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COUNTY OF ANDERSON

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CITY OF ELKHART

On this the first of May, 1995, the City Council of the City of Elkhart, Texas convened in regular session with the following

members present:

Jimmy Parker	*	Mayor
Diane Parker	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Raymond Dunlap	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	*	Councilmember

All members of Council present and a quorum established, the Mayor called the meeting to order at 5:00 P.M..

Mayor Parker recognizes citizens in attendance and they are as follows: Ralph Wesner, Mr. Owens, Joe Dickerson, District Manager for Entex; City engineer, Walter Hicks and City attorney, Diane Hopkins; City employees -- Billie Treadwell, Financial Secretary, Jim Parker, Public Works Supervisor, Darrell Morgan, Public Works Sewer Dept., and Tommy Oliver, Public Works.

The Mayor now directs the meeting to the Agenda Items and they are as follows:

Agenda Item No. One - Consider Approval of Minutes of 04/03/95.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the first of May, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to approve the minutes of April 3, 1995, regular session, as presented. Motion Carried.

Agenda Item No. Two - Consider Outside City Limit Water

Meters; Ralph Wesner, Blue Ribbon Road.

Mr. Wesner and Mr. Owens asked the City Council for the movement of Grouped Water Meters from the corner of Cty Rd. 162 and Cty Rd. 163, and for said Water Meters to be reset in front of each resident's house that is currently on the Elkhart Water Service.

After much discussion regarding Mr. Wesner's request, the Council's consensus was that Mr. Wesner would have to obtain the necessary permission from the County Commissioner's Office and to acquire a census from his neighbors as to their wanting the Water Meters moved and proceed from that point with no expense to the City.

The consensus of the City Council of Elkhart, Texas, as of this date, is that no action be taken regarding this matter of moving and resetting the grouped Water Meters at the intersection of Cty Rd. 162 and Cty Rd. 163.

Agenda Item No. Three - Consider Annexation; City Engineer, Walter Hicks and City Attorney, Diane Hopkins; Presentation.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the first of May, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch to have Walter Hicks, City Engineer, to research the total boundaries of the Corporate Limits of the City of Elkhart, Texas, and said research is to be conducted in Metes and Bounds at an estimated cost for the City of SIX THOUSAND SIX HUNDRED FIFTY DOLLARS AND NO CENTS (6,650.00). Motion Carried.

Upon the Mayor's request the Council moved to Item No. Six; Consider Termination of Entex Collections.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the first of May, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Devoin Garrison to terminate the City of Elkhart's Collection Agreement with Entex Gas Company to be effective as of June 1, 1995. Motion

Agenda Item No. Four - Consider Emergency Care Attendant's

Meeting Facitity; Randy McCoy.

There was no action taken by the Council on Agenda Item No. Four. Mayor Parker suggested that Mrs. Harris speak with Mr. McCoy as to seeking another location for a meeting facility other than the City Hall.

Agenda Item No. Five - Consider Transfer of Funds; Amendment of Budget Ordinance No. 156.

Mayor Parker asked that no action be taken on this item as of this time and that Item No. Four be brought back as an agenda item at another time.

The Tabled Item List is now addressed:

Item No. One - Annexation; will remain

Item No. Two - Consider Revision of Ordinance No. 110 and Ordinance No. 111; implementation of Committee; request motion to be removed from the Tabled Item List. No action taken; will remain

City Administrator's report was given by Mrs. Harris. Mrs. Harris gave a brief up-date on the most current events; Sat., April 29, 1995, lost water pressure, Sue Harris and Darrell Morgan resolved the matter in a short period of time, T U Electric power outage of Friday, April 28, 1995, Economical Development and Enterprise Zone, P U C, exchange expanded toll-free local calling for Elkhart. Mrs. Harris invited the Councilmembers to attend the Tourism meeting of May 4, 1995 at 7:00 P.M. in the City Hall meeting area.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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* IN CITY COUNCIL MEETING

On this the first of May, 1995, a motion was made by Councilmember Diane Parker and seconded by Councilmember Lee Bridges to adjourn this regular session of the City Council meeting. Motion Carried

Meeting adjourned 6:58 P.M.

JIMMY PARKER, Mayor

ATTEST:

MARGIE CRAWFORD, City Secretary

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COUNTY OF ANDERSON

CITY OF ELKHART

This Special Called Meeting of May 8, 1995, was called for the purpose of canvassing the General Election of May 6, 1995. Mayor

Jimmy Parker called the meeting to order at 4:30 P.M. The Following Councilmembers were present:

Jimmy Parker

Mayor

Mayor Pro-tem Diane Parker

City Secretary Margie Crawford

Councilmember Raymond Dunlap

Councilmember Devoin Garrison

The Following Councilmembers were absent: Councilmember Lee Bridges and Councilmember George Branch.

A quorum being present, the Mayor stated that the canvass of votes was for the Mayoral place and two Alderman, Place Two and Place Four and for the Council to declare the talley of votes as being true. The candidates receiving votes for the above mentioned places are as follows:

Mayor - Jimmy Parker, Mayor ; 31 votes.

Place Two - Councilmember Lee Bridges; 30 votes.

Place Four - Councilmember George T. Branch; 32 votes

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 8th day of May, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Diane Parker to accept the results of the General Election held for the City of Elkhart for positions on the City Council and do hereby agree with the count of votes listed on the Talley sheet. Motion Carried.

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 8th day of May, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Diane Parker to adjourn this Special Called Meeting of the 8th of May, 1995. Motion Carried.

This meeting adjourned at 4:38 P.M. this day, May 8th, 1995.

JIMMY PARKER, Mayor

ATTEST:

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THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

On this the 18th day of May, 1995, a special called meeting convened at 4:00 P.M. in the Council meeting area with the following members present:

Jimmy Parker * Mayor

Margie Crawford * City Secretary

George Branch * Councilmember

Raymond Dunlap * Councilmember

Devoin Garrison * Councilmember

Councilmembers absent are as follows: Mayor Pro-tem Diane Parker; Councilmember Lee Bridges.

There being a quorum present, the Mayor called the meeting to order and proceeded by stating to all in attendance that the purpose of this special called meeting was to consider a resolution for the implementing of Meals-on-Wheels to be located in the City of Elkhart, Texas. This being a program to provide hot meals for our senior citizens in the community; this not being only a program for Elkhart; citizens in the south end of the County may also participate as well as other cities that are close to the City of Elkhart

Mayor Parker recognizes all citizens present and they are as follows: Executive Director of Meals-on-Wheels, Lois Durant; R.N. Administrator of the South Anderson Visiting Nurses, Vernice Dickson; previous Mayor of the City of Elkhart, Garth Moran; Anderson County Sheriff's Office, Deputy Ralph Smith; Palestine Herald Press News Reporter, Cindy Polk.

City employees in attendance are as follows: Mrs. Sue Harris, City Administrator; Jim Parker, Public Works Supervisor; Billie Treadwell, Financial Secretary.

Mrs. Harris gave a presentation regarding the Meal-on-Wheels Program. The said program will be co-ordinated with Meals-on-Wheels Executive Director, Lois Durant, Anderson County sheriff's Department, the owner of the Mill Run Apartments, Charlie Tidmore; the Elkhart State Bank, and Laidlaw Waste Management. Also, this program will require citizen volunteers. As of this date there is a need for a stove, refrigerator, desk, and file cabinet.

Upon input from those in attendance, the Mayor asked for a motion regarding Agenda Item No. One - Consider Resolution No. 155;

Meals-on-Wheels. This resolution provides for the Meals-on-Wheels program to be located in the City of Elkhart, Tx at 309 West Parker Street in ADA ready Log Building.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 18th day of May, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember George Branch to approve, accept, and adopt Resolution No. 155; Meals-on-Wheels. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 18th day of May, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to adjourn this special called meeting. Motion Carried.

The meeting adjourned at 4:52 P.M. this May 18, 1995.

JIMMY PARKER, Mayor

ATTEST:

MARGIE CRAWFORD, City Setretary

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THE STATE OF TEXAS

COUNTY OF ANDERSON X

CITY OF ELKHART

On this the 5th day of June, 1995, the City Council of the City of Elkhart, Texas convened in Regular Session with the following members present:

Jimmy Parker * Mayor

Diane Parker * Mayor Pro-Tem

Billie Treadwell * Asst. City Secretary

George Branch * Councilmember

Lee Bridges * Councilmember

Devoin Garrison * Councilmember

Councilmember that were absent from this meeting are as follows: Raymond Dunlap, Mr. Dunlap called earlier in the day to state for the record that he had to be out of town because a family member was ill.

There being a quorum present, the Mayor called the meeting to order at 5:00 p.m.

At this time the Mayor recognized citizens in attendance: City Attorney, Diane Hopkins, Rhonda Thornton, Todd Bostic, Jerry McLemore, and Keith Thornton.

Agenda Item No. One - Consider approval of Minutes of May 1, May 8, and May 18, 1995.

THE STATE OF TEXAS

COUNTY OF ANDERSON *

CITY OF ELKHART * IN CITY COUNCIL MEETING

On this the 5th day of June, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to approve the minutes of the May 1, May 8 and May 18, 1995, regular and special called meetings. Motion Carried.

Agenda Item No. Two - Consider Water Bill; Archie Thomas

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

The Mayor requested that this item be passed on, because of no representation on behalf of the customer.

Agenda Item No. Three - Consider Game Room; Todd Bostic

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

The Councilmembers did not take any action on this item, reason being; The City of Elkhart, Texas, has an ordinance in place, Ordinance No. 105, Section 5.5 that prohibits any game rooms within 300 feet of any church or school.

Agenda Item No. Four - Consider Ordinance No. 166 for G.T.E., Right-of Way Easement; Keith Thornton.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of June, 1995, Mayor Pro-Tem Diane Parker made a motion to accept a Right-Of-Way Easement with G.T.E. At a flat rate of ONE THOUSAND EIGHT HUNDRED AND SIXTY FOUR DOLLARS AND NO CENTS (1,864.00) per year, for five years, with a provision of a growth factor built in. Councilmember Devoin Garrison seconded this motion. Motion Carried.

Agenda Item No. Five - Consider Snowcone Route; Jerry McLemore.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of June, 1995, Councilmember George Branch made a motion to approve Mr. McLemore's snowcone route, and Mayor Pro-Tem Diane Parker made the second on this motion. Motion Carried.

Agenda Item No. Six - Consider Water Service Outside City Limits; Michael Smith.

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of June, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Lee Bridges to approve water outside the city limits to Mr. Michael Smith, at the outside rate of one and a half times the normal water rate. Motion Carried.

Agenda Item No. Seven - Consider Interlocal Agreement with ACAD for Preparation of Property Tax Roll and Printing Tax Statements.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of June, 1995, Councilmember George Branch made a motion to approve an Interlocal Agreement Contract with ACAD for preparations of property tax roll and printing of tax statements. Mayor Pro-Tem Diane Parker seconded the motion. Motion Carried.

Agenda Item No. Eight - Consider Cost of Living.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of June, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to approve a 5% an hour cost of living raise for all full-time, hourly employees. Motion Carried.

Agenda Item No. Nine - Consider Delinquent Tax Attorneys and Software for Tax Collection; Perdue, Brandon, Fielder, Collins & Mott, L.L.P.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of June, 1995, Councilmember George Branch made a motion to approve the Software for tax collections and Perdue, Brandon, Fielder, Collins & Mott, L.L.P as the City of Elkharts, Texas, Tax Attorneys. This motion was seconded by Councilmember Lee Bridges. Motion Carried.

