

AGENDA
CITY OF COLEMAN
CITY COUNCIL MEETING
THURSDAY, DECEMBER 14, 2017; 6:00 P.M.
LOCATED AT THE COLEMAN CITY HALL
200 W. LIVEOAK, COLEMAN, TEXAS 76834

A **regular meeting** of the City Council of the City of Coleman will be held on **Thursday, December 14, 2017 at 6:00 P.M.** The following subjects will be considered by the City Council and may be considered in any order that is most convenient for the City Council.

MEMBERS PRESENT:

MEMBERS ABSENT:

I. **CITY COUNCIL MEETING CALLED TO ORDER – MAYOR, TOMMY SLOAN:**

II. **INVOCATION – MAYOR, TOMMY SLOAN:**

(THE MAYOR MAY CALL ON ANYONE HE MAY CHOOSE TO GIVE THE INVOCATION. THE MAYOR MAY ALSO CALL ON ANYONE IN ATTENDANCE WHO MAY WANT TO GIVE AN INVOCATION ON BEHALF OF ANY OTHER RELIGION OR RELIGIOUS BELIEFS)

III. **PLEDGE OF ALLEGIANCE – MAYOR, TOMMY SLOAN:**

IV. **WELCOME OF VISITORS AND GUESTS – MAYOR, TOMMY SLOAN:**

V. **CONSENT AGENDA – MAYOR, TOMMY SLOAN:**

(THE CITY COUNCIL MAY APPROVE ALL OF THE CONSENT AGENDA ITEMS WITH ONE MOTION).

1. The City Council may consider, discuss, and/or take actions regarding the approval of the minutes of the City Council Meeting conducted on **November 16, 2017 – Karen Langley, City Secretary.**
2. The City Council may consider, discuss, and/or take actions to approve the Code Enforcement report for the month of **November, 2017– Fire Chief, David Martinez.**
3. The City Council may consider, discuss, and/or take actions to approve the Police Department report for the month of **November, 2017 – Police Chief, Anthony Smith.**

4. The City Council may consider, discuss, and/or take actions to approve the Municipal Court Report for the month of **November, 2017 – Judge, Robert J. Nash.**
5. The City Council may consider, discuss, and/or take actions to approve the Legal Fees for the month of **November, 2017 – City Manager, Paul Catoe.**
6. The City Council may consider, discuss, and/or take actions to approve the Lake Level Reports for the Hords Creek Reservoir and Lake Coleman Reservoir for the Month of **December, 2017 – City Manager, Paul Catoe.**

VI. PUBLIC HEARING:

1. The City Council shall conduct a **Public Hearing** regarding the **Planning Capacity Building Fund Grant through the TDA – Contract No. 7215174 – Mayor, Tommy Sloan.**
2. The City Council may consider, discuss and/or take actions regarding the approval of Resolution No. **17-12** accepting the City of Coleman Comprehensive Plan; and finding and determining that the meeting at which this resolution was passed was open to the public as required by law – **Mayor, Tommy Sloan.**

VII. BIDS RECEIVED:

1. The City Council may consider, discuss and/or take actions regarding the award of a bid to the lowest bidder for the installation of four (4) floating aerators in place of the two fixed aerators at the City of Coleman Wastewater Treatment plant – **Mayor, Tommy Sloan and Allen Phillips PE with Jacob & Martin LLC.**

VIII. OLD BUSINESS:

1. The City Council may consider, discuss and/or take actions regarding the most recent issues related to the replacement of the sidewalks in the 200 block of Commercial Avenue through the **Downtown Revitalization Program Grant, TDA Contract No.7216252 – Mayor, Tommy Sloan and Allen Phillips P E with Jacob & Marin LLC.**
2. The City Council may consider, discuss and/or take actions regarding an update on information related to the process of the selection of a new filtering system for the new raw water treatment plant – **Mayor, Tommy Sloan and Allen Phillips P E with Jacob & Martin, LLC.**
3. The City Council may consider, discuss and/or take actions regarding the approval of the first reading of Ordinance No. **1189** abandoning, closing, and conveying a designated section of the City Right of Way on Elm Street for the construction of a designated permanent brick enclosure as proposed by the plans and specifications for the new **Kennedy Hotel** in the downtown area

which will be located at the corner lot of Commercial Avenue and Elm Street – **Mayor, Tommy Sloan, Mr. Allen Kennedy, and City Attorney, Pat Chesser.**

4. The City Council may enter Executive Session to discuss legal matters and economic development related to the new **Kennedy Hotel** pursuant to **Sections 551.071** and **551.087** of the **Government Code**. The City Council may also discuss legal matters with the City Attorney regarding the termination of a lease agreement with Tim Brown pursuant to **Section 551.071** of the **Government Code** – **Mayor, Tommy Sloan.**
5. Upon returning to open session, the City Council may take whatever actions as they may deem appropriate – **Mayor, Tommy Sloan.**
6. The City Council may consider, discuss and/or take actions to approve a **380 Agreement** between the City and the owner of the new **Kennedy Hotel** and a performance agreement between the Type 4-A CEDC and the owner of the new **Kennedy Hotel** regarding: (1) a request for ad valorem tax rebates for a period of years to provide assistance for the new **Kennedy Hotel** in the downtown area to be located at the corner lot of Commercial Avenue and Elm Street and (2) to provide City materials, labor and equipment to relocate Water, Sewer, and Electrical services to the new **Kennedy Hotel** with costs being paid for by the Type 4-A CEDC as discussed and approved in their regular meeting conducted on **November 27, 2017** – **Mayor, Tommy Sloan, Mr. Allen Kennedy, and City Attorney, Pat Chesser.**

