

MINUTES
CITY OF TEAGUE
BOARD OF ALDERMEN
REGULAR CALLED MEETING
JULY 15, 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 and Ryan Mathison, Alderman Place V. Absent Chris Nickleberry, Alderman Place IV*
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. None*
6. **CONSENT AGENDA:**
 - a. Approve Minutes from the June 10, 2019 Special Called Meeting of the Board of Aldermen
 - b. Approve Minutes from the June 17, 2019 Regular Called Meeting of the Board of Aldermen
 - c. Approve the Accounts Payable and Payroll Check Registers for the month of June 2019
 - d. Approve Financial Statement for June 2019
 - e. Approve the Investment Report for the 2nd Quarter of 2019.
 - f. Accept the Financial Report from the City of Fairfield for the TDCJ Operation and Maintenance Fund for the month of June 2019

Alderman Ballew moved to approve Items 6 A, B, C, D and E, seconded by Alderman Mathison. Motion carried 4-0.

Alderman Ballew moved to remove Item 6 F indefinitely until such information is available, seconded by Alderman Jones. 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, August, September, October, November and December 2018, January, February, March April and May 2019.
Alderman Ballew moved to table Item 7 A indefinitely and remove it from the Agenda until such information is available, 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.
Alderman Ballew moved to table Item 7 B indefinitely and remove it from the Agenda until such information is available, seconded by Alderman Mathison. Motion carried 4-0.
 - c. Discussion and possible action on approving Resolution 2019-06-17 authorizing the City to enter into an Interlocal Agreement with the cities of Groesbeck, Mexia, Thornton, Kosse, Coolidge, and Wortham, pursuant to Section 362.002 of the Texas Local Government Code to form a mutual aid law enforcement task force in order to cooperate in criminal investigation and other law enforcement activities; and authorize the Mayor to execute the Mutual Aid Law Enforcement Agreement.



City Administrator Prasil explained that Chief Philpott has not received any further information from the other departments and requested that this item be removed from the Agenda until such information is received.

Motion to remove Item 7 C from the Agenda was made by Alderman Jones, seconded by Alderman Ballew. Motion carried 4-0.

8. NEW BUSINESS:

Item 8 A was discussed after Item 8 O.

- a. Discussion and possible action on recommendations from the Park Pavilion Committee.
- Reconsider the prior approved design of the new pavilion.

 - Approve the City Administrator / Secretary to seek sealed proposals for a pre-engineered 50' X 60' metal pavilion structure and slab.

Alderman Ballew moved to reconsider the prior approved design of the new pavilion, seconded by Alderman Jones. Motion carried 4-0.

Alderman Ballew moved to approve the City Administrator / Secretary to seek sealed proposals for a pre-engineered 50' X 60' metal pavilion structure and slab, seconded by Alderman Jones. Motion carried 4-0.

- b. Conduct a Public Hearing for the purpose of receiving citizens input regarding an application to Replat the .82-acre tract of land located in the 500 Block of Webb Avenue in the D C Cannon Survey, Abstract No. 130 in order to divide the .82-acre tract and creating 2 lots, Lot 1 a .39-acre tract and Lot 2 a .43-acre tract.

Public Hearing Opened at 6:10 P.M.

Public Hearing Closed at 6:11 P.M.

- c. Discussion and possible action on approving the application to Replat the .82-acre tract of land located in the 500 Block of Webb Avenue in the D C Cannon Survey, Abstract No. 130 in order to divide the .82-acre tract and creating 2 lots, Lot 1 a .39-acre tract and Lot 2 a .43-acre tract. *City Administrator Prasil displayed the Replat request on the projector screen and explained that the property owner is requesting the plat be divided to allow for her to move onto the property the manufactured home she purchased.*

Alderman Ballew asked, are there any other module or manufactured homes in that neighborhood?

Administrator Prasil replied, I'm not sure but we can pull it up and verify.

The property owner, Ms. Pattie Cromeens, responded there are other manufactured homes in the area.

Alderman Mathison asked, is this the open pasture?

Ms. Cromeens replied; no this is next to the yellow house on the corner.

Alderman Jones asked, will the house face Webb Street?

City Administrator Prasil replied, the home will face Webb Street and described the location as to being south of the yellow house currently on the property and just north of the Halbert's brick house adjacent to their property.

