

MINUTES  
COUNCIL MEETING  
CITY OF COLEMAN  
CITY HALL  
THURSDAY, JULY 20, 2017  
6:00 P.M.

PRESENT: Mayor Tommy Sloan, Mayor Pro Tem Danny Jameson, Councilman Sherman Smith, Councilwoman Sharlene Taylor, Councilman Bobby McGee, City Attorney Pat Chesser, City Manager Paul Catoe, and City Secretary Karen Langley.

ABSENT: None

CALL MEETING TO ORDER: Mayor Tommy Sloan

INVOCATION: Mayor Tommy Sloan

PLEDGE OF ALLEGIANCE

WELCOME OF VISITORS AND GUESTS: Mayor Sloan welcomed guests and visitors.

CONSENT AGENDA:

1. The City Council may consider, discuss, and or take actions regarding the approval of the Occupational Tax Report for the Quarter ending June 30, 2017 – Mary Griffis, Executive Director of the Chamber of Commerce. The Occupancy Tax report is no ready.
2. The City Council may consider, discuss and or take actions regarding the approval of the minutes of the City Council Meetings conducted on June 15, 2017 – Karen Langley, City Secretary.
3. The City Council may consider, discuss and or take actions to approve the Code Enforcement Report for June, 2017 – Fire Chief David Martinez.
4. The City Council may consider, discuss and or take actions to approve the Police Department Report for the month of June 2017 – Chief of Police, Anthony Smith.
5. The City Council may consider, discuss and or take actions to approve the Municipal Court Report for the month of June 2017 – Judge Robert J. Nash.
6. The City Council may consider, discuss, and or take actions to approve the Professional Fees for the month of June 2017 – City Manager Paul Catoe.
7. The City Council may consider, discuss and or take actions to approve the Lake Level Reports for Hords Creek Reservoir and Lake Coleman July, 2017 – City Manager, Paul Catoe. A motion was made by Councilman McGee to approve the consent agenda items 2-7 as presented. Mayor Pro Tem Jameson seconded the motion. The motion carried 4-0.

OPENING OF BIDS:

1. The City Council shall open bids for pick-up and disposal of Solid Waste Materials within the City of Coleman for the period beginning 10-01-2017 through 9-30-22 at which time the bids will be delivered to City Staff for review and to make recommendations back to the City Council at their regular meeting to be conducted on 08-3-17 – Mayor Tommy Sloan. Bids received are as follows:
  - Knox Waste Service - \$605,136.00
  - Republic Services - \$643,895.00
  - Waste Connections, Inc. - \$579,351.20
 No actions.
2. The City Council shall open bids for the sale of the property located at 1709 South Commercial Avenue and the City Council may then consider, discuss and or take actions to award a bid regarding the above described property – Mayor Tommy Sloan. Bids received are as follows:
  - Derek Barnett - \$299.00
  - Lizette Alexander - \$2,000.00
  - Deborah R. Gualco - \$1,709.00
 A motion was made by Councilman Smith to accept the bid from Lizette Alexander for \$2,000.00 for 1709 South Commercial. Councilwoman Hetzel seconded the motion. The motion carried 4-0.
3. The City Council shall open bids for the property located at 1300 Brazos and may then consider, discuss and or take actions to award a bid regarding the above described property – Mayor Tommy Sloan. One bid was received from Raylene Watson for \$717.00. A motion was made by Mayor Pro Tem Jameson to accept the bid from Raylene

Watson for \$717.00 for 1300 Brazos. Councilman McGee seconded the motion. The motion carried 4-0.

4. The City Council may consider, discuss and or take actions regarding the bids received for the purchase and installation of a variable speed frequency drive and the installation of a SCADA system. This work is required prior to the City Engineer choosing the proper filtering system for the New Water Treatment Plant – Mayor Tommy Sloan and Allen Phillips, P.E. representing Jacob & Martin Engineering LLC. Bids received are as follows: Dowtech Specialty - \$53,959.00, Apple Electric - \$81,912.00. A motion was made by Councilman Smith to accept the bid from Dowtech Specialty for \$53,959.00. Councilwoman Hetzel seconded the motion. The motion carried 4-0.
5. The City Council shall first open bids and may then consider, discuss and or take actions regarding the award of bids for the sale of twenty five (25), 5 x 5 round bales of Fertilized Mixed Coastal & Johnson Grass Hay and the sale of forty-three (43), 5 x 5 round bales of Fertilized Mixed Coastal & Johnson Grass Hay – Mayor Tommy Sloan. Lot 1 (twenty-five bales) bids received as follows:
  - Raymond Cupps - \$37.52 a bale for a total of \$938.00
  - Garry Cox - \$30.00 a bale for a total of \$750.00
  - Vicki Jo Caldwell - \$47.35 a bale for a total of \$1,183.75

A motion was made by Mayor Pro Tem Jameson to accept the bid from Vicki Jo Caldwell in the amount of \$1,183.75. Councilman McGee seconded the motion. The motion carried 4-0.

