



**CITY OF COLEMAN, TEXAS  
CITY COUNCIL MEETING  
Meeting Agenda**

The City Council of the City of Coleman, Texas will meet in session on Thursday, July 16, 2020 at 5:15 p.m. in the Council Chambers of City Hall, 200 West Liveoak, Coleman, Texas. All items on the agenda are for possible discussion and action. Council may vote and/or act upon each of the items listed on this Agenda. One agenda item will be discussed at a time, in the order determined by the Mayor, unless logic and practical considerations allow similar topics to be considered together for purposes of convenience and efficiency. Consent items are considered to be non-controversial and will be voted on in one motion unless a council member asks for separate discussion. The City Council of the City of Coleman, Texas, reserves the right to meet in closed, executive session on any of the items listed below should the need arise and if authorized by Title 5, Chapter 551, of the Texas Government Code.

1. Call to Order, Invocation, and Pledge of Allegiance to the Flags of the United States of America and the State of Texas.
2. Introductions, Announcements, and Recognitions
3. Items to be withdrawn
4. Citizen Presentations: Any citizen who desires to address the City Council on a matter not included on the agenda may do so at this time. The City Council may not deliberate on items presented under this agenda item. Presentations are subject to five (5) minutes for items not on the agenda. If you wish to speak to an item on the agenda, you will be allowed to speak when the council addresses the item. There is a (3) minute time limit for items on the agenda. The presiding officer (with the consent of a majority of the City Council) may grant additional time. To comply with the provisions of the Open Meetings Act, the Council respectfully requests that prior to addressing Council, that each person submit a Speaker Request Form stating your name, address, and topic of presentation. The form is located at the entryway to Council Chambers.
5. Discuss, consider, and act upon the approval of minutes for the City of Coleman Council Meetings held on July 2, 2020 and July 6, 2020.
6. Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman, Texas granting the closing, vacating, and/or abandoning of South Frio Street, a Street located

in the City of Coleman, generally described as the 300 Block of South Frio Street between West College Avenue and West Elm Street.

7. Hear presentation from Armstrong Backus & Co., LLP to receive the City of Coleman and City of Coleman Component Units Financial Statements and Independent Auditors Report for the period ending September 30, 2018.
8. The City Council may enter Executive Session to discuss the following pursuant to: Government Code §551.071 (Consultation with Attorney) and Government Code §551.074 (Personnel Matters): Hear report on investigation being conducted by outside attorney.
9. Adjournment

**Approved as to Form:**

Pat Chesser

**Pat Chesser, City Attorney**

**Certification**

I certify that the above notice of meeting was posted at City Hall, 200 W. Liveoak, Coleman Texas, and on the City of Coleman internet website on Monday, July 13, 2020 at 5:00 p.m. and remained so posted continuously for at least seventy-two (72) hours preceding the scheduled time of said meeting. I further certify that the media was properly notified. A list of those notified will be available upon request.

Karen Langley  
**Karen Langley, City Secretary**

**Special Accommodations**

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 during normal business hours at least (48) forty-eight hours in advance of the scheduled meeting.

City of Coleman  
City Council  
Agenda Memo



**City Council Meeting Date:** July 16, 2020  
**Department:** Mayor/Council  
**Presented by:**  
**Prepared by:** Karen Langley, City Secretary

**SUBJECT: Agenda Item No. 1**

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**AGENDA ITEM:**

Call to Order, Invocation, and Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

**The Pledge of Allegiance to the Flag of the United States of America:**

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

*Should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove any non-religious headdress with their right hand and hold it at the left shoulder, the hand being over the heart.*

**The Pledge of Allegiance to the Flag of the State of Texas:**

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

*The pledge of allegiance to the flag of the United States should be recited before the pledge of allegiance to the state flag if both are recited; should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove any non-religious headdress with their right hand and hold it at the left shoulder, the hand being over the heart.*



**City of Coleman  
City Council  
Agenda Memo**



**City Council Meeting Date:** July 16, 2020  
**Department:** Mayor/Council  
**Presented by:**  
**Prepared by:** Karen Langley, City Secretary

**SUBJECT:** Agenda Item No. 3

**AGENDA ITEM:**

Items to be withdrawn

**NOTES:**

Lined area for notes, consisting of approximately 18 horizontal lines.