Alderman Ballew asked, is this a new manufactured home?

Ms. Cromeens replied, no, I purchased it from the Baptist Church which purchased it for a parsonage, and no one has lived in it since it was purchased for the parsonage, so it is basically a new home.

City Administrator Prasil confirmed that there is a manufactured home on Mulberry Street near the location of this property.



Motion to approve the application to Replat the .82-acre tract of land located in the 500 Block of Webb Avenue in the D C Cannon Survey, Abstract No. 130 in order to divide the .82-acre tract and creating 2 lots, Lot 1 a .39-acre tract and Lot 2 a .43-acre tract was made by Alderman Hertenberger, seconded by Alderman Ballew. Motion carried 3-1 (Alderman Jones voting nay).

- d. Conduct a Public Hearing for the purpose of receiving citizens input regarding an application to Replat the .54-acre tract of land located in the 300 Block of Crestview Street in the D C Cannon Survey, Abstract No. 130 in order to divide the .54-acre tract and creating the Johnson Addition with 3 lots, Lot 1 a .190-acre tract, Lot 2 a .181-acre tract and Lot 3 a .173-acre tract.

Public Hearing Opened at 6:21 P.M.

Public Hearing Closed at 6:22 P.M.

- e. Discussion and possible action on approving the application to Replat the .54-acre tract of land located in the 300 Block of Crestview Street in the D C Cannon Survey, Abstract No. 130 in order to divide the .54-acre tract and creating the Johnson Addition with 3 lots, Lot 1 a .190-acre tract, Lot 2 a .181-acre tract and Lot 3 a .173-acre tract.

City Administrator Prasil displayed the Replat request on the projector screen and explained that the property owner is requesting the .54-acre tract on the corner of Crestview and Poplar and be divided into 3 lots for residential development.

Alderman Mathison asked, doesn't it have a barn on it?

Property owner, Greg Johnson, replied no it is a vacant lot.

City Administrator Prasil noted, this property is located near the Carroll Addition.

Alderman Ballew commented, these are a tenth of an acre lot and asked what will be the residential property for?

Mr. Johnson replied, either developed for rental properties or maybe sold individually.

Motion to approve the item as written was made by Alderman Mathison, seconded by Alderman Hertenberger. Motion carried 3-1 (Alderman Ballew voting nay).

- f. Conduct a Public Hearing for the purpose of receiving citizens input regarding an application to Replat the Lot 18 and Lot 19 of the Burns Addition – Section One in order to combine Lot 18 and Lot 19 into one lot, Lot 18.

Public Hearing Opened at 6:25 P.M.

Public Hearing Closed at 6:26 P.M.

- g. Discussion and possible action on approving the application to Replat the Lot 18 and Lot 19 of the Burns Addition – Section One in order to combine Lot 18 and Lot 19 into one lot, Lot 18.

City Administrator Prasil displayed the Replat request on the projector screen and explained that the property owner is requesting that the lots be combined for the purposes of moving a manufactured home onto the lots that will be located across both lots.

Alderman Ballew asked, do we know what is adjacent to the property or in the neighborhood.

City Administrator Prasil replied, there are several manufactured homes located in this area and adjacent to the property.

Alderman Mathison asked, where is the Burns Addition located?

City Administrator Prasil explained the location of the Burns Addition.

Alderman Ballew moved to approve Item 8 G, seconded by Alderman Hertenberger. Motion carried 4-0.

- h. Discussion and possible action on approving Teague Economic Development Corporation's approved request to amend the Economic Development Corporation's 2018-2019 Fiscal Year Budget for the construction of the new EDC office in the amount of \$22,000 to be appropriate from currently non-expended budgeted line items.

Stephanie Burns, EDC Board President, explained that the EDC has received a bid to complete the construction of their office location but will require a budget amendment.

Motion to approve Item 8 H as written was made by Alderman Mathison, seconded by Alderman Ballew. Motion carried 4-0.

- i. Discussion and possible action on approving the Teague Economic Development Corporation's Proposed 2019-2020 Fiscal Year Budget.
Stephanie Burns, EDC Board President, presented the proposed budget.

Alderman Ballew moved to approve Item 8 I, seconded by Alderman Hertenberger. Motion carried 4-0.

