

# City of Big Sandy

Big Sandy, Texas 75755

## MINUTES TO REGULAR MEETING Tuesday, August 17<sup>th</sup>, 2021, 6:00 p.m.

The City Council for the City of Big Sandy met in Regular Session on Tuesday, August 17<sup>th</sup>, 2021, at 6:00 p.m., at the City of Big Sandy Heritage Center, 162 E. Gilmer Street, Big Sandy, Texas.

1. **Call to Order:** Mayor Rozell called the meeting to order at 6:00 p.m.
  - a. **Invocation** – Mayor Rozell
  - b. **Pledge of Allegiance** – Ms. Linda Baggett
  - c. **MEMBERS PRESENT:** Mayor Rex Rozell, Linda Baggett, Becky Desborough by phone, David Fonteno and Andrew McIver.
  - d. **STAFF PRESENT:** Chief David Easterling, Laura Rex and Scott Rogers.
  - e. **OTHERS PRESENT:** Joanne & Lupe Gonzalez, Kayla Higginbotham, Fire Chief Jeff Jones, Sonny Parsons, Scedwicq Pippins, Chase and Kelsey Sheeley, Chaffin Smith, George and Sarah Strub, Nathaniel Strub, Patrick Strub, Rebecca Strub.
  
2. **Citizen Participation:** None.
  
3. **Items of Community Interest:** Rebecca Strub presented a charcoal drawing of the tree and brick wall beside the Heritage Center that Mayor Sonny Parsons had commissioned her to do in 2019. The intricate drawing, which was accepted by Mr. Parsons, will be hung in the Heritage Center.
  
4. **Consent Agenda:**
  - a. Minutes from July 20, 2021 meeting
  - b. Financial Reports for July 2021McIver moved to approve the consent agenda and Baggett seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
  
5. **Discussion/Action Items:**
  - a. **Volunteer Fire Dept.: Monthly Report:** Chief Jones gave the monthly report.
    - i. **Request for ESD for additional funding:** Fonteno moved to approve the request letter as presented and McIver seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
    - ii. **Purchase 4 sets of bunker gear:** Baggett moved to approve the purchase of 4 sets of bunker gear at a cost of \$10,894.82 to be paid with Texas Forestry Service Grant Funds and Desborough seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
    - iii. **Purchase of 16 pairs of boots:** Fonteno moved to approve the purchase of 16 pairs of boots not to exceed \$5,600 to be paid with Texas Forestry Service Grant Funds and McIver seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
  
  - b. **Improvements at Applegate Park:** Chaffin Smith addressed the council and requested assistance with making some fencing and lighting improvements to Applegate Park. They agreed to bring a proposal with costs to the city council at a future meeting. No council action taken.

- c. **Consultation with attorney regarding pending or contemplated litigation:** the Council may enter into Executive Session to: Consult with attorney pursuant to Texas Government Code §551.071: this item was addressed later in the meeting.
- d. **Return to Open Session and take action as a result of discussions in preceding:** Agenda Item No. (c) Pursuant to Texas Government Code §551.071: Consultation with attorney regarding pending or contemplated litigation: this item was address later in the meeting.
- i. **ii. Ordinance updating Article 10 of the Comprehensive Zoning Ordinance from Mobile Home Park to Manufactured Housing District and approving updated Zoning Map:** Fonteno moved to approve Ordinance #2021-002 as presented and Baggett seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
- e. **Building Permits:**
  - i. **Circle M Crawfish:**
    - 1. **800 Cotton Street: Stage:** McIver moved to approve this permit and Fonteno seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
    - 2. **14449 Hwy 155 S: House (rental):** McIver moved to approve this permit and Baggett seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
  - ii. **Jackie Davis: 105 N Pearl Street:** Desborough moved to approve this permit and McIver seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
  - iii. **Joanne Gonzalez: 657 N Pearl:** McIver moved to table this permit to the September 8, 2021 meeting and Baggett seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
- f. **Water Bill Adjustment:**
  - i. **Judy Carpenter: 807 N Pearl:** Baggett moved to approve an adjustment of \$169.23 and Fonteno seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
  - ii. **Billy Poor: 105 E College:** Fonteno moved to table this item to the next meeting and McIver seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
- g. **Water & Sewer Tap Permits: Carla Ocampo:** Baggett moved to deny the request for a reduced fee for an additional water and sewer tap for 102 E Broadway and Fonteno seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
- h. **Joanne Gonzalez: Zoning for 706 N Tyler, 708 N Tyler, 710 N Tyler, 657 N Pearl and 669 N Pearl:** Desborough moved to table this item to the September 21, 2021 meeting Baggett seconded. Baggett, Desborough, Fonteno and McIver voted aye. Motion carried 4-0-0.
- i. **Police Department:** Chief Easterling gave the activity report for July 2021
  - i. Ordinance regulating special events: No council action taken.
- c. **The Council entered into Executive Session** at 7:45 PM to consult with attorney regarding pending or contemplated litigation.

