

**MINUTES
CITY OF TEAGUE
BOARD OF ALDERMEN
REGULAR CALLED MEETING
OCTOBER 15, 2018 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 Quorum was announced with all present Aldermen seated at their respective places.*
2. **INVOCATION:** *Alderman Ballew*
3. **PLEDGE TO THE FLAG:** *Alderman Michaud*
4. **ROLL CALL:** *Present: Jerry Ballew, Alderman Place 1, Ron Rasbeary, Alderman Place 2, Marie Hertenberger, Alderman Place 3, Marilyn Michaud, Alderman Place 5 and James Monks, Mayor Absent: Chris Nickleberry, Alderman Place 4*
5. **VISITORS/CITIZENS COMMENTS:** *At this time, any person with business before the Council not scheduled on the Agenda may speak to the Council for a maximum of three (3) minutes. No formal action can be taken on these items at this meeting.*
Mike Gregory, resident and President of the Community Christmas in the Park Committee, stated that there are two large non-profit events at the 8th Avenue City Park, Parkfest and Christmas in the Park and these events are both coming up. He stated that he was not against the pavilion being taken down and a new one being built but requested that construction be postponed to January to avoid any events being interrupted.
Bill Bowers, resident, stated he was asked to speak at the meeting by resident Brenda Ballew. He referenced the Freestone County History book he had with him, stating it dated back to 1906 and that the original plans for the pavilion were recorded in the book. Mr. Bowers also stated, he is the 4th generation from his family to be from Teague and to enjoy the monuments such as the pavilion. He also stated that the pavilion is one of the last original Teague monuments to still be part of the community and that he would like to see restoration to the pavilion and other monuments such as the fountain that was once located at the 8th Avenue City Park. In closing Mr. Bowers asked that the pavilion structure be saved and restored.
6. **CONSENT AGENDA:**
 - a. Approve Minutes from the September 14, 2018 Special Called Meeting of the Board of Aldermen
 - b. Approve Minutes from the September 17, 2018 Regular Called Meeting of the Board of Aldermen
 - c. Approve Minutes from the September 28, 2018 Special Called Meeting of the Board of Aldermen
 - d. Approve the Accounts Payable and Payroll Check Registers for the month of September 2018
 - e. Approve Financial Statement for September 2018
 - f. Accept the Quarterly Investment Report for the 3rd Quarter of 2018
 - g. Accept the Financial Report from the City of Fairfield for the TDCJ Operation and Maintenance Fund for the month of September 2018*Alderman Rasbeary asked, have we received anything from Fairfield?
City Administrator Prasil replied, no.*
Motion to approve Consent Agenda Items a-f was made by Alderman Ballew, seconded by Alderman Rasbeary. Motion carried 4-0.
Motion to table Consent Agenda Item g was made by Alderman Ballew, seconded by Alderman Rasbeary. Motion carried 4-0.

7. OLD BUSINESS:

- a. Accept the financial reports from the City of Fairfield for the TDCJ Operation and Maintenance Fund for the months of June, July and August 2018.

Alderman Rasbeary asked, have we received anything from Fairfield?

City Administrator Prasil replied, no.

Motion to table Agenda Item 7 a was made by Alderman Rasbeary, seconded by Alderman Hertenberger. Motion carried 4-0.

- b. Discussion and possible action on approving the Operating Plan, of the City of Fairfield as outlined in the Interlocal Definitive Agreement, for the TDCJ Boyd Unit Water and Wastewater Facilities.

City Administrator Prasil stated we have not received this from Fairfield.

Motion to table Agenda Item 7 b was made by Alderman Rasbeary, seconded by Alderman Ballew. Motion carried 4-0.

8. NEW BUSINESS:

- a. Presentation from Navarro College's Small Business Development Center Counselor, Amy Freeman, regarding services available to small businesses.

Amy Freeman gave a presentation on how she and her colleagues at the Navarro College's Small Business Development Center can assist small business owners.

- b. Discussion and possible action on approving Ordinance 2018-10-15, amending the 2018-2019 Fiscal Year Budget Chart of Account Expense Number 03-41-5708 Contract Prof. IT Services, in the amount of \$21,000; and appropriating \$21,000 from the Fund Reserve.

City Administrator Prasil stated the Budget Amendment being presented is for the contracted information technology services the Board approved in last years budget. She also informed the Board that she and her staff are extremely pleased with the services Utilize IT is providing, explaining that the company has already helped the City in many ways.

Alderman Ballew moved to approve Ordinance 2018-10-15, amending the 2018-2019 Fiscal Year Budget Chart of Account Expense Number 03-41-5708 Contract Prof. IT Services, in the amount of \$21,000; and appropriating \$21,000 from the Fund Reserve, seconded by Alderman Rasbeary. Motion carried 4-0.

- c. Discussion and possible action on approving Ordinance 2018-10-15-2, amending the 2018-2019 Fiscal Year Budget Chart of Account Expense Number 05-43-5925 in the amount of \$260,000; and appropriating \$260,000 from the Fund Reserve; and amending Chart of Account Revenue Number 05-43-4987 in the amount of \$260,000, for the Northline Water Project approved on July 16, 2018.

