

**THE CITY COUNCIL OF THE CITY OF POTTSBORO, TEXAS MET  
MONDAY, SEPTEMBER 12<sup>TH</sup>, 2016, 2016 5:30 P.M. AT 528 HWY 120 EAST.  
FOR A REGULAR SESSION.**

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Present: Mayor Frank Budra, Mayor Pro-Tem David Waller Council Members, Gary Watkins, Summer Holbrook, Bruce Barnett and Landon Goins.

**REGULAR SESSION**

**Call to Order:** Notice is hereby given that the City Council of the City of Pottsboro, Texas will met in Regular Called Session on Monday, September 12<sup>th</sup>, 2016 at 5:30 p.m. at 528 Hwy 120 E, Pottsboro, Texas in the Council Chambers, pursuant to the Open Meeting Laws of the State of Texas.

Mayor Frank Budra called the meeting to order at 5:30 p.m.

**Invocation:** Bobby Hancock of Georgetown Baptist Church

**Citizens To Be Heard:** This time is set aside for any person having business before the Council that is not included on the agenda. Please submit a completed Speaker's Request Form to the City Secretary at the beginning of the Council meeting. All comments must be directed toward the Presiding Officer rather than an individual Council member or staff. Each speaker must limit their comments to the subject matter listed on the Speaker's Request Form and must refrain from personal attacks toward any individual. Speakers are limited to five minutes. Council may not comment publicly on matters brought to their attention during the Citizens' participation. Council may direct the City Manager to resolve or request the matter to be placed on a future agenda. Such public comments shall not include any "deliberation" as defined by Chapter 551 of the Government Code, as now or hereafter amended. If you have a subject that may require City Council action, you may obtain a form from the City Secretary's office and request to have the item placed on a future agenda.

No comments were made.

**City Manager Report:** Update on the following: Infrastructure Projects and upcoming events.

Kevin M. Farley, City Manager, updated the City Council on the status of the City's project.

**Consent Agenda:** Consent Agenda Items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.

**1. Minutes**

Consideration and/or action on the minutes from the August 1<sup>st</sup>, 22<sup>nd</sup> and 29<sup>th</sup>, 2016 Council meetings.

David Waller motioned to approve the consent agenda item as presented. The motion was seconded by Summer Holbrook and carried unanimously.

**Action Items:**

**2. Budget 2016-2017**

**Public Hearing**

Consideration and/or action on all matters related to Ordinance No. 1370 adopting the 2016-2017 operating budget for the City of Pottsboro.

Kevin M. Farley, City Manager

The Mayor opened the public hearing. There being no one to speak the public hearing was closed.

Gary Watkins motioned to approve Ordinance No. 1370 adopting the 2016-2017 operating budget for the City of Pottsboro as presented. The motion was seconded by Bruce Barnett and carried unanimously.

### **3. 2016 Ad Valorem Tax Rate**

#### **Public Hearing**

Consideration and/or action on all matters related to Ordinance No.1371 adopting 2016 Ad Valorem Tax Rate for the City of Pottsboro.

Kevin M. Farley, City Manager

The Mayor opened the public hearing. There being no one to speak the public hearing was closed.

Landon Goins motioned to approve Ordinance No.1371 adopting the 2016 Ad Valorem Tax Rate as \$0.636028/100 of valuation. The motion was seconded by David Waller and carried unanimously.

### **4. Budget Amendment**

#### **Public Hearing**

Consideration and/or action on all matters relating to Ordinance No. 1379 amending the 2015-2016 City Operating Budget.

Denise Smith, City Secretary

The Mayor opened the public hearing. There being no one to speak the public hearing was closed.

David Waller motioned to approve Ordinance No. 1379 amending the 2015-2016 City Operating Budget. The motion was seconded by Summer Holbrook and carried unanimously.

### **5. Water, Wastewater and Trash Rates**

#### **Public Hearing**

Consideration and/or action on all matters relating to Ordinance No. 1372 amending the water, wastewater and trash rates.

Kevin M. Farley, City Manager

The Mayor opened the public hearing. There being no one to speak the public hearing was closed.

David Waller motioned to approve Ordinance No. 1372 amending the water, wastewater and trash rates. The motion was seconded by Gary Watkins and carried unanimously.

### **6. Building Codes**

#### **Public Hearing**

Consideration and/or action on all matters relating to Ordinance No. 1377 amending the building regulation to adopt the 2015 International Building Code and the 2014 National Electrical Code.