**City of Coleman  
City Council  
Agenda Memo**



**City Council Meeting Date:** July 16, 2020  
**Department:** Mayor/Council  
**Presented by:** Karen Langley, City Secretary  
**Prepared by:** Karen Langley, City Secretary

**SUBJECT:** Agenda Item No. 5

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**AGENDA ITEM:**

Discuss, consider, and act upon the approval of minutes for the City of Coleman Council Meetings held on July 2, 2020 and July 6, 2020.

**RECOMMENDED MOTION:**

Motion to approve the minutes of the City of Coleman Council Meetings held on July 2, 2020 and July 6, 2020.

**ATTACHMENTS:**

DRAFT Minutes – July 2, 2020 and July 6, 2020



MINUTES  
COUNCIL MEETING  
CITY OF COLEMAN  
CITY HALL  
THURSDAY, July 2, 2020  
5:15 P.M.

Present: Mayor Tommy Sloan, Mayor Pro Tem Sharlene Hetzel, Councilman Bobby McGee, Councilman Monte Sides, City Manager Diana Lopez, City Attorney Pat Chesser, and City Secretary Karen Langley.

Absent: *Councilwoman Tracy Rankin*

1. Call to Order, Invocation and Pledge of Allegiance: *Mayor Tommy Sloan called the meeting to order at 5:15 pm, and gave the invocation.*
2. Introductions, Announcements, and Recognitions: *City Manager Lopez informed the council of the most recent order issued by Governor Abbott, concerning wearing of face covering of the mouth and nose. City Manager Lopez shared a letter from Assistant City Manager James King commending Frankie Matthews for going above and beyond the call of duty. She had received a call from a citizen in distress and remained calm while speaking with her until assistant had arrived. City Manager Lopez stated we had received notification from the State of Texas for a Superior Public Water System. This means the water system is the minimal acceptable standard for operating our water system and the quality of our water.*
3. Items to be withdrawn: *None*
4. Citizen Presentations: *None*
5. Discuss, consider, and act upon the approval of minutes for the City of Coleman Council Meeting held on June 18, 2020. *A motion was made by Councilman Sides to approve the minutes of the City of Coleman Council Meeting held on June 18, 2020. Councilman McGee seconded the motion. The motion carried 4-0.*
6. Discuss, consider, and act upon the adoption of a resolution awarding an engineering contract for a 2020 DRP grant application and project. *A motion was made by Mayor Pro Tem Hetzel to approve a resolution authorizing a professional service provider selection for a 2020 Downtown Revitalization Program Grant through the Texas Department of Agriculture to Jacob & Martin. Councilman Sides seconded the motion. The motion carried 4-0.*
7. Discuss, consider, and act upon the first reading of an Ordinance of the City of Coleman, Texas granting the closing, vacating, and/or abandoning of South Frio Street, a Street located in the City of Coleman, generally described as the 300 Block of South Frio Street between West College Avenue and West Elm Street. *A motion was made by Councilman McGee to approve the first reading of an Ordinance of the City of Coleman, Texas granting the closing, vacating, and/or abandoning of South Frio Street; a street located in the City of Coleman, generally described as the 300 block of South Frio between West College and West Elm Street. Mayor Pro Tem Hetzel seconded the motion. The motion carried 4-0.*



