



7019 Pleasant Ridge Road \* Coffee City, TX 75763 \* Phone: (903) 876-3414 \* Fax: (903) 873-2433

**CITY OF COFFEE CITY  
Council Meeting  
MINUTES**

**January 10, 2022  
7019 CR 4217 / 7019 Pleasant Ridge Rd.  
Coffee City, Texas 75763**

NOTICE IS HEREBY GIVEN OF A MEETING OF THE CITY COUNCIL OF COFFEE CITY. TO BE HELD ON MONDAY, JANUARY 10, 2022 AT 6:00 P.M., AT THE COFFEE CITY, CITY HALL 7019 CR 4217, COFFEE CITY, TEXAS. FOR THE PURPOSE OF CONSIDERATION OF THE FOLLOWING AGENDA ITEMS. THE CITY COUNCIL RESERVES THE RIGHT TO MEET IN A CLOSED SESSION ON ANY AGENDA ITEM SHOULD THE NEED ARISE AND APPLICABLE PURSUANT TO AUTHORIZATION BY TITLE 5, CHAPTER 551, OF THE TEXAS GOVERNMENT CODE.

**Council Members**

Frank Serrato – Mayor	Riley Standifer – Mayor Pro-Tem
Chuck Jones – Place 1	Marquis Castleberry – Place 2
Kevin Swanson – Place 3	Ray Ver Hey – Place 5

- 1. Call Meeting to Order:** *Mayor Serrato called the Council Meeting to order at 6 PM.*
- 2. Roll call and announce if quorum is present:** *City Secretary N. Moss called roll; all Councilmen were present; a quorum was determined.*
- 3. Opening remarks:** *Mayor Serrato, thanked everybody for coming out to the meeting. Mayor Serrato said, that he would like to keep the comments about any agenda item to a minimum, as well as during the open forum time to speak, if you weren't able to sign up then just hold off until next time.*
- 4. Consider and Act upon:** *Agenda Item 5 & 6 – Minutes were approved during the December 23, 2021 Special Called Meeting, for the December 13, 2021 Meeting.*
- 5. Consider and Act Upon:** *Approving December 23, 2021 Special Called Meeting Minutes – Councilman Castleberry made a motion to approve the Dec. 23, 2021 Special Called Meeting Minutes along with the City Financials; seconded made by Councilman Swanson, motion carried unanimously.*
- 6. Approve City Financials:**



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7. Consider and Act Upon: EDC Purchasing the Allstate Building Property – *Councilman Ver Hey asked, Did the EDC have anything new pertaining to it as to what the plans are, ideas, you know how much they're buying or spending or do we have anything to review here with this? Just a straight up question. Mayor Serrato stated that the Council didn't have anything new that it was just a question. Councilman Ver Hey, asked why are we supposed to approve just straight out and yes, so they can purchase the property, with no details. Are we approving something else for them to do? I don't think we should just approve them to go ahead and buy the property. We have no idea what they are going to pay for it. No details at all. We're just going to say okay, that's everything, that is what it's asking, in his opinion. Ms. Pam Drost spoke for the EDC saying that details have been provided of what the EDC was going to be paying for the property and what some of the options was that the EDC was planning on doing with the property. The cost analysis was not in there, and that the EDC had spoken to the council about this as well. Ms. Drost stated that basically they were wanting to know if the council wanted them to proceed on the purchase of this building or not. Councilman Ver Hey stated, so this is based on all the prior stuff that was brought to the council and nothing new has changed? Ms. Drost stated no, the council has never considered and acted upon the purchase of the building and land. Councilman Swanson asked the question for the EDC that if they were still in contact with the owners of that property? Ms. Drost said yes, that she had actually spoken with them just last week. Councilman Swanson, stated that from what he has heard in the past in reference to this purchase, that he was making a motion that the EDC be granted permission to pursue and purchase this property and the Allstate Bldg. Mayor Serrato stated that there was a motion by Councilman Swanson was there a second? Councilman Castleberry stated he had a question, that when Councilman Swanson stated pursue, did he mean to go ahead and purchase the property or just look further into anything? Councilman Swanson stated that he wanted to see a contract, that the council need to get this item authorized for them to get a written contract, if that is what everybody on the city council was standing here twiddling their thumbs about. Councilman Swanson said that the EDC is needing the council to come off of it and let them get a contract and either the council votes on a contract or not. Councilman Ver Hey said that he had stated that before the contract and then why are we not done with it? Nothing has been presented or had been given to him. Councilman Swanson explained to Councilman Ver Hey that there had been plenty given to the council for the council to approve the EDC to pursue it and get a contract, that the EDC needed the approval from the council first before a contract could be brought back to the council. Councilman Ver Hey asked just to get a contract to bring back to the council? That he didn't think so. It's just a piece of paper and the writing the contract they bring to us and say here's what we are presenting, and what we want to do, why would the EDC need approval for that councilman Ver Hey asked? Again, it's like getting a bid for property rights, for doing improvements. What was the difference in getting the contract, they are not signing, it is not binding? They can bring a written contract, and councilman Ver Hey stated that he has asked for that from the EDC, and nobody has brought documentation back, for the council to review. Councilman Swanson stated that he is making a motion that the EDC gets a contract, that allows the EDC to start the process, and if the property owners back out then the EDC has no skin in the game. Councilman Ver Hey stated that the council has done that, but if you want to do that again well do it again. Mayor Serrato stated once again, the council has a motion from Councilman Swanson, Councilman Castleberry seconded the motion. Votes are as noted:*