- d. **The Council returned to Open Session** at 8:37 PM with the following action: Mclver moved to direct the city attorney to draft a resolution of condemnation for the alley that runs parallel between Broadway and Gilmer Streets in the 100 & 200 E blocks and Desborough seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
- j. **Public Works Department:**
- i. PWD Scott Rogers gave the activity report for July 2021.
  - ii. **Backhoe Repairs:** Mclver moved to approve the repairs at a cost of \$1,692.52 and Baggett seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
  - iii. **Meter Certification:** Fonteno moved to approve the certification of 2 distribution meters and 3 well meters at a cost of \$1,507.85 and Mclver seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
  - iv. **Hydrant Repairs:** Baggett moved to approve the replacement of 6 different hydrants as presented at a cost of \$30,030 funded by the American Rescue Plan Act and Mclver seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
  - v. **Radio Read Master Meters funded by the American Rescue Plan Act:** No action taken.
- k. **Street Repairs:** PWD Rogers reported that the tree at the end of Peachtree Lane should be removed on August 22<sup>nd</sup> and that L & L Asphalt would be coming to replace Peachtree Lane in September.
- l. **City Secretary:**
- i. **Payment of fees to Flower Davis for real estate counsel:** Baggett moved to approve the payment of legal fees for \$1,955.26 and Fonteno seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
  - ii. **Ordinance updating Article 10 of the Comprehensive Zoning Ordinance:** See item (l) (ii) above.
  - iii. **Resolution appointing Upshur County Tax Assessor to calculate the no-new revenue tax and voter approval rates as required by Texas Tax Code 26.04:** Fonteno moved approve **Resolution #2021-013** as presented and Mclver seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
  - iv. **Resolution approving contract with ETCOG for 9-1-1 addressing:** Baggett moved to approve **Resolution #2021-014** approving this contract and Desborough seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
  - v. **Resolution approving AEP Swepeco Lease Extension:** No action taken.
  - vi. **Resolution designating an administration/project delivery service provider to complete project implementation for the American Rescue Plan Act funding:** Baggett moved to table this item to the Sep. 21, 2021 meeting and Mclver seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
  - vii. **October 1, 2021 –September 30, 2022 Budget for all City Departments:**
    1. Present Proposed Tax Rate: City Administrator Rex presented the proposed tax rate of \$.56/\$100 valuation.



2. **Vote on Proposed Tax Rate:** Fonteno moved to present a proposed property tax rate of \$.56/\$100 valuation and Mclver seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
3. **Set date for Tax Rate Hearing:** Mclver moved to set the hearing for the proposed tax rate for Sep. 8, 2021 at 6 p.m. and Desborough seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
4. **Set date to publish notice for Tax Rate Hearing:** Baggett moved to publish the notice for the tax rate hearing on August 25, 2021 and Mclver seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
5. **Set date for budget hearing:** Mclver moved to set the date for the budget hearing for Sep. 8, 2021 at 6 p.m. and Baggett seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
6. **Set date to publish notice for budget hearing:** Fonteno moved to publish the notice for the budget hearing on August 25, 2021 and Mclver seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
7. **Set date to adopt the budget:** Mclver moved to set the date to adopt the proposed budget for Sep. 8, 2021 at 6 p.m. and Desborough seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
8. **Set date to adopt tax rate:** Mclver moved to set the date to adopt the proposed budget for Sep. 8, 2021 at 6 p.m. and Desborough seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.
9. **Set date to adopt tax rate increase:** Mclver moved to set the date to adopt the proposed budget for Sep. 8, 2021 at 6 p.m. and Desborough seconded. Baggett, Desborough, Fonteno and Mclver voted aye. Motion carried 4-0-0.

**m. City Administrator:**

**i. American Rescue Plan Act Expenditures:**

1. **Premium Pay for Essential Employees:** Baggett moved to approve the premium pay for essential employees as presented and Fonteno seconded. Baggett, Desborough, Fonteno & Mclver voted aye. Motion carried 4-0-0.
2. **Purchase of IPAD's for city council:** Mclver moved to approve the purchase of ten IPAD's for the delivery of packets and other city related information to the elected officials and department heads at a cost of approximately \$400 per IPAD, keyboard and covers and Baggett seconded. Baggett, Desborough, Fonteno & Mclver voted aye. Motion carried 4-0-0.


**ii. Civic Center:**


1. **Internet Access:** No action taken.
2. **Thermostat Upgrade:** Mclver moved to approve the upgrade to Wi-Fi enable thermostats at a cost of \$1,625 and Fonteno seconded. Baggett, Desborough, Fonteno & Mclver voted aye. Motion carried 4-0-0.

- iii. iv, v, vi: City Administrator Rex** presented the monthly reports for COVID-19 Update, Municipal Court, Nuisance Abatement and the Recycling Program for the month of July.

- 6. Adjourn:** There being no further posted business before this Council, Desborough moved to adjourn the meeting at 9:57p.m. and Mclver seconded.

  
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 Rex Rozell, Mayor

  
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 Laura M. Rex, City Secretary

  
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 Date