

CITY OF COFFEE CITY
COUNCIL MEETING
Minutes
7019 Pleasant Ridge Rd.
Coffee City, Texas 75763

August 12, 2019

The City Council of Coffee City, Texas, convened in regular session on August 12, 2019 at City Hall Court Room, 7019 Pleasant Ridge Road, Coffee City, Texas. The following City Officials were present:

GeoJan Wright, Mayor (Present)	Douglas Davis, City Secretary (Present)
Phil Rutledge, Mayor Pro-Tern (Present)	Shellena Bivens, Municipal Court Judge (Present)
Don Weaver, Alderman (Present)	Chris Moore, Fire Chief (Present)
Riley Standifer, Alderman (Present)	James Kirkham, Police Chief (Present)
Terry Cooper, Alderman (Present)	

- 1. Call to Order.** The meeting was called to order at 6:00 pm
- 2. Pledge of Allegiance.**
- 3. Invocation.** Ray Ver Hey gave the invocation.
- 4. Roll Call and announce if quorum is present.** All council members present
- 5. Opening Remarks:**
 - a. Overview of Legislative Update:
 - i. House Bill 2840: Open Meetings Act Amendment: Before the public was allowed only the right to observe, rather than speak at, an open meeting of a governmental body. This Bill amends the Act to allow the public the right to address the governing body regarding an item on the agenda. The governing body may set appropriate limits as to the time allowed to address the governing body and at what time the public may address the governing body, beginning, middle or end of the meeting.
 1. The following rules for Open Forum are as follows:
 - a. Speakers are requested to sign-in for Open Forum at least 10 minutes before the Council Session
 - b. Speakers will limit commentary to agenda items only.
 - c. Speakers will be allowed 3 minutes to speak.
 - d. The council will not engage in any conversation during the Open Forum.
 - ii. Annexation: House Bill 347: Effective May 24, 2019 ends most unilateral annexations by any city regardless of population or location. Makes most annexations subject to three annexation consent procedures.

- iii. House Bill 305: requires that any City within a county with 25,000 or more population, and a city with a population of 5,000 or more in a county of less than 25,000 population to post additional information to their website, specifically, meeting notices and minutes of the meeting after they have been approved by the city council.
- iv. House Bill 3834 effective June 14, 2019 mandates cybersecurity training for all city officials and employees.
- v. If FCC proposed new rules are adopted, cities that operate PEG channels will see a reduction in franchise fees payments from cable operators.

6. Consider and Act upon Consent Items: #7, #8, #9, #10.

Councilman Rutledge commented that on item 14 on the minutes, Judge Bivens asked where the money for the software was coming from. He stated that the expense was not in the budget, because it was coming out of the Technology Fund.

Motion: Mayor Pro Tem Rutledge Second: Councilman Cooper. A vote was taken and was unanimous.

7. Approve the Minutes from the City Council Meeting on July 8, 2019, as written.

8. Approve the City Check Register for the month of July 2019.

9. Approve the EDC General Account Check Register for June and July 2019.

10. Approve the EDC H.O.T. Account Check Register for June and July 2019.

11. Mayor's Report:

- a. Texas National Night Out Announcement of October 1st.
- b. Strategic Planning and Town Hall Meeting August 29, 2019 6-9 p.m.
- c. Announce selection of the new Receptionist for the City, Vicki Castleberry.
- d. Republic Services Price Increase of 3.3%
- e. Shout out to Brenda Kirkham for providing the City with a Gun Safety Course on August 6, 2019.

12. EDC Report.

Ray Ver Hey stated that in the EDC meeting they discussed the charges for trash pickup. He stated that they had not been charged for trash pickup in the past, but now that the building was for sale, they were now being charged. He stated that the property was being actively marketed, and that they had not received many request of leasing the building, but that they had a couple of people interested in the purchase of the building. He stated that the EDC board had discussed several rental rates and selling price range for the building. He stated that they discussed the website, and that they were getting cost for doing the website.

13. Municipal Court Report.

Judge Bivens reported the following for the month of July 2019.