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*Councilman Jones (NO) Councilman Ver Hey (NO) Mayor Pro Tem Standifer (NO).  
Motion failed.*

8. **Consider and Act Upon: Establishing a monetary fine for Vacation Rental Property Owners who fail to register with the City Hotel Occupancy Tax payments.** – *Mayor Serrato stated that the city had up to 2 – 3 business's that never registered with the city for their Hotel Occupancy Tax payments to the city. We've sent letters out, and some have gotten back with us, stating that their business has just started and speaking to the City Attorney he said that we could do one of two things, forgive them for it in which is the next item on the agenda to discuss. We can come up with a fine for the past however many years they have been out here or go back just 2 years. Councilman Ver Hey asked how many businesses do we have on the books for the past two years that hasn't been paying their Hotel Occupancy Tax? Ms. Geo Jan Wright Hunter stated 3 possibly 4. Mayor Serrato stated that if the council wanted a copy of the City Ordinance that Ms. Nanette could provide the council with a copy. Ms. GeoJan, spoke to say on page 4 talks about the percentage of fine if they don't register. Then on page 5, it talks about it doesn't speak to if they don't register with the city, it's they are supposed to register with the city and then start paying with 30 days of the day of registering. They are supposing to register with the City Secretary, and start paying their taxes with 30 days, but if they do not then the city can charge them 15% delinquent tax fee. More discussion being made. Mayor Serrato asked the council to look over the City Ordinance. Ms. Drost spoke to say that some of these businesses have been operating for some time now, Ms. Drost felt like the city needed to pursue these businesses on paying their taxes that they owe to the city. Ms. Drost stated that what the EDC was asking was how far back did the council want to go back on these businesses as far as collecting their taxes? Ms. GeoJan stated that the attorney suggested 2 years, that what was actually being discussed at this time was the monetary fine for those who fail to register, that is not accounted for in the ordinance. Chief Portillo wanted to add to the discussion on this subject, he stated that the city didn't have any businesses being registered with the city or requiring any business to register with the city, he stated that was dumb. That the Police Dept. just shut down the "Whore House" that she was operating without a license and she was operating without a permit. Chief Portillo stated that the PD got her because the PD established, she was a "Sexually Oriented Business" – providing sex to individuals. Where the PD got her was the City Ordinance states that she could be fined up to \$2K a day, from the day she opened her door. Chief Portillo also mentioned that the city had other businesses operating off of 315, that are operating without the proper licensing. He suggested that is the council was going to amend the ordinance he asked that they make the changes that the Police Dept. can go in and shut down these businesses for not operating under a City License or Permit, so that the PD doesn't have to go in and find other illegally means of shutting such businesses down. Chief Portillo told the council that the city has a lot of businesses that they don't know about that are operating at the night time hours. Councilman Castleberry made a motion to table item number 8, until the re-wording on the agenda item can be straighten out. Councilman Jones seconded the motion, motion carried unanimously.*
9. **Discuss: The forgiveness of prior/past Hotel Occupancy Tax owed by Vacation Rental Property Owners who are delinquent.** *Councilman Ver Hey, stated that he felt that the occupancies of the businesses, need to be permitted by the city once opening, and if that*