The Tabled Items List is now addressed:

Item No. One - Annexation; will remain

Item No. Two - Consider Revision of Ordinance No. 110 and Ordanance No. 111; implementation of Committee; request motion to be removed from the Tabled Items List. No Action Taken; will remain

At this time Mayor Parker asked the City Attorney if she had any input.

Ms. Hopkins stated that she agreed with the Councilmembers that we do indeed have a good staff and that she like the way the City conducts business.

City Administrator's report was given by Mrs. Sue Harris. Mrs. Harris gave a brief report on the success of the new Senior Citizens Center and the possibility of a branch library. Mrs. Harris updated the council on the P.C.U. petition and the T.U. Electric audit report on the street lights. Mrs Harris asked for any and all input for the 1995/1996 budget, she will begin preparations on a skeleton budget during the month of June.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of June, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to adjourn this regular session of the City Council meeting. Motion Carried.

Meeting adjourned 6:24 P.M.

JIMMY PARKER, Mayor

ATTEST:

MARGIE CRAWFORD, City/Secretary

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On this the 3rd day of July, 1995, the City Council of the City of Elkhart, Texas convened at 5:02 P.M. in regular session with the following members present:

Mayor	Mayor Pro-tem	City Secretary	Councilmember	Councilmember	Councilmember	Councilmember
*	*	*	*	*	*	*
Jimmy Parker	Diane Parker	Margie Crawford	George Branch	Lee Bridges	Raymond Dunlap	Devoin Garrison

A quorum being present, the Mayor called the meeting to order. Citizens in attendance were recognized by Mayor Parker; Mr. Weldon Easley, Richard Lasiter, Jason Gordon.

Agenda Items are now addressed by the Council and they are as follows:

Agenda Item No. One - Consider Approval of Minutes; Mtg. of June 5, 1995.

THE STATE OF TEXAS
COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

Commember George Branch and seconded length icilmember Devoin Garison to approve the minutes of June 2, 1995 City Council

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the 3rd day of July, 1995, the City Council of the City of Elkhart, Texas convened at 5:02 P.M. in regular session with the following members present:

Jimmy Parker	*	Mayor
Diane Parker	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Raymond Dunlap	*	Councilmember
Devoin Garrison	*	Councilmember

A quorum being present, the Mayor called the meeting to order. Citizens in attendance were recognized by Mayor Parker; Mr. Weldon Easley, Richard Lasiter, Jason Gordon.

Agenda Items are now addressed by the Council and they are as follows:

Agenda Item No. One - Consider Approval of Minutes; Mtg. of June 5, 1995.

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART * IN CITY COUNCIL MEETING

On this the 3rd day of July, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to approve the minutes of June 5, 1995 City Council Meeting as presented. Motion Carried.

Agenda Item No. Two - Consider Eagle Scout Project; Jason Gordon.

THE STATE OF TEXAS

COUNTY OF ANDERSON *

CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 3rd day of July, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges that the City of Elkhart allow Jason Gordon to identify and paint all fire hydrants within the Corporate Limits of the City of Elkhart for his Eagle Scout Project and the City of Elkhart will furnish all supplies necessary for this project. Motion Carried

Agenda Item No. Three - Consider adjustment of Water/Sewer Bill; Richard Lasiter

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 3rd day of July, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch to adjust Richard Lasiter's water/sewer bill of ONE HUNDRED TWENTY-NINE DOLLARS AND TWENTY-FIVE CENTS (129.25) to one-half of the total amount due; after adjustment, the amount due is SIXTY-FOUR DOLLARS AND SIXTY-THREE CENTS (64.63). Motion Carried.

Agenda Item No. Four - Consider water Service to the Elkhart Golf Course on FM 1817.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 3rd day of July, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember George Branch that the City of Elkhart provide water service to the Elkhart Golf Course located on FM 1817 and that this water service is to be for the pro-shop only. Cost for road bore and other materials necessary for the said project will be at the expense of the Elkhart Golf Course, owner Reuben Beard. Motion Carried.

Agenda Item No. Five - Consider Reimbursement of Plumbing Cost; Louie Clark.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 3rd day of July, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Raymond Dunlap to reimburse Mr. Louie Clark for one-half of the Plumbing bill presented to Mr. Clark by J.V. Wilson for services rendered in the amount of SEVENTY DOLLARS (70.00); THIRTY-FIVE DOLLARS (35.00) will be credited on the June Water bill of Mr. Clark. Motion Carried.

Agenda Item No. Six - Consider Foster Bldg., Broken Window; Owner Jerry Blackstone

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 3rd day of July, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Raymond Dunlap that the City of Elkhart mail to Mr. Blackstone a bill for the amount of SEVENTY-ONE DOLLARS AND SEVENTY-NINE CENTS (71.79) for the materials and labor utilized for covering the broken window at the Foster Bldg, Parker St. Also, along with the bill, a letter requesting Mr. Blackstone to remove a refrigerator from the outside back of his building and to store the refrigerator properly. If he does not comply, then the matter will be given to the City attorney and a lien placed on said property. Motion Carried.

Agenda Item No. Seven - Consider Guidelines For Senior Citizen Activity Ctr.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 3rd day of July, 1995, the consensus was that no action be taken on Item No. Seven as of this time and that this item be brought back at another time as an agenda item.

Agenda Item No. Eight - Consider Amendment of 94'-95' Budget; Heavy Equipment.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 3rd day of July, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin

Garrison that the City of Elkhart 94'-95' Fiscal Year Budget be amended to reflect ELEVEN THOUSAND DOLLARS (11,000) placed into the General Account, Street Fund 142. Also, to reflect the expenditure for the purchase of Maintainer in the amount of FIFTEEN THOUSAND THIRTY-SIX DOLLARS AND THIRTY CENTS (15,036.30) to be paid from the Street Fund 142. Motion Carried.

Tabled Item List is now addressed:

Item No. One - Annexation; will remain.

Item No. Two - Revision of Ordinances; 110 and 111, implementation of Committee; request to be removed from the Tabled Item List; will remain.

Mayor Parker now excuses Diane Parker from the council table and continues on by asking for input from the Councilmembers.

Councilmember Raymond Dunlap, Chairperson for the Public Safety Committee, gave a brief update to all in attendance as to what has been accomplished by the Committee and yet to be implemented.

Mayor Parker now asked for a motion to adjourn.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 3rd day of July, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Raymond Dunlap to adjourn this meeting of July 3, 1995. Motion Carried.

City Council Meeting adjourned at 6:45 P.M.

JIMMY PARKER, Mayor

ATTEST:

MARGIE CRAWFORD, City/Secretary

CITY OF ELKHART BUDGET HEARING FISCAL YEAR 1995-1996

The Mayor Pro-tem Diane Parker called the Budget Hearing to order at 5 P.M. in the facility of City Hall on Monday, August 7, 1995.

The following City Councilmembers were present for the Budget Hearing:

Mayor Prostem * Diane Parker

City Secretary * Margie Crawford

Councilmember * George Branch

Councilmember * Raymond Dunlap

Councilmember * Devoin Garrison

Mayor Jimmy Parker and Councilmember Lee Bridges were absent from said hearing.

Citizens present are as follows:

Lavoy Lasiter, Jim Bob Parker, Jennifer Ray, Diane Hopkins, Ben Alman, and Opal Parker, and students from Trinity Valley Jr. College.

Mayor Pro-tem, Diane Parker, called upon City Administrator, Mrs. Sue Harris, to present a presentation on the proposed City of Elkhart Budget for the Fiscal Year of 1995-1996. The total income proposed for budget year is FOUR HUNDRED SIXTY-TWO THOUSAND NINE HUNDRED SEVENTY-EIGHT DOLLARS (462,978.00); total expenditures proposed is FIVE HUNDRED TWENTY-SEVEN THOUSAND SEVEN HUNDRED TWELVE DOLLARS (527,712.00); Beginning Balances are ONE HUNDRED SIXTY THREE THOUSAND SIXTY-FIVE DOLLARS (163,065.00); ending balance of NINETY-EIGHT THOUSAND THREE HUNDRED THIRTY-ONE DOLLARS (98,331.00).

Upon completion of Mrs. Harris' presentation of the proposed 95'-96' fiscal year budget for the City of Elkhart, Mayor Pro-tem, Diane Parker, opened the hearing for a question and answer session pertaining to the said proposed budget.

Mr. Lavoy Lasiter was recognized by the Mayor Pro-tem to speak to the Council. His recommendation was that the Council approve and adopt the said budget. Also recognized by the Mayor Pro-tem were four students from the Trinity Valley Jr. College who were in attendance for a classroom assignment.

There being no further questions or input from the Council or

citizens being in attendance, the Mayor Pro-tem declared the 95'-96' City of Elkhart Fiscal Year Budget Hearing closed.

City of Elkhart 95'-96' Fiscal Year Budget Hearing adjourned at 5:34 P.M.

ATTEST:

JIMMY PARKER, Mayor

Margie Crawford, City Secretary

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THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this seventh day of August, 1995, the City of Elkhart City Council Meeting convened with the following members present. They are as follows:

Diane Parker * Mayor Pro-tem

Margie Crawford * City Secretary

George Branch * Councilmember

Raymond Dunlap * Councilmember

Devoin Garrison * Councilmember

The following councilmembers were absent: Mayor Jimmy Parker, and Councilmember Lee Bridges.

Mayor Pro-tem Diane Parker called the regular City Council Meeting to order at 5:40 P.M. declaring a quorum as being present.

Citizens in attendance being recognized, the Mayor Pro-tem addresses the Agenda Items.

Item No. One - Approval of Minutes of City Council Mtg. held July 3, 1995.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the seventh day of August, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to approve and accept the minutes of 07/03/95 as presented. Motion Carried.

Item No. Two - Consider Approval and Adoption of 95'-96' Fiscal Year Budget by Ordinance No. 161-8-7-95.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the seventh day of August, 1995, a motion was made by

Councilmember George Branch and seconded by Councilmember Devoin Garrison to approve and adopt the City of Elkhart 95'-96' Fiscal Year Budget as presented this date of August 7, 1995 by the passing of Ordinance No. 161-8-7-95. Motion Carried.

Item No. Three - Consider adjustment of water bill; Harris Lohmeyer.

Item No. Four - Consider adjustment of water bill; Hank Thomas.

Item No. Five - Consider adjustment of Sewer Bill; Joe Paxton.

It was suggested that the Council consider the three items referenced above at the same time due to the likeness of the three items.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the seventh day of August, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to adjust Mr. Lohmeyer's and Mr. Hank Thomas' water bill to half of the amount of the usage and to adjust Mr. Joe Paxton's sewer usage to half of the amount charged. Motion Carried.

Item No. Six - Consider Holidays for the City of Elkhart's
 Fiscal Year; 95'-96'.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the seventh day of August, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Devoin Garrison to accept and approve the Holidays for the City of Elkhart's Fiscal Year 95'-96. Motion Carried.

Item No. Seven - Consider Contract with Wisenbaker, Fix, and Associates, Inc. for providing engineer services for T.C.D.P..

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the seventh day of August, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to accept the Engineer Contract of Service for the T.C.D.P. Grant. Motion Carried.

