

CITY OF SANGER, TEXAS

MINUTES: REGULAR CITY COUNCIL MEETING
May 21, 2018 – 7:00 PM.
502 Elm Street, Sanger, Texas

COUNCIL MEMBERS PRESENT: Mayor Thomas Muir, Councilman Lee Allison, Councilman David Clark, Councilman Gary Bilyeu, Councilman Bill Boutwell

COUNCIL MEMBERS ABSENT: Councilman Allen Chick

The Mayor and four (4) Council Members were present constituting a quorum.

STAFF MEMBERS PRESENT: Alina Ciocan, Acting City Manager; Ramie Hammonds, Building Official; Muzaib Riaz, Planner; Clayton Gray, Finance Director; Neal Welch, Director of Public Works; Cheryl Price, City Secretary

1. Call Meeting to Order, Invocation, Pledge of Allegiance.

The Regular City Council Meeting was called to order by Mayor Muir on Monday, May 21st, 2018 at 7:03 PM. The Invocation was given by Mayor Muir. The Pledge of Allegiance was led by Councilman Clark.

2. Consider, Discuss and Approve Ordinance #05-14-18 Canvassing the Results of Votes for the Purpose of Electing Candidates to the Office of City Council of the City of Sanger Texas for the General Election Held on May 5, 2018, Declaring the Results of that Election and Providing for an Effective Date.

Mayor Muir read the complete following ordinance canvassing the Results of the May 5, 2018 General Election:

ORDINANCE # 05-14-18

AN ORDINANCE CANVASSING THE RESULTS OF A GENERAL ELECTION HELD FOR THE PURPOSE OF ELECTING CANDIDATES TO THE OFFICE OF CITY COUNCIL IN THE CITY OF SANGER, TEXAS, FOR AN ELECTION HAVING BEEN HELD ON MAY 5, 2017, DECLARING THE RESULTS OF THAT ELECTION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the 21st day of May 2018, at a meeting of the City Council of the City of Sanger, Texas, the City Council canvassed the results of an election held on the 5th day of May 2018, for the purpose of electing candidates to the office of Mayor, City Council Place 2 and City Council Place 4, such election having been duly ordered by the Mayor and City Council, under the authority of the Constitution and the laws of this State; and

WHEREAS, the City Council of the City of Sanger, Texas, has determined that the election officials of the voting district of the City, have in compliance with the law in such cases made and provided returns to the City Council in the time and manner required, and the City Council, having canvassed the votes does find that the total number of ballots cast and that the total number of votes cast for each candidate is as follows:

NAMES OF CANDIDATES	TOTAL NUMBER OF VOTES
Phillip Surles, Mayor	111
Thomas Muir, Mayor	277
Joe Falls, City Council Place 2	122
Gary Bilyeu, City Council Place 2	259
Allen Chick, City Council Place 4	339

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:

SECTION 1. That the election, having been duly called, and that notice of the election was given in accordance with the law, and the following persons were elected to the following positions:

Thomas Muir, Mayor

Gary Bilyeu, Councilman Place 2

Allen Chick, Councilman Place 4

SECTION 2. That this ordinance shall become effective immediately upon and after its passage and approval.

PASSED AND APPROVED by the City Council of the City of Sanger, Texas, on the 21st day of May 2018.

The ordinance being read, a duly called vote approving the canvassing of the May 5, 2018 City of Sanger General Election was taken by the City Secretary Cheryl Price to officially poll approval the results of the May 5, 2018 election.

Councilman Boutwell voted -Yes - In favor
 Councilman Allison voted - Yes - In favor
 Councilman Clark voted - Yes - In favor
 Councilman Bilyeu voted - Yes - In favor
 Councilman Chick – Absent

The duly called vote by the City Secretary of Ordinance 05-14-18 canvassing and the results of the May 5, 2018 City of Sanger Election passed with the called record vote of four (4) in Favor and one (1) Absent – Councilman Allen Chick.

3. Issue Certificate of Election, Statement of Elected Official and Oath of Office.

City Secretary, Cheryl Price administered the Certificates of Election, Statements of Elected Official and Oaths of Office to Thomas Muir, Mayor and Gary Bilyeu, Councilman Place 2. Allen Chick, Councilman Place 4 was absent.