Lot 2 (forty-three bales) bids received as follows:

- Garry Cox - \$25.00 a bale for a total of 1075.00
- Vicki Jo Caldwell - \$47.35 a bale for a total of \$2,036.05
- Raymond Cupps - \$35.00 a bale for a total of \$1,505.00

A motion was made by Councilman McGee to accept the bid from Vicki Jo Caldwell in the amount of \$2,036.05. Councilwoman Hetzel seconded the motion. The motion carried 4-0.

#### OLD BUSINESS:

1. The City Council may consider, discuss and or take actions to conduct a Public Hearing regarding the plans and specifications for the Downtown Revitalization Project in the 200 block of Commercial Avenue (contract#7216252) – Mayor Tommy Sloan; Kay Howard, President of A&J Howco Inc. and Roy Wright P.E., Jacob & Martin, LLC. A motion was made by Mayor Pro Tem Jameson to open the public hearing at 6:29 p.m. Councilman Smith seconded the motion. The motion carried 4-0. Kay Howard and Ken Martin spoke about the process and a timeline explaining what they would be doing. A motion was made by Mayor Pro Tem Jameson to close the public hearing at 6:40 p.m. Councilwoman McGee seconded the motion. The motion carried 4-0. A motion was made by Councilman Smith to approve the plans for contract #7216252. Councilwoman Hetzel seconded the motion. The motion carried 4-0.
2. The City Council may consider, discuss and or take actions to approve the presentation of progress reports for (1.) Contract No. 7215174 (Planning Grant – aka City Master Plan); (2.) Project 7215089 (Gray Street Water Line Project); (3.) Contract NO. 7216252 (Downtown Revitalization Project) – Mayor Tommy Sloan; Kay Howard, President of A & J Howco Services Inc. No action.
3. The City Council may consider, discuss and or take actions to authorize the City Manager to seek proposals for Administrative Services and Engineering Services for Phase II of our Downtown Revitalization Program – Mayor Tommy Sloan and Kay Howard, President of A & J Howco Services Inc. A motion was made by Councilwoman Hetzel to authorize the City Manager to seek proposals for Administrative Services and Engineering Services for Phase II of the Downtown Revitalization Program. Councilman Smith seconded the motion. The motion carried 4-0.
4. The City Council may consider, discuss and or take actions regarding the approval of the presentation of the completed statistics regarding May clean-op campaign under the direction of the 4-B, ACT Committee and their chairman Richard Hetzel. Chairman Hetzel may also discuss budgetary request for the upcoming budget for FY 2017-2018 – Mayor Tommy Sloan and Chairman, Richard Hetzel. A motion was made by Councilman Smith to approve the report and recommendations presented by Chairman Richard Hetzel. Mayor Pro Tem Jameson seconded the motion. The motion carried 4-0.

#### NEW BUSINESS:

1. The City Council may consider, discuss and or take actions regarding a proposal from Bobby Zesch to serve as a consultant for the City of Coleman on all insurance matters rather than his current role as our insurance broker – Mayor Tommy Sloan and Bobby

Zesch of Zesch and Pickett. A motion was made by Councilwoman Hetzel to approve the proposal from Bobby Zesch to serve as a consultant on all insurance matters. Mayor Pro Tem Jameson seconded the motion. The motion carried 4-0. This will begin May 2018.

2. The City Council may consider, discuss and or take actions regarding a request to approve the Annual Cook Off at the Press Morris Park scheduled for August 2<sup>nd</sup>, 2017 through August 7<sup>th</sup>, 2017 for the Press Morris Park at Lake Coleman. The City Council may also consider, discuss and or take actions on a request that all donations from the use of the RV Electric Hook-ups at the Annual Cook Off be donated to the Lake Coleman Fire Department – Mayor Tommy Sloan and Lake Coleman Fire Chief, Randy Teague. A motion was made by Mayor Pro Tem Jameson to approve the Annual Cook-Off at Press Morris August 2<sup>nd</sup> through August 7<sup>th</sup>. And to donate earning from the RV electric hook-ups. Councilman Smith seconded the motion. The motion carried 4-0.

3. Zoning Change Requests:

The City Council may consider, discuss, and or take actions to conduct Public Hearings and previous actions recommended by the Planning and Zoning Commission conducted at their called meeting on June 19, 2017.