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*business has been operating and not paying their taxes then there should be no forgiveness on the past fees owed to the city for their Hotel Occupancy Taxes. He felt that these businesses need to be gone back as far as two years and be made to pay. Mayor Pro Tem asked how many of the businesses are not paying? Ms. GeoJan stated 4.*

- 10. Discuss the EDC Vision Statement:** *Mayor Serrato asked the EDC if they had a Vision Statement, and Ms. Drost stated no, that the EDC was asking the Council to provide the EDC a vision statement from the Council that they would like to see for the EDC. – Mayor Serrato asked the council if anyone had come up with a vision statement and the councilmen all stated no. Mayor Serrato then read a vision statement that he presented to the council for consideration. “Vision Statement for the EDC for the City of Coffee City, is to create a prosperous economic environment that promotes public infrastructure, improvement projects, to responsible businesses both new and existing. To enhance the prosperity of our lake community.*
- 11. Consider and Act Upon: Vision Statement for the EDC.** – *Mayor Pro Tem Standifer made a motion to accept the Vision Statement that the mayor read for the council’s vision statement to the EDC, seconded by Councilman Jones, motion carried unanimously.*
- 12. Review; Discuss; BIDS for Community Center** – *Mayor Serrato stated that he had been given 2 sealed bids. These were passed around for the council’s review, these bids were for the finishing the community center’s walls.*
- 13. Consider and Act Upon: Approving Bid for Community Center.** – *Councilman Ver Hey made a motion to table this item until the EDC and City could get another bid or even better 2 bids. Councilman Castleberry seconded the motion, motion passed to be tabled, until other bids could be brought forward. Councilman Ver Hey asked that the bid that was received could the person be contacted and be asked how long would that bid be good for as in lumber prices change daily. Mayor Serrato stated that he would be in contact and ask.*
- 14. Consider and Act upon: City 2022 Holiday Calendar:** *Enclosed Calendar; Discussion was made about the calendar, councilman Jones asked about the Dec 23<sup>rd</sup> and Dec 26<sup>th</sup> being off. Mayor Serrato stated that since Christmas Eve fell on a Saturday and Christmas Day fell on a Sunday the Thursday before and Monday after was observed as this holiday. Mayor Pro Tem Standifer stated that he would like to see Martin Luther King Day be a floating day off for the employees as he felt that this holiday was too close to New Years. Mayor Serrato stated that these are National Holidays and they needed to be observed. Chief Portillo stated that these days are recognized by the State of Texas for a reason, and they needed to be observed as such, for the fact we were employees for the State of Texas, using Texas Funds. Ms. GeoJan Hunter wanted to make clarification that the Holiday policy was written during her time as Mayor, the holiday for Christmas that Councilman Jones asked about, that the policy actually states Christmas not Christmas Eve. That Christmas Eve was not a holiday. Christmas Day was the holiday and if Christmas Day fell on a Saturday, then they got the Friday before off, if it fell on a Sunday then they got the Monday off. That’s the way the policy was written. Councilman Castleberry asked if Christmas Eve was a holiday? Mayor Serrato stated here at the city it is. Councilman Jones asked if Thanksgiving Eve was a holiday as well? Councilman Jones pointed out that*



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*Thursday and Friday were listed as holidays for the Thanksgiving break as well. Mayor Serrato said that the city has always taken off Thursday and Friday for Thanksgiving. Councilman Ver Hey stated that his thoughts were that the employees get the Friday before not the Monday after, but everything else he agreed with. Councilman Swanson, was in agreeance with the way the calendar read. Councilman Jones, good with the way it read also. Councilman Castleberry, was good with the calendar if the city normally observed Christmas Eve as a holiiaay. Mayor Pro Tem Standifer stated that the employees were only actually getting 2 days off since the holiday fell on the weekend and they get weekends off anyway. Mayor Serrato stated that he wanted to keep the staff the city has at this time, and to keep from having a high turnover rate, and In order to do that they need to be compensated, but the city couldn't do that by money at this time so he feels that the extra days off would be efficient for their compensation at this time, that if it was up to him, he would give the employees their birthdays off. City Secretary asked to voice her opinion on this matter, stating that if the employees were only allowed the Saturday & Sunday in which they already have off then that restricts the employees from traveling to see out of town family. Councilman Ver Hey asked how many paid employees that this would affect, Nanette Moss stated 4. Councilman Castleberry stated and these two days off once a year, how would that really effect the city operations? Councilman Ver Hey stated that he was in agreeance with the calendar if all other councilmen were. Councilman Ver Hey made a motion to accept the Holiday Calendar that was being presented as written. Councilman Castleberry seconded; motion carried unanimously.*