- j. Discussion and possible action on TRC Engineering's drainage proposal and cost estimate.
Public Works Director Cowling presented the drainage proposal from TRC Engineering that included the areas of most concern, totaling \$15,000.

Alderman Ballew moved to postpone this item and any action, seconded by Alderman Jones. Motion carried 4-0.

- k. Discussion and possible action on mosquito fogging within the corporate city limits.
City Administrator Prasil explained that the City received a request from a citizen to place this item on the Agenda, but they could not be present at the meeting. She continued by explaining that many citizens and employees have requested that the City spray for mosquitos this year. She stated, the City quit spraying for mosquitos in 2017 after the Board of Aldermen took action to discontinue spraying.

Alderman Jones asked, how often do we fog?

City Administrator Prasil explained, at the most twice a year, once in the spring and once in the fall.

Alderman Hertenberger expressed that she thinks it is very detrimental to people's health and that if those who want to keep mosquitos away should be responsible for treating their own areas. She continued by stating, the only way that they will die is if the chemical actually gets on them. She continued by stating, people's garden's will be effected and that if we spray, we will kill the bees and when the bees are gone, we are.

Alderman Jones asked, will the fogging be by truck or aerial?

Public Works Director Cowling replied, by truck.

Alderman Jones commented, I was raised on the East Coast and we had foggers that came through all the time and it helped tremendously, and we were in a lot of swamps and low country and I'm alive and well.

Motion to not allow mosquito spraying was made by Alderman Hertenberger, seconded by Alderman Mathison. Motion Failed with votes as follow: Alderman Ballew Nay, Alderman Jones Nay, Alderman Hertenberger Aye, Alderman Mathison Aye and Mayor Monks breaking tie voting Nay

Motion to allow and accept Motion 8 K as written was made by Alderman Jones, seconded by Alderman Ballew. Motion carried with votes as follow: Alderman Ballew Aye, Alderman Jones Aye, Alderman Hertenberger Nay, Alderman Mathison Nay and Mayor Monks breaking tie voting Aye.

- l. Discussion and possible action on approving the request from Braun Intertec to drill a well and install a monitoring well, MW-5, on the northwest corner of 4th Avenue and Cedar Street in the City Right-of-Way; and authorizing the Mayor to execute Texas Commission on Environmental Quality's Consent for Access to Property.

City Administrator Prasil and Public Works Director Cowling presented the information and diagram to the Board of Aldermen and explained that the well would be to monitor the old buried fuel tanks that are located at the northeast corner of Cedar Street and North 4th Avenue.

Alderman Ballew moved to approve Item 8 L with the modification of the name of the well, MW-6, seconded by Alderman Mathison. Motion carried 4-0.

- m. 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.

City Administrator Prasil explained that the roof on the Police Department's building has been deemed by the TML Insurance that it needs to be completely replaced. She also explained that TML Insurance has a roofing program that they are extremely encouraging us to go through which requires the City to join the TIPS Cooperative group and use TML's recommended roofing company. She continued by stating, I have talked to TML multiple times regarding this matter because I feel like our backs are up against the wall and they are forcing us to use their company. She stated, one concern I have is that their company, Merit Roofing, took a core sample which resulted in the roof not being completely saturated, but Parsons Roofing, who we called to evaluate the roof, took a core sample resulting that the roof is 100% saturated. She explained, if we move forward with any other company they will only pay what their initial bid states and if any other issues are identified during the replacement the City would be responsible for covering that cost but if we use their company, Merit Roofing, they will pay 100% of any and all issues they identify while completing the roof.

Alderman Ballew asked, if we do this, will we lose control of which contractor we have to use, will all contractors have to be from the TIPS list?

City Administrator Prasil replied, it is my understanding that we are not forced to use their contractors and vendors, but it gives us the ability to use them with better pricing, similar to the Buy Board that we use.

Alderman Mathison expressed his concerns with some of the language in the TIPS agreement.

City Administrator Prasil agreed and recommended that we seek advice from the City's legal counsel but reiterated that without this agreement we will not be moving forward at this time with the repairs to the roof.

Alderman Ballew moved to forward Item 8 M to the City Attorney for review, seconded by Alderman Mathison. Motion carried 4-0.