A separate Public Hearing and decision shall be made in regards to each of the items as listed below:

1. The City Council shall conduct a Public Hearing in regards to a request to change the zoning of the property located at 217 Brush in the Phillips 2 Addition, Town of Coleman, Block 48, Lot size is 125' x 125'. Lot location is the North East quarter of the Block. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials. A motion was made by Councilman McGee to open the Public Hearing at 7:22 p.m. Mayor Pro Tem Jameson seconded the motion. The motion carried 4-0. Councilmembers committed on the improvements that have been made to the area. The Public Hearing closed at 7:25 p.m.  
Action to be taken – Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request of the petitioner to change the zoning of the property from Residential to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at 217 Brush from Residential to Manufacturing. Councilman Smith seconded the motion. The motion carried 4-0.
2. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 405 Brush in the Phillips 2 Addition, Town of Coleman, Block 50, lot location – South half of the North East quarter and the North half of the South East quarter, Lot size is 150' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials. Public Hearing opened at 7:26 p.m. Public Hearing closed at 7:27 p.m.  
Action to be taken - Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request to change the zoning of the property from Residential to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at 405 Brush from Residential to Manufacturing. Councilwoman Hetzel seconded the motion. The motion carried 4-0.
3. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 417 Brush in the Phillips 2 Addition, Town of Coleman, Block 50, lot location – North half of the North East quarter, Lot size is 125' x 75'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials. Public Hearing opened at 7:28 p.m. Public Hearing closed at 7:28 p.m.  
Action to be taken – Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request to change the zoning of the property from Residential to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at 417 Brush from Residential to Manufacturing. Councilman McGee seconded the motion. The motion carried 4-0.
4. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at the corner of Gray and Plum in the Phillips 2 Addition, Town of Coleman, Block 50, lot location – the entire West half of the Block, Lot size is 300' x 125'. There has been a request to

change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials. Public Hearing opened at 7:29 p.m. Public Hearing closed at 7:29 p.m.

Action to be taken – Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request to change the zoning of the property from Residential to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at the corner of Gray and Plum from Residential to Manufacturing. Councilman Smith seconded the motion. The motion carried 4-0.

5. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at the 917 Plum in the Phillips 2 Addition, Town of Coleman, Block 46, lot location – North West quarter of the Block, Lot size is 105' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials. Public Hearing opened at 7:30 p.m. Public Hearing closed at 7:30 p.m.

Action to be taken – Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request to change the zoning of the property from Residential to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at 917 Plum from Residential to Manufacturing. Councilwoman Hetzel seconded the motion. The motion carried 4-0.

6. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 304 Brush in the Phillips 2 Addition, Town of Coleman, Block 46, lot location – North West quarter of the Block, Lot size is 90' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw material. The Public Hearing opened at 7:31 p.m. Public Hearing closed at 7:31 p.m.

Action to be taken – Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request to change the zoning of the property from Residential to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at 304 Brush from Residential to Manufacturing. Councilwoman Hetzel seconded the motion. The motion carried 4-0.

7. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 317 Vale in the Phillips 2 Addition, Town of Coleman, Block 46, lot location – North East quarter of the Block, Lot size is 150' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials. Public Hearing opened at 7:32 p.m. Public Hearing closed at 7:32 p.m.

Action to be taken – Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request to change the zoning of the property from Residential to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at 317 Vale from Residential to Manufacturing. Councilman McGee seconded the motion. The motion carried 4-0.

8. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 309 Vale in the Phillips 2 Addition, Town of Coleman, Block 46, Lot size is 50' x 125'. There has been a request to change the zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials. Public Hearing opened at 7:34 p.m. Public Hearing closed at 7:34 p.m.

Action to be taken – Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request to change the zoning of the property from Residential to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at 309 Vale from Residential to Manufacturing. Councilman McGee seconded the motion. The motion carried 4-0.

9. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located at 401 Brush in the Phillips 2 Addition, Town of Coleman, Block 50, lot location – South half of the South East quarter of the Block, Lot size is 75' x 125'. There has been a request to change the

zoning from Residential to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials. Public Hearing opened at 7:35 p.m. Public Hearing closed at 7:35 p.m.

Action to be taken – Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request to change the zoning of the property from Residential to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at 401 Brush from Residential to Manufacturing. Councilman Smith seconded the motion. The motion carried 4-0.

10. The City Council shall conduct a Public Hearing in regards to a request of the petitioner to change the zoning of the property located between Cottonwood Street and Peach Street and High Street and Gray Street in the Phillips 2 Addition, Town of Coleman, all of block 55, lot – not Subdivided, Lot size is 250' x 300'. There has been a request to change the zoning from Agriculture to Manufacturing as the petitioners would like to utilize the tract in question for finished goods and raw materials. Public Hearing opened at 7:36 p.m. Public Hearing closed at 7:38 p.m.