New Cases	367	Dismissed after proof of insurance.	5
Drivers Safety Dismissals	67	Warrants Issued	148
Deferred Adjudication	24	Partial community service	2
Capias Pro Fines issued	8	Dismissed Jail Credit	7
Indigency Dismissals	3 – For \$715.00	Community Service Full	1
Total citation fines	\$ 38,189.00	GHS Collections	\$ 5,700.00

14. Police Report.

COFFEE CITY POLICE DEPARTMENT MONTHLY REPORT

AUGUST 2019

In the month of AUGUST, 2019 the Coffee City Police Department had 67 calls for service and /or officer-initiated activities.

Accident: 7	Funeral Escort:	Road hazard: 2
Agency Assist: 11	Fire: 1	Shots Fired:
Alarm:	Follow up: 4	Stolen Vehicle:
Animal: 1	Illegally Parked Vehicles:	Suspicious Activity: 2
Assault: 1	Information: 9	Suspicious Person: 1
Burglary of habitation:	Loose livestock: 2	Suspicious Vehicle: 3
Civil Matter: 3	Lost Child:	Terroristic Threat:
Criminal Mischief: 1	Lost Property:	Theft:
Criminal Trespass:	Loud Noise:	Unlawful carrying of weapon:
Code Enforcement: 2	Medical Services:	Vehicle Impound: 8
Code clean up:	Misdemeanor Arrest: 5	Warrant Service: 4
Code in Progress: 2	Motorist Assist: 7	Welfare Check:
Disturbance: 4	Nuisance ordinance violation:	Harassment:
Death/Homicide:	Possession of Controlled Sub:	911 Hang Up:
D.W.I:	Public Intoxication:	Bomb Threat:
Evading:	Possession of Marijuana:	Open Door: 1
Fake ID:	Reckless Driver:	
Felony Arrest: 1	Reports: 12	
Dog Bite: 1	Welfare Check: 1	
Suicidal Person: 1	Lost Property: 1	
Missing Person: 1	911 Hang Up: 1	

The Coffee City Police Department currently has 3 Full time officers, 5 Reserve Police Officers.

Lt. Frank Serrato Full Time	Matthew Lopez: 20	
Cody Welch: Full time	Matthew Roberts:	
Chief James Kirkham: Full Time	Michael Green: 20	
	Lt. Wayne Frazier: 10	
	Edgar Clayton:	

August 2019: The Coffee City Police Department had a total of 433 contacts and of those were 290 citations with a total of 365 violations and issued 122 warnings and 2 voided.

<u>CITATIONS:</u>		
Allowing Unlicensed Driver to Drive:	Failed to Stop at Designated Point:	Speeding 1-5mph:
Defective equipment: 1	Failed to Dim Headlights: 2	Speeding 6-10mph:
Driving While License Invalid: 10	Failed to YIELD Right of Emergency Vehicle: 23	Speeding 11-15mph:
Driving down turn lane:	Fictitious Plates:	Speeding 16-20mph:
Disregard Stop Sign: 2	Failed to Display Driver License:	Speeding 21-over:
Driver License Restrictions:	Littering:	Unrestraint Child: 2
Drug paraphernalia:	No Insurance: 20	Window tint: 5
Expired Driver License: 1	No License Plate light: 2	Displayed Improper L.P.: 1
Expired MVR: 16	No Rear License Plate:	Improper MVR Displayed: 1
Fail to change address on Driver License: 3	No Seat Belt: 4	Following to Close: 1
Failed to Control Speed:	No Front License Plate:	Poss. Of Paraphernalia: 1
Failure to Display Reg.	No Driver's License: 20	
Failed to Signal Turn: 3	Open Container: 1	
Failed to Signal Lane Change:	Obscured License Plate:	
Failure to Display MVR:	Public Intoxication:	
Failure to Display D.L.: 1	Displayed Altered L.P.: 1	

15. Fire Dept. Report.

MONTHLY DEPARTMENTAL REPORT TO THE CITY OF COFFEE CITY COUNCIL

7 August 2019

DEPARTMENT: Coffee City Volunteer Fire Department

FOR THE PERIOD ENDING: 31 July 2019

SUBMITTED BY: Fire Chief Chris L. Moore

In the month of July, we had 21 calls for service. Call volume is average

1 Building Fires	0 Good Intent	1 Grass / Unattended Fire
1 MVA's	9 Medical Calls	2 illegal Burn (Construction Clean
Up) 3 Tree Obstruction		2 Public Service (Unlock car)
2 Boat Calls	0 Burn Ban Warnings	

We currently have 16 Senior Fire Fighters and no Explorers (Two

Mascots) Upcoming Events

October
National Night Out
1st Square Fair
TBD
HCFCA Fire School 26-
27 Eastman Fire School
12-14 December
Holiday Meal 14th

If you have any questions or problems please contact me.