8. Discuss, consider, and act upon an Interlocal agreement between the City of Coleman, Texas and the City of Novice, Texas for the City of Coleman's contribution of materials and labor the City of Novice for the installation of an Emergency Siren to serve the Residents of the City of Novice, Coleman County, Texas. *A motion was made by Councilman McGee to approve an Interlocal Agreement between the City of Coleman, Texas and the City of Novice, Texas for the City of Coleman's contribution of materials and labor to the City of Novice for the installation of an Emergency Siren to serve the Residents of the City of Novice, Coleman County, Texas. Councilman Sides seconded the motion. The motion carried 4-0.*
9. The City Council may enter Executive Session to discuss the following pursuant to: Government Code §551.071 (Consultation with Attorney) and Government Code §551.074 (Personnel Matters): Complaint against the City Manager. *Council entered into executive session at 5:39 p.m. Council returned to regular session at 7:00 p.m.*
10. Following Executive Session, the Council may take the following action:  
Discuss, consider and act upon authorizing the hiring of a firm to investigate the complaint against the City Manager and to advise and consult with the City Attorney regarding any actions necessitated by the investigation. *A motion was made by Councilman Sides to hire an employment law attorney, Melissa Cranford, who is an attorney with the Firm of Messer, Fort & McDonald to conduct the investigation and to advise and assist the City Attorney in the resolution of the matter. Councilman McGee seconded the motion. The motion carried 4-0.*
11. Adjournment: *A motion was made by Councilman Sides to adjourn the meeting at 7:02 p.m. Councilman McGee seconded the motion. The motion carried 4-0.*

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MAYOR

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CITY SECRETARY

MINUTES  
SPECIAL COUNCIL MEETING  
CITY OF COLEMAN  
CITY HALL  
MONDAY, July 6, 2020  
5:15 P.M.

Present: Mayor Tommy Sloan, Mayor Pro Tem Sharlene Hetzel, Councilman Bobby McGee, Councilman Monte Sides, City Manager Diana Lopez, and City Secretary Karen Langley.

Absent: *Councilwoman Tracy Rankin, and City Attorney Pat Chesser*

1. Call to Order, Invocation and Pledge of Allegiance: *Mayor Tommy Sloan called the meeting to order at 5:15 pm, and James King gave the invocation.*
2. The Council will participate in a Pre-Budget Workshop to identify goals, objectives, and priorities for the FY 2021 City of Coleman Budget. *No action*
3. Adjournment: *A motion was made by Councilman Sides to adjourn the meeting at 7:06 p.m. Councilman McGee seconded the motion. The motion carried 4-0.*

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MAYOR

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CITY SECRETARY

**City of Coleman  
City Council  
Agenda Memo**



**City Council Meeting Date:** July 16, 2020  
**Department:** Mayor/Council  
**Presented by:** Diana Lopez, City Manager/Pat Chesser, City Attorney  
**Prepared by:** Diana Lopez, City Manager

**SUBJECT:** Agenda Item No. 6

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**AGENDA ITEM:**

Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman, Texas granting the closing, vacating, and/or abandoning of South Frio Street, a Street located in the City of Coleman, generally described as the 300 Block of South Frio Street between West College Avenue and West Elm Street.

**RECOMMENDED MOTION:**

Motion to approve the second reading of an Ordinance of the City of Coleman, Texas granting the closing, vacating, and/or abandoning of South Frio Street, a Street located in the City of Coleman, generally described as the 300 Block of South Frio between West College Avenue and West Elm Street.

**ATTACHMENTS:**

Ordinance

**AGENDA ITEM NO. 6**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CLOSING, VACATING, AND ABANDONING THE RIGHT OF WAY KNOWN AS SOUTH FRIO STREET FROM THE 300 BLOCK OF SOUTH FRIO STREET BETWEEN WEST COLLEGE AVENUE AND WEST ELM STREET; FINDING THAT A PROPER PETITION HAS BEEN RECEIVED FROM THE OWNER OF THE PROPERTY ABUTTING AND ADJOINING SAID RIGHT OF WAY TO BE CLOSED; FINDING THAT CLOSING, VACATING, AND ABANDONING SAID RIGHT OF WAY IS IN THE BEST INTERESTS OF THE CITY OF COLEMAN AND ITS CITIZENS; FINDING THAT SAME SHOULD BE CONVEYED BY QUIT CLAIM DEED TO THE ABUTTING LANDOWNER; AND AUTHORIZING THE MAYOR TO EXECUTE SUCH DEED FOR THE CONSIDERATION SPECIFIED HEREIN.**