Action to be taken – Upon the closure of the Public Hearing, the City Council shall consider, discuss and or take action regarding this request to change the zoning of the property from Agriculture to Manufacturing – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to approve the zone request at Philips 2 Addition Town of Coleman all of block 55 from Agriculture to Manufacturing. Councilman Smith seconded the motion. The motion carried 4-0.

4. DISCUSSIONS REGARDING THE PURCHASE OF A NEW STREET SWEEPER AND THE TRADE IN OR SALE OF THE CURRENT REGENERATIVE AIR SWEEPER.

The City Council may consider, discuss, and or take actions to approve the advertisement for bids for the purchase of a new Pelican P, three wheel broom mechanical street sweeper and to include the sale or trade in of the 2015 Tymo Regenerative Air Street Sweeper – Mayor Tommy Sloan; Leslie Walters, Purchasing Agent for the City of Coleman; Mike Gray, Director of the Street & Alley Department and City Manager Paul Catoe. A motion was made by Councilwoman Hetzel to approve the Resolution and advertisement for bids for the purchase of a new Pelican P three wheel broom mechanical street sweeper. Mayor Pro Tem Jameson seconded the motion. The motion carried 4-0.

5. DISCUSSIONS REGARDING THE PURCHASE OF TWO USED PICK-UP VEHICLES TO REPLACE VEHICLES THAT ARE NO LONGER RELIABLE.

The City Council may consider, discuss, and or take action to purchase two used pick-up vehicles. One of the vehicles will be used in the utility department and the other vehicle will be used in the parks department. These cost will be offset by the recent revenues received through the Rene Bates Auction – Mayor Tommy Sloan; Leslie Walters, Purchasing Agent and City Manager Paul Catoe. A motion was made by Councilwoman Hetzel to approve the purchase of two used pick-up vehicles. Mayor Pro Tem Jameson seconded the motion. The motion carried 4-0.

6. DISCUSSIONS REGARDING THE ADOPTION OF SECTION 252.000 OF THE LOCAL GOVERNMENT CODE:

The City Council may consider, discuss and or take actions to authorize the City Attorney to prepare an Ordinance under the authority of the Local Government Code, Section 252.002 to adopt the Local Government, Chapter 252 in its entirety which governs the purchasing and contracting procedures for all governmental entities with the state of Texas and which will supersede Section 7.14 of the City of Coleman Charter – Mayor Tommy Sloan; City Manager Paul Catoe and City Attorney Pat Chesser. A motion was made by Mayor Pro Tem Jameson to authorize the City Attorney Pat Chesser to prepare and Ordinance to adopt the Local Government Chapter 252 in its entirety. Councilman McGee seconded the motion. The motion carried 4-0.

**MAYOR AND COUNCIL COMMENTS:**

None

**STAFF COMMENTS:**

1. Presentation and approval of the Financial Report for the month of June, 2017 and the presentation and approval of the Investment Report for the quarter ending June 30, 2017 – Mayor Tommy Sloan and City Manager Paul Catoe. A motion was made by Mayor Pro Tem Jameson to approve the finance report for the month of June 2017 and the

investment report for the quarter ending June 30, 2017. Councilwoman Hetzel seconded the motion. The motion carried 4-0.

HEARING OF VISITORS CONCERNING MATTERS NOT ON THE AGENDA:

EXECUTIVE SESSION:

The City Council may consider, discuss and or take actions regarding the City Council entering into Executive Session to discuss legal matters with City Attorney, Pat Chesser pursuant to Section 551.071 of the Government Code – Mayor Tommy Sloan.

1. The City Council may consider, discuss matters pertaining to the City of Coleman complaint against the Coleman County Electric Cooperative which has been filed with the Public Utility Commission Docket Number 47163 and subsequent filings with the PUC – Mayor Tommy Sloan and City Attorney Pat Chesser. A motion was made by Councilwoman Hetzel to enter into Executive Session at 8:24 p.m. Councilman McGee seconded the motion. The motion carried 4-0. Councilman Smith asked it to be on record he was asked by the Mayor, City Manager and City Attorney not to attend the close session. Mayor Sloan also wanted it on record that he asked Councilwoman Hetzel if she was a member of the CO-OP and she said she was not. Councilman Smith did not attend close session and left the meeting at 8:25 p.m.
2. Upon returning to open session, the City Council may take any actions as deemed appropriate regarding any matters discussed in Executive Session – Mayor Tommy Sloan. A motion was made by Mayor Pro Tem Jameson to return to regular session at 8:49 p.m. Councilwoman Hetzel seconded the motion. The motion carried 4-0. No action.

With no further business a motion was made by Mayor Pro Tem Jameson to adjourn the meeting at 8:50 p.m. Councilman McGee seconded the motion. The motion carried 4-0.

  
CITY SECRETARY

  
MAYOR