Item No. Eight - Consider Resolution No. 155-8-7-95 designating persons to be authorized to sign forms to draw T.C.D.P. funds.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

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On this the seventh day of August, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Raymond Dunlap to accept and approve Resolution No. 155-8-7-95 designating Jimmy Parker, Mayor; Sue Harris, City Administrator, and Margie Crawford, City Secretary as persons to sign forms for draw of funds for the State of Texas Purchase Voucher and the Request for Advance or Reimbursement in relation to the T.C.D.P.. Motion Carried.

Item No. Nine - Consider Ord. No. 110 and Ord. No. 111 for adoption of and appointment of Committee.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the seventh day of August, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Raymond Dunlap to pass, approve, and adopt Ord. No. 110 and Ord. No. 111 and the appointment of a committee; committee members are Opal Parker, Billy Bailey, and Bessie Durnell. The Chairperson is Councilmember George Branch, and City Administrator, Sue Harris, will be serving with the committee in an advisory capacity. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the seventh day of August, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Devoin Garrison to enter into an Employee Contract with Brenda Thomas of ACAD for the purpose of calculating the City of Elkhart's effective

tax rate for the tax year of 1995. Motion Carried.

Item No. Eleven - Executive Session, Article 6252-17, Sec. 2-G; Personnel, review of City Administrator.

The City Council adjourned regular council meeting and convened into executive session at 6:20 P.M.

The City Council adjourned executive session and entered back into regular session at 6:39 P.M.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the seventh day of August, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison that the City of Elkhart retain Mrs. Sue Harris' services for another year and that she be compensated with an increase in salary in the amount of FIVE HUNDRED DOLLARS (500.00) per month and an increase in Mrs. Harris' car allowance of FIFTY DOLLARS (50.00) per month to be effective immediately. Motion Carried.

The Tabled Item List is now addressed as follows:

Item No. One - Annexation; Surveyors still establishing boundaries per Diane Hopkins; item will remain.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

On this the seventh day of August, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember George Branch that upon acceptance and adoption of Ord. No. 110 & Ord. No. 111 in a previous action by Council in this meeting, and the appointment of a committee, that this item be removed from the Tabled Item List. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

IN CITY COUNCIL MEETING

On this the seventh day of August, 1995, a motion was made by

Councilmember Devoin Garrison and seconded by Councilmember George Branch to adjourn this regular City Council Meeting. Motion Carried.

The City of Elkhart Council Meeting adjourned at 6:45 P.M.

JIMMY PARKER, Mayor

ATTEST:

MARGIE CHAWFORD, City Secretary

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James Raker

Andrew Departs

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the Eleventh day of September, 1995, the City of Elkhart Council Meeting convened with the following members present. They are as follows:

Jimmy Parker * Mayor

Diane Parker * Mayor Pro-tem

Margie Crawford * City Secretary

George Branch * Councilmember

Lee Bridges * Councilmember

Raymond Dunlap * Councilmember

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Mayor Parker declared all Councilmembers present and called the regular meeting of the City Council to order at 5:00 P.M..

Mayor Parker recognized all citizens present and they are as follows: Girl Scout Troop No. 2512 Leader Karen McKinney and Assistant Leader Mrs. Wilkinson; Girl Scouts, Laura McKinney and Rebekah Wilkinson; Reporter of the Palestine Herald Press Cindy Polk; C P A's, Cecil Staples, Debra Fisher, and Frank Campos; Citizen Marion Hortman. Employees present were Public Works Supervisor Jim Parker, Part-time outside help Joseph Edgin, and Financial Secretary Billie Treadwell.

The Mayor introduced new Part-time help Joseph Edgin to the Council and all present. He then proceeded with the Agenda Items.

Agenda Items are as follows:

Devoin Garrison

Item No. One - Consider Approval of Minutes; Regular City Council Mtg. and City of Elkhart Budget Hearing of August 7, 1995.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

Councilmember

On this the Eleventh day of September, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Devoin Garrison to approve the minutes of the August 7, 1995, City of Elkhart Budget Hearing and regular City Council Mtg. as presented.

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Motion Carried.

Item No. Two - Presentation by the Girl Scout Troop No. 2512; Laura McKinney and Rebekah Wilkinson.

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART * IN CITY COUNCIL MEETING

On this the Eleventh day of September, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Diane Parker to approve the project presented to the Council by the Girl Scouts of Troop No. 2512 for the landscaping and Beautification of the Caboose area with a designated parking area. Motion Carried.

Item No. Three - Consider Relocation of Existing Sewer Line; Marion Hortman.

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART * IN CITY COUNCIL MEETING

On this the Eleventh day of September, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to approve the relocation of Sewer Line located on Mr. Hortman's property with Mr. Hortman incurring all of the cost for relocation of said line. Motion Carried.

Item No. Four - Consider C P A for the City of Elkhart Fiscal Year End Audit.

THE STATE OF TEXAS

COUNTY OF ANDERSON *

CITY OF ELKHART * IN CITY COUNCIL MEETING

On this the Eleventh day of September, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges to accept CPA Deborah Fisher's proposal for the City of Elkhart's Fiscal Year End Audit. One member of the Council abstained, one member opposed; vote 3 ayes, 1 no.. Motion Carried.

AMENDED MINUTES OF SEPTEMBER 11, 1995, REGULAR CITY COUNCIL MEETING, PAGE TWO, ITEM NO. FOUR; CONSIDER CPA FOR THE CITY OF ELKHART FISCAL YEAR END AUDIT. This amendment to read as follows:

On this the Eleventh day of September, 1995, a motion was made

by Councilmember George Branch and seconded by Councilmember Lee Bridges to accept CPA Deborah Fisher's proposal for the City of Elkhart's Fiscal Year End Audit. Mayor Pro-tem/Councilmember Diane Parker abstained from voting, Councilmember Devoin Garrison voted Nay, Councilmembers George Branch, Raymond Dunlap, and Lee Bridges voted Aye. Marjority of councilmembers having voted Aye, motion carried.

Item No. Five - Consider Charge-off of Delinquent Water Bills.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Eleventh day of September, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Diane Parker to approve the charge-off of delinquent water bills in the amount of SIX THOUSAND FOUR HUNDRED FORTY-NINE DOLLARS AND NINETY-THREE CENTS (6,449.93) for the purpose of auditing, but delinquent water bills are to be placed on a tickler file for future references and possible collection of said water bill. Motion Carried.

Item No. Six - Consider Ordinance No. 166; Ordinance Providing For The Levy of Ad Valorem Taxes On All Real And Personal Property Situated Within The Corporate Limits Of The City of Elkhart, Texas For The Tax Year Of 1995 And The Adopting Of A Tax Rate.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Eleventh day of September, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to approve and adopt Ordinance No. 166 for the Levy of Ad Valorem Taxes and the setting and adoptation of a Tax Rate of 0.237146 per \$100.00 Valuation for the City of Elkhart's imposing of Real and Personal Property Tax. Motion Carried.

Item No. Seven - Consider Resolution No. 154; Citizen Complaint Procedures Regarding the Texas Community Development Program.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

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On this the Eleventh day of September, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Diane Parker to approve and adopt Resolution No. 154 implementing a complaint procedure for the TCDP and the appointment of Mrs. Sue Harris, City Administrator, to be the person that is responsible for responding to any complaints by citizens. Motion Carried.

The Tabled Item List is now addressed.

Item No. One - Annexation; will remain.

Diane Hopkins reported that she had spoken with
the Surveyer and project should be complete
possibly in one month; there is a problem in
locating all of necessary field notes.

City Administrator's report was given and input from Councilmembers was given. The Mayor commended the Public Works Dept. for their street work done on Watkins Street.

There being no further business, the Mayor asked for a motion for adjournment.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the Eleventh day of September, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges to adjourn the regular City Council Meeting of September 11, 1995. Motion Carried.

This meeting adjourned at 6:07 P.M..

JIMMY PARKER, Mayor

ATTEST:

Margie Crackfurf MARGIE QRAWFORD, City Secretary

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ANDERSON COUNTY

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CITY OF ELKHART

On this the 2nd day of October, 1995, the City Council of the City of Elkhart convened in a regular meeting with the following members present:

Jimmy Parker * Mayor

Margie Crawford * . City Secretary

George Branch * Councilmember

Lee Bridges * Councilmember

Raymond Dunlap * Councilmember

The following members of Council were absent: Diane Parker and Devoin Garrison.

Mayor Parker declared a quorum as being present and called the meeting to order at $5:00\ P.M.$

Recognition of Citizens present for the regular City Council Meeting of October 2, 1995; Citizens present are as follows: Philip O'Neal, Randy McCoy, Leroy Pardue of Paragon Cable, and Karen Chapman, Wesley Taylor. Employees present were Jim Parker, Public Works Supervisor and Billie Treadwell, Financial Secretary.

All being present the Mayor addressed the Agenda Items and they are as follows: $\propto \propto \pro$

Item No. One: Consider Approval of Minutes; September 11, 1995 Meeting.

The STATE OF TEXAS

COUNTY OF ANDERSON *

CITY OF ELKHART * IN CITY COUNCIL MEETING

On this the 2nd day of October, 1995, a motion was made by Councilmember George Branch to approve the Minutes of September 11, 1995 regular City Council Meeting as presented. Councilmember Eaymond Dunlap seconded the motion.

Mayor Parker interjected the following statement upon reiterating the motion and he so stated that on Page two, Item No. Four, there was a split vote and the names of members as to how

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they voted should be stated for the record. Therefore, the Mayor asked Councilmember George Branch to withdraw his motion to approve the minutes and that the amended minutes be brought back to the November 6, 1995 regular City Council Meeting.

Motion for approval of September 11, 1995 minutes was withdrawn by Councilmember George Branch and the amended minutes of September 11, 1995 will be presented in the next Council meeting.

Item No. Two: Consider Paragon Cable Agreement.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this 2nd day of October, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch to table Agenda Item No. Two, Paragon Cable Agreement, until revision of agreement is completed by Paragon Cable. Motion Carried.

Item No. Three: Consider Quit Claim Deed; Wesley Taylor.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this 2nd day of October, 1995 a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges that the City Attorney draw up a Quit Claim Daed for issue contingent upon Attorney's findings regarding the property boundaries and the legality of issuing a Quit Claim Deed in relation to the City of Elkhart; and upon attorney's approval, the issuing of a Quit Claim Deed may be handled administratively. Motion Carried.

Item No. Four: Consider Providing Water/Sewer Outside of City Limits; Mrs. James Lawsen.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 2nd day of October, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Raymond Dunlap that the City of Elkhart Provide Water/Sewer services to

Mrs. Lawson with the billing to be calculated using outside rates to described location. Motion Carried,

Item No. Five: Consider Renewal of Rental Agreements; Elkhart Volunteer Fire Department, Inc. and South Anderson County Volunteer Emergency Corps., Inc..

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 2nd day of October, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember George Branch to approve the rental agreement and enter into a renewal of agreement with the Elkhart Volunteer Fire Department, Inc. and the South Anderson County Volunteer Emergency Corps., Inc. for One year. Motion Carried.

Table Item List:

Item One: Annexation; will remain.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 2nd day of October, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Raymond Dunlap to adjourn the Council meeting. Motion Carried.

October 2, 1995, regular City Council Meeting adjourned at 8:07 P.M.