15. **Discuss; Consider and Act Upon: New Bid from Palestine Sign Co. (For Front of Building Sign) – 2 Prior Bids are enclosed as well. – Mayor Serrato stated that this bid was good for 30 days. Councilman Ver Hey asked what the difference in the pricing amounts with both stating the same, but one was with vinyl lettering and the other being a picture graph. He also stated that this bid was compatible with the Sign Country Bid that was gotten previously. The bid that was taken from Leon's Signs was just too expensive for the amount of work being asked to be done. Secretary Moss stated that the Sign Country bid was for a total of \$704.00 for the printing and installation. Councilman Ver Hey stated that he would like to go with the Palestine Sign Co. Bid that showed \$ 245.00 for 1- 46"X96" Double Sided White Omegabond Sign w/ Red & Black Vinyl with the \$100. Installation fee. \$345.00 total. Councilman Ver Hey made a motion to accept the Palestine Sign Co. bid as written, with a seconded by Councilman Swanson. Motion passed unanimously.**
16. **Discussion: City Ordinances, who has read them? If read please sign Acknowledgement stating you have read. (Acknowledgement in Packet) – There was discussion on how many of the council members had actually read the City Ordinances, and if they had there was an acknowledgement paper that needed to be sign by them if they had read the Ordinances. Mayor Serrato stated that the city would be purchasing a new scanner so that the City Secretary can scan these ordinances and place them on the website, so everyone can read them.**
17. **Discussion on Tabled Item from November 08, 2021 Council Meeting: Housing Regulation Ordinance: Tabled by Councilman Castleberry; Very Hey and Swanson, Voting Failed unanimously. - Mayor Serrato asked the council if anyone had come up with anything on re-writing this ordinance? Councilman Swanson stated that he had actually**



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*been thinking about this but, hasn't sat down and put anything to pen and paper. Swanson suggested that the current housing ordinance that the city has could just be amended to say what was being needed, not re-writing the ordinance. Mayor Serrato stated with that being said then the council can come up with something that would be appropriate for the amendment to the current housing ordinance.*

- 18. Consider and Act Upon: Approving Mayor Serrato's reimbursement requests.** *(Requests are available for the Councils Review.)- Mayor Pro Tem Standifer presented the reimbursement to the council for their review, Mayor Pro Tem stated that these were from the purchase of the new PD units. He also stated that there was one of the reimbursements that he had a question about, stating that it was for overhead lights and the documentation that was presented with the reimbursement said nothing about overhead lights. Mayor Pro Tem asked the mayor to explain and make corrections to this request, after the council's review. Mayor Serrato stated that he would do so. Mayor Serrato made changes to the request in blue ink, this is noted as equipment transfer for the PD Units that was purchased. Councilman Ver Hey asked the mayor how many people went to get these vehicles? How did they get to Austin? Chief Portillo state that they took his personal vehicle. And were any employees paid for this trip? Mayor Serrato stated that there was 4 people that went, Chief Portillo, one of his officers, himself (the mayor) and Pam Drost. The question about the employee being paid was passed to the Police Chief Portillo to answer. Chief Portillo stated yes it was on company time and he and his Capitan Skero were paid. Councilman Ver Hey stated okay so 2 of the four were paid to make the trip, in which are paid employees of the city. Mayor Serrato asked Mayor Pro Tem Standifer why his reimbursement was any different than the one's he signs off on when checks are needed? Mayor Pro Tem Standifer stated that the request was not properly explained "overhead lights" instead of "equipment transfer" and he knew how picky the mayor was on these reimbursements and he wasn't any different than anyone else. Councilman Swanson made the motion to pay the reimbursements that was brought to the council by the mayor for travel expenses on obtaining the new PD units. Mayor Pro Tem seconded the motion, motion passed unanimously.*
- 19. Discuss Storage Units: One unit needed for the Police Dept. / One unit needed for the Municipal Court.** *(Mayor is asking a Council Member to assist in looking for these storage units.) - Mayor Serrato asked for a volunteer to assist with finding these 2 units needed. Mayor Pro Tem Standifer said that he would volunteer. Mayor Serrato thanked him for his help. Discussion on what was exactly needed for these units, as in where they needing a Conex type storage or a rent month to month storage for these files for the court and PD. Mayor explained that he was thinking in the lines of a month to month since the files could not be stored in a Conex type unit due to being incompliant with the state record keeping. It was asked if these units had to be separate and the answer was yes, one for the court files and one for the pd files.*
- 20. DKG, David Godwin; Audit Conclusion FY 20-21. - This agenda item was moved to the end of the agenda.**

