

**CITY OF SHEPHERD
BOARD OF ALDERMEN
Regular Called Meeting
28 N. Liberty, Shepherd City Council Chambers
Monday, August 14, 2023, 6:30 PM
OFFICIAL MINUTES**

REGULAR CALLED MEETING:

Members Present: Charles Minton, Mark Porter, Curtis Ainsworth, Susan Daniels, Yvonne Cones,

Members Absent: Ray Marrs,

City Staff Present: City Secretary Debra Hagler, Larry Foerster

Others Present: Terri MacIntyre, Ray Atchley, Greg Cones

CALLED TO ORDER /INVOCATION

Mayor Minton called the meeting to order. Curtis Ainsworth led in prayer and the pledges were recited.

PUBLIC INPUT:

Nathan Jones would like to introduce himself, his company including ideas and plan in the field of Biotechnology.

Mr. Jones was not present.

PUBLIC INPUT FOR ITEMS NOT LISTED ON AGENDA:

None

REPORTS:

Constable Ray Atchley presented the report for Chief Headley. Ray took the opportunity to express his gratitude. He reminded the council that he was the first deputy to hold the position as City officer. He stated that Chief Headley has 8 reserve officers in place. It will be a fully operational Police Department- 3 Vehicles and 2 full time officers plus the reserves. He discusses the COPSINC software and how it is set up to download directly to the Court Clerk's computer. He discussed the new digital radio and the desire to set a date to swear in all the officers.

Library Director Terri MacIntyre announced that the library was able to gain state accreditation again. The Maintenance of effort set is \$79,910.00. She announced that much of the data on her computer was lost so she had to start recreating documents. She stated the Summer Program was a big success. They had 24 kids participating and she stayed within budget. She stated Allison is doing well and is a go getter. She briefed the council on the Dolly Parton Imagination Program. The Mayor gave her kudo's, told her thank you and that she was demonstrating great leadership.

Public Work Director Matthew Greer reported that the team has continued to do some maintenance at the sewer plant. The building has been repainted. They relocated a water line on Howard Lane. The Elevated Tank now has a backup generator hook up. He reported on the Biddle Development. He announced that the Meter project was approaching the final meeting. He stated he has been updating some the Emergency Plan and the Monitoring Plans required by TCEQ.

OLD BUSINESS

Discuss and take action on a way to supplement the funds from FEMA for Road Project

Mark Porter made a motion to table this item. Yvonne Cones seconded, and the motion passed with a unanimous vote. The matter is to be discussed at a budget workshop.

Discuss and take action to dismiss the pending hotel occupancy tax lawsuit against Raj Dalwadi and the Aumsai Corporation dba Z Executive Inn and Suites or set it for trial.

Susan Daniels made a motion to table this. Yvonne Cones seconded, and the motion passed with a unanimous vote. Raj Dalwadi still owes a little over \$4000. The Attorney suggested the Council table this item and allow him to turn up the heat to see if Raj could come up with the remaining balance. The attorney asked Debra to get the 2q figures ready for review.

NEW BUSINESS

Discuss and take action to approve a replat survey at 40 Seals Ave dividing one parcel of property into two individual lots for Eduardo Contreras

Mark Porter made a motion to table this item. Curtis Ainsworth seconded, and the motion passed with a unanimous vote.

Discuss and take action to grant a Manufactured Home Variance for Douglas Lewis on Holcomb

Mark Porter made a motion to table this item. Curtis Ainsworth seconded, and the motion passed with a unanimous vote.

Mr. Lewis was not present to discuss his request for a variance.

Discuss and take action to grant Joe Martinez a Manufactured Home Variance for 81 Page

Mark Porter made a motion to table this item. Susan Daniels seconded, and the motion passed with a unanimous vote. Mr. Martinez called City Hall to state he had a family emergency and would be unable to attend.

Discuss and take action to repeal Ordinance 343-Juvenile Curfew Ordinance in regard to new legislation in section 370.007 LCG to begin September 1, 2023

Susan Daniel made a motion to repeal this Juvenile Curfew Ordinance. Mark Porter seconded, and the motion passed with a unanimous vote. This was basically a formality as the new legislation has taken this authority away from the City. There was a typo, the Juvenile Ordinance is Ordinance #342.

Discuss and take action to adopt Ordinance #348 AUTHORIZING THE SETTLEMENT OF THE PROPOSED FUEL RECONCILIATION OF ENTERGY TEXAS, INC.

Mark Porter made a motion to adopt this Ordinance authorizing the settlement of fuel for Entergy Texas. Curtis Ainsworth seconded, and the motion passed with a unanimous vote. A settlement was reached between Entergy and the Public Utility Commission, and they negotiated a reasonable increase. The City Attorney recommended the Ordinance be approved.

Discuss and take action to consider a discounted rate for the school to use the Community Center for staff training 8 times between September and April 2023.

Yvonne Cones made a motion to offer the school half price for the use of the building. Mark Porter seconded, and the motion passed with a unanimous vote.

Discuss and take action to consider designating a TIZ- a Tax Free Zone.

Mark Porter made the motion to allow City Attorney Larry Foerster to arrange a presentation to explain a Tax increment Zone and how it could benefit the City. Yvonne Cones seconded, and the motion passed with a unanimous vote.

Discuss and if necessary, act on a proposal to create a new Shepherd Street maintenance and repair sales and use tax fund of 0.125% by reducing the current 0.50% local sales and use tax allocated to the Shepherd Economic Development Corporation to 0.375%

Mark Porter made a motion to have City Attorney Larry Foerster arrange a presentation from Bill Blich to discuss options. Yvonne Cones seconded, and the motion passed with a unanimous vote. The council was not in favor of reallocating sales tax funds for a street fund. They felt it wasn't enough funding to make a dent in the funds required for streets.

Consider approving a ballot proposition(s) by a special election on November 7, 2023, for the purpose of authorizing and adopting a local sales and use tax at the rate of 0.375 percent to the Shepherd Economic Development Corporation and a local sales and use tax of 0.125 percent for the maintenance and repair of City of Shepherd streets.

No Action take or required on this item. The Council was not in favor of reallocation of sales tax funds.

Discuss and take action to Order an Election for November 7, 2023

Yvonne Cones made a motion to order an Election for November 7, 2023 to elect three aldermen. Mark Porter seconded, and the motion passed with a unanimous vote.

Order a Special Election

No Action was required on this item.

Discuss and take action to accept contract with the County Election Office for Election Services.

Yvonne Cones made a motion to accept this contract for Election Services. Mark Porter seconded, and the motion passed with a unanimous vote.

Discuss and take action to set a Budget Workshop to discuss the 2023-2024 Budgets.

Curtis Ainsworth made a motion to set a budget workshop on September 7, 2023 at 6:30pm. Mark Porter seconded, and the motion passed with a unanimous vote.

Minutes:

Curtis Ainsworth made a motion to accept the minutes as presented. Susan Cogar Daniels seconded, and the motion passed with a unanimous vote.

Payment of the Bills:

Mark Porter made a motion to pay the bills. Susan Cogar Daniels seconded, and the motion passed with a unanimous vote.

ANNOUNCEMENTS

The deadline to sign up for a place on the ballot will be August 21, 2023

ADJOURNMENT: 7:51

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

Charles Minton, Mayor
Prepared by City Secretary, Debra Hagler