

**CITY OF SHEPHERD  
BOARD OF ALDERMEN  
Regular Called Meeting**  
10251 Hwy 150 Shepherd Texas- Shepherd Community Center  
Tuesday, November 9, 2020 6:30 PM  
**OFFICIAL MINUTES**

**Regular Called Meeting:**

**Members Present:** Charles Minton, Amanda Addison, Curtis Ainsworth, Ray Marrs, Mark Porter,

**Members Absent:**

**City Staff Present:** City Secretary Debra Hagler, City Attorney, Larry Foerster

**Others Present:** Lauren Migl, Joe Williamson, Lajuana Kirshner, Mr. Chapman, Democratic Chairperson, Anna Graham, Kristy Andrews, Raj Dalwadi, Darryl Richardson, Michelle Minton, Shannon, Judge Blanchette, Rick Hagler, Mr. & Mrs. PK Wesley, Molly and her children, Michael Gray, Deputy Koen, Ray Atchley, Brenda Myers, Pam Donnan, Steve Watson, JROTC, Mr. Maurice Stephenson, Ms. Yvonne & Greg Cones, Justin Branch, Angie Ferguson, Walterine Carr, Roy Pippin

**CALLED TO ORDER /INVOCATION**

Mayor Minton called the meeting to order. Pastor Justin Branch led in prayer. The JROTC under the leadership of Maurice Stephenson presented the flags.

**PUBLIC INPUT:**

**Pam Donnan:** Ask if the City was going to post for Meagan's position.

**Brenda Myers:** Inquired of the Council "When are we going to work together as a community?" Informed, over 1000 individuals helped at the Food Truck. She asked for compassion and she ended by saying "it's a disgrace the way PK is being treated.

**Rosalie Morgan:** Explained that her brother had been mauled by dogs on Dennis Payton. Ray Atchley talked with her privately as this is outside the City's jurisdiction.

**PUBLIC INPUT FOR ITEMS NOT LISTED ON AGENDA:**

**Kevin Chapman:** Explained he lives across from the High School and is requesting City Sewer. He agreed to meet with Jamie. It was established that the old East Tex building has sewer and the Family Restaurant.

**REPORTS:**

**Constable Report was submitted in writing- no question or comments.**

**Mrs. Anna Graham:** The Food Drive Advocate stated that in September 271 meals and 915 family members were helped. In October they were able to get an extra truck and even with only 6 volunteers they were able to hand out 330 meals and 1070 family members were fed. The next truck is scheduled for Nov 20<sup>th</sup>. She states they will continue to have the truck as long as possible.

**OLD BUSINESS:**

**Discuss and take action necessary on request from Steve Watson to write a grant for the City of Shepherd to obtain paving and beautification at the 4-way down town Shepherd area.**

Amanda Addison made a motion to table this for more information. Curtis Ainsworth seconded and the motion passed with a unanimous vote. Mr. Watson stated the parking lot had a lot of big pot holes and he got permission from the City and TXDOT to repair the holes. He says this is a public right of way and that grants could be available. The attorney suggested the City reach out to Ray Vann regarding possible grants.

**Discuss and take action necessary on request from Brenda Myers regarding Permitting fees.**

Curtis Ainsworth made a motion to not charge Ms. Myers the penalty assessed when proper permitting is not pulled. And to allow the EDC to see what they can do to help Ms. Myers with permitting costs. Ray Marrs seconded and the motion passed with 3 for and 1 abstaining vote. Ms. Myers had originally submitted a request to have her permitting fees reduced since she is a non-profit organization. The decision was tabled to determine where who pays if the fees are reduced. Ms. Myers stated she has to start over so she basically wasted the money already spent. She stated these bathrooms would be a community benefit. Questions were asked by the public on how this is a community benefit?

**Discuss and take action necessary regarding a Manufactured Home Variance for Lester & Camesha Dickson on Burrell Avenue.**

Amanda Addison made a motion to grant this variance. Curtis Ainsworth seconded and the motion passed with a unanimous vote. The home is a new home.