IX. NEW BUSINESS:

1. The Mayor may consider discuss and/or take actions to appoint **two members** to the 4-A Coleman Economic Development Corporation Board as the current terms shall expire on December 31, 2017. The appointments shall be for one (1) member for a three (3) year term currently being held by Roy Poage and to also appoint a second member to fill the position for a one (1) year term currently being held by Dr. Mike Edington. The City Council shall then vote to consider the approval of the appointments as presented by Mayor Sloan in accordance with **Section 4.06** of the Type 4-A CEDC Bylaws. All appointees shall meet the minimum requirements as set forth in **Section 4.02** of the Type 4-A CEDC Bylaws - **Mayor, Tommy Sloan and Roy Poage, President of the Type 4-A Coleman Economic Development Corporation.**
2. The City Council may consider, discuss, and/or take actions regarding a request to allow Mr. McGonagel to place rip/rap around the point at Lake Coleman to protect the integrity of the eroding property owned by Barry McGonagel of Allen, Texas – **Mayor, Tommy Sloan and Barry McGonagel.**
3. The City Council may consider, discuss, and/or take actions regarding an approval of **Resolution No. 17-14** approving economic development incentives to Smoke Point Enterprises, LLC by the Type B CCC in the

amount of \$6,327.00 to help fund the equipment needed to operate the Chuck Dragon food trailer business owned by Heather and Joshua Tye and the approval of an amount not to exceed \$2,500.00 for the City of Coleman for the purchase of a brush hog, weed eater, and chain saw for the maintenance of the Disc Golf Courses at the City Park and Memory Lake Park. – **Mayor, Tommy Sloan and Kim Little, CCC Executive Director.**

4. The City Council may consider, discuss and/or take actions to authorize the purchase a used belly dump trailer utilizing both city funds and insurance funds through the Texas Municipal League to replace the recently totaled trailer as it was trying to cross the railroad tracks at the wastewater treatment plant – **Mayor, Tommy Sloan and Leslie Walters, Director of Public Works.**
5. The City Council may consider, discuss and/or take actions to cancel the next meeting scheduled for **January 4, 2017** should circumstances warrant as per the provisions outlined in **Section 2.11** of the City Charter and to then call a regular meeting to be scheduled for **January 18, 2017** – **Mayor, Tommy Sloan.**
6. The City Council may consider, discuss, and/or take actions regarding the **option** to appoint a new member to the City Council to take the place of the position vacated in the South Ward by Danny Jameson on November 15, 2017 and in accordance with **Section 2.06 of the City Charter** – **Mayor, Tommy Sloan.**

X. MAYOR AND COUNCIL COMMENTS:

THE CITY COUNCIL MAY DISCUSS AND/OR TAKE ACTIONS REGARDING ANY ITEM LISTED ON THIS AGENDA. (ONLY THOSE ITEMS LISTED MAY BE PRESENTED AND DISCUSSED BY THE CITY COUNCIL)

(None Presented)

XI. STAFF COMMENTS:

THE CITY COUNCIL MAY DISCUSS AND/OR TAKE ACTIONS REGARDING ANY ITEM LISTED ON THIS AGENDA. (ONLY THOSE ITEMS LISTED ON THE AGENDA MAY BE DISCUSSED BY THE CITY COUNCIL)

1. Presentation and approval of the **Financial Report** for the month of **November, 2017** – **Mayor, Tommy Sloan and City Manager, Paul Catoe.**
2. The City Manager shall remind all of the City Council Members of the 2017 Annual Christmas Party to be held on December 15 at 12:00 Noon at the Tillman Room at the Public Library – **City Manager, Paul Catoe**

XII. HEARING OF VISITORS CONCERNING MATTERS NOT ON THE AGENDA – MAYOR, TOMMY SLOAN: (Visitors shall be limited to no more than (5) five minutes to address the Council.)

In accordance with Section 551.042 of the Texas Government Code, an inquiry made at a meeting shall be conducted as follows:

(a.) If at a meeting of a governmental body, a member of the public or the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:

1. A statement of a specific factual information given in response to the inquiry; or
2. A recitation of existing policy in a response to the inquiry.

(b.) Any deliberation of or a decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

Note: According to Section 5. (A.), of the Council Meeting Procedures the City Council respectfully request that prior to appearing before the City Council, the visitor or member of the public has made every attempt to resolve the problem through Administrative Channels, if appropriate. The Mayor may want to address this issue prior to allowing individuals to speak.

XIII. ADJOURNMENT OF CITY COUNCIL MEETING: TIME _____

The City Council of the City of Coleman reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters as listed above, as authorized by Texas Government Code Sections: 551.071 (Consultation with the City Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations) 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

I, **Karen Langley** do hereby certify that the above notice of meeting of the governing body of the City of Coleman, Texas is a true and correct copy of the said notice and that a said copy of this notice was then posted on the front window of the City Hall of said City in Coleman, Texas in a location convenient and readily accessible to the general public at all times, and said notice was posted on **December 11, 2017** at 4:50 P.M. and remained so posted continuously at least 72 hours preceding the scheduled time of said meeting.



Karen Langley, City Secretary TRMC

The City of Coleman is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary by calling 325-625-4116 or by going by 200 W. Liveoak, Coleman, Texas 76834, during normal business hours at least (48) forty-eight hours in advance of the scheduled meeting.