JIMMY PARKER, Mayor

ATTEST:

MARGIE RAWFORD, City Secretary

Pg. 3

COUNTY OF ANDERSON

CITY OF ELKHART

On this the 6th day of November, 1995, the City Council of the City of Elkhart convened in a regular meeting with the following members present:

Jimmy Parker	*	Mayor
Diane Parker	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Raymond Dunlap	*	Councilmember
Devoin Garrison	*	Councilmember

All Councilmembers being present the Mayor declared a quorum as being present and called the meeting to order at 5:00 P.M..

Mayor Parker recognized all citizens in attendance for the Council meeting and they are as follows: Mr. F.F. Jackson, Commissioner Joe Chaffin, Betty Wilson, Donna Thompson, Leroy Pardue and Karen Chipman of Paragon Cable Company, Malcomb McDonald and Margaret Cox of Elkhart Manor, Reverend Floyd Peterson, Anita Arnold, Jim Bob Parker, Fire Chief of the Elkhart Volunteer Fire Department, and Diane Hopkins, City Attorney.

Mayor Parker asked that the Council address Item No. Two on the Agenda and then revert back to regular order of business.

Agenda Item No. Two; Presentation to the Elkhart Manor Nursing Home; Proclamation of Accomendation Proclaiming Elkhart Manor Week.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

* IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 6th day of November, 1995, Mayor Parker asked that Ms. Margaret Cox and Mr. Malcomb McDonald, representatives for the Elkhart Manor Nursing Home, come forward for the presentation of a Proclamation of accomendation declaring the week of November 6th thru November 12, 1995, as Elkhart Manor Week. Mrs. Sue Harris,

City Administrator, read the Proclamation and Mayor Parker made the Presentation of the Proclamation.

Mayor Parker asked the Mayor Pro-tem, Diane Parker, to chair the Council meeting in his stead as he was unable to stay for the remainder of the meeting. Mayor Parker exited the meeting at 5:04 P.M..

Item No. One - Consider Approval of Amended Minutes of 9/11/95 and Approval of Minutes of 10/02/95.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of November, 1995, a motion was made by Councilmember George Branch and seconded by Devoin Garrison to approve and accept the amended minutes of September 11 and regular council meeting of October 2, 1995 as presented. Motion Carried.

Item No. Four - Consider adjustment of Water Bills that are in Excess Amounts Due to Water Leaks; Mr. F.F. Jackson, Bessie Durnell (Cimmarron Gifts), Loren Thompson (L.T.'s Restaurant), Paula Osborn, and Anita Arnold.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 6th day of November, 1995, a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges to adjust all bills presented for adjustment to one-half of the amount of water leak on each bill. Motion Carried.

Item No. Five - Consider Reduced Rate for Water/Sewer Taps; Joe Robins.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

* IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 6th day of November, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to reduce the charges for Water/Sewer Taps to the amount of TWO HUNDRED SIXTY-FIVE DOLLARS (265.00) plus the required amount of

a meter deposit for water service; SEVENTY-FIVE DOLLARS (75.00). The fees are to be paid according to an established paying schedule and signed by Joe Robin. Motion Carried.

Item No. Six - Consider Revised Ordinance No. 3-52-A; Paragon Cable Permit.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of November, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Devoin Garrison to approve and accept revised Ordinance No. 3-52-A establishing an agreement between Paragon Cable Company and the City of Elkhart, Texas; revision being a non-exclusion clause inserted into agreement. Motion Carried.

Item No. Three - Public Safety Committee; Up-date by Councilmember Raymond Dunlap.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of November, 1995, Councilmember Raymond Dunlap, also Chairperson of the Public Safety Committee, gave an up-date on the status of the Public Safety Committee's accomplishments and the on-going projects as of this date. No action to be taken on this item.

Item No. Seven - Consider Resolution No. 158; Lease Agreement Between City of Elkhart and Missouri Pacific Railroad.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 6th day of November, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Devoin Garrison to approve and adopt Resolution No. 158; Lease Agreement between City of Elkhart and Missouri Pacific Railroad. Motion Carried.

Item No. Eight - Consider Amendment of Ordinance No. 110; Substandard Structures and Establishing of a Building Standards Commission's Duties.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of November, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember George Branch to amend Ordinance No. 110 with corrections being made to Section Three, Paragraph One, to read "City of Elkhart" instead of "Building Standards Commission" five lines up from the end of Paragraph One. Motion Carried.

Item No. Nine - Consider Recommendation From the Building Standards Commission Regarding Properties located at 205 N. Main and 121 W. Parker.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of November, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch to start condemnation proceedings for properties located 205 N. Main; Odessa Crowson property, and 121 W. Parker; Old Foster Building owned by Jerry Blackstone and Deanne Blackstone. These proceedings will be conducted administratively. Motion Carried.

The Tabled Item list is now addressed as follows:

Item No. Two - Paragon Cable Permit Agreement; Upon taking action please remove this item.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

* IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 6th day of November, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember Devoin Garrison to remove Item No. Two on the Table Item list as this was Item No. Six on the Agenda and action was taken in the order of regular business. Motion Carried.

City Administrator's report to Council was given and input from Councilmembers was given and all Agenda Items having been acted upon, the Mayor Pro-tem Diane Parker asked for a motion to adjourn.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of November, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch to adjourn this regular City Council Meeting of November 6, 1995. Motion Carried.

Council Meeting adjourned at 6:10 P.M..

ATTEST:

MARGIE CRAWFORD, City Secretary

STATE TEXAS OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the Fourth day of December, 1995, the City Council of the City of Elkhart convened in a regular meeting with the following members present:

Jimmy Parker * Mayor

Diane Parker * Mayor Pro-tem

Margie Crawford * City Secretary

George Branch * Councilmember

Lee Bridges * Councilmember

Raymond Dunlap * Councilmember

Councilmember absent from this regular council meeting; Devoin Garrison.

Citizens in attendance are as follows:
Wesley Taylor, Lavoy Lasiter, and City Attorney Diane
Hopkins.

Mayor Parker declared a quorum as being present and called the meeting to order at $5:02\ P.M.$

Agenda Items to be addressed are as follows:

Agenda Item No. One - Consider Approval Of Minutes of November 6, 1995.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of December, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Raymond Dunlap to approve the minutes of November 6, 1995 as presented. Motion Carried.

Agenda Item No. Two - Consider Resolution No. 156-12-4-95;
Appointment for City of Elkhart representative to serve on the Board of Directors Serving Anderson County Appraisal District for Term Years of 1996 & 1997.

Mayor Parker appointed Lavoy Lasiter, current representative for the City of Elkhart, to continue to represent the City of Elkhart by serving as a member on the Anderson County Appraisal District Board of Directors for the Term Years of 1996 & 1997. The Mayor now asked for a motion on Resolution No. 156-12-4-95;

APPOINTMENT OF A REPRESENTATIVE OF THE CITY OF ELKHART, TEXAS TO SERVE AS A MEMBER OF THE ANDERSON COUNTY APPRAISAL DISTRICT'S BOARD OF DIRECTORS.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of December, 1995, a motion was made by Councilmember Diane Parker and seconded by Councilmember George Branch to approve and adopt Resolution No. 156-12-4-95 for the appointment of Lavoy Lasiter to serve as a member on the Anderson County Appraisal District Board of Directors for the Term Year 1996 & 1997 as the City of Elkhart representative. Motion Carried.

Agenda Item No. Three - Consider Property/Pine Street; Wesley Taylor and Charles Snider.

It is so noted that Councilmember Devoin Garrison arrived for the meeting at $5:17\ P.M.$

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the Fourth day of December, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch that the City of Elkhart, Texas issue a Quit Claim Deed of property to Wesley Taylor Etux Doretta and Charles Snider Etux Martha with the understanding that the City of Elkhart, Texas will not accept any monies from either party and it is so noted that the City of Elkhart, Texas denies all claims to the said property (ies); never having owned nor maintained said property. Said property is described as follows:

LAKE ROAD ADDITION TO TOWN OF ELKHART, A PART OF LOT 14 BEING SOUTH 85 DEGREES 57 FT.; 31.8', RECORDED IN VOL. TWO, PAGE 78 of A.C.M.R.; ADJACENT TO LAKE ROAD ADDITION TO TOWN OF ELKHART, LOT 14, 30' x 125' RECORDED IN VOL. 794, PAGE 828 PER ANDERSON COUNTY APPRAISAL DISTRICT.

The above motion being so stated and the Ayes having the majority vote, Motion Carried.

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Tabled Item List is addressed:

Item No. One - Annexation; Remains on the list until Engineer completes necessary data.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of December, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Devoin Garrison to adjourn. Motion Carried.

This City of Elkhart, Texas Regular Council Meeting adjourned at 5:36 P.M..

Mane Parker Mayor

JIMMY PARKER, Mayor Gro-Gym

ATTEST:

Margu Claudor J MARGIE CRAWFORD, City Secretary

PUBLIC HEARING/CITY OF ELKHART CITY COUNCIL

CITY OF ELKHART, TEXAS

110 WEST PARKER STREET

WEDNESDAY, DECEMBER 13, 1995

4:00 P.M.

The Public Hearing convened at 4 P.M., Wednesday, this 13th day of December, 1995. This hearing has been called by the City of Elkhart Council upon the recommendation of the Standard Building Commission. Mayor Jimmy Parker chaired this public hearing being conducted to allow all necessary parties to have the opportunity to speak regarding the proposed condemnation of properties (struture and land).

All necessary parties have been notified of Public Hearing being held this date within the necessary time limit according to the laws of the State of Texas, County of Anderson, and Ordinance 110 of the City of Elkhart, Texas; property owners (necessary parties) are as follows: Odessa Crowson Estate/Victoria Thorten and Jerry and Deanne Blackstone.

City Council Members present are as follows:

Jimmy Parker	*	Mayor
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	*	Councilmember
Raymond Dunlap	*	Councilmember

It is here so noted that Mayor Pro-tem Diane Parker was absent from the public hearing.

Odessa Crowson/Victoria Thorten property located 205 North Main Street, Elkhart, Texas is being considered for condemnation. Mrs. Harris, City Administrator, reported to the Council that she had spoken with Ms. Thorten and that Ms. Thorten was requesting an extension in order to comply with the City's request to clear the property of debris and remove the structure. Ms. Harris informed Ms. Thorten that she had to submit her request in writing by the time this hearing convened.

Mayor Parker stated for the record that the Council could not

take any action as they were in a public hearing. A Special Meeting is to be called in order to act upon recommendations determined in this public hearing. Mayor Parker asked that Ms. Thorten be informed that she had until December 18, 1995, 4:00 P.M., to submit her request for extension of THIRTY (30) days in writing to the Council.

Mayor Parker addressed the property located at 121 West Parker Street; present owner and co-owner being a Mr. Jerry Blackstone and Ms. Deanne Blackstone. Mayor Parker referenced the letters dated November 14, 1995, and December 11, 1995 that were mailed certified. As of this date, there has not been a response from the owners of said property located 121 West Parker Street, Elkhart, Texas. Therefore, the conclusion regarding property for consideration for condemnation is that said property is a hazard and considered to be extremely dangerous and Mayor Parker's recommendation is that the said structure located at 121 West Parker Street be demolished.

Mayor Parker reiterated for the record that no action could be taken as of this date due to the fact that the Council was in a Public Hearing and not a City Council meeting; Therefore, Mayor Parker called for a Special Meeting December 18, 1995, 4:00 P.M. to take action on recommendations being made in this public hearing.

All persons present having had the opportunity to speak, and there being no other business to be discussed in this Public Hearing, Mayor Parker declared the Public Hearing of December 13, 1995 as being officially closed as of 4:29 P.M..

