

THE CITY COUNCIL OF THE
CITY OF MOUNT ENTERPRISE, TEXAS

WILL CONVENE IN REGULAR SESSION

JANUARY 31ST, 2023 AT 5:00 P.M.

MOUNT ENTERPRISE CITY HALL,
103 W. GREGG STREET, MOUNT ENTERPRISE, TX 75681
MAYOR JIM REESE WILL PRESIDE



AMENDED AGENDA

1. Call the Meeting to Order **Mayor Jim Reese called the meeting to order at 5:00 p.m.**
2. Establish a Quorum
Mayor Jim Reese - **Present**
Mayor Pro Tem & Council Member Place #1 Freddy Swann - **Present**
Council Member Place #2 Judy Cox - **Present**
Council Member Place #3 Jacob Waldron - **Present**
Council Member Place #4 Mary Jo Baird - **Present**
Council Member Place #5 Harvey Graves - **Present**
3. Invocation **Led by Jim Reese**
4. Pledge of Allegiance to the U.S. Flag & Pledge of Allegiance to the Texas Flag (*Honor the Texas flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible*).
5. Public Comment Present: **City Secretary Suzanne M. Pharr, Office Assistant Khristy Webb, City Attorney Suellen Perry, City Marshal Jon Randolph, Wastewater Operator John Henry, Brent Griffith**
6. Consent Agenda
All consent items are considered routine and will be enacted by one motion and vote.
 - A. Approval of Regular Meeting Minutes, December 20, 2022.
 - B. Approval of December 2022 Monthly Reports for ICON Court, Wastewater, Debt Service Fund, and General Fund.
 - C. Approval of 2022 Year End Payroll and Vendor Reports.

Upon a motion made by Councilmember Mary Jo Baird and seconded by Councilmember Jacob Waldron, the Council voted (5) "ayes" and zero (0) "nays" to accept the Consent Agenda. The motion carried.
7. Business
Discuss, Consider, and Possibly Take Action Regarding:
 - A. Training for City Secretary – Civil Service and Labor Relations Workshop, February 1-3, 2023, in Sugar Land, Texas. (SMP)
Upon a motion made by Councilmember Freddy Swann and seconded by Councilmember Judy Cox, the Council voted (5) "ayes" and zero (0) "nays" to postpone this motion indefinitely. The motion carried.
 - B. Conference for City Secretary – 2023 TML Midyear Conference in San Antonio, March 2-3, 2023. (SMP)
Upon a motion made by Councilmember Cox and seconded by Councilmember Waldron, the Council voted (5) "ayes" and zero (0) "nays" to postpone this motion indefinitely. The motion carried.
 - C. City street usage. (JR)
Upon a motion made by Councilmember Harvey Graves and seconded by Councilmember Baird, the Council voted (5) "ayes" and zero (0) "nays" to postpone this motion indefinitely. The motion carried.

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- D. Street Sign Order for W. Henderson Street. (SMP)
Upon a motion made by Councilmember Swann and seconded by Councilmember Cox, the Council voted (5) "ayes" and zero (0) "nays" to order the W. Henderson Street sign. The motion carried.
- E. Ordinance 2023-0131-1 Rockin M Gas Franchise Fee. (SMP)
Upon a motion made by Councilmember Baird and seconded by Councilmember Waldron, the Council voted (5) "ayes" and zero (0) "nays" to approve Ordinance 2023-0131-1 Rockin M Gas Franchise Fee. The motion carried.
- F. Webinar for code officers, city attorneys, council members or city staff – "Land Use Fundamentals" Thursday, February 16, 2023, from 9 a.m. to noon CDT. Topics include: Comp Plans, Plats, Zoning, Building Codes, Signs, Planning and Zoning, Code Enforcement and Board of Adjustment. \$150 per person. (SMP)
Upon a motion made by Councilmember Graves and seconded by Councilmember Baird, the Council voted (5) "ayes" and zero (0) "nays" to register City Attorney, City Marshal and Mayor for the "Land Use Fundamentals" webinar. The Motion carried.
- G. Ordinance for zoning, planning and enforcement. (JR)
Upon a motion made by Councilmember Swann and seconded by Councilmember Cox, the Council voted (5) "ayes" and zero (0) "nays" to postpone this item to next month's agenda so that the City Attorney can attend webinar and better prepare the council with an effective and easy to understand ordinance in relation to zoning. The Motion carried.
- H. Webinar for City Secretary – City Secretary 201 – Live on 7/14/2023 or after that date On Demand. \$80 – no hotel/travel needed. (SMP)
Upon a motion made by Councilmember Waldron and seconded by Councilmember Baird, the Council voted (5) "ayes" and zero (0) "nays" to approve the City Secretary to attend the City Secretary 201 Webinar. The motion carried.
- I. Webinar for City Secretary – Texas Commission on Environmental Quality – Live on 2/10/2023 or after that date On Demand. \$80 - no hotel/travel needed. (SMP)
Upon a motion made by Councilmember Waldron and seconded by Councilmember Baird, the Council voted (5) "ayes" and zero (0) "nays" to approve the City Secretary to attend the Texas Commission on Environmental Quality Webinar. The motion carried.
- J. Emergency Management Officers Assignment. (CITYMARSHAL)
Upon a motion made by Councilmember Waldron and seconded by Councilmember Swann, the Council voted (5) "ayes" and zero (0) "nays" to keep the City Marshal and City Secretary on the EMO Assignment and add Mary Jo Baird to the EMO Assignment as well. The motion carried.
- K. TMCEC Regional online live stream March 27-29, 2023, for the Court Administrator. Cost of Virtual North Texas Regional Clerks Seminar is \$150 – no hotel/travel will be needed. (SMP)
Upon a motion made by Councilmember Graves and seconded by Councilmember Cox, the Council voted (5) "ayes" and zero (0) "nays" to approve the City Secretary and Khristy Webb to attend the Virtual North Texas Regional Clerks Seminar. The motion carried.
- L. Community Building plumbing invoice discussion. (JR)
Upon a motion made by Councilmember Waldron and seconded by Councilmember Graves, the Council voted (5) "ayes" and zero (0) "nays" to postpone this item to next month's