**Open Forum:**



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- *Open Forum may contain any suggestions and ideas about the city.*
- *Complaints must be in writing. Forms are available at City Hall.*
- *Speakers will be given 3 minutes to speak.*
- *Speakers must sign in prior to speaking.*

*Any person that is unable to attend and wishes to submit questions to the Council can Email the questions to the City Secretary at [Citysecretary@cityofcoffeecity.com](mailto:Citysecretary@cityofcoffeecity.com) or Mayor Serrato [Mayor.Serrato@Cityofcoffeecity.com](mailto:Mayor.Serrato@Cityofcoffeecity.com)*

***NO ONE SIGNED UP TO SPEAK DURING OPEN FORUM***

- 21. Mayor's Report:** *Mayor Serrato stated that there is a lady from TJC that is coming down to the city to teach a QuickBooks basics class, payroll etc. So that all will have an idea on how the accounting program works, not saying anything wrong with things are going now it's just a refresher course. Mayor Serrato stated that the Fire Chief has asked also to join this class. Mayor Serrato stated that he was going to get with her to see if she could come to the city instead of the city going there. Mayor Serrato asked if any of the council would be interested in attending this class with him to help understand a little better? Mayor Serrato stated that when he visited with Mr. Standifer about this, Riley said no that his weakest subject in school was math and he didn't feel that he could do it, so once again the mayor asked the council if someone wanted to step up and take this class as well? David Godwin the auditor spoke to say that the training isn't necessarily for you to catch every mistake it is for you to have a better understanding of your financial infrastructure. He also stated that the city council was responsible for the city's infrastructure as well, and if so and you don't have a clear understanding of those things, that's your responsibility, get more training and he couldn't make them do that, this was all on the council to do. Councilman Swanson stated that when the class got scheduled to let him know and he would be there for the class, as well as Councilman Castleberry showing interest.*
- 22. City Secretary's Report:** *City Secretary, Nanette Moss stated that the city had been busy, there had been a couple of public information requests that she had been working on, compiling information for. Worked with the Mayor, Mayor Pro Tem and Councilman Swanson on helping get the 2 accounts open of the PD Grant as well as the City's Grant. Helping Ms. Mary answer the phones for the court. GeoJan Hunter stated that she would like to thank Ms. Nanette for helping the EDC getting the packets out for the delinquent Hotel Occupancy Tax fees to the one's that owe the city money, she was very instrumental on finding address' out and making sure they either got hand delivered by the PD or certified mailed out. Councilman Swanson asked about the status on the grant for the broadband, how was that coming along? Nanette said that there were still working with DC Texas on getting this information completed and her and the mayor would be trying to contact the citizens in the city with more information on this, that Michael Fowler the owner of DC Texas stated the last she talked to him that he also was in the process of upgraded his equipment so we could move forward with this project.*
- 23. EDC Report:** *Ms. Pam Drost spoke to say that the EDC had changed their meeting to the fourth Monday of the month, starting in January. She states that she believed that the council should have their financials in their packets. (NOTE:): (NO FINANCIALS WERE*