Kevin M. Farley, City Manager

The Mayor opened the public hearing. There being no one to speak the public hearing was closed. Kevin Farley, City Manager and Ed Aynes the Building Official reviewed the cost and several other concerns regarding changing to the 2015 International Building Code. The City of Sherman has adopted the 2009 IBC which is the County seat. They requested the City Council to adopt the 2009 International Building Code and the 2005 National Electrical Code.

David Waller motioned to approve Ordinance No. 1377 amending the building regulation to adopt the 2009 International Building Code and the 2005 National Electrical Code. The motion was seconded by David Waller and carried unanimously.

**7. Re-plat – Kimberlin Subdivision**

**Public Hearing**

Consideration and/or action on all matters relating to a request by Keith Kimberlin to re-plat the property located at 876 Reeves Road. out of the James Ingram Survey.  
Denise Smith, City Secretary

The Mayor opened the public hearing. There being no one to speak the public hearing was closed.

Landon Goins motioned to approve to re-plat the property located at 876 Reeves Road. out of the James Ingram Survey as presented. The motion was seconded by Gary Watkins and carried unanimously.

**8. Zoning Map**

Consideration and/or action on all matters relating to updating the City of Pottsboro Zoning Map.  
Denise Smith, City Secretary

Gary Watkins motioned to approve the City of Pottsboro Zoning Map as presented. Landon Goins and carried unanimously.

**9. Engineering Services for FY 2017-2019 Texas Community Development Block Grant Program**

Consideration and/or action on procuring engineering services for the FY 2017-2018 TXCDBG Program including:

- a. Establishing a Selection Review Committee
- b. Establishing Written Selection Criteria
- c. Authorizing Engineering solicitation process to begin

Kevin M. Farley, City Manager

Landon Goins motioned to appoint the City Council as the selection review committee, approved the written selection criteria with the second rate sheet, and approve city staff begin the engineering solicitation process. The motion was seconded by David Waller and carried unanimously.

**10. Fire Protection Services**

Consideration and/or action on all matters relating to the Grayson County agreement for Fire Protection Services.

Kevin M. Farley, City Manager

David Waller motioned to approve the 2017 Grayson County agreement for Fire Protection Services. The motion was seconded by Bruce Barnett and carried unanimously.

**11. Grayson Central Appraisal District**

Consideration and/or action on all matters relating to the nomination of candidates for the Grayson Central Appraisal District Board of Directors.

Kevin M. Farley, City Manager

No Action taken

**12. 2016 Paving Improvements Project and FM 120 Median Project**

Consideration and/or action on review and approve on all matters related to the 2016 Paving Improvement Project and the FM 120 Median Project.

Kevin M. Farley, City Manager

Summer Holbrook motioned to approve the contract with O3 Concrete Construction for the base bid 1 (Paving Improvement) in the amount of \$144,389.60, base bid 2 (FM 120 Median Project) the amount of \$118,678.65 and alternate bid for \$28,943.70. The motion was seconded by Gary Watkins and carried unanimously.

**13. Railroad Commission of Texas Safety Division**

Consideration and/or action on all matters relating to Damage Prevention Docket No. 048209 for violating the Railroad Commission of Texas regulations for excavating around an underground pipeline.

Kevin M. Farley, City Manager

Landon Goins motioned to approve the agreed order is necessary as presented. The motion was seconded by Gary Watkins and carried unanimously.

**14. Housing Development Initiative**

Consideration and/or action on all matters relating to the Pottsboro Housing Development Initiative.

Kevin M. Farley, City Manager

Gary Watkins motioned to approve moving forward with the Pottsboro Housing Development Initiative for a two year period. The motion was seconded by David Waller and carried unanimously.

**15. Personnel Matters**

EXECUTIVE SESSION: Pursuant to Section § 551.071 of the Texas Government Code, The Council may convene into Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item, and may receive advice from its attorney as permitted by law. Additionally, the Council will convene into Executive Session regarding the following:

A. Evaluation of the City Manager

Pursuant to Section § 551.074 of the Texas Government Code, the Council may convene into Executive Session(s), 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.

David Waller motioned to go into Executive Session at 6:45 p.m. The motion was seconded by Summer Holbrook and carried unanimously.

David Waller motioned to go into open session at 6:52 p.m. The motion was seconded by Summer Holbrook and carried unanimously.

No action taken informational only.

**Adjournment:**

Motion Summer Holbrook to adjourn, meeting adjourned at 6:53 p.m.

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Mayor

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City Secretary