JIMMY PARKER, Mayor

ATTEST:

MARGIE ERAWFORD, City Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the 18th day of December, 1995, the City of Elkhart Council convened in a special called meeting at 4:05 P.M.. Councilmembers present are as follows:

Jimmy Parker	*	Mayor
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Raymond Dunlap	*	Councilmember
Devoin Garrison	*	Councilmember

Councilmember absent; Diane Parker, Mayor Pro-tem.

Upon declaration of a quorum as being present by Mayor Parker, the proceedings commenced for issuance of an order pertaining to properties located 121 West Parker Street and 205 North Main Street for proposed demolition of said properties. The Mayor stated that this special called meeting is only for the purpose of taking action upon determinations made in the Public Hearing of December 13, 1995, 4:00 P.M..

Agenda Items are addressed:

Item No. One - Consider the Issuance of Order Pertaining to Properties Located 205 North Main and 121 West Parker Street for Proposed Demolition.

Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

* IN SPECIAL CALLED MEETING

CITY OF ELKHART

On this the 18th day of December, 1995, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember George Branch that the property located at 121 West Parker Street, having been found in violation of the City of Elkhart, Texas' Building Standards Code; stipulations being stated in Ordinance No. 110, and with not having any response from the owner (s), complete demolishing of structure and clearing of lot is to be implemented and completed by property owner(s) within THIRTY (30) days of written notice by certified mail to property owner (s). All cost

will be charged to the property owner (s) and a lien will be placed against the property if said owner (s) does not comply with this issurance order for demolition of structure and clearing of lot. The vote was Ayes Four, and Nayes Zero (4-0). Motion Carried with no opposition.

THE STATE OF TEXAS

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COUNTY OF TEXAS

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CITY OF ELKHART

* IN SPECIAL CALLED MEETING

On this the 18th day of December, 1995, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Devoin Garrison that property located at 205 North Main Street, Elkhart, Texas, be completely demolished, structure and clearing of lot, within THIRTY (30) days of written notice by certified mail to property owner, Ms. Victoria Thorten, guardian of the Odessa Crowson Estate. All expenses will be charged to property owner (s) and a lien will be placed against the property if said owner (s) does not comply with the issurance of order for demolition of said property. The vote was Ayes Four, and Nayes Zero (4-0). Motion Carried with no opposition.

THE STATE OF TEXAS

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COUNTY OF TEXAS

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CITY OF ELKHART * IN SPECIAL CALLED MEETING

On this the 18th day of December, 1995, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to adjourn this special called meeting of December 18, 1995. Motion Carried.

December 18, 1995, special called meeting of the City Council of the City of Elkhart, Texas adjourned at 4:25 P.M.

JIMMY PARKER, Mayor

ATTEST:

MARGIE CRAWFORD, City Secretary

11.725

THE STATE OF TEXAS
COUNTY OF ANDERSON

CITY OF ELKHART

On this the eighth day of January, 1996, the City Council of the City of Elkhart convened in a regular meeting with the following members present:

Diane Parker * Mayor Pro-tem

Margie Crawford * City Secretary

George Branch * Councilmember

Lee Bridges * Councilmember

Raymond Dunlap * Councilmember

Devoin Garrison * Councilmember

The following member absent is as follows: Mayor Jimmy Parker; it is so noted, that the Mayor's not being in attendance was due to his employment for Missouri Pacific Railroad.

The following citizens in attendance are as follows:

Diane Hopkins, City Attorney; Roger Johnson, representative for TML Risk Pool; Randy McCoy, Philip O'Neal, Roy Payne, Wanda Easley, and Don Young.

Employee Present; Billie Treadwell, Financial Secretary.

Mayor Pro-tem Diane Parker called the meeting to order at 5:00 P.M. and declared a quorum as being present. She proceeded by addressing the Agenda Items and they are as follows:

Item No. One - Consider Approval of Minutes of the December 4th, 13th, and 18th, 1995 City Council Meetings.

THE STATE OF TEXAS

COUNTY OF ANDERSON

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CITY OF ELKHART * IN CITY COUNCIL MEETING

On this the eighth day of January, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to approve and accept the minutes of council meetings of December 4th, 13th, and 18th, 1995 as presented. Motion Carried.

Item No. Two - Consider Adjustment of Water Bills; Don Young
and Roy Payne, Leaks.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the eighth day of January, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Lee Bridges to adjust water bills of Mr. Don Young and Mr. Roy Payne to half of the amount of the water leaks. Motion Carried.

Item No. Three-Consider Relocating of Water Meter Based Upon Grandfather Clause; Ralph Wesner.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the eighth day of January, 1996, there was no action to be taken on Item No. Three; the council took action on this matter in a previous meeting and action stands. It is so noted, the water meters that are in question for relocating are presently located on County property.

Item No. Four - Consider Resolution to Order the City of Elkhart General Election for the Fiscal Year 96'.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the eighth day of January, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges to approve, pass, and adopt Resolution No. 159-01-08-96 for the purpose of calling the General Election of the City of Elkhart, Texas, to be conducted May 4, 1996; this for the electing of Councilmember (s) for place One, Three, and Five. Motion Carried.

Item No. Five - Consider Reducing Water and Sewer Tap Fees for New Service; Wanda Easley.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the eighth day of January, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Devoin Garrison that the Water/Sewer Tap Fees, and Meter Deposit be paid over a three (3) month period of time and no adjustment will be made to established minimum tap fees and meter deposit; Mrs. Harris will consult with Mrs. Wanda Easley and make necessary arrangements for payment of said tap fees and meter deposit. Motion Carried.

Item No. Six-Consider Insurance Proposals for City of Elkhart General Coverage; Properties and Liabilities, Fiscal Year 1996.

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the eighth day of January, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to accept the TML Intergovernment Risk Pool; General Liability with Errors and Ommissions to be paid quarterly until the Fiscal Year of October, 96'- 97'. Motion Carried.

Tabled Item List is now addressed.

Item No. One Annexation; will remain.

Mayor Pro-tem Diane Parker asked for a motion to adjourn this regular council meeting of January 8, 1996.

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On this the eighth day of January, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to adjourn this regular council meeting of the above date. Motion Carried.

January 8, 1996, regular city council meeting adjourned 6:05 P.M..

IN CITY COUNCIL MEETING

ATTEST:

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the 25th day of January, 1996, a Special Called Meeting convened at 5:00 P.M. in the Council Chamber of the City Hall of the City of Elkhart, Texas located 110 West Parker St.

The Councilmembers present are as follows:

Jimmy Parker	*	Mayor
Margie Crawford	*	City Secretary
Diane Parker	*	Mayor Pro-tem
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	*	Councilmember
Raymond Dunlap	*	Councilmember

A quorum was declared as being present, therefore the Special Called Meeting would proceed.

Citizens in attendance are as follows:

Jerry Harris, Cathy Gordon, Lavoy and Jo Lasiter, Pam Blackmon, Linda Bailey, Jim Bob Parker (Elk. Bank), Mike Treadwell, Cecil Staples (CPA and previous City of Elkhart Auditor), Garth Moran, Mike Gordon, Don and Nelda Langston, Charles Crawford, Lisa Hopkins, Randy McCoy, Phillip O'Neal Louie Riddle, and Rev. Barney Walker.

City Employees in attendance are as follows:

Billie Treadwell, Financial Secretary; Jim Bob Parker, Public Works Supervisor, and James Morgan; Public Works Department outside worker.

Also in attendance was the City Attorney, Diane Hopkins, and the City of Elkhart's Auditor/CPA, Deborah Fisher.

Mayor Jimmy Parker now addresses the Agenda.

Agenda Item No. One - To Hear Progress Report on Fiscal Year 94' - 95' Audit; Deborah Fisher, CPA.

r-5-30

Upon the conclusion of Auditor Deborah Fisher's presentation of the City of Elkhart, Texas' Fiscal Year-end Audit and the stating of disclosures pertaining to the City of Elkhart's Fiscal Year-end Audit as well as question and answer session, the Mayor asked for action from the council regarding the Audit.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CALLED SPECIAL MTG

On this the 25th day of January, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison that Auditor Deborah Fisher continue with the City of Elkhart, Texas' year-end Audit and is authorized to request an extension on the time limit for completion of said audit. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CALLED SPECIAL MTG

On this the 25th day of January, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Lee Bridges to adjoun the Special Called Meeting of the 25th day of January, 1996. Motion Carried.

Special Called Meeting adjourned 6:22 P.M.

DIANE PARKER, Mayor Pro-tem

ATTEST;

Margie Crawford, gity Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On the 5th day of February, 1996, a regular council meeting convened in the City Hall of Elkhart; 110 West Parker St., Elkhart, Texas 75839. The meeting convened at 5:00 P.M. with the following Councilmembers present:

Jimmy Parker

* Mayor

Diane Parker

* Mayor Pro-tem

Margie Crawford

City Secretary

George Branch

* Councilmember

Lee Bridges

* Councilmember

Raymond Dunlap

* Councilmember

Devoin Garrison

* Councilmember

Also in attendance for February 5, 1996 regular city council meeting was Financial Secretary, Billie Treadwell and Public Works Supervisor, Jim Bob Parker; City Auditor, Deborah Fisher and City Attorney, Diane Hopkins.

See Attachment A for citizens in attendance of said meeting.

Mayor Parker recognized citizens that were not on the agenda for a specific item, but who desired to address the council. Mayor Parker recognized Lavoy Lasiter, Harold Fox, and Jo Lasiter to speak to council. No action required.

Auditor Deborah Fisher was asked to give an up-date on the progress of the City's audit. She reported to the Council that Support Staff had been very cooperative and the audit is now flowing and upon completion she will go over the total audit report at that time. Mayor Jimmy Parker asked Mrs. Fisher if she had submitted an application to the State for an extension on the time limit of said audit. Mrs. Fisher's reply was yes she had, but as of this time she had not received a reply and did not expect a reply from the State.

The Mayor now addresses the Council pertaining to the on-going Lift Station Project being funded through the Texas Community Development Grant Program. There will be a Public Hearing February 20, 1996 for citizens input only; this to be held before the regular city council meeting. Also there will a bid opening on

said project this same date at 2 P.M.. Another Public Hearing will be held March 4th, 1996 before the regular city council meeting of this date. Tracy Hicks will make a recommendation to the council for the selecting of contractor for Lift Stations Project.

Mayor Jimmy Parker now addresses the Agenda Items.

Item No. One - Consider Approval of Minutes; Special Called Meeting of January 25, and Regular City Council Meeting of January 8, 1996. Discussion/Action.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to approve and accept the minutes of January 25 and minutes of January 8, 1996 as presented. Vote 5-0; Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of February, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Diane Parker to adjust Mr. Jim Beard's water bill to half of the amount of the water leak. Vote 5-0; Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of February, 1996, a motion was made by Councilmember Raymond Dunlap and seconded by Councilmember George Branch to approve outside water service for Linda and Aaron Claborn. Vote 5-0; Motion Carried.

Item No. Four - Consider School Buses Blocking of Residential

Driveway; Charlene Brown. Discussion/Action.

