recognition. Meeting called to order at 6:00 p.m. Pledge and Citizens address. Fire Chief Randy McCoy addressed council with concerns of agenda item number 2, and said the Judge made it clear to him that the contract between the county and EVFD is for the unincorporated areas of the fire district. Mr. McCoy aslo said, so that answers the question that has been going back and forth for awhile. On item 4, I received a call from a local communication company telling me that Mayor Pro Tem Billy Jack Wright was asking if we could prevent EVFD from using the city repeater. It is not going to hurt us, it is going to hurt yall more than it is us. Mr. McCoy mentioned they only use that to notify city concerning fires and emergencies and yall have our county fire repeater channel in yalls radio, so if we are not aloud to use yalls, are yall going to take ours out of yalls radio.

Agenda Item Two: Discuss and take action hearing from Precinct 1 Commissioner Greg Chapin to discuss existing contract between Anderson County and Volunteer Fire Department.

The Mayor stated Greg Chapin would not be able to attend tonight. No action was taken.

Agenda Item Three: Discussion on any confederate statues, parks or anything pertaining to confederacy.

Council discussed statues in the news from larger cities and taking their statues down and renaming schools. Councilman Billy Jack Wright stated we would be fortunate to have one if they are trying to give them away and council agreed to have, I l think it would be great. Council Lady Chris Bice agreed. Council Lady Anderson said it was taking away from history. No action was taken on the item for discussion only.

Agenda Item Four: Discuss and take action concerning repeater for City of Elkhart.

Mayor Mike Gordon said we are going to pass on the item and bring back at another time due to needing more paperwork concerning the item.



Agenda Item Five: Discuss and take action to review drought contingency plan as requested by Texas Commission on Environmental Quality (TCEQ).

Councilman Billy Jack Wright made a motion that drought contingency plan had been reviewed and accomplished. Council lady Chris Bice seconded the motion. All voted "Aye", the motion carried.

Agenda Item Six: Discuss and take action regarding the training and licensing of employees.

Councilman Chris Sheridan made motion to table until further information can be obtained. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carried to table the item.

Agenda Item Seven: Discuss and take action on approval of financials for the month of September 2017.

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

Agenda Item Eight: Executive Session: The council will convene into Executive Session to discuss the following;

- (A) Pursuant to Texas Government Code section 551.074 (personnel) , the evaluations, performance and compensation of the following employees: City Secretary Carla Sheridan, Public Works Supervisor BJ Perry, Donna Albanese, Seth Hollingsworth, Michael Edwards and Kenneth White.
- (B) Pursuant to Texas Government Code section 551.072 Deliberations about Security Devices, the council will discuss security for City of Elkhart property at 110 W. Parker and city wells.
- (C) Pursuant to Texas Government Code section 551.074 (personnel) to discuss and take action, if any, on accepting the resignation of Michael Edwards.
- (D) Pursuant to Texas Government Code section 551.074 (personnel) to discuss position for outside field employee (s).

Council convened into closed session at 6:40 p.m.

Agenda Item Nine: Reconvene: Council will discuss and take action as necessary, if any, concerning agenda item Eight; A, B, C, and D.

Council reconvened into open session at 10:13 p.m. Council Lady Beverly Anderson left not feeling well during executive session.

- 9. (A) Councilman Billy Jack Wright made the motion in consideration of evaluations to add a 3 percent cost of living raise across the board for all current employees starting the next pay period. Council Lady Chris Bice seconded the motion. Councilman Chris Sheridan abstained. Council Lady Chris Bice, Councilman Billy Jack Wright and Council Lady Rhonda Brewer voted for. Three for, one abstained. The motion carried.
- 9. (B) Councilman Billy Jack Wright made a motion to table security measures for more information until the next meeting date. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carried.
- 9. (C) Councilman Billy Jack Wright made a motion to accept the resignation of Michael Edwards effective today 10-17-17 that was submitted on 10-2-17. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carried.
- 9. (D) Councilman Billy Jack Wright made a motion to hire Colby Rowel at the salary of \$43,500.00 annually with two week start date of October 31, 2017 with the stipulation that he acquires his Class C ground-water license within a 12 month period of being hired. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carried.