City Administrator Prasil explained that the presented information is for the approved Northline Water Project that the City is financing itself from Fund Reserve.

Alderman Rasbeary asked, what is the monthly payment?

City Administrator Prasil responded, it is an annual payment of about \$35,000 per year.

Motion to approve Ordinance 2018-10-15-2, amending the 2018-2019 Fiscal Year Budget Chart of Account Expense Number 05-43-5925 in the amount of \$260,000; and appropriating \$260,000 from the Fund Reserve; and amending Chart of Account Revenue Number 05-43-4987 in the amount of \$260,000, for the Northline Water Project approved on July 16, 2018 was made by Alderman Rasbeary, seconded by Alderman Hertenberger. Motion carried 4-0.

- d. Discussion and possible action on 8th Avenue City Park repairs and improvements.

City Administrator Prasil stated, at National Night Out it was noticed that several of the Large Pavilion's support and structural beams appeared to possibly have some structural issues. She explained that TRC Engineers, Jared Niermann, Justin Thomas and Damon Sams evaluated and



photographed the pavilion a couple of weeks ago while they were in town for a different issue. She stated, the engineers recommended during their onsite visit the structure should be closed and secured for the public safety at which time it was fenced off and the public was notified. She explained that the onsite engineers met with several structural engineers at their firm and shared the photographs and evaluations from their onsite visit and it was concluded that repairing the current pavilion would be too risky and that they recommended replacing the current one with a new structure. She explained, in September of 2014 the City spent approximately \$23,000 in repairs to the structure of the pavilion. She also stated that a couple of Aldermen have received a call from a local contractor who in 2014 informed the City that the structure was not repairable. She asked the Board for guidance on what they would like to do regarding the pavilion and park. She stated that no matter which direction the Board chooses, to repair or build a new pavilion, additional funds will be required to be allocated for the project. She explained that the City's engineers are recommending that the structure be replaced and if the Board chooses to repair the current pavilion, the city would be required to complete the procurement procedures to obtain a new firm that may or may not recommend repairing the current pavilion. She also stated that no matter the decision, better fencing would be required to secure the structure from entry from the public. She also stated there are other areas in the park that need attention to include the large play ground equipment that has a cracked slide, the barriers around the playground equipment that is broken and damaged, the old pool house and the possibility of building new restrooms and a walking trail within the fenced area of the park. She asked the Board to come up with a plan and vision for the 8th Avenue City Park to include all the areas of concern not just the pavilion. She explained that most of the Texas Parks and Wildlife Grants are being awarded to those in the southern part of Texas effected by Hurricane Harvey.

Alderman Rasbeary asked, we are paying these engineers to guide us?

City Administrator Prasil replied, absolutely.

Alderman Rasbeary stated, then there is no reason why we should go against what they are saying, and I think we are going to have to demolish the current pavilion and replace it with a new structure. He also stated that we can model the new pavilion off the current one, but he cannot put the City at risk or encourage anything to go against what the engineers said.

City Administrator Prasil stated, please keep in mind when deciding we need to know a time frame and expectations and if demolishing please remember there have been requests to wait until after New Year's.

Motion to form a committee and to look and see how we can demolish and what it is going to cost and go ahead and set the fences up to keep people from getting into the structure was made by Alderman Rasbeary.

Alderman Ballew asked, what type of correspondence did we receive from the engineers with the recommendation.

City Administrator Prasil replied, an email, but they can formally write their same recommendations up for about \$5,500.

Alderman Ballew stated, so the structural engineers did not actually come and inspect.

City Administrator Prasil replied, the three engineers that were onsite and took photographs of the structure were civil engineers, but they took the information and photographs back to their structural engineers who then evaluated the pavilion.

Mayor Monks stated, he met with 5 structural engineers last week when he was in Fort Worth and they agreed with the information that City Administrator Prasil has presented.

City Administrator Prasil stated, we stressed to the engineers how important the pavilion was to the City and the community and this is why several engineers reviewed and evaluated the pavilion before making their recommendation.

Alderman Ballew stated, before we can know what it is going to cost and asked if anyone knew the size of the current pavilion?

City Administrator Prasil stated this is why we are discussing this matter, so we can see what your vision is for the park.

Alderman Rasbeary stated, that's why my motion is to form a committee to see what we can do on it. He stated we are going to have to tear the current one down and construct a new one for the safety of the City.

City Administrator Prasil referenced City Ordinance Section 3.605 Boarded Up and Fenced Buildings No person shall allow a building owned by that person to exist in a state where:

(1) the building constitutes a danger to the public even though secured from entry;" and stating that we would only allow a private property owner 30-60 days to take care of an issue such as this.

Mayor Monks stated, the time frame started the day we received the notification from the engineer and if something happens now it will be on us.

City Administrator agreed with Mayor Monks confirming that now that the City is aware of the issue the City may be held liable if something was to happen.