CHRIS L. MOORE
Fire Chief
Cell: 903-539-7925
thefirechief@outlook.com

16. Open Forum: Speakers from the floor will be acknowledged as follows:

- a. Only individuals who signed in 10 minutes before the meeting will be eligible to speak.
- b. Speakers will be limited to commentary on agenda items only.
- c. Speakers will be limited to 3 minutes for commentary.
- d. Council will not engage in any conversation during open forum.

Mrs. Mary Weaver spoke to the council about nominating Edward McDaniel to the vacant council seat place 1. She stated that he ran at the last election, and he only needed 4 votes and he would have been selected as a councilman then. She stated that he has done the work. "He has shown the desire and the willingness to work for this community". She went on to state that she thought that he would be a good addition to the council.

17. Review, Discuss, Consider and Act on Coffee City Ordinance repealing the Flea Markets and Garage Sales.

The Mayor stated that she had received a complaint/comment concerning a perpetual garage sale that was happening in one of the sub-divisions. She said that the council had an ordinance in 2012 that was specific to what was considered a flea market, and that a permit would be required, records that needed to be kept, hours of operation. She stated that the initial reason for the ordinance was to control and set a standard, so the city would have oversight and determine how many would be allowed, the type of material that was going to be sold, and what was considered a flea market verses a garage sale. She went on to state that in December 2012 the ordinance was repealed. The Mayor asked for the council to discuss and see if they would like to draft a new ordinance. Mayor Pro Tem Rutledge stated that the original ordinance was done in November 2012. It was removed December 17, 2012 barely a month later. It was removed because there was a major council change, and that there were a lot of complaints about the ordinance. He stated that the Beard Auction was one of the reasons that it was enacted. He stated that the reason for the removal was because the expense of enforcing the ordinance was going to be more than it was generating. Councilman Weaver asked how many complaints we have had. The Mayor stated that she had received one complaint. Mayor Pro Tem suggested that they could enact a ordinance limiting the number of garage sales a year. The Mayor stated that it was not her desire to hinder a persons ability to have a garage sale. Councilman Weaver stated that he thought that the property abatement ordinance would handle this just fine. He stated that other cities had garage sales, and anything that attracts people to Coffee City is a fine thing. They might go to a yard sale and stop by one of the local businesses and buy things as well. He stated that they should not punish everyone in Coffee City because of one problem. Councilman Weaver stated that they have better things to do with council time. The Mayor stated that she felt that anytime a citizen brings a complaint to the city, it was worth bringing it before the council. The Mayor stated that she would take a look at the complaint and at the property abatement ordinance, and she stated that she did not think there was any need for action at this time.

18. Consider and Act upon the appointment for Alderman Place 1 for the remainder of the term: Nominations will be received from the floor and the council.

The Mayor stated that she had received one nomination from Councilman Weaver for Edward McDaniel, and that they had also received a nomination from Mary Weaver in Open Session for Edward McDaniel. She asked if anyone had any other nominations. None of the council members responded. The Mayor stated that they have had brought to our attention, "there are some resumes in your packet". One of the resumes was for Jan

Daughtry, and she currently serves as the EDC Secretary. She is not a member of the EDC Council, she is a contract person for the EDC to perform secretarial duties. She went on to state that the other people that have submitted resumes Ray Ver Hey, and Cynthia Swanson, were members of the EDC board. Councilman Weaver stated that he was surprised that we had people that wanted the seat. He went on to say that he was nominating Edward McDaniel for the seat for more reasons than you may think. He went on to say that Edward McDaniel had run for the council seat in November and that he lost by only 3-4 votes, so Edward McDaniel already has the support of the Coffee City citizens, and we are here to represent the Coffee City citizens. Mayor Pro Tem Rutledge stated that the city needs someone with a good accounting background. He then stated that he had a issue with to many EDC members on the council. He stated that in the May city council meeting there was a resolution to limit the number of EDC board members on the city council, and the resolution was tabled. The Mayor displayed the voting form to the city council. Councilman Standifer asked if they could meet the people being considered for the open council seat. The Mayor asked Cynthia Swanson, Ray Ver Hey, and Edward McDaniel to stand. The Mayor stated that Jan Daughtry was not able to attend due to an emergency. The Mayor asked the council to make their vote and then turn them in to the City Secretary to be tallied. The City Secretary tallied the votes and announced the results. The results were as follows: Cynthia Swanson – 1 vote, Edward McDaniel – 2 votes, Jan Daughtry – 1 vote. The City Secretary announced that Edward McDaniel won the vote.