- n. 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.

Alderman Ballew moved to table Item 8 N until we receive a reply from our attorney, seconded by Alderman Mathison. Motion carried 4-0.

- o. Discussion and possible action on improvements to the City of Teague's parks and amenities.

City Administrator Prasil explained, prior to the creation of the Pavilion Committee addressing the pavilion at the 8th Avenue City Park the Mayor and herself had included on prior meeting an agenda item to address the park as a whole. She continued by explaining that as we are moving forward with the new pavilion and budget we need to keep in mind that the citizens have expressed that they would like the City to put more into our parks and she stated that she agreed that all of the City's parks need some extra attention. She stated that some of the ideas included restrooms within the fence of the 8th Avenue Park, volleyball court, improvement and repairs to the current recreation equipment, smaller covered tables to help facilitate more utilization and enjoyment. She stated that the Mayor has asked that we consider moving the new pavilion to either the already existing old tennis court slab.

Mayor Monks elaborated by explaining, by moving the new pavilion to the tennis court area we will be able to save some money and the current restrooms are located near that area and would only require renovation and small expansion.

Alderman Jones expressed her concern with moving the pavilion to the back of the park would negatively impact the use of the front of the park near 8th Avenue.

City Administrator Prasil explained that the City's hopes are that by making improvements we can encourage our community to utilize our great parks, making note that parks in plural meaning all three parks, Main Street, Booker T. Washington and 8th Avenue City Park, more often such as the event we had the previous Sunday. Shn continued by stating, we bring this item up because we are in the middle of next year's budget and are seeking the Board of Aldermen's direction as to whether and if so where they would like to see our City Parks improve.

The Mayor explained that once the Pavilion Committee's purpose is completed, he would like to see the Pavilion Committee reformed into the a Parks Advisory Committee to assist with all of the City's parks.

Alderman Ballew moved to take no action on Agenda Item 8 O, seconded by Alderman Mathison. Motion carried 4-0.

At 7:34 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. § 551.072: Conduct an executive session as authorized by Texas Government Code, Section 551.071 to deliberate the purchase, exchange, lease, or value of real property: Request from Clint Skinner for the 70-foot Right of Way in the 100 block of Pecan Street.
- b. § 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: The possibility of selling .5 - 1-acre of land at the Teague City Lake located north of Parcel ID 12745.

At 7:48 P.M. Executive Session convened into Open Session

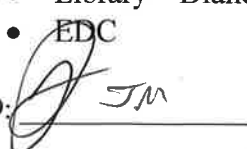
10. **RECONVENE INTO OPEN SESSION** - In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

Alderman Ballew moved to move forward with the Encroachment and Joint Use Agreement and authorize the City Administrator / Secretary to execute the agreement, seconded by Alderman Mathison. Motion carried 4-0.

Alderman Ballew moved that we do not sell the property listed on Agenda Item 9 B, seconded by Alderman Jones. Motion carried 4-0.

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



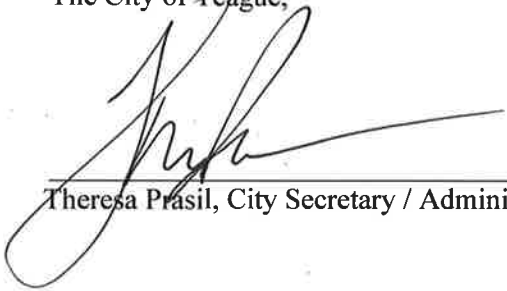
City Administrator Prasil presented the Administrator's and Court report followed by department reports presented by Public Works Director Cowling, Police Chief Philpott, Librarian Willis and EDC President Stephanie Burns.

12. ANNOUNCEMENTS: *Mayor Monks announced that a candlelight vigil for Sergeant Major Sartor will be Tuesday at 8:30 P.M.*

13. ADJOURN: *Mayor Monks adjourned the meeting at 7:56 P.M.*

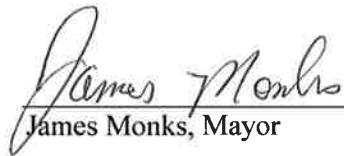
The meeting adjourned.

The City of Teague,



Theresa Prasil, City Secretary / Administrator





James Monks, Mayor