Alderman Ballew asked, can we get bids and get the work started within 30 days?

City Administrator Prasil replied, we can get bids and then we would have to call a Special Called Meeting to get appropriation of funds because it is not in the current budget.

Alderman Ballew asked, do we know the size of the structure?

Public Works Director Cowling replied, it is 400' around.

City Administrator Prasil stated, the staff is currently looking at companies in the Dallas and Houston area to rent fencing from and it would require us to at least go out 15'-20' from the pavilion and fencing the area off.

Alderman Ballew stated, so your indicating that we can not hold off until after Christmas before doing anything and that we would need to do it before Christmas.

City Administrator Prasil replied, there is a liability risk there and that is a decision the Board would have to make.

Alderman Ballew stated, so that is what your indicating.

City Administrator Prasil replied, I am informing you of the liability risk and facts.

Mayor Monks stated we have a motion on the table right now to form a committee to discuss the demolishing of the pavilion or ways to secure the structure.

Alderman Rasbeary amended his motion to state "motion to form a committee to study the cost to redo that and to go ahead and fence it off."

Alderman Hertenberger asked, isn't it fenced off right now?

City Administrator Prasil replied, yes but needs a more secure fencing in place. She also asked for clarification of who will be on the committee, details and a time frame.

Alderman Rasbeary stated he would like to see at least 3 Councilmen, City Administrator and Mayor on the committee.

Mayor Monks informed Alderman Rasbeary 3 Councilmen cannot be on the committee.

Alderman Rasbeary replied, ok then 2 Councilmen, the City Administrator and Mayor.

City Administrator Prasil asked, would you like any members of the community on the committee?

Alderman Rasbeary stated, then I will just leave it up to the City Administrator and Mayor to setup the committee, how's that.

Mayor Monks stated the motion is to study the cost, take action to secure the pavilion and form a committee to study future renovations or repairs.

Alderman Rasbeary stated he would like to see 2 Councilmen on the committee.

Seconded by Alderman Hertenberger.

Alderman Michaud stated she feels someone from the community should be on the committee because it is very important to them.

Alderman Ballew stated, the Mayor and City Administrator can decide how many they should have on the committee weather it be 5 or 7.

Alderman Michaud stated the motion only included the Councilmen, Mayor and City Administrator and it did not include the community members.

Alderman Rasbeary stated that motion for the committee included 2 Councilmen, Mayor, City Administrator and other members approved by the Mayor and City Administrator.

Alderman Michaud replied, I did not hear that I am sorry.

Motion carried 4-0

At 6:39 P.M. Open Session convened into Executive Session

9. **EXECUTIVE SESSION** – In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:
- a. § 551.072 Deliberation Regarding Real Property: Deliberation regarding the Rodeo Arena lease.
 - b. § 551.071: Consultation with Attorney regarding pending or contemplated litigation re: City of Teague v. City of Fairfield.
 - c. § 551.071: Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: Facilities Agreement between the City of Teague, City of Fairfield, and Texas Department of Criminal Justice; Interlocal Definitive Agreement Between the City of Teague and the City of Fairfield; and Agreement Between the City of Teague and City of Fairfield regarding Record Retention.

At 7:02 P.M. Executive Session convened into Open Session

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 authorize the City Administrator to negotiate an alterative to the current lease with the Rodeo Association, seconded by Alderman Rasbeary. Motion carried 4-0.

Motion to take no action on Agenda Item 10 b was made by Alderman Rasbeary, seconded by Alderman Ballew. Motion carried 4-0.

Motion to take no action on Agenda Item 10 c was made by Alderman Rasbeary, seconded by Alderman Michaud. Motion carried 4-0.

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

City Administrator Prasil presented the Administrator's report followed by department reports presented by Public Works Director Cowling, Police Chief Philpott and Librarian Willis.

Mayor Monks explained that he recently attended the TML Conference where he visited many vendors to include, TRC Engineers, Traylor and Associates, Bureau Veritas, 811 and several park equipment vendors. He also stated that several vendors he spoke with spoke highly of City Administrator Prasil and how with her great help they can better assist the City. He thanked City Administrator Prasil for her continuous hard work and dedication. Mayor Monks also informed the Board of Aldermen that during the conference he received literature and information regarding the upcoming Legislation and that he would be getting with them on how the City can get more involved.

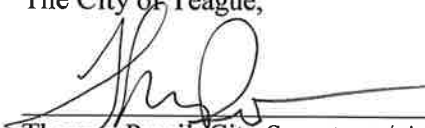
Alderman Ballew informed the Board of Aldermen that at the TML Region 9 Meeting in Groesbeck he was elected 2nd Vice President of our region.

12. **ANNOUNCEMENTS:** None


13. **ADJOURNMENT:** At 7:18 P.M. motion to adjourn was made by Alderman Rasbeary, seconded by Alderman Hertenberger. Motion Carried 4-0.

The meeting adjourned.

The City of Teague,


Theresa Prasil, City Secretary / Adm




James Monks, Mayor

Minutes October 15, 2018: 