Upon discussion of Church Street as to the blocking of street and driveways by the school buses, Mayor Jimmy Parker appointed a committee of Lee Bridges, Devoin Garrison, and George Branch to go and speak with Mr. Booth at the Elkhart I.S.D. and ascertain a workable solution between the city and the school with information being brought back at the next council meeting. Mrs. Harris will have ditch cleaned and culvert opened. Mayor Jimmy Parker asked that Item No. Four be tabled for future action.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges to table Item No. Four, School Buses blocking residential driveways, for future action. Vote 5-0; Motion Carried.

City Administrator's report was asked to be given at this time. Mrs. Harris gave a review of her tenure to date with the City of Elkhart. Addressing issues such as training and schooling for employees, financial affairs, active councilmembers, wells drilled, Enforcement Order against the city. The Enforcement Order was against the Waste Treatment Plant. Also, Mrs. Harris reviewed projects that are on going or in the planning stages; Texas Community Development Grants, Smoke Test, and Sludge Beds. References to purchases of a Vehicle, Maintainer, Public Works Building, Senior Citizen Activity Center, On site Nutrition Center, Friends of the Library, Volunteer Fire Department/Insurance and Utilities budgeted for the fire department.

The Mayor now requested that the council consider Agenda Item No. Ten -Consider The Roll Of City Administrator; Councilmember Raymond Dunlap.

Mrs. Harris attested to various community service projects and then she addressed the issue of City Water and Samples with explanation of Coliform Bacteria. Mrs. Harris stated there was no E Coliform and all samples since November, 1995 have been good. Mrs. Harris also addressed Councilmember Raymond Dunlap's question, were there any internal problems. Mrs. Harris responded by stating that Cecil Staples provided support for Mrs. Treadwell and Mrs. Crawford at her request during interim audit or 93'-94'. Mrs. Harris referenced the matter of a gift being brought into the office by a Councilmember to be given to an employee and also

referenced Ordinance No. 107. Mrs. Harris asked Mr. Dunlap to read Ordinance No. 107 for all to hear as it pertained to the position of City Administrator.

Upon completion of Mrs. Harris' response to Councilmember Raymond Dunlap's question and the reading of Ordinance No. 107, Mayor Pro-tem Diane Parker made a request for a Special Called Meeting. Mayor Parker's response was to the effect that this was not the proper time for such a request and that there would be time later into the meeting.

Mayor Parker declared no action to be taken regarding Item No. Ten.

Agenda Item No. Five - Consider up-date of Computer Equipment.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of February, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember Devoin Garrison to table Item No. Five, up-date of Computer Equipment, and that this item be brought back at the next meeting with more information. Vote 5-0; Motion Carried.

Agenda Item No. Six - Consider City of Elkhart, Texas Holding Two Council Meetings per month; Councilmember George Branch.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 5th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges that the City of Elkhart Council to begin conducting two meetings a month; the First and Third Monday of each month. Vote 5-0; Motion Carried.

After the above motion, Mayor Parker asked for a Ten minute recess from the meeting. Regular City Council Meeting out of session at 6:48 P.M.. After the called recess Mayor Parker called City Council Meeting back in session as of 6:55 P.M..

Agenda Item No. Seven - Consider Review of Status of City Attorney and Consider Possible Replacement. Mayor Parker asked who requested Item No. Seven to be placed on the Agenda. Mayor Pro-tem Diane Parker stated that she had requested the Item to be placed on the Agenda.

George Branch asked permission to address Item No. Seven. Mayor Parker stated he would need to ask Ms. Parker as she had requested this item to be on the Agenda.

Mrs. Diane Parker stated for the record, that she is not satisfied with Mrs. Hopkins' representing our City; Councilmember George Branch, Councilmember Lee Bridges, and Councilmember Devoin Garrison reiterated Mrs. Parker's statement of not being satisfied with Ms. Diane Hopkins as the City's representative. Mayor Parker asked if Councilmembers could be more specific as to what they were dissatisfied about regarding Ms. Diane Hopkins' being the City of Elkhart's City Attorney; this being considered fair since the City did hire Ms. Hopkins' as their City Attorney. Councilmember George Branch's reply was that Ms. Hopkins' was an at will employee and therefore at this time he did not have to give a reason.

The Mayor asked Ms. Hopkins if she desired to address the Council. Ms. Hopkins did speak to the Council regarding her tenure to date with the City of Elkhart as City Attorney. Ms. Hopkins stated that she had been available to the staff and that she did not feel that her work for the City had been inferior. She stated that working for the City of Elkhart had been a learning experience.

Mayor Parker now notes that there has been no previous indication of problems.

Mayor Pro-tem Diane Parker requested to address the question put forth by Mayor Parker as to why she was not satisfied with Ms. Hopkins as the City Attorney. Upon request being granted, Diane Parker referenced the Council meeting of January 25, 1996, in open session. Mayor Pro-tem Diane Parker stated that in this meeting Ms. Hopkins referenced Section 103.003 of the Texas Local Government Code attesting to the time limit for completion of a year-end audit. Ms. Hopkins did not read Section 103.003 referencing the time limit for said audit, but made a statment of Section 103.003. Section 103.003 of the Texas Local Government Code was not stated to the Council in its completeness; therefore, this is considered to be misleading to the Council.

Mrs. Crawford, City Secretary, requested permission from Mayor Parker to speak before Council and all present. Permission being granted, Mrs. Crawford stated the reference Section 103.003, mentioned prior by Mayor Pro-tem Diane Parker, that as she recalled, and in her minutes that were taken in the meeting of January 25, 1996, that Ms. Hopkins in referencing Section 103.003 did state that 120 days from the fiscal year-end an audit is to be completed and upon completion it would be submitted to the State.

It was not mentioned that upon completion of said audit that the final Audit Report is to be filed with the City Secretary of the City; this being stated in Section 103.003 in its completeness. Therefore, Mrs. Crawford considered incomplete stating of Section 103.003 to be misleading as presented in open session of the City of Elkhart City Council Meeting of January 25, 1996.

Upon close of discussion, a motion was put before the council for action to be considered regarding Ms. Hopkins' employment with the City of Elkhart.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of February, 1996, a motion was made by Councilmember Diane Parker and seconded by George Branch to terminate City Attorney Diane Hopkins and this termination to be effective as of February 6, 1996. Vote 4 Ayes - 1 against. It is so noted that the against vote was voiced by Councilmember Raymond Dunlap. Majority having the vote; Motion Carried.

Agenda Item No. Eight - Consider the Hiring of a New City Attorney.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of February, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember Devoin Garrison to table Item No. Eight and bring it back at a later date. Motion Carried.

Agenda Item No. Nine - Consider Mitch Rials' Future Employment.

No consideration of Item No. Nine to be taken as this Item was not properly requested to be on the agenda; this stated per Mayor Jimmy Parker's statement that he did not tell Mitch Rials that it was okay for him to be placed on the agenda.

The Mayor stated this is the conclusion of the regular agenda item list. Now council will consider Tabled Item List.

Tabled Item List is as follows:

 Annexation; Annexation will remain on Tabled Item List. This concludes the business portion of said meeting.

Mayor Parker asked for council input; Diane Parker requested that a Special Called Meeting be held within 72 hours to be listed either in executive session or open session under personnel and list as Agenda Item No. One - Review of City Administrator; Sue Harris. Discussion/Action.

Upon request Mayor Pro-tem Diane Parker, Mayor Jimmy Parker called a Special Meeting for the following Monday, February 12, 1995; 5:00 P.M. with proper notification being posted and that is for a 72 hour period of time.

Mayor Parker now asked for a motion to adjourn regular city council meeting of February 5, 1996.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 5th day of February, 1996, a motion was made by Councilmember Devoin Garrison and Councilmember George Branch to adjourn. Motion Carried.

Meeting of February 5, 1996, adjourned at 7:25 P.M..

DIANE PARKER, Mayor Pro-tem

ATTEST:

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the Twelfth day of February, 1996, the City of Elkhart Special Called meeting was called to order at 4:00 p.m., with the following members present. They are as follows:

Diane Parker

* Mayor Pro-Tem

Margie Crawford

* City Secretary

George Branch

* Councilmember

Lee Bridges

* Councilmember

Raymond Dunlap

* Councilmember

Devoin Garrison

* Councilmember

Mayor Pro-Tem Diane Parker declared a quorum being present. At this time the Council went to the first item on the agenda.

Item No. One - Consider accepting Mayor Jimmy Parker's Resignation and Declare Vacancy of Place. Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN THE COUNCIL MEETING

On this the Twelfth day of February, 1996, Mayor Pro-Tem Diane Parker read Mayor Parker's resignation of February 6, 1996, and explained that the City Secretary had received this letter and that it had been notorized on the date it was received. Councilmember Devoin Garrison made a motion to accept the resignation and declared Mayor's position as vacant. Councilmember George Branch seconded the motion. Three ayes, Councilmember Devoin Garrison, Councilmember Lee Bridges, Councilmember George Branch, and Mayor Pro-Tem Diane Parker. One Councilmember, Raymond Duhlap abstained from voting. Motion Carried.

Item No. Two - Consider Appointment to Replace Jimmy Parker.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN THE COUNCIL MEETING

On this the Twelfth day of February, 1996, Councilmember George Branch made a motion and Councilmember Lee Bridges seconded the motion to appoint Garth Moran to temporarily fill the position of Mayor until the May 4, 1996 election. There were 4 ayes, Mayor Pro-Tem Diane Parker, Councilmember Lee Bridges, Councilmember Devoin Garrison, Councilmember George Branch all ayes. Councilmember Raymond Dunlap abstained from voting. Motion Carried.

There being no further business, Mayor Pro-Tem Parker asked for a motion for adjournment.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN THE COUNCIL MEETING

On this the Twelfth day of February, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to adjourn the Special Called Meeting of February 12, 1996. Motion Carried.

This meeting adjourned at 4:10 p.m.

DIANE PARKER, Mayor Pro-Tem

ATTEST:

MARGIE RAWFORD, City Secretary

COUNTY OF ANDERSON

CITY OF ELKHART

On this the 12th day of February, 1996, City of Elkhart Special Called Meeting convened at 5:00 P.M. with the following Councilmembers being present:

Garth Moran

Mayor

Diane Parker

Mayor Pro-tem

Margie Crawford

City Secretary

George Branch

Councilmember

Lee Bridges

Councilmember

Raymond Dunlap

Councilmember

Devoin Garrison

* Councilmember

A quorum being declared present, therefore, the Special Called Meeting of February 12, 1996, would proceed.

Citizens were recognized as being in attendance. See Attachment "A" names of those in attendance.

City employees in attendance are as follows:

Billie Treadwell Jim Bob Parker

Financial Secretary

Public Works Supervisor Deborah Fisher

City Auditor for Yr.-end Audit

Mayor Moran now addresses the Agenda Item of said meeting. This being as follows:

Agenda Item No. One - REVIEW OF CITY ADMINISTRATOR, SUE HARRIS; OPEN SESSION AS REQUESTED BY MRS. HARRIS. OPEN MEETINGS ACT: Section 551.074.

, piscussion/Action

Interim Mayor Moran speaks to citizens in attendance as to his active roll of Mayor for this period of time and hopes all matters will proceed in an democratic manner within the confine of Council table.

Councilmember George Branch is allowed to address the issue of reviewing of City Administrator, Sue Harris, and in doing so he referenced several issues pertaining to the City Administrator and Mrs. Harris' responsibility to said issues and the Council.