Certification

"I, the undersigned authority does hereby certify that the above Notice of Meeting was removed from City Hall bulletin board, 103 W. Gregg Street, City of Mount Enterprise, Texas, a place convenient and readily accessible to the general public at all times, on the 31st day of January 2023 at 6:14 p.m., after having been posted for at least 72 continuous hours preceding the scheduled time of the posted meeting."

City Secretary, City of Mount Enterprise, Texas



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agenda so that the City Secretary could locate the interlocal agreement between city and county. And also, for the City Attorney to find out additional information related to the city's liability. The motion carried.

M. Policy of two check signers. (SMP)

Upon a motion made by Councilmember Waldron and seconded by Councilmember Graves, the Council voted (5) "ayes" and zero (0) "nays" to approve one check signer for checks \$3,000.00 and under. Checks over \$3000.00 will need two check signers for control purposes. The motion carried.

N. Parcel ID's 58939 and 58940 streets and ROW inquiry. (SMP)

Upon a motion made by Councilmember Waldron and seconded by Councilmember Cox, the Council voted (5) "ayes" and zero (0) "nays" to approve vacating the right of ways of 1.61 acre and .089 acre of parcels 50939 and 58940 so that the owner of the property can use his property without future roads being added by the city in those surveyed right of ways. The motion carried. The mayor did ask the property owner to provide the city with a printout of the plat.

O. Crossroads Family Care downtown inquiry for renovations and ADA compliance. (SMP)

Upon a motion made by Councilmember Baird and seconded by Councilmember Graves, the Council voted (5) "ayes" and zero (0) "nays" to postpone this item to next month's agenda. Crossroads was not prepared to show the council their plans this month. The motion carried.

P. Complaint resolutions. (SMP)

Upon a motion made by Councilmember Cox and seconded by Councilmember Swann, the Council voted (5) "ayes" and zero (0) "nays" to find that the presented complaint was unfounded. A letter drafted by the City Attorney will be sent on behalf of the city. The motion carried.

8. Executive Session (City Council reserves the right to adjourn into executive session at any time for any item on this agenda during this meeting as authorized by the Texas Government Code)

- a. *Seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]*
- b. *Deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]*

Upon a Motion to move items J, L and P into executive session to seek the advice of our attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meeting Act. [Tex. Govt. Code §551.071] and deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074] made by Councilmember Graves and seconded by Councilmember Baird the Council voted (5) "ayes" and zero (0) "nays" to move into Executive Session at 5:45 pm. The motion carried.

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City Administrator, City of Mount Enterprise, Texas

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Upon a Motion made by Councilmember Graves and seconded by Councilmember Baird the Council voted (5) “ayes” and zero (0) “nays” to move into Regular Session at 6:08 pm. The motion carried.

9. Announcements or Comments by City Councilmembers or City Staff
Informational only; no action to be taken.

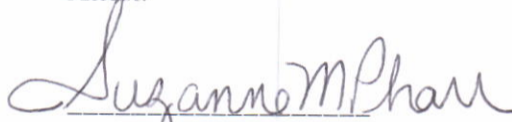
City Secretary reminded the council that the schools were closed tomorrow for inclement weather, it was recommended by the mayor we keep the office staff safe by closing city hall tomorrow as well. City Secretary also reminded the council that city hall will be closed February 20, 2023 for President’s Day and that Judge Walters will be holding court instead of February 21, 2023.

10. Adjournment

Upon a motion made by Councilmember Waldron and seconded by Councilmember Baird, the Council voted (5) “ayes” and zero (0) “nays” to adjourn this meeting at 6:12 p.m. The motion carried.


Mayor or Mayor Pro-Tem

Attest:


City Administrator

The City Council reserves the right to adjourn into executive session at any time during this meeting as authorized by the Texas Government Code.

This facility is wheelchair accessible. Accessible parking spaces are available. Requests for auxiliary aids and services must be made two business days prior to this meeting by calling 903-822-3269 or emailing suzannepharr@citymte.com.

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