19. Consider and Act upon Interim Payment to the Fire Department.

The Mayor asked Fire Chief Chris Moore to speak about the need for the interim payment. The Fire Chief stated that in July of 2018 the fire department received a grant for 90% of the cost of the brush truck upgrade. He stated that he met with the previous mayor about the grant. The Fire Chief stated that there had been delays with the manufacturer in getting the unit completed. He went on to say that the unit had finally arrived, and was working fine. He stated that the unit has a foam system built in, and that the fire department uses the foam unit for car fires, house fires, and grass fires. The Fire Chief stated that the fire department would write a check for \$40,000.00 and send it to the forestry service, and they will reimburse 90%, and the fire department would reimburse the city 10% to cover 100% of the purchase. He stated that the process takes about 30 days to complete. Mayor Pro Tem Rutledge asked the Fire Chief what he was needing now. The Fire Chief stated that it would be around \$ 40,000.00. Mayor Pro Tem Rutledge asked how soon the forestry service person would be here to inspect the truck. Chief Moore said that it should be within two weeks. Councilman Weaver made a motion the city give the fire department the money. The Mayor stated that there would be a loan agreement drafted for the \$40,000.00. Mayor Pro Tem Rutledge seconded the motion. A vote was taken and was unanimous.

20. Consider and Act upon selection of new cleaning contract for City Hall.

The Mayor stated that the city had received sealed bids for the cleaning contract. Councilman Standifer opened the bid envelopes. The Mayor stated that they have received two bids. One bid was from Linda Eitel, and the second from Curtis Grubbs. The bids were passed around for the council members to review. The Mayor stated that one of the bids was for sixty dollars per cleaning, and the other was for nine dollars and ninety-five cents per hour. The question was asked how many hours did it take to clean the offices. The City Secretary stated that it usually took 4 hours to clean the offices. The Mayor asked if it was just city hall that was being cleaned, or if the community center was included. The City Secretary stated that it would just be city hall. Councilman Weaver asked “how sloppy of a place is this? Is it a consistent thing? The city secretary said yes. With the amount of traffic through the building, it gets dirty. He also stated that the city staff try to maintain a clean environment. The Mayor asked how long the city had been without a cleaning service. The answer was since March. Mayor Pro Tem Rutledge stated that he was in favor of going with the person that had a flat rate of \$60.00. The mayor asked for the recommendation of the council. Councilman Weaver said that it made since to go with the flat rate fee.

Councilman Weaver made a motion to accept the bid from Linda Eitle for \$60.00 per cleaning. Councilman Standifer seconded the motion. A vote was taken, and was unanimous.

21. Consider and Act upon plat revision authorization for Lawana Guidry Landry.

The Mayor stated that the plat revision request was delivered by courier, and that she did not have a lot of information. The Mayor stated that they were wanting to plat from two lots into one. Mayor Pro Tem Rutledge said that the two lots were under different names. The Mayor stated that both lots belonged to the same person. She stated that the person had purchased one lot at one time and had purchased the other at a later date. Councilman Weaver made a motion to accept the plat change. Councilman Cooper seconded the motion. A vote was taken, and was unanimous.

The Mayor asked if there was any thing else. The Fire Chief stated that in the past we required a acetate copy that we would sign and then pass on to the county for their approval. The Mayor said that she would contact the people and get a copy of that.

22. Adjournment.

Councilman Weaver made a motion to adjourn. Mayor Pro Tem Rutledge seconded the motion. A vote was taken, and was unanimous.

Attestation:

Mayor

City Secretary