**WHEREAS**, there has been presented a petition to the City Council of the City of Coleman, Texas, the governing body of said City, which petition is on file with the City Secretary and has been duly and properly executed by the owners of property abutting the hereinafter described right of way, petitioning the City of Coleman, Texas, to close, vacate, abandon, discontinue, and abolish the hereinafter described right of way; and

**WHEREAS**, the City of Coleman, Texas, and the City of Council of said City have found and determined, after report and examination thereof, that the hereinafter described right of way is no longer needed or necessary for public use and that the closing of said right of way will be to the benefit, interest, welfare, safety, and convenience of the City of Coleman and its citizens. The City Council further finds that the City of Coleman should abandon said right of way and deed any right on public behalf it may hold to the adjacent landowners; and

**WHEREAS**, the City shall have the right to reserve easements necessary for existing utilities within said right of way, if same exist, or require relocation thereof. Should the closing require relocation of utilities, such relocation shall be at applicant's expense.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLEMAN, TEXAS, that:**

**I.**

The 300 Block of South Frio Street between West College Avenue and West Elm Street, being 60 feet wide and 0.345 acres, as is more specifically described and depicted in attached Exhibit "A," is hereby closed, abandoned and vacated, and the rights of the City

of Coleman, Texas, and the public generally to use said right of way are hereby terminated.

**II.**

And it further appearing to the City Council of the City of Coleman, Texas, acting in accordance with the laws of the State of Texas, that the right of way herein described be conveyed to the following abutting property owner by Quit Claim Deed. As consideration for closing the portion of the street and conveying the property to the abutting property owner, the petitioner, Coleman County Medical Center District, will pay the City for the costs to reroute and relocate sewer and water lines in the closed right of way, the costs to advertise the public hearing on the street closure, the appraisal fees and the appraised price of the improved right of way, i.e., \$6,800.00.

Coleman County Medical Center District  
Attn: Wayne Moore  
310 S. Pecos Street  
Coleman, TX 76834

**PASSED AND APPROVED** on *first reading* this \_\_\_\_\_ day of July, 2020.

**PASSED AND APPROVED** on *second/final reading* this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**TOMMY SLOAN, Mayor**

**ATTEST:**

\_\_\_\_\_  
**KAREN LANGLEY, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**PAT CHESSER, City Attorney**

**City of Coleman  
City Council  
Agenda Memo**



**City Council Meeting Date:** July 16, 2020  
**Department:** Administration  
**Presented by:** Connie Kelly; Gayla Thornton – Armstrong Backus & CO., LLP  
**Prepared by:** Diana Lopez, City Manager

**SUBJECT: Agenda Item No. 7**

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**AGENDA ITEM:**

Hear presentation from Armstrong Backus & Co., LLP to receive the City of Coleman and City of Coleman Component Units Financial Statements and Independent Auditors Report for the period ending September 30, 2018.

**RECOMMENDED MOTION:**

**ATTACHMENTS:**

**City of Coleman  
City Council  
Agenda Memo**



**City Council Meeting Date:** July 16, 2020  
**Department:**  
**Presented by:** Pat Chesser, City Attorney  
**Prepared by:** Pat Chesser, City Attorney

**SUBJECT:** Agenda Item No. 8

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**AGENDA ITEM:**

The City Council may enter Executive Session to discuss the following pursuant to: Government Code §551.071 (Consultation with Attorney) and Government Code §551.074 (Personnel Matters): Hear report on investigation being conducted by outside attorney.



**City of Coleman  
City Council  
Agenda Memo**



**City Council Meeting Date:** July 16, 2020  
**Department:** Mayor/Council  
**Presented by:**  
**Prepared by:** Karen Langley, City Secretary

**SUBJECT: Agenda Item No. 9**

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**AGENDA ITEM:**

Adjournment

Meeting Adjourned at \_\_\_\_\_