4. Elect Mayor Pro Tem.

A Nomination was made by Councilman Boutwell to nominate Gary Bilyeu as Mayor

Pro Tem. The nomination was seconded by Councilman Clark. There were no other nominations. The motion to nominate Gary Bilyeu as Mayor Pro Tem passed unanimously with a 4-0 vote – Councilman Chick Absent.

5. CITIZEN INPUT: *(Citizens are allowed 3 minutes to speak. The City Council is unable to respond or to discuss any issues brought up during this section).*

There were no citizens who approached the podium to speak.

6. CONSENT AGENDA:

a) Approval of Minutes:

1. City Council Regular Meeting May 7, 2018

b) Disbursements.

A motion was made by Councilman Allison to approve the Consent Agenda as presented. The motion was seconded by Councilman Clark. Discussion was called. There was brief discussion regarding the disbursements, in particular about the mowing contract and if McReynolds Road is on the contract. The motion was approved by a 4-0 vote. Councilman Chick Absent.

7. Consider Any Items Removed from Consent Agenda.

None.

REGULAR AGENDA

8. Consider, Discuss and Possibly Act on Proclamation #05-01-2018 Proclaiming Children's Mental Health Awareness Day May 21st, 2018 in the City of Sanger.

Gary Henderson, President and CEO of United Way of Denton County and Terri Donsbach, Executive Director of Youth and Family Counseling, were recognized and wanted to thank the city for its willingness to shine light on the mental health issues in Denton County. He thanked the Mayor and Council and citizens of Sanger for their support.

Mayor Muir read Proclamation #05-01-2018, Proclaiming Children's Mental Health Awareness Day May 21st, 2018 in the City of Sanger.

A motion was made by Councilman Bilyeu Approving Proclamation #05-01-2018 proclaiming Children's Mental Health Awareness Day as May 21st, 2018 in the City of Sanger. The motion was seconded by Councilman Clark. The motion carried unanimously with a 4-0 vote - Councilman Chick absent.

A presentation of the Proclamation was made by Mayor Muir and photos were taken with the Mayor and Council Members.

9. Consider, Discuss and Possibly Approve Martinez Brothers Concrete as the Winning Bid for Concrete Work for the City of Sanger.

Neal Welch, Public Works Director was recognized. He stated that the City advertised for bids and is bringing it back to the City Council because the contractors did not include insurance/workers comp in the first bid. Martinez Brothers submitted a bid with workers comp and all of the requirements are met. They are the lowest bid and they have been doing good work for the city for about two years. Staff recommends Martinez Brothers. It was noted that the bids kind of went back and forth on who is less. Mr. Welch noted that the other bidder wanted the sidewalk work but really did not want the street work. Staff would like to have a contractor that they could use for all of the work.

A motion was made by Councilman Boutwell to approve the Martinez Brothers Concrete as the winning bid for concrete work for the City of Sanger. The motion was seconded by Councilman Allison. The motion carried unanimously with a 4-0 vote. Councilman Chick absent.

10. Consider, Discuss and Possibly Approve Lane Asphalt as the Winning Bid and Jagoe Public as A Backup Source for Asphalt Material for the City of Sanger.

Neal Welch was recognized. He stated that the City purchases asphalt from both vendors. There are some days where if there is a big contract going on they can not get asphalt from one vendor so staff would like to have a back up vendor.

A motion was made by Councilman Bilyeu to approve Lane Asphalt as the winning bid and Jagoe Public as a backup source for asphalt Material for the City of Sanger. The motion was seconded by Councilman Clark. The motion carried unanimously with at 4-0-vote. Councilman Chick absent.

11. Consider, Discuss and Possibly Act on Ordinance # 05-15-18 – Amending Appendix A “Fee Schedule” of the Code of Ordinances, Article 4.000 “Utility Related Fees” by Amending Section 4.306 “Water Service Rates” and Section 4.307 “Sewer Service Rates”.

