

**MINUTES  
CITY OF TEAGUE  
BOARD OF ALDERMEN  
REGULAR CALLED MEETING  
JANUARY 21, 2020 6:00 P.M.**

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT:** *The meeting was called to order at 6:00 P.M. by Mayor James Monks and a Quorum was announced with all present Aldermen seated at their respective places.*
2. **INVOCATION:** *Alderman Ballew*
3. **PLEDGE TO THE FLAG:** *Alderman Jones*
4. **ROLL CALL:** *Present: James Monks, Mayor, Jerry Ballew, Mayor Pro Tempore / Alderman Place I, Rhonda Jones, Alderman Place II, Marie Hertenberger, Alderman Place III and Ryan Mathison, Alderman Place V Absent: Chris Nickleberry, Alderman Place IV*
5. **VISITORS/CITIZENS COMMENTS:** *None*

6. **CONSENT AGENDA:**

- a. Approve Minutes from the December 16, 2019 Meeting of the Board of Aldermen
- b. Approve the Accounts Payable and Payroll Check Registers for the month of December 2019
- c. Accept and the Financial Statement for December 2019
- d. Accept the Quarterly Investment Report for the 4th Quarter of 2019
- e. Accept the Teague Police Department's 2019 Racial Profile Report  
*Mayor Monks explained that due to some technical computer issues and Chief Philpott being out for class Item 6 E will need to be tabled until the next meeting.*

*Alderman Ballew moved to postpone Agenda Item 6 E until the next meeting, seconded by Alderman Hertenberger. Motion carried 4-0.*

*Alderman Ballew moved to accept Consent Agenda Items 6 A, B, C and D, seconded by Alderman Jones. Motion carried 4-0.*

7. **OLD BUSINESS:** *None*

8. **NEW BUSINESS:**

- a. Discussion and possible action on establishing a quarterly and/or annual fee for mobile food truck vendors.

*City Administrator Bell explained that due to the recent issues and dissatisfaction brought to the City's attention regarding the August 19, 2019 approval of a \$25 per day permit fee for mobile food vendors she felt it was appropriate to bring this matter before the Board to consider a quarterly and/or an annual fee for the mobile food truck vendors. She referenced the list of the surrounding towns and their fees that was included in the meeting packet.*

*Alderman Ballew asked if the ordinance that was included in the packet needed to be approved.*

*City Administrator Bell explained, no, this was the ordinance that was passed by the Board in August and was provided for informational purposes only.*

*Alderman Hertenberger expressed that she is in favor of establishing an annual fee in addition to the currently established daily fee.*

*Alderman Mathison read aloud a statement he prepared and is as follows:*

*"Several months back we looked over a large amount of information and made decisions to better our city and protect our local businesses. Business that pay water bills, property taxes, as well as the state sales tax which the city gets a portion of. We set up a fee schedule to level the playing field against an influx of food trucks we have begun seeing, all of which we enjoy seeing in our small*

*town as well as eating at. My family and I personally eat at these locations' multiple times a month, we love the different options they provide but as Aldermen we must look at the bigger picture and I firmly believe they are taking enough tax dollars out of this city that we needed to act.*

*But before we vote I would like to point one thing out. At the same meeting, we also passed the fee schedule for the cost of renters start up fees for their water services. A citizen in town took it upon herself to come forward to discuss the fee, brought more information for us to hear, and last month amended that fee. We will be taking the final vote on that tonight. That is the way government works, and in the future, I would appreciate allowing us to address issues before going to a Waco news station. I have fought for this country and its constitution and believe in the freedom of the press, but please give us the opportunity to clear things up first. I think things were blown completely out of proportion and a lot of drama was created for no reason at all." [SIC]*

*Alderman Ballew commented that he agreed 100% with Alderman Mathison's comments and that the drama and the news station could have been avoided if this matter was handled appropriately and the City was allowed to do their job.*

*Alderman Jones agreed with both, Aldermen Mathison's and Ballew's statements and added that this matter was handled inappropriately and should have never been taken to Facebook nor to the news station.*

*Alderman Hertenberger agreed with Aldermen Mathison, Ballew and Jones.*

*Alderman Ballew moved to establish fees for mobile food truck vendors \$25 per event or an annual fee of \$200, seconded by Alderman Hertenberger. Motion carried 4-0.*

- b. Discussion and possible action on approving a grant administration and project management service provider for the Flood Mitigation Assistance Elevation Grant for 28 Mimosa Lane.

*Administrator Bell explained that the City only received one response to the Request for Qualification and that it was included in the meeting packet. She continued by explaining that she recommends the employment due to the fact that this is unfamiliar territory for the City Attorney and the City and that due to this we have expended a tremendous amount of money in legal fees regarding this matter.*

*Alderman Ballew commented, I reviewed the packet, and Mr. Ward has an extensive amount of experience in this area.*

*Alderman Ballew moved to employ Jeffery S. Ward & Associates, Inc as the grant administrator and project management service provider for Agenda Item 8 B, seconded by Alderman Hertenberger. Motion carried 4-0.*

- c. Discussion and possible action on approving an estimate for the demolition of the City's Old Municipal Power Plant as requested by the action taken at the November 18, 2019 Board of Aldermen Meeting.