Councilmember Goerge Branch addressed the following issues and they are as follows;

TNRCC-Notification from TNRCC of "TOTAL COLIFORM " bacteria group and the manner in which the council was informed and to what degree by the City Administrator Mrs. Harris. Mr. John McDaniels of the Water Division of TNRCC in Austin, TX. spoke with Councilmember George Branch regarding the samples that came back as bad samples. Councilmember George Branch discussed the matter in depth with Mr. McDaniels to obtain a better knowledge of what was required of the City of Elkhart in order for the City to be in compliance with this problem. Mainly a better understanding of the Chlorine residual in our water system, how samples are obtained and the time of the month the samples are taken and how they arrive at the lab in Tyler, TX. Also, discussed was the invalidation of posting and printing in local newspaper of required notices. These as required by TNRCC. Councilmember George Branch declares that in his opinion, Mrs. Harris, City Administrator, did not inform the Council of the situation, except in one meeting and very briefly addressed the issue.

Councilmember George Branch addressed the issue of a fellow employee being given the authority by Mrs. Harris to dismiss another Public Works employee of which Mayor Pro-tem prevented until the City Administrator returned to work.

The project of a library for the City of Elkhart, Texas was addressed by Councilmember Branch. Clarification was needed as to the funding of said project and as to the requirements of the City as this project had never been before the Council for Consideration. Mrs. Harris, did state in an answer to this statement that the Library Project was not to be a City owned library, but a community library sponsored by a Library Board, "Friends of the Library", and volunteers of the community.

Other Issues discussed were the matter of group insurance provided for City of Elkhart employees only. If spouses and family members were to have the said insurance, it was to have been at the expense of the employee, not the City. Mrs. Harris stated that this was part of her benefits that was granted to her by the City of Elkhart. Council disagreed

Councilmember Lee Bridges addressed the Public Works Building, located on Hwy 287 South, as to the condition of said building and why was equipment being left out in the weather when this was why the building was constructed as well as other reasons.

CouncilmemberGeorge Branch now states that he does not have any confidence that the City Administrator is keeping the City Council of the City of Elkhart informed on matters pertaining to City issues.

The fees for the annual audit of 93'-94' were discussed as to the sum total cost of that audit being ELEVEN THOUSAND DOLLARS (11,000) of which a portion of that total was for training of personnel.

Mrs. Harris, City Administrator, was allowed to respond to the voiced lack of confidence by Councilmembers and to address the stated issues that constitute the lack of confidence. Mrs. Harris did address the issues of communications from Mr. John McDaniels of TNRCC, Water Division and also communications with the Tyler Office of Region Five and had spoken with a Mr. Dave Williams. Also, Mrs. Harris stated that she had not given authority to another employee to fire a fellow employee. The insurance issue regarding the City paying for Mrs. Harris' family's coverage was a benefit that the Council said they would provide to her as this was done the first time she was hired by the City back in 1985. Mrs. Harris did not feel she had not been informative to the Council regarding the water samples declared to have "TOTAL COLIFORM" bacteria group, and that she did act in compliance with the TNRCC required posting of Notice. She stated, per Dave Williams and John Whitherspoon of the Region Five District, Water Division, Tyler, TX. that she did not need to post the notice in the local newspaper as the other samples submitted had been found to be good water.

Upon conclusion of Mrs. Harris response to the Council on issurput before her for discussion and clarification, some citizens wished to ask questions regarding Mrs. Harris' tenure with the City of Elkhart. Specifically, why had the Council not spoke of Mrs. Harris' accomplishments that were good for the City of Elkhart.

Upon Conclusion of all questions and answers, interim Mayor Moran asked for a motion on Agenda Item No. One - Review of City Administrator, Sue Harris.

THE STATE OF TEXAS
COUNTY OF ANDERSON

CITY OF ELKHART

On this the 12th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to place Mrs. Harris, City Administrator, on Leave of Absence for a period of One week with pay until the next regular council meeting at which time the council will take action regarding City Administrator Mrs. Harris. Vote; Diane Parker, Aye; Lee Bridges Aye,: George Branch, Aye; Devoin Garrison, Aye; Raymond Dunlap, abstained from vote. 4-0; 1 abstained. Motion Carried.

Supplemental Notice attached to this Special Called Meeting of February 12, 1996, 5:00 P.M.; Agenda Item No. Two - Consider Coding of Bills. Discussion/Action.

COUNTY OF ANDERSON

CITY OF ELKHART

On this the 12th day of February, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember George Branch to allow Mrs. Treadwell to code bills for payment under the guidance of the City Auditor, Mrs. Fisher and as bills have been coded in previous months. Vote; 5ayes - 0 neys. 5-0. Motion Carried.

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

On this the 12th day of February, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Lee Bridges to adjourn this meeting of Monday, February 12, 1996. Vote; 5 Ayes - 0 Neys. Motion Carried.

The Special Called Meeting adjourned at 7:033P.M...

Jath Moran, Mayor

ATTEST:

MARGIE CRAWFORD, City Secretary

ATTACHMENT A

SPECIAL CALLED MEETING

FEBRUARY 12, 1996

5:00 P.M.

Linda Graves Ernest Teel Billy Jack Wright Cindy Polk Jo Lasiter Mitzi Avery Harris Lohmeyer Garth Moran Kenneth White Pam Blackmon Louie Riddle Cathy Gorden Maggie Mansur Fay Teel Phillip O'Neal Rev. Carter Truman Starr Curtis Starr Becky Grant Helen Gorden Jerry Harris Lisa Hopkins Larry Bennett Joe Paul Fox Harold Fox Lavoy Lasiter Mike Treadwell Vernice Dickson Linda Ray Debra Fisher Van Hamilton Charles Crawford Jim Bob Parker John Wilson Mike Gorden Ronnie Foster Lisa Gernon Alisha Lovell Michelle Molnar Jim Bob Parker (Employee) Keith McCoin Billie Treadwell' Pam Ray Benny Joe McInnis Marceline Walding Melanie Parker Donna Thompson

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the 19th day of February, 1996, the City Council of the City of Elkhart, Texas, convened in a Special Called Meeting at 5:00 P.M. with the following Councilmembers present:

Garth Moran	*	Mayor
Diane Parker	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	*	Councilmember

Councilmember absent, Raymond Dunlap.

Mitzi Avera of the Tyler Morning Telegraph and Cindy Polk of the Palestine Herald Press were in attendance of Special Meeting.

A quorum was declared by Mayor Moran.

The meeting proceeded by addressing the agenda items.

Agenda Item No. One - Consider Accepting of Resignation of Councilmember Raymond Dunlap Presently Holding Place Three, and Declare a Vacancy of Place Three.

Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

* IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 19th day of February, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Devoin Garrison to accept Raymond Dunlaps resignation as of this date and declare Place Three vacant. Motion Carried.

Agenda Item No.Two- Consider Appointment for Place Three on the City Council to Replace Raymond Dunlap. 55547

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 19th day of February, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to appoint Mike Gordon to Place Three. He is to serve on the City Council until the May 4, 1996, City's General Election of Officers. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 19th day of February, 1996, a motion was made by George Branch and seconded by Councilmember Lee Bridges to adjourn this Special Called Meeting. Motion Carried.

Meeting adjourned at 5:15 P.M..

This Special Called Meeting of February 19th, 1996, upon disclosure of an error on the Agenda, reconvened at 5:20 P.M. in a meeting to make an amendment to posted Agenda Items; should have read Place Three, not Place One.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 19th day of February, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember George Branch to amend the Agenda Items referencing Place One to read Place Three. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 19th day of February, 1996, a motion was made by Lee Bridges and seconded by Councilmember George Branch to adjourn this reconvening of Special Called Meeting. Motion Carried.

Meeting adjourned at 5:23 P.M..

GARTH MORAN, Mayor

ATTEST:

Pg. 2

MARGIE CHAWFORD, City Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the 20th of February, 1996, the Bid Opening for the City of Elkhart's Lift Station Replacement Contract No. EK-005 convened 2 P.M. in the City Hall, located 110 West Parker St., Elkhart, Texas.

The Councilmembers present are as follows:

Garth Moran * Mayor

Diane Parker * Mayor Pro-tem

Margie Crawford * City Secretary

George Branch * Councilmember

Devoin Garrison * Councilmember

Linda Burlingame, Project Manager, of Gary R. Traylor and Associates and Tracy Hicks, City Engineer, were in attendance for the Bid Opening as well as Contractor Cecil Bell of Oakwood, Texas.

All being in attendance, City Engineer Tracy Hicks, as of 2 P.M. began the process of opening the bids submitted by Contractors for the Project No. EK-005; City of Elkhart's Lift Station Replacement.

The Bids were submitted by the following:

Cecil Bell; B-5 Construction Co., Inc., Oakwood, TX., submitted this date at 1:43 P.M.

Lester Rodgers Construction, Frankston, TX., submitted this date at 11:19 A.M.

McKinney & Moore, Inc., Jacksonville, TX., submitted this date at 8:47 A.M.

City Engineer Tracy Hicks began the process of opening the bids for the project No. EK-005. The Bids were opened in the order as listed:

No. 1 - McKinney & Moore, Inc.; Bond 5% of Bid, \$ 226,747.50.

No. 2 - Lester Rodgers, Const.; Bond 5% of Bid, \$ 221,345.00

No. 3 - Cecil Bell, B-5 Const.; Bond 5% of Bid, \$ 308,737.00

Engineer Tracy Hicks stated that the apparent low bidder was Lester Rodgers, Construction.

The Construction Budget, State estimated cost for project, is TWO HUNDRED SIX THOUSAND AND FIVE HUNDRED DOLLARS (206,500) with the City committed to the amount of NINE THOUSAND DOLLARS (9,000). Total Cost for Project EK-005 is TWO HUNDRED FIFTEEN THOUSAND AND FIVE HUNDRED DOLLARS (215,500). Sixty days are allowed for the awarding of the Bid by contract.

Mr. Hicks will bring before the City Council a recommendation for contractor of Project No. EK-005 at the March 4, 1996, Regular City Council Meeting.

Bid Opening closed; 2:17 P.M..

GARTH MORAN, Mayor

ATTEST:

MARGIE CRAWFORD, City Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the 20th day of February, 1996, a Public Hearing convened at 5:05 P.M. prior to the City of Elkhart, Texas regular city council meeting. The Councilmembers in attendance are as follows:

Garth Moran	*	Mayor
Diane Parker	*	Mayor Pro-tem
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	* =	Councilmember
Mike Gordon	*	Councilmember

Linda Burlingame of Gary R. Traylor and Associates was conducting the Public Hearing for the City of Elkhart, Texas. This hearing was for input from the Citizens of Elkhart as the City is applying for another Texas Community Development Program Grant in order to do the proposed up-date of the Waste Water Plant and for the proposed Sludge Beds.

There were not any citizens to be heard. Therefore, this Public Hearing was declared closed by Ms. Burlingame of Gary R. Traylor & Associates as of $5:10\ P.M.$.

GARTH MORAN, Mayor

ATTEST:

MARGIE CRAWFORD, City Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the 20th day of February, 1996, the City of Elkhart Council convened in a regular meeting with the following Councilmembers present:

Garth Moran	*	Mayor
Diane Parker	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	*	Councilmember
Mike Gordon	*	Councilmember

There being citizens present and a quorum declared by Mayor Moran the meeting was called to order at 5:30 P.M..

The Mayor recognized all in attendance and proceeded with the Agenda Items and they are as follows:

Agenda Item No. One - Consider Approval of Minutes.
Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember Devoin Garrison to approve the minutes as presented of the meetings of February 5, 1996, February 12, 1996 at 4 P.M., and February 12, 1996 at 5 P.M. Motion Carried.