Agenda Item Ten: Discuss and take action on sending Supervisor BJ Perry to the TRWA Fall Management conference in Dallas October 31 to November 2.

Councilman Billy Jack Wright made a motion to take no action. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carried.

Agenda Item Eleven: Discuss and take action on Yard of the Month awards for the City of Elkhart.

Council Lady Rhonda Brewer made a motion to award Kyle and Amie Johnson for the Yard of the Month award. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carried.

Agenda Item Twelve: Discuss and take action on approving minutes for June and July 2017.

Due to the minutes not being completed, the item was tabled.

Agenda Item Thirteen: Reports to be heard from Mayor, City Secretary and Supervisor BJ Perry.

No action taken on reports heard.

Agenda Item Fourteen: Discuss and take action on quote from Windstream regarding communications for the City of Elkhart.

Council was given quote and brief concerning Windstream communications with the city. The new plan to save the city money on Windstream service from their existing Windstream service.

Councilman Billy Jack Wright made the motion to implement the plan with Windstream for approximately \$280 .00 with other features to consider later. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fifteen: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn at 11:08 p.m.

Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carried. Council adjourned at 11:08 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 October 2017, the City of Elkhart Council convened into a budget workshop 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

Agenda Item One: Call to order.

Council meeting called to order at 6:02 p.m. Council Lady Rhonda Brewer arriving a few minutes late this evening.

Agenda Item Two: The city council will convene into Executive Session to discuss the following;

- (A) Pursuant to Texas Government Code section 551.074 (Personnel) to discuss position for outside field employee (s).
- (B) Pursuant to Texas Government Code section 551.072 (Real Estate) to discuss sale of the city owned building located at 103 E. Parker by city records and listed as 205 E. Parker by ACAD records, to be specific the old Elkhart Volunteer Fire Department Building.
- (C) Pursuant to Texas Government Code section 551.074 (Personnel) to reevaluate pay scale of Seth Hollingsworth and Donna Albanese.

Council convened into closed session at 6:04 p.m.

Agenda Item Three: Council will reconvene to discuss and take action, as necessary, concerning item Two items; (A), (B) and (C) .

Council reconvened into open session at 8:55 p.m.

3. (A) Councilman Billy Jack Wright made a motion to take no action. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

3. (B) Councilman Billy Jack Wright made a motion to table the item until November 13, 2017 called council meeting. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

3. (C.) Council Lady Beverly Anderson made the motion to raise the pay for Seth Hollingsworth to \$12.00 per hour and Donna Albanese to \$11.00 per hour. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Discuss and take action concerning adjustment for meter leak at 411 Fincher Road.

Billy Jack Wright made a motion to table the item. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Five: Discuss and take action regarding office telephones from Windstream and lowering the overall Windstream bill for the city phone lines.

Councilman Billy Jack Wright made the motion to approve contract for a 5 year plan with Windstream . Council Lady Rhonda Brewer seconded the motion. All voted "Aye", the motion carries.

Agenda Item Six: Adjournment.

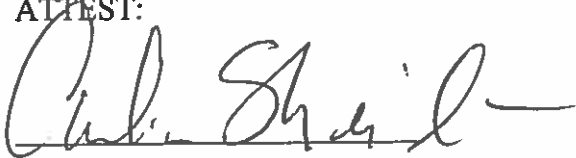
Council Lady Rhonda Brewer made a motion to adjourn at 9:34 p.m. Council lady Chris Bice seconded the motion. All voted "Aye", the motion carries. Meeting adjourned at 9:34 p.m.



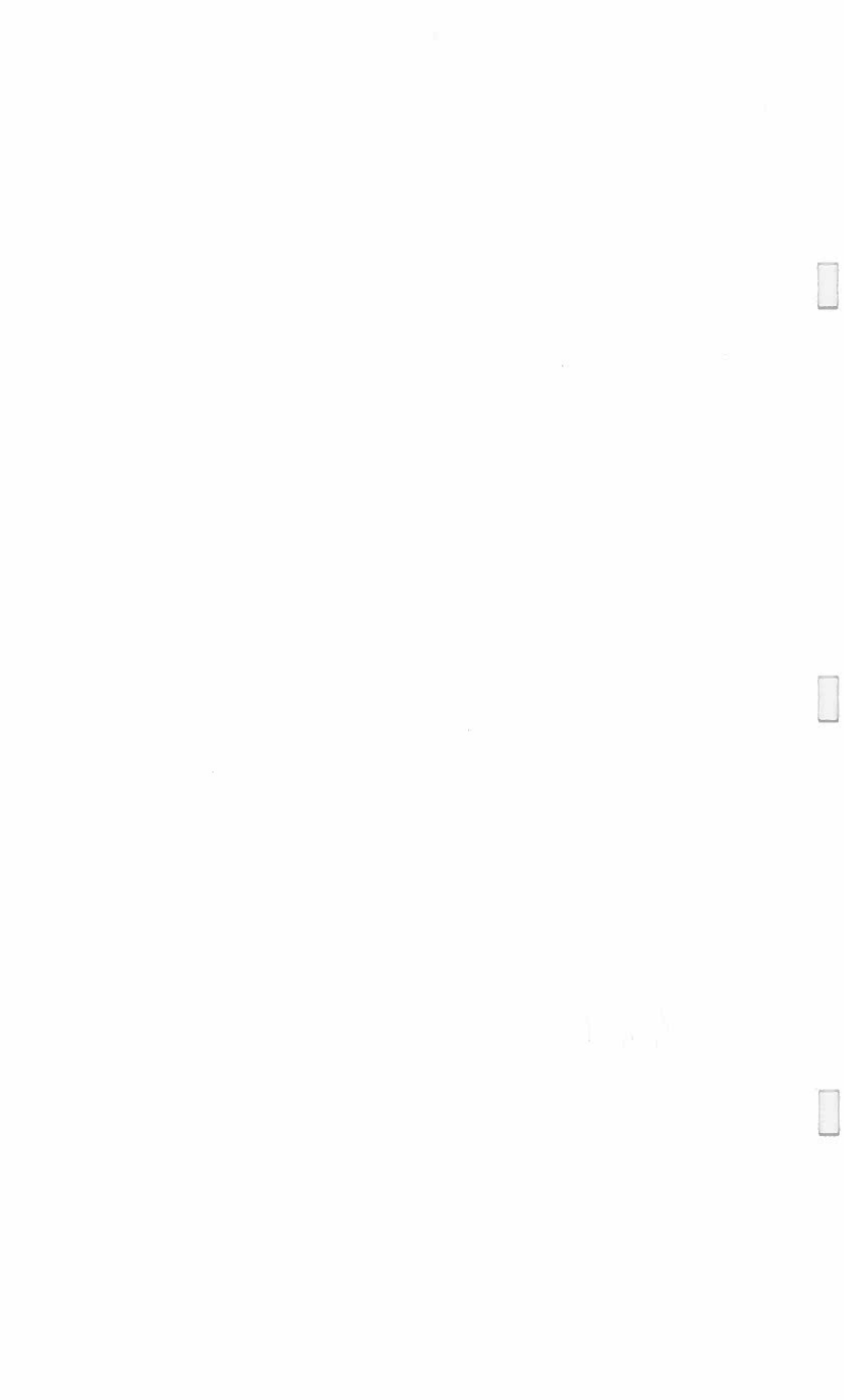
Mike Gordon

Mayor

ATTEST:



Carla Sheridan– City Secretary



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Two (C.) Councilman Billy Jack Wright made the motion to take no action on item two (C.) pending and contemplated litigation. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Discuss and take action concerning Waste Connections raising the garbage rate for services in Elkhart and consider raising rates from customers to stay within the budget.

Council discussed Waste Connections rates that the garbage service raised after budget cycle was completed. Council discussed no notification being given by Waste Connections regarding the rate increase until after rates were raised. Councilman Billy Jack Wright made the motion to take no action on agenda item four until further information is obtained. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Five: Discuss and take action regarding any and all aspects of the tornado sirens and locations for the City of Elkhart.

Council discussed siren pole on the property and out of city right of way on Hawthorne St. and the moving of the siren to gain compliance with the state. Councilman Billy Jack Wright made the motion to reset the location of siren to 410 Hwy 19 and 287 South and for a letter to be sent to David Jackson with the Texas Department of Emergency Management in Austin, Texas for approval. Council Lady Chris Bice seconded motion. All voted "Aye", the motion carries.

Agenda Item Six: Discuss and take action on water use for indoor purposes, meter deposit and trash service for the Elkhart Volunteer Fire Department at the location of newly purchased building at 12740 Hwy 19/287 to be paid for/absorbed by the City of Elkhart.

Councilman Billy Jack Wright made the motion to not furnish any utilities at 12740 Hwy 19 /287 South, that they pay all utilities. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seven: Discussion for clarification purposes only of the use by the county Volunteer Fire Departments for water use at any and all fire hydrants located in the city limits of Elkhart owned and maintained by the City of Elkhart for use on any and all fire fighting suppression needs on fires located in or out of the city limits of Elkhart.

Mayor Gordon spoke to clarify the use of fire hydrants by the county fire departments for water use at any and all fire hydrants located in the city limits of Elkhart owned and maintained by the City of Elkhart for use on any and all fire fighting suppression needs on fires located in or out of the city limits of Elkhart and stated that was a misunderstanding and that any of the fire departments could use any water from the city to put out fires. The Mayor requested that a report be submitted for water use because the city is required to turn in a water use and loss report each month. The Mayor also spoke in regards to requesting the fire department use the suggested locations to fill up tanks due to problem areas with potential of collapsing main water line in the city. No action was taken.

Agenda Item Eight: Discussion of 10 year plan council requested KSA to provide to the citizens and review of all KSA plans, listing all repairs needed by the City of Elkhart and for the adoption of future capital improvements to gain compliance with (TCEQ) The Texas Commission of Environmental Quality.

Council was provided an update report and print out emailed from KSA regarding the 10 year plan for improvements to the water and sewer system. Council reviewed the plan and discussed the cost of the state mandated repairs to the water and sewer system. No action was taken on the item.

Agenda Item Nine: Discuss and take action concerning discontinuing (3) electric accounts paid for by the City of Elkhart since prior to 1990 with no consumption listed as City of Elkhart and Chamber of Commerce use.

Council was provided documents showing where the City of Elkhart had paid for 27 years with no consumption at all on three TXU accounts. Council discussed the loss to tax payers regarding the three unused zero consumption accounts.

Report from City Secretary Carla Sheridan said the zero consumption accounts were found when auditing the accounts and trying to get the seasonal outlets replaced downtown that were removed a few years ago when the electric company replaced poles downtown.

Councilman Billy Jack Wright made the motion to disconnect the three TXU accounts immediately that have had no use on accounts for 27 years. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Ten: Discuss and take action on illegal water connection behind bank downtown.

Council was given an update by BJ Perry concerning a location behind the bank side of downtown buildings where an illegal connection had been discovered. BJ Perry reported the connection has been removed within this month. BJ Perry reported the connection was tied into the water system with no meter to the location. The connection was removed.

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

Agenda Item Eleven: Discuss and take action on quote submitted by Johnson Supply for the purchase of a 250 lb./day roto-meter for the school well chlorine system for compliance purposes.

Councilman Billy Jack Wright made the motion to purchase a 250 lb./day roto-meter for the school well chlorine system for a price of \$1275.00. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Twelve: Discuss and take action updating council on the position of Code Enforcement Officer and review old articles concerning the Code Enforcement position.

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

Agenda Item Thirteen: Discuss and take action in consideration of Adoption of Ordinance No. 11132017 an Ordinance of the City of Elkhart, Texas providing rules and regulations adopting burn bans issued by Anderson County, Texas.

Councilman Billy Jack Wright made the motion to adopt Ordinance No. 11132017 an Ordinance of the City of Elkhart, Texas providing rules and regulations adopting burn bans issued by Anderson County, Texas. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fourteen: Discuss and take action sending City Secretary Carla Sheridan to Election Law Seminar in Frisco, Texas January 24, 2018-January 26, 2018.

Council Lady Rhonda Brewer made the motion to send City Secretary Carla Sheridan to the Election Law Seminar in Frisco, Texas January 24, 2018-January 26, 2018. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Fifteen: Discuss and take action on approval of Holiday schedule from January 2018 to December 2018.

Councilman Billy Jack Wright made the motion to approve the Holiday schedule from January 2018 to December 2018. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Sixteen: Discussion with council to update on bids for the state mandated lagoon dredging and sloping.

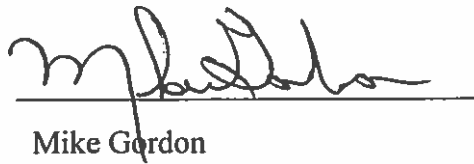
No action was taken on the item.

Agenda Item Seventeen: Discuss and take action on approval of city office for a drop off location for Toy's for Tots from Mrs. Malone and Mrs. Dillard for Marine Toy Drive and Corner Stone Church.

Councilman Billy Jack Wright made the motion to allow the City of Elkhart to be a drop off location for Toys for Tots. Council Lady Chris Bice seconded the motion. All voted "aye", the motion carries.

Agenda Item Eighteen: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn at 10:34 p.m. Council Lady Beverly Anderson seconded the motion. All voted "Aye" the motion carries. Council adjourned at 10:34 p.m.



Mike Gordon

Mayor

ATTEST:



Carla Sheridan— City Secretary

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(A) Pursuant to Texas Government Code section 551.074 (Personnel) to discuss position for outside field employee (s).

(B) Pursuant to Texas Government Code section 551.072 (Real Estate) to discuss sale of the city owned building located at 103 E. Parker by city records and listed as 205 E. Parker by ACAD records, to be specific the old Elkhart Volunteer Fire Department Building.

(C) Pursuant to Texas Government Code section 551.076 security for the City of Elkhart property.

Agenda Item Six: Council will reconvene in open session to discuss and take action as necessary on Agenda item Five (A), (B), and (C) .

Council reconvened to open session at 8:44 p.m.

(A) (A.) Councilman Billy Jack Wright made the motion to take no action on item 6. (A.) Pursuant to Texas Government Code section 551.074 (Personnel) to discuss position for outside field employee (s). Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

(B.) Pursuant to Texas Government Code section 551.072 (Real Estate) to discuss sale of the city owned building located at 103 E. Parker by city records and listed as 205 E. Parker by ACAD records, to be specific the old Elkhart Volunteer Fire Department Building. Councilman Billy Jack Wright made the motion to sale the real-estate at 103 E. Parker by city records and listed as 205 E. Parker by ACAD records, to be specific the old Elkhart Volunteer Fire Department Building and to be listed as commercial use only, to advertise 2 days each and 30 days Houston, Dallas, Tyler paper and for the add to say sealed bids to be turned in to the City of Elkhart office at 110 W. Parker in Elkhart, Texas. Phone number 903-764-5657 and to include the city reserves the right to reject any and all bids. Bid closing on February 1, 2018 at 5:30 p.m. 6. (B.) Council Lady Beverly Anderson seconded the motion. Council Lady Chris Bice opposed. The remaining council voted "Aye", the motion carries.

(C.) Pursuant to Texas Government Code section 551.076 security for the City of Elkhart property.

Councilman Chris Sheridan made the motion to take no action on item 6. (C.) Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries.

Agenda Item Seven: Discuss and take action, if any, on quotes submitted for security devices for the City of Elkhart.

Councilman Billy Jack Wright made the motion to accept quote from Peace of Mind Security for \$1,500 to replace security cameras at city hall for 4 channel hard drive cameras. Council Lady Rhonda Brewer seconded the motion. All voted "Aye", the motion carries.

Agenda Item Eight: Discuss and take action on repeaters for the City of Elkhart.

Councilman Billy Jack Wright made the motion to employee CrossPoint in Tyler Texas to reissue the city frequency to the city taking all other people piggy backing off of frequency with new FCC for city only. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Nine: Discuss and take action on reviewing claims from the city insurance from TML from 1995 to present.

Council reviewed claims report for the insurance for the City of Elkhart. Councilman Billy Jack Wright made the motion to take no action. Councilman Chris Sheridan seconded the motion. All voted "Aye", the motion carries.

Agenda Item Ten: Discuss and take action, consideration of Christmas bonuses for employees.

Councilman Billy Jack Wright made the motion to allow bonuses in years of service in the following manner; Seth Hollingsworth \$150.00, Donna Albanese \$150.00, Shelby Byrd \$100.00, Ryan Gean \$100.00, Bj Perry, Kenneth White and Carla Sheridan \$400.00 each. Council Lady Chris Bice seconded the motion. Councilman Chris Sheridan abstained. The remaining council voted "Aye", the motion carries.

Agenda Item Eleven: Discuss and take action on payment of invoice submitted by aero-flow for the state mandated purchase of aerator for the wastewater plant.

Councilman Billy Jack Wright made the motion to pay \$33,500.00 to Aero-flow for the state mandated purchase of aerator for the wastewater plant and funds to be taken out of Payroll for \$5,000.00 and General for the remaining \$28,500.00. Council Lady Chris Bice seconded the motion. Councilman Chris Sheridan opposed. The remaining council voted "Aye", the motion carries.

Agenda Item Twelve: Discuss and take action on adopting Resolution 279-112817, a resolution appointing a Representative to the board of Anderson County Appraisal District terms 2018-2019.

Council Lady Beverly Anderson nominated Chris Sheridan. Lack of a second the motion died. Council Lady Chris Bice nominated Billy Jack Wright. Council Lady Chris Bice made the motion to adopt Resolution 279-112817 appointing Billy Jack Wright for the City of Elkhart representative to the board of Anderson County Appraisal District terms 2018-2019. Councilman Chris Sheridan seconded the motion. Councilman Billy Jack Wright abstained. The remaining council voted "Aye", the motion carries.

Agenda Item Thirteen: Discuss and take action on approval of Ordinance 238-11282017, updating utility rates for only taps, only industrial rate and adding consideration of due date when falling on weekend or holiday and setting new deposit rate of 150.00 on customers who have good standing credit with city.

Council Lady Chris Bice made the motion to table the item. Council Lady Beverly Anderson seconded the motion. Councilman Billy Jack Wright opposed. The remaining council voted "Aye", the motion carries to table the item.

Agenda Item Fourteen: Reports to be heard Mayor, City Secretary and Public Works Supervisor.

No action was taken on reports.

Agenda Item Fifteen: Discuss and take action discontinuing hand held or poly cart trash service for all outside city limit residential customers due to the reasons of no clear way to regulate those services for outside city limit customers.

Councilman Billy Jack Wright made the motion to discontinue trash service for all outside city limit residential only customers and to issue a 30 day notice to customers. Council Lady Chris Bice seconded the motion. Councilman Chris Sheridan opposed. The remaining council voted "Aye", the motion carries.


Agenda Item Sixteen: Discuss and take action on sending Public Works Supervisor BJ Perry to Water Utility Management class in Palestine November 30, 2017 through December 1, 2017 for two ten hour day class.

Council Lady Chris Bice made the motion to send Public Works Supervisor BJ Perry to Water Utility Management class in Palestine November 30, 2017 through December 1, 2017 for two ten hour day class. Council Lady Rhonda Brewer seconded the motion. All voted "Aye", the motion carries.

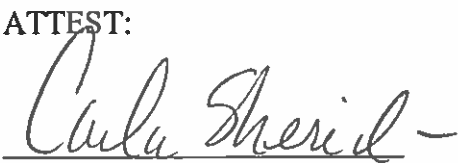
Agenda Item Seventeen: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn at 10: 33 p.m.

Council lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries. Meeting adjourned at 10:33 p.m.



Mike Gordon
Mayor

ATTEST:


Carla Sheridan– City Secretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On the First day of December 2017, the City of Elkhart Council convened into a Called Council Meeting at 4:30 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

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

Agenda Item Two: Discuss and take action on opening of sealed bids for lagoon dredging and sloping for the city wastewater plant at 4:30 p.m. and make public announcement of award of bid.

Mayor read notice of bids for lagoon project. Mayor Mike Gordon announced that the city received two bids and opened the bids to announce, ATS Construction for the bid quote of \$79,000.00. Triple A Sanitation Inc. \$65,000.00. Council reviewed bids and discussed the project.

Councilman Chris Sheridan made the motion to accept the sealed bid for lagoon dredging and slopping for the city waste water plant awarded bid to ATS Construction of Mabank, Texas under their option #2 for slopping and fertilizer removal and disposal of 150,000 gallons of sludge as per TCEQ requirements for a total contract amount of \$79,000.00 with a down payment of \$55,000.00 and remainder of \$24,000.00 to be paid out over 15 months at zero percent financing. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Three: Discuss and take action moving the remainder TXU accounts to Constellation Energy that were left out of contract signed by previous council to begin April 2016.

Council was given a brief from City Secretary that when the TXU accounts were signed over to Constellation during the contract error, that all accounts were not listed in the contract. Those few TXU accounts contracts now being up for renewal and allowed with no penalty to change providers. Council was provided documents on accounts left off of Constellation contract and email showing the few remaining contracts were eligible to renew or sign to Constellation Energy. Councilman Sheridan reported he wanted to add to the record that he spoke with Brek at Tradition Energy and he reported if we transferred over to Constellation the remaining accounts, they would expire at the same time as the rest of contracts the previous council signed with Constellation. The four TXU accounts were not included in the contract the previous council signed with TXU. Council Lady Rhonda Brewer requested all documents to be filed regarding accounts due to the previous issues the city had regarding the signing of two contracts at once. Council discussed accounts for electric.

The City Secretary reported there need to keep auditing accounts for clarification of accounts and where those meters serve.

Councilman Billy Jack wright made the motion to move the remaining TXU accounts to Constellation that were left out of the contract signed by previous council to be effective December 1, 2017. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Four: Discuss and take action in consideration of extending electrical contract with Constellation Energy until April 2026.

Councilman Billy Jack Wright made the motion to table the item until we gather more information on rates. Council Lady Chris Bice seconded the motion. All voted "Aye", the motion carries.

Agenda Item Five: Adjournment.

Council Lady Rhonda Brewer made the motion to adjourn at 5:44 p.m. Council Lady Beverly Anderson seconded the motion. All voted "Aye", the motion carries. Council adjourned at 5:44 p.m.



Mike Gordon

Mayor

ATTEST:



Carla Sheridan– City Secretary