*Public Works Director Cowling referenced the estimates provided in the meeting packet explaining that each contractor was presented the same information and request, but some included a more detailed estimates than others.*

*Alderman Ballew inquired; would the building be usable if there was a new roof put on the it?*

*Public Works Director Cowling responded, yes and explained that putting a roof on the building had been brought before previous councils on two different occasions and was not approved.*

*City Administrator Bell reminded the Board that the item being discussed is regarding the demolition of the building that if the Board felt it was necessary to explore other options, such as the roof this item could be tabled and then a request could be made for the next meeting to explore other options. She continued by explaining the circumstances, discussion and action taken regarding this matter at the November 18, 2019 meeting.*

*Alderman Ballew commented, I believe that tabling this item would be beneficial to ensure that we make the appropriate decision that is in the best interest of the building.*

*Alderman Mathison asked, would we still need to obtain a structural engineer evaluation?*

*City Administrator Bell responded, yes.*

*Alderman Ballew moved to post pone Agenda Item 8 C until the next regular meeting, seconded by Alderman Jones. Motion carried 4-0.*

- d. Discussion and possible action on approving Ordinance No. 2020-01-21 amending Code of Ordinance Number 13.1001 amending the utility deposit for property renters to \$150.00.  
*Alderman Mathison made a motion to approve Agenda Item 8 D as written, seconded by Alderman Ballew. Motion carried 4-0.*

*It was the consensus of the Board of Aldermen **not** to make the ordinance retroactive.*

- e. Discussion and possible action on approving Ordinance No. 2020-01-21-A, amending Chapter 4, "Business Regulations", Article 4.900, "Sale of Alcoholic Beverages" and Chapter 8, "Offenses and Nuisances", Article 8.300, "Alcoholic Beverage Consumption", to amend the regulations related to the sale of alcoholic beverages for off-premise consumption in a residential area and the consumption of alcoholic beverages; providing repealing, savings and severability clauses; providing a penalty clause; providing for publication and an effective date.

*Alderman Jones made a motion to approve Agenda Item 8 E as written, seconded by Alderman Mathison.*

*Alderman Ballew moved to amend the motion to include the plural tense of parks, seconded by Alderman Mathison. Motion carried 4-0.*

*Mayor Monks repeated Alderman Jones' motion to include the approved amendment. Motion carried 4-0.*

- f. Discussion and possible action on rescinding the action from the December 16, 2019 Board of Aldermen Meeting to not allow the sale of alcohol at the Christmas in the Parks February fundraiser.  
*Alderman Ballew moved to rescind the December 16, 2019 Agenda Item 8 H action, seconded by Alderman Jones. Motion carried 4-0.*

- g. Discussion and possible action on approving a pay increase for Chief of Police DeWayne Philpott.  
*Mayor Monks asked for this item to be tabled until next month when the Chief can be present.*

*Alderman Ballew moved to postpone Agenda Item 8 G until the next meeting, seconded by Alderman Mathison. Motion carried 4-0.*

- h. Discussion and possible action on approving the Contract for Engineering/Surveyor Services with TRC Engineers, Inc. for the pending 2019 Texas Community Development Block Grant Program Sewer Improvement Project.

*Alderman Ballew moved to approve Agenda Item 8 K as written, seconded by Alderman Mathison. Motion carried 4-0.*

- i. Discussion and possible action on approving Resolution Number 2020-01-21-B authorizing signatures for the Texas Community Development Block Grant Contract No. 7219439.

*Alderman Jones made a motion to approve 8 I as written, seconded by Alderman Hertenberger. Motion carried 4-0.*

- j. Discuss and consider Resolution Number 2020-01-21-C adopting and/or reaffirming policies and procedures for civil rights, equal opportunity, Limited English Proficiency Plan and fair housing as required by the Texas Community Development Block Grant Program.  
*Alderman Ballew moved to approve Agenda Item 8 J as written, seconded by Alderman Mathison. Motion carried 4-0.*
- k. Discuss and consider proclaiming April as Fair Housing Month.  
*Alderman Ballew moved to approve Agenda Item 8 K as written, seconded by Alderman Hertenberger. Motion carried 4-0.*
- l. Discussion and possible action approving and authorizing the Mayor to execute Resolution No. 2020-01-21 which calls for the General Election to be held jointly with Teague Independent School District on May 2, 2020; and establishing procedures for that election; appointment of an Election Judge and Alternate Judge; providing for notice of election; establishing other procedures for conduct of election; and providing an effective date.  
*Alderman Ballew moved to approve Agenda Item 8 L, Resolution Number 2020-01-21, as written, seconded by Alderman Jones. Motion carried 4-0.*
- m. Discussion and possible action on approving and authorizing the Mayor to execute the Joint Election Agreement between the City of Teague and Teague Independent School District for the General Election to be held on May 2, 2020.  
*Alderman Jones made a motion to approve Agenda Item 8 M as written, seconded by Alderman Mathison. Motion carried 4-0.*
- n. Discussion and possible action on assuming the responsibility and ownership of the Hilltop Water Board's water lines located near Highway 84, outside the western corporate city limits of the City of Teague.  
*City Administrator Bell explained the location, history and responsibility the City has regarding the water lines owned by the Hilltop Water Board.*  
  