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- PROVIDED TO THE CITY SECRETARY FOR PLACEMENT IN THE COUNCIL PACKETS) Mayor Serrato asked if their meetings were still at 6PM? Ms. Drost stated at 5PM. Councilman Castleberry asked the reasoning for changing their meeting day was so the EDC would have more time to prepare things, before bringing their information to the council. Councilman Ver Hey stated; just a suggestion, has the EDC considered on changing their meeting to the 6PM hour for the convenience of the public to be able to attend after work? Ms. Drost said that she would place that suggestion to be considered.*
24. *Municipal Court Report: Mayor Serrato stated that the court clerk Mary McDonald wasn't able to attend this evening's meeting, she had recently moved and the babysitters had changed and she wasn't able to find child care for this evening's meeting. Mayor Serrato asked City Sec. Nanette if there was anything that she could add to the report for Mary, and he said that he knew that there were 12 warrants cleared through the court last month. Nanette stated that if the council or anyone as far as that went called up to the city and don't get an answer, that it's not that they are not answering the phones, it's just the phones ring none stop for the court. She then gave an example of one day that Mary had 60 messages on her phone when coming into work, and by lunch time before Mary could get all calls taken from the voicemails, she had 101 messages. Mayor Serrato stated with that being said that the city would be looking into hiring some part time help for the court and city.*
25. *Police Report: Chief Portillo states, the PD has 4 part time officers and 41 reserves. Last month there were 58 felony arrests, 1014 total calls for service. Chief also explained the officer summary report that was attached for the month of March 2021 through December 2021, also there was 4,956 total traffic stops for these months stated. In 2020 the department done 1,341 citations. As well as the racial profiling report that was required by the state. 9 weapons were removed from the streets during these traffic stops. 3 Drug Seizures, with money and that money went to the County Auditor, that money gets deposited over there and then the city will get their part when all completed. Meeting with the DEA this month to excel the department to get accreditation for it, these are agencies that are reaching out for them to help, Cherokee County, DEA, wants to meet with the dept. Smith County DEA wants to meet with the dept. Chief Portillo stated that the dept. had 2 canines given to them.*
26. *Fire Dept. Report: Chief Chris Moore gave the Fire Dept report; December calls of service 22. Currently have 14 Senior Fire Fighter and 3 Explorers. After visiting with the mayor on the 5<sup>th</sup> of this month the roster will be re worked, and the dept will go down to right at 10 members. New 700 radio system coming on line county wide; 7 radios were ordered per last council meeting. Fire fighter are still concentrating on inventory. Vehicles are inventoried, Conex, office and Maintenance areas are being wrapped up. Signs that were requested to be ordered and placed "Slow, Children at Play as well as speed limit, are all completed. Stevenson Road work is on going and will be completed shortly, and looks as if we will be coming under budget for this project. Mayor Serrato asked Fire Chief on the radios those where the handheld correct? Chief Moore stated yes sir. Mayor Serrato asked Fire Chief if they had radios for the fire trucks? Chief Moore said that there was 6 that was needed, these mobile radios run from 2,500 and up. Mayor Serrato asked if these radios*





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*had been ordered for the engines? Chief Moore said no, that the dept. would use hand held radios until they got the money for these engine radios.*

*Agenda Item # 20 was moved to this area: DKG Auditor; David Godwin: Please see video for the report explanation.*

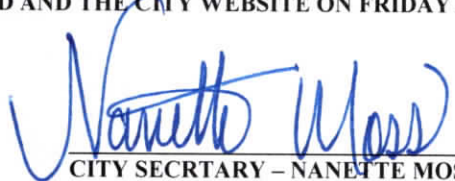
**27. Adjournment: Councilman Swanson made the motion to adjourn the meeting, seconded by Mayor Pro Tem Standifer; motion carried unanimously @ 8:03 PM.**

The City Council of the City of Coffee City reserves that right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076, (Deliberations about Security Devices), 551.087 (Economic Development), 418.175-183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information).

#### CERTIFICATION

**I CERTIFY THAT A COPY OF THE MONDAY, JANUARY 10, 2022 CITY COUNCIL MEETING AGENDA OF ITEMS FOR CONSIDERATION BY THE COFFEE CITY, CITY COUNCIL WAS POSTED AT THE CITY HALL PUBLIC NOTICE BOARD AND THE CITY WEBSITE ON FRIDAY JANUARY 07, 2022**

  
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MAYOR – FRANK SERRATO

  
\_\_\_\_\_  
CITY SECRETARY – NANETTE MOSS