Mayor Garth Moran now asked the council to address Item No. Nine, Executive Session - Personnel; Consider Employment of City Administrator/Sue Harris; Consider Public Works Applications. Open Meetings Act; Sec. 551.074 of the Texas Government Code. Discussion/Action.

Executive Session, Open Meetings Act; Sec. 551.074, Tex. Local Government Code, convened at 5:39 P.M..

The council came out of executive session and convened back into regular open session at $6:06\ P.M.$

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to terminate Mrs. Sue Harris, City Administrator, effective as of this date, February 20, 1996, with salary being paid through the month of February, and the City will provide Insurance up through the month of March, 1996. Vote; 4 Ayes - 0, Councilmember Mike Gordon abstained. Councilmembers voting Aye; Diane Parker, George Branch, Lee Bridges, and Devoin Garrison. Unopposed 0; Motion Carried.

For the record, the termination of Mrs. Harris by the governing body was due to a lack of confidence in Mrs. Harris as the City of Elkhart's City Administrator.

Agenda Items are addressed in their listed order.

Agenda Item No. Two - Consider Street Light on Oakcrest St.;
Zona Mae Wilbanks Russell by Petition
and Consider Security Light for Back of
City Office. Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison that the City provide a street light on Oakcrest St. and to have a security light installed back of the City Office. Motion Carried.

Upon conclusion of the above motion, Michelle Molnar, person in attendance with Sue Harris, requested that Mrs. Treadwell be present as Mrs. Sue Harris gathered personal items from the office she had occupied as City Administrator. Mrs. Treadwell declined to do so and in place of Mrs. Treadwell, Constable Larry Bennett was asked to observe the removal of items; this as requested by the council.

Agenda Item No. Three - Consider Providing Sewer Service for Josephine Jones; 294 West Parker St.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember Lee Bridges and seconded by Mayor Pro-tem Diane Parker that the City of Elkhart provide sewer service to Mrs. Josephine Jones. The expenses that will be incurred in the provision of this service are to be paid by Mrs. Jones. The charge for the sewer service on her monthly bill will be calculated on the outside of city limits rate of 1 1/2 times based on gallons used. Motion Carried.

Agenda Item No. Four - Consider Deleting of Name and Adding of Name on Bank Signature Cards. Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember George Branch to delete Jimmy Parker's name from the signature cards on file with the Elkhart State Bank, City's depository, and to add Mayor Garth Moran's name as a check signer for the City of Elkhart, Texas. Motion Carried.

Agenda Item No. Five - Consider Individual Bonding for Tax Collector/Deputy Tax Collector. Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison for Mrs. Billie Treadwell and Mrs. Margie Crawford as Tax Collector's for the City of Elkhart be bonded for a three year period of time; bonding as required by the laws of the State of Texas. Motion Carried.

Agenda Item No. Six - Consider Changing Employees Lunch Time and Closing of City Office at the Regular Time to the Public; Employees to Work Until 5:00 P.M.

Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember Mike Gordon that the city office close for lunch, 12 thru 1:00 P.M.. City office doors will be locked at 4:30 P.M. and employees will remain on the clock until 5:00 P.M. in order to close out the days business. The time changes are to be effective as of March 1, 1996. Motion Carried.

Agenda Item No. Seven - Consider Amendment to Ordinance No. 107. Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Mayor Pro-tem Diane Parker that Ordinance No.107, AN ORDINANCE OF THE CITY OF ELKHART, TEXAS, CREATING THE POSITION OF CITY ADMINISTRATOR IN THE CITY OF ELKHART, TEXAS, be amended to read at the end of the first paragraph as "The City Administrator will be the Chief Administrative Officer of the City of Elkhart and will be responsible for overseeing and coordinating all of the City's operations after approval of the City Council". Amendment to the end of the second paragraph to read as "All Administrative actions of the City Council will be taken through the City Administrator, and all questions regarding the execution of City Ordinances and the performance of City programs will be directed by the City Council". Motion Carried.

Agenda Item No. Eight - Consider Licensed Water Operator to Take Samples Until City Can Have Proper Personnel Qualified. Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Devoin Garrison to hire Virgil P. Simpson, licensed water operator, to take water samples for the City of Elkhart, Texas. Mr. Simpson will hand carry the water samples to Tyler and fill out the monthly required reports. Mr. Simpson will be conpensated for this service in the amount of SEVENTY DOLLARS (70.00) per month, and for any extra service to the City he will be paid TEN DOLLARS (10.00) Per hour. Motion Carried.

Agenda Item No. Ten - Consider Payment of Damages to Alysha Lovell and Lanelle Statler's cars; Damage Caused by an City Employee.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch that Item No. Ten, consider payment of damages to Alysha Lovell's car and Lanelle Statler's car due to an accident involving ex-city employee, Mitch Rials, in the taking down of Christmas Lights, be tabled until the March 4, 1996 regular City Council Meeting. Motion Carried.

Agenda Item No. Eleven - Consider Library and the Removal of Books From the Public Works Building and City Office. Discussion/Action

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch that Item No. Eleven, consider Library and the removal of books from the public works building and city office, be tabled until the "Friends of the Library" can be contacted for input. Motion Carried.

Agenda Item No. Twelve - Consider Training For Personnel, February 29, 1996. Discussion/Action

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Mike Gordon to send one employee to the February 29, 1996, Texas Rural Water Association Training School in Corsicana, Texas at the Holiday Inn, Hwy 287 South. Motion Carried.

Tabled Item List is addressed as follows:

Item No. One - Annexataion; will remain

Item No. Two - Consider School Buses Blocking Church St. and Private Driveways; will remain.

A committee of three was appointed by the City of Elkhart's Ex-Mayor, Jimmy Parker, and this committee was to have met with Mr. Booth of the Elkhart I.S.D.. This committee did not meet because three members of the council constitutes a quorum and this would have been considered a violation of the Open Meetings Act, Sec. 551.074 of the Texas Government Code. As of this date, Councilmember George Branch and Councilmember Devoin Garrison will meet with Mr. Booth in regard to Church Street.

Item No. Three - Up-date of Conputer Equipment; will remain for more information.

Item No. Four - Consider Hiring of City Attorney; will remain for more research on requirements as to the City of Elkhart having an attorney on retainer full time.

Committee of Diane Parker and Mike Gordon.

Mayor Moran asked for a motion to adjourn.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 20th day of February, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to adjourn this regular City Council Meeting of this date. Motion Carried.

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This regular City of Elkhart, Texas Council Meeting of February 20, 1996, adjourned at 7:02 P.M..

GARTH MORAN, Mayor

ATTEST:

Margie Crawford
MARGIE GRAWFORD, City Secretary

COUNTY OF ANDERSON

CITY OF ELKHART

On this the 4th day of March, 1996, the Texas Community Development Program Public Hearing for the City of Elkhart, Texas convened at 5:05 P.M.. This hearing is the second of two as required by the Texas Community Development Program in the preparation or consideration of applying for a grant. This hearing is for input from citizens as well as councilmembers and for all to have a better understanding of proposed project (s.) The Councilmembers present are as follows:

Garth Moran * Mayor

Diane Parker * Mayor Pro-tem

Margie Crawford * City Secretary

George Branch * Councilmember

Lee Bridges * Councilmember

Devoin Garrison * Councilmember

Mike Gordon * Councilmember

Ms. Sharla Neal of Gary R. Traylor & Associates was in attendance to assist with the public hearing.

Ms. Sharla Neal stated for all in attendance that the proposed grant to be applied for through the Texas Community Development Program would be in the maximum amount of TWO HUNDRED FIFTY THOUSAND DOLLARS (250,000) with the City of Elkhart's matching funds to be in the amount of SIXTY-FIVE THOUSAND DOLLARS (65,000).

The grant monies will be utilized for bringing the City's Wastewater Treatment Plant into compliance with the State of Texas, to prevent the infiltration into sewer utility lines at various locations within the City of Elkhart, and for repairing or replacing of manholes.

The deadline for submitting the application through the Texas Community Development Program will be April 8, 1996. After submission, the application will be reviewed by the Regional Office sometime in the month of June, 1996, and if approved, will be presented to the City in July, 1996. Then the City of Elkhart must submit the matching funds in the month of October, 1996.

Mr. Faust, citizen of Elkhart, asked if the proposed funding for said projects would solve the problem of overflow at the Lift Stations. The answer to the question was very positive in that it should solve the various problems the City has had with the Wastewater Treatment Plant and the Lift Stations.

There being no further questions or discussions, the Public Hearing, Texas Community Development Program, closed at 5:08 P.M..

GARTH MORAN, Mayor

ATTEST:

MARGIE CRAWFORD, City Secretary

CITY OF ELKHART PUBLIC HEARING

TEXAS COMMUNITY DEVELOPMENT PROGRAM

MONDAY, MARCH 4, 1996

CITY HALL

5:05 P.M.

Councilmembers and Citizens in Attendance

Garth Moran

Diane Parker Margie Crawford George Branch Lee Bridges Devoin Garrison

Mike Gordon Billie Treadwell Kenneth White

Tracy Hicks Sharla Neal

Mayor

* Mayor Pro-tem * City Secretary

* Councilmember * Councilmember * Councilmember * Councilmember

* Financial Secretary

* Public Worker

* City Engineer

* Grant Consultant/Gary R. Traylor &

ATTEST:

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the Fourth day of March, 1996, the City of Elkhart Council convened into a regular council meeting at 5:15 P.M.. The Councilmembers present are as follows:

Garth Moran	*	Mayor
Diane Parker	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	*	Councilmember
Mike Gordon	*	Councilmember

A quorum was declared by Mayor Moran and Citizens in attendance were recognized and they are as follows:

Tracy Hicks, City Engineer; Sharla Neal of Gary R. Traylor & Associates, Grant Consultant; Billie Treadwell, City Financial Secretary; Kenneth White, Public Works employee; Phillip O'Neal, Lisa Hopkins, Ms. Herbert Woodard, Mr. Joe Faust, and Cindy Polk of the Palestine Herald Press, a reporter.

Agenda Items are now addressed by Mayor Moran and they are as follows:

Item No. One - Consider Approval of Minutes.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Mike Gordon to approve the minutes of February 19th, February 20, 1996, 2:00 P.M. Bid Opening of Contractor's bids for TCDP Project Ek-005; minutes of the City of Elkhart Texas Community Development Program Public Hearing of February 20, 1996; minutes of the regular City Council Meeting of February 20, 1996, 5:30 P.M. with corrections being made to Page two, paragraph two and to read as follows:

On this the 20th day of February, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to terminate Mrs. Sue Harris, City Administrator, effective as of this date, February 20, 1996, with salary being paid through the month of February and the City will provide health insurance through the month of March, 1996. Vote; 4 Ayes - 0, Councilmember Mike Gordon abstained. Councilmembers voting Aye; Diane Parker, George Branch, Lee Bridges, and Devoin Garrison. Unopposed 0; Motion Carried.

Upon the motion made on the minutes stated above, the Ayes having the majority of vote; Motion Carried.

Item No. Two - Consider Adjustment of Water Leaks Billed; Herbert Woodard, Keilh Meyers, and Glennie Armstrong, William Grant.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember Lee Bridges to adjust Herbert Woodard's water bill to half of the water leak billed. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember Devoin Garrison and seconded by George Branch to reduce Ms. Armstