

**MINUTES  
CITY OF TEAGUE**

**PLANNING AND ZONING COMMISSION/BOARD OF ALDERMEN  
REGULAR CALLED MEETING  
AUGUST 19, 2019 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 Mathison*

3. **PLEDGE TO THE FLAG:** *Alderman Hertenberger*

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, Chris Nickleberry, Alderman Place IV and Ryan Mathison, Alderman Place V*

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.

*Mary Schutz spoke about the upcoming County Fair Fundraising in Fairfield, Texas on September 14, 2019 to help raise funds for the food pantry in Fairfield.*

*Haden Proulx expressed his concerns and dissatisfaction with the City Administrator and stating he could not work under her any longer. He noted that he left his employment with the City of Teague because of City Administrator Prasil.*

*Curtis Burton introduced himself to include the he is new to the area and will be working for The Teague Chronicle.*

6. **CONSENT AGENDA:**

- a. Approve Minutes from the July 15, 2019 Budget Workshop Meeting of the Board of Aldermen
- b. Approve Minutes from the July 15, 2019 Regular Called Meeting of the Board of Aldermen
- c. Approve Minutes from the July 22, 2019 Budget Workshop Meeting of the Board of Aldermen
- d. Approve the Accounts Payable and Payroll Check Registers for the month of July 2019
- e. Approve Financial Statement for July 2019

*Alderman Ballew moved to approve Agenda Items 6 A – 6 E, seconded by Alderman Mathison. Motion carried 5-0.*

7. **OLD BUSINESS:**

- a. Discussion and possible action on approving the Interlocal Purchasing Cooperative Agreement between Region 8 Education Service Center and the City of Teague, and approve the TIPS Board Resolution, authorizing Theresa Prasil, City Administrator / Secretary as the authorized person to sign and deliver any all necessary requests and documents in connection for and on behalf of the City of Teague.

*Motion to approve the Interlocal Purchasing Cooperative Agreement between Region 8 Education Service Center and the City of Teague, and approve the TIPS Board Resolution, authorizing Theresa Prasil, City Administrator / Secretary as the authorized person to sign and deliver any all necessary requests and documents in connection for and on behalf of the City of Teague was made by Alderman Hertenberger, seconded by Alderman Jones. Motion carried 5-0.*

- b. Discussion and possible action on approving the Teague Police Station's revised roof replacement proposal (R2) from Merit Roofing Systems, Inc. that was recommended by Texas Municipal League Intergovernmental Risk Pool.

*Motion to approve Item 7 B as written was made by Alderman Nickleberry, seconded by Alderman Mathison. Motion carried 5-0.*

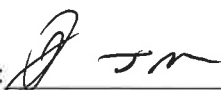


## 8. NEW BUSINESS:

- a. Consideration, discussion and possible action on approving proposals and contractors to construct the new pavilion and slab at the 8<sup>th</sup> Avenue City Park.  
*Motion to approve 8 A as written was made by Alderman Jones, seconded by Alderman Hertenberger.*  
*Alderman Ballew moved to amend the motion to include approving Red Dot Company from Athens proposal and Seth Baird Company from Tyler contractors and to include the pavilion, concrete and the addition of change in pitch, gutters and down spouts for the prices of \$25,687 to be included in the motion, seconded by Alderman Mathison. Motion Carried 5-0.*  
*The motion to approve 8 A as written to include the amendments carried 5-0.*
- b. Discussion and possible action on transitioning the City's Park Pavilion Committee into a Parks Advisory Committee.  
*Motion to approve Item 8 B as written was made by Alderman Nickleberry, seconded by Alderman Hertenberger. Motion carried 5-0.*
- c. Discussion and possible action on accepting the resignation of Shirley Mays, Municipal Judge, dated August 8, 2019.  
*Alderman Ballew moved to accept the resignation of Shirley Mays, Municipal Judge, dated August 8, 2019, seconded by Alderman Hertenberger. Motion carried 5-0.*
- d. Discussion and possible action on approving the appointment of Mayor James Monks as the Interim Municipal Judge.  
*Alderman Ballew moved to approve Item 8 D as written, seconded by Alderman Hertenberger. Motion carried 5-0.*
- e. Discussion and possible action on approving Ordinance 2019-08-19, an ordinance of the City of Teague, Texas ("City"), amending Ordinance 2009-04-02, 2012-09-25-04, 2013-06-18-2 and 201705-15 by modifying the City's Fee Schedule for City services and permits; providing for finding of fact enactment; repealer; severability; effective date; proper notice & meeting.  
*Alderman Ballew moved to approve Item 8 E with the exclusion of Bulk Water at the City Parks, seconded by Alderman Hertenberger. Motion carried 5-0.*
- f. Discussion and possible action on approving Ordinance 2019-08-19-C, an ordinance of the City of Teague, Texas, amending Chapter 4, Business Regulations, 4.100 Carnivals, Circuses and Tent Shows; providing a savings clause; providing a severability clause; and providing an effective date.  
*Motion to approve Item 8 F as written was made by Alderman Nickleberry, seconded by Alderman Ballew. Motion carried 4-1 (Alderman Jones voting Nay)*
- g. Discussion and possible action on approving Ordinance 2019-08-19-D, an ordinance of the City of the City of Teague, Texas, amending Chapter 3 Building Regulations, 3.500 Manufactured Home Regulations, 3.502 Permits of the Code of Ordinances of the City; providing a savings clause; providing a severability clause; and providing an effective date.  
*Motion to approve Item 8 G as written was made by Alderman Nickleberry, seconded by Alderman Hertenberger. Motion carried 5-0.*
- h. Discussion and possible action on approving Ordinance 2019-08-19-E, an ordinance of the City of Teague, Texas, amending Chapter 4, Business Regulations, 4.400 Commercial, Solicitors, Peddlers and Itinerants Merchants; providing a savings clause; and providing an effective date.  
*Alderman Ballew moved to approve Item 8 H as written, seconded by Alderman Jones. Motion carried 5-0.*
- i. Discussion and possible action on approving Ordinance 2019-08-19-F, an ordinance of the City of Teague, Texas, amending Chapter 13, Utilities, 13.300 Water Rates, Section 3 Bulk Water Rate to Public Utilities and Section 4 Bulk Water Rate to others of the Code of ordinances of the City; providing a savings clause; providing a severability clause; and providing an effective date. *Motion to approve Item 8 I as written was made by Alderman Jones, seconded by Alderman Hertenberger. Motion carried 5-0.*



- j. Discussion and possible action on approving Ordinance 2019-08-19-G, an ordinance of the City of Teague, Texas, amending Chapter 13.500 Service Connections, Section 13.501 General Provisions of the Code of ordinances of the City; Providing a savings clause; providing a severability clause; and providing an effective date.  
*Motion to approve 8 J as written was made by , seconded by Alderman Ballew.*  
*Motion carried 5-0.*
- k. Discussion and possible action on approving Ordinance 2019-08-19-H, an ordinance of the City of Teague, Texas amending Chapter 13, Utilities, 13.600 Meter Accuracy Checks of the Code of Ordinances of the City; providing a savings clause; providing a severability clause; and providing an effective date.  
*Motion to approve Item 8 K as written was made by Alderman Nickleberry, seconded by Alderman Ballew. Motion carried 5-00.*
- l. Discussion and possible action on approving Ordinance 2019-08-19-I, an ordinance of the City of Teague, Texas amending chapter 1, General Provisions, Article 1.800 Municipal Airport, section 1.801 hangar Rental of the Code of Ordinances of the City; providing a savings clause; providing a severability clause; and providing an effective date.  
*Motion to approve Item 8 L as written was made by Alderman Nickleberry, seconded by Alderman Jones. Motion carried 5-0.*
- m. Discussion and possible action on approving Ordinance 2019-08-19-J, an ordinance of the City of Teague, Texas amending Chapter 1, General Provisions, Article 1.600 use of Community Center, of the Code of Ordinances of the City; providing a savings clause; providing a severability clause and providing an effective date.  
*Alderman Ballew moved to approved Item 8 M as written, seconded by Alderman Hertenberger.*  
*Motion carried 5-0.*
- n. Conduct a Public Hearing for the purpose of receiving citizens input on the Proposed Tax Rate of \$0.776732 per \$100 valuation for City budget year October 1, 2019 through September 30, 2020.  
*Public Hearing Opened at 6:55 P.M.*  
*Public Hearing Closed at 6:55 P.M.*
- o. Conduct a Public Hearing for the purpose of receiving citizens input regarding the 2019-2020 Fiscal year Budget.  
*Public Hearing Opened at 6:56 P.M.*  
*Public Hearing Closed at 6:56 P.M.*
- p. Discussion and possible action on approving Ordinance 2019-08-19-A, an ordinance of the City of Teague, Texas (“City”), enacting the municipal budget for Fiscal Year 2019-2020; funding municipal purposes; authorizing expenditures; providing for emergency expenditures; providing for finding of fact; enactment; repealer; severability; filing; an effective date; and property notice & meeting.  
*Alderman Ballew moved to approve Item 8 P as written, seconded by Alderman Jones. Motion Failed 2-3. (Ayes: Alderman Ballew and Alderman Jones Nays: Alderman Hertenberger, Alderman Nickleberry and Alderman Mathison)*
- q. Discussion and possible action on approving Ordinance 2019-08-19-B, an ordinance of the Board of Aldermen of the City of Teague, Texas, adopting the 2019 Ad Valorem Tax Rate of \$0.776732 per one hundred dollars (\$100) of assessed valuation of all taxable property within the corporate limits of the City as of January 1, 2019; to provide revenues for the payment of current expenses and to provide an Interest and Sinking Fund on the outstanding debt of the City; collection of taxes; approving the assessment roll as certified; providing for a cumulative clause, severability, notice, publication, an effective date, and proper notice & meeting.  
*Alderman Ballew moved to table Item 8 Q until the Budget is adopted, seconded by Alderman Mathison.*  
*Motion carried 5-0.*



- r. Discussion and possible action on approving Ordinance 2019-08-19-M, an ordinance of the City of Teague, Texas affirming the governing body may exercise zoning authority without the appointment of a zoning commission under Chapter 211 of the Texas Local Government Code, allowing joint public hearings, and granting the governing body authority to act as a board of adjustment under Chapter 211 of the Texas Local Government Code; cumulative/repealer clause; providing a severance clause; and setting an effective date.  
*Motion to accept Item 8 R as written was made by Alderman Mathison, seconded by Alderman Ballew. Motion carried 5-0.*
- s. Conduct a Public Hearing for the purpose of receiving citizens input on amending Zoning Ordinance, Subdivision Regulation Ordinance and Building Codes to cause said ordinances to be in compliance with House Bill 2439, House Bill 3167 and House Bill 2497, which bills take effect on September 1, 2019.  
*Public Hearing Opened at 7:16 P.M.  
Public Hearing Closed at 7:16 P.M.*
- t. Acting as the Planning and Zoning Commission, conduct a public hearing, discussion and possible action on recommending approval of Ordinance 2019-08-19-K, an ordinance of the City of Teague, Texas, enacting amendments to the City's subdivision ordinance; providing for compliance with new state legislation affecting procedures for approving plats, replats and related site plans; providing a conflict clause; providing a severance clause, and setting an effective date.  
*Public Hearing Opened at 7:33 P.M.  
Public Hearing Closed at 7:34 P.M.  
Alderman Ballew moved to approve Item 8 T as written, seconded by Alderman Mathison. Motion carried 5-0.*
- u. Acting as the Board of Aldermen, conduct a public hearing, discussion and possible action on approving Ordinance 2019-08-19-K, an ordinance of the City of Teague, Texas, enacting amendments to the City's subdivision ordinance; providing for compliance with new state legislation affecting procedures for approving plats, replats and related site plans; providing a conflict clause; providing a severance clause, and setting an effective date.  
*Public Hearing Opened at 7:34 P.M.  
Public Hearing Closed at 7:34 P.M.  
Alderman Ballew moved to approve Item 8 U as written, seconded by Alderman Mathison. Motion carried 5-0.*
- v. Acting as the Planning and Zoning Commission, conduct a public hearing, discussion and possible action on recommending approval of Ordinance 2019-08-19-L, an ordinance of the City of Teague, Texas, enacting amendments to the City's zoning ordinance and building code regulations; providing for compliance with new state laws affecting materials used in the construction or renovation of residential and commercial buildings, rules and proceedings before the Zoning Board of Adjustments; providing for appeals; providing related directives to the City Administrator; providing a conflict/ savings clause; and setting an effective date.  
*Public Hearing Opened at 7:36 P.M.  
Public Hearing Closed at 7:36 P.M.  
Alderman Ballew moved to recommend to the Board of Aldermen to approve Item 8 V, seconded by Alderman Jones. Motion carried 5-0.*
- w. Acting as the Board of Aldermen, conduct a public hearing, discussion and possible action on approving Ordinance 2019-08-19-L, an ordinance of the City of Teague, Texas, enacting amendments to the City's zoning ordinance and building code regulations; providing for compliance with new state laws affecting materials used in the construction or renovation of residential and commercial buildings, rules and proceedings before the Zoning Board of Adjustments; providing for appeals; providing related directives



to the City Administrator; providing a conflict/ savings clause; and setting an effective date.

*Public Hearing Opened at 7:38 P.M.*

*Public Hearing Closed at 7:38 P.M.*

*Alderman Ballew moved to approve Item 8 W as written, seconded by Alderman Mathison. Motion carried 5-0.*

- x. Discussion and possible action on approving the E-Verify Memorandum of Understandings for Employers and authorizing the City Administrator to complete the necessary documentation and procedures to create the City's E-Verify account.

*Alderman Ballew moved to approve Item 8 X as written, seconded by Alderman Mathison. Motion carried 5-0.*

- y. Discussion and possible action approving the proposal and cost estimate from TRC Engineering to complete the 2019 Capital Improvements Plan.

*Motion to approve Item 8 Y was made by Alderman Nickleberry, seconded by Alderman Hertenberger. Motion carried 5-0.*

*At 7:39 P.M. Open Session convened into Executive Session*

**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: Norris Warren, Public Works Department
- b. § 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: Leigh Ann Brewer, Deputy Court Clerk / Administrative Assistance
- c. § 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: Jordan Rushing, Utility Clerk
- d. § 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: Interview and Employment of Bond Counsel: Bracewell LLP
- e. § 551.072: Conduct an executive session as authorized by Texas Government Code, Section 551.071 to deliberate the purchase, exchange, lease, or value of real property: Teague Economical Developmental Corporation's Project Expansion Design

*At 8:42 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.



Motion to hire Norris Warren in the Public Works Department at \$12 per hour, seconded by Alderman Mathison. Motion carried 5-0.

Motion to table 9 B until we work out the budget and Chief has the opportunity to vet the applicant was made by Alderman Mathison, seconded by Alderman Ballew. Motion carried 5-0.

Alderman Ballew moved to employ Jordan Rushing as Utility Clerk at \$12 per hour, seconded by Alderman Jones. Motion carried 5-0.

Alderman Ballew moved to employ Bracewell LLP for Bond Counsel, seconded by Alderman Mathison. Motion carried 5-0.

Alderman Ballew moved to authorize the EDC to move forward with Project Expansion Design, seconded by Alderman Hertenberger. Motion carried 5-0.

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

- Administration – Theresa Prasil, City Administrator
- Courts – Theresa Prasil, City Administrator
- Public Works – Jacob Cowling, Public Works Director
- Police Department – DeWayne Philpott, Chief of Police
- Library – Diane Willis, Librarian
- EDC

Mayor Monks announced that the reports were provided in the packet and asked if anyone had any questions or comments.

Alderman Ballew thanked everyone for providing the reports.

Alderman Nickleberry thanked the Police Officers for attending the Praise in the Park Event.

**12. ANNOUNCEMENTS:**

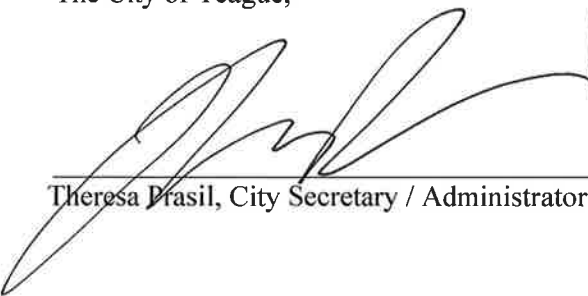
Mayor Monks announced that on Thursday there would be a memorial bike ride coming through Teague in memory of Trooper Damon Allen.

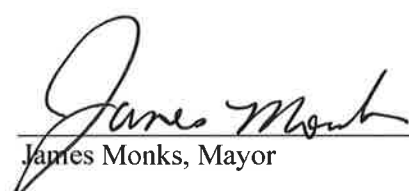
**13. ADJOURN:** Mayor Monks adjourned the meeting at 8:49 P.M.

The meeting adjourned.

The City of Teague,



  
Theresa Prasil, City Secretary / Administrator

  
James Monks, Mayor

Minutes August 19, 2019: 