*Alderman Mathison made a motion to approve Agenda Item 8 N as written, seconded by Alderman Ballew. Motion carried 4-0.*
- o. Discussion and possible action on approving the drafted and proposed policies for the City of Teague as follows:
- Municipal Utility Billing
  - Service and Maintenance Request
  - Onboarding
  - E-mail Use
  - Responding to Citizen Request for City Documents, Records and Other Public Information
  - Volunteer Policy
  - Purchasing
  - Cash Handling
  - Accounts Payable
  - Accounts Receivable and Collections
  - Board of Aldermen

*Alderman Ballew moved to approve Agenda Item 8 O with the allowance of corrections to typographical errors that do not change the meaning, seconded by Alderman Mathison. Motion carried 4-0.*

- p. Discussion and possible action on approving the job descriptions for the following positions:
- Police Officer
  - Police Sergeant
  - Chief of Police
  - Administrative Assistant-Police Secretary / Deputy Court Clerk
  - Municipal Judge
  - City Administrator / Secretary
  - Finance Bookkeeper
  - Administrative Assistant – Utility Clerk
  - Administrative Assistant
  - Librarian
  - Library Clerk
  - Chief Utility Operator
  - Utility Operator
  - Streets Crewman
  - Parks Crewman
  - Director of Public Works

*Mayor Monks stated he was okay with all the job descriptions but does have some concerns with the education requirements for the Police Officer, Sergeant and Chief descriptions. He continued by stating that he feels these should be approved at this meeting and after given the opportunity to discuss his concerns with City Administrator and Police Chief be brought back to the Board.*

*Alderman Ballew moved to approve Agenda Item 8 P, Police Officer, Police Sergeant and Police Chief conditionally and to be reevaluated in 3 months, seconded by Alderman Jones. Motion carried 4-0.*

*Alderman Jones made a motion to approve the remaining 13 job descriptions, seconded by Alderman Ballew. Motion carried 4-0.*

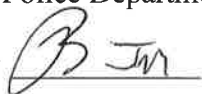
9. **EXECUTIVE SESSION** – In accordance with Texas Government Code, Section 551.001, et seq., the Board of Aldermen will recess into Executive Session (closed meeting) to discuss the following:
- a. § 551.074: Conduct an executive session as authorized by Texas Government Code, Section 551.074(a) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee: Employment: Kimberly Thompson, Administrative Assistant

10. **RECONVENE INTO OPEN SESSION** - In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

*Alderman Ballew moved to offer employment to Kimberly Thompson in the position of Administrative Assistant at \$12 per hour, seconded by Alderman Mathison. Motion carried 4-0.*

**11. PRESENTATION AND DISCUSSION OF DEPARTMENT HEAD REPORTS:**

- Administration – Theresa Bell, City Administrator
- Courts – Theresa Bell, City Administrator
- Public Works – Jacob Cowling, Public Works Director
- Police Department – DeWayne Philpott, Chief of Police



- Library – Diane Willis. Librarian
- EDC

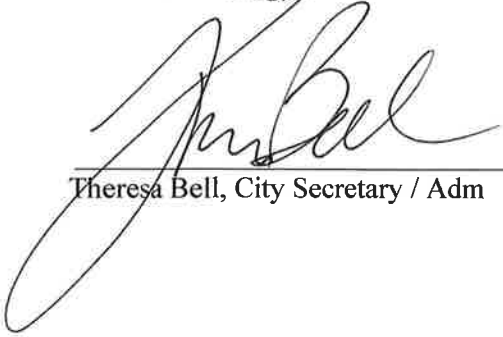
*City Administrator Bell presented the Administration and Court reports, followed by the department reports presented by Public Works Director Cowling, Librarian Willis and EDC's report.*

12. **ANNOUNCEMENTS:** *None*

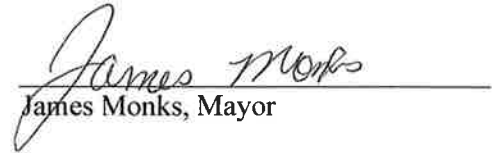
13. **ADJOURN:** *Mayor Monks adjourned the meeting at 7:55 P.M.*

*The meeting adjourned.*

The City of Teague



Theresa Bell, City Secretary / Adm



James Monks, Mayor