Ordinance Caption:

ORDINANCE #05-15-18

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING APPENDIX A "FEE SCHEDULE" OF THE CODE OF ORDINANCES, ARTICLE 4.000 “UTILITY RELATED FEES” BY AMENDING SECTION 4.306 “WATER SERVICE RATES” AND SECTION 4.307 “SEWER SERVICE RATES” AND PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Muir summarized discussion from the work session and also noted that that before Mike Brice passed, this was contemplated in the current budget. Councilman Boutwell noted that he would like to see the increase minimized annually/spread out so there is not one large increase in the future. Councilman Bilyeu agreed with Councilman Boutwell. He noted that he felt the increase needs to take place, but that it is stagnant

for four years and then there is a large increase of 18%. He would like to see the large increase spread out so it softens the blow to citizens. Staff noted that it could be phased or however the Council wants to approve it. Councilman Bilyeu noted that he would like to see this reviewed at the time of budget and noted that it would affect the budget each year. Councilman Clark noted that he agreed with Councilman Allison's comments during the work session regarding the wastewater fees and watering of the lawns which is not going into the sewer.

A motion was made by Councilman Bilyeu to approve Ordinance # 05-15-18 – amending Appendix A “Fee Schedule” of the Code of Ordinances, Article 4.000 “Utility Related Fees” by amending Section 4.306 “Water Service Rates” and Section 4.307 “Sewer Service Rates” as it is presented, noting that it be revisited no later than the time we approve the next budget. The motion was seconded by Councilman Allison. The motion carried with a three (3) in favor, one (1) against- David Clark. Councilman Chick absent.

12. Consider, Discuss and Possibly Act on a Transmission Planning Data Services Agreement Between the City of Sanger and LCRA Transmission Services Corporation and Authorize the Mayor to Execute the Agreement.

Mayor Muir summarized that this is a requirement of the Public Utility Commission to require overseeing the shedding of load. We are part of a group, and Schneider Engineer represents us. They went before a task force advisory committee with ERCOT and they appealed a new requirement that municipalities that are distributors of electric to have a Transmission Operator (TO) date. That appeal got rejected and it will now be escalated with the PUC. Part of us working through the process is, we have identified LCRA and we had an agreement in place last year to designate them as our TO. This agreement which is in the Council Packet tonight is to formalize that relationship and to formally designate them and give them the ability to submit data to ERCOT for reporting purposes. Mayor Muir explained how the system works. Councilman Bilyeu asked what the financial commitment is. Acting City Manager, Alina noted in this contract there is no financial commitment. When we assigned them as TO we do have a cost associated with that for a period of three years. She noted that she would look into the amount and let Council know what was approved. She reiterated this is just to allow them to submit data for us.

A motion was made by Councilman a Transmission Planning Data Services Agreement Between the City of Sanger and LCRA Transmission Services Corporation and Authorize the Mayor to Execute the Agreement. The motion was seconded by Councilman Bilyeu. The motion carried unanimously with a 4-0 vote, Councilman Chick absent.

Mayor Muir moved the discussion of the Information Items to this point in the agenda for benefit of anyone in the audience who may be present so they do not have to wait until after the Executive Session.

13. INFORMATION ITEMS:

a) All American Dogs Report

Mayor Muir noted that the spreadsheet seems to be working pretty well and it is a

nice improvement from what we had. It looks like we are staying within the projections, possibly until the summer months begin, which seems to be a time when the numbers increase.

14. EXECUTIVE SESSION: CLOSED MEETING

Pursuant to the Open Meetings Act, Chapter 551, the City Council Will Meet in a Closed Executive Session in Accordance With the Texas Local Government Code:

Section 551.074 to Discuss Personnel Matters:

- a) To Deliberate and Possibly Act Regarding the City Manager Position, Including Employment, Appointment, or Duties of Said Position.**

The City Council convened into closed Executive Session at 7:50 PM.

15. RECONVENE: OPEN MEETING

The City Council reconvened at 9:34 PM.

- b) Any Action Taken.**

Mayor Muir asked what Council's pleasure was coming out of Executive Session.

A motion was made by Councilman Bilyeu to authorize the Mayor to negotiate with Alina Ciocan and bring the Council a proposed contract to fill the position of City Manager. The motion was seconded by Councilman Clark. The motion carried unanimously with a 4-0 vote – Councilman Chick absent.

- 16. FUTURE AGENDA ITEMS: (*The purpose of this item is to allow the Mayor and members of Council to bring forward items they wish to discuss at a future meeting, A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting. Items may be placed on a future meeting agenda with a consensus of the Council or at the call of the Mayor*).**

17. ADJOURN.

There being no further business Mayor Muir adjourned the meeting at 9:35 PM.