**NEW BUSINESS:**

**Canvass Votes of November 3 city election**

The Mayor read the official results and filled out the Canvassing form. Charles Minton received 619 votes. Mr. PK Wesley- 308, Ms. Yvonne Cones-211, Mark Porter- 209 and Kurtz Stowers-59

**Certification of Election Returns by Mayor Minton**

The Mayor and the City Attorney explained why Mr. PK Wesley could not be certified. It was discovered after the election that Mr. Wesley has a previous felony therefore he is ineligible to serve as a councilman. Mr. Wesley hired an attorney who was also present. Mr. Wesley's attorney and the City's attorney exchanged documents and had a discussion. City Attorney, Larry Foerster consulted with the Secretary of State. All of the lawyers agreed that there is no other course but ineligibility. He had three AG opinions. The attorney agreed to keep looking into it.

**Issue Certificates of Election, as necessary- Mayor Minton**

Ms. Yvonne Ryba Cones and Charles Minton was issued a certificate of Election

**Receive Statement of Elected Officer- Judge Harris Blanchette, Municipal Judge**

Judge Blanchette received statements from Ms Yvonne Ryba Cones and Charles Minton.

**Oath of Office given to the newly elected officials- Judge Harris Blanchette, Municipal Judge**

Judge Blanchette issued the Oath of Office to Charles Minton and Ms. Yvonne Cones.

**Discuss and take action necessary on request from Jeff Langham to abandon the city easement/alleyway for three properties where Mr. Langham owns the entire or almost entire block: The block at Hwy 150/ N Hill/ FM 222, the block that the Post Office is on and the block that Shepherd Auto Parts is located on.**

Ms. Yvonne Cones made a motion to follow the recommendation and hold a public hearing regarding the abandonment of these two easement/alleyways. Ray Marrs seconded and the motion passed with a unanimous vote. The City is willing to consider abandoning two of these alleyways but after discussing the need to get closure from TCEQ regarding the easement behind the Post Office, Mr. Watson withdrew the request for this particular easement. The Attorney stated a Public hearing must be held and fair market value determined.

**Discuss and take action necessary regarding complaint from Jeff Langham regarding intentional blockage of a right of way on S. Hill.**

Curtis Ainsworth made a motion to table this for more information. Yvonne Cones seconded and the motion passed with a unanimous vote. The City needs to verify Right of Way.

**Discuss and take action necessary regarding the Chamber of Commerce Christmas Event & Fireworks**

No action was needed as Ms. Yvonne updated the council on the plans.

**Discuss and take action necessary to purchase a truck for the Utility Dept.**

Curtis Ainsworth made a motion to purchase the gas ¾ ton truck as presented. Yvonne Cones seconded and the motion passed with a unanimous vote.

**Discuss and take action to fill two employee vacancies.**

Amanda Addison made a motion to accept applications to fill these positions. Curtis Ainsworth seconded and the motion passed with a unanimous vote.

**Executive Session: Convene into closed executive session as authorized by the Texas Open Meetings Act to confer with city attorney on pending litigation involving the Executive Inn's delinquent hotel occupancy taxes and the ineligibility of an elected candidate (Section 551.071) and a personnel matter (Section 551.074).**

The Council went into executive session at 8:24

**Reconvene into Open Session at 9:19**

- 1. Discuss and take action if necessary, regarding lawsuit against Aumsai Corp and Raj Dalwadi**  
Yvonne Cones made motion to an agreed settlement where Mr. Dalwadi will pay \$2000.00 and stay current starting in December. Curtis Ainsworth seconded and the motion passed
- 2. Discuss and take action if necessary regarding the eligibility of Lee Wesley, Jr to public office**  
No Action was taken regarding this item.
- 3. Discuss and take action if necessary, regarding personnel issues**

Amanda Addison made a motion to put Mary Kyle into Meagan position and make her a full time employee and then look for another temp employee. Curtis Ainsworth seconded and the motion passed with a unanimous vote.

**Minutes:**

**Amanda Addison made a motion to approve the minutes as presented. Ray Marrs seconded and the motion passed with a unanimous vote**

**Payment of Bills:**

**Yvonne Cones made a motion to pay the bills. Curtis Ainsworth seconded and the motion passed with a unanimous vote.**

**ANNOUNCEMENTS**

Playground equipment due to begin on Nov 13<sup>th</sup>.

**ADJOURNMENT: 9:25 pm**

Curtis Ainsworth made a motion to adjourn. Yvonne Cones seconded and the motion passed with a unanimous vote.

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Charles Minton, Mayor  
Prepared by City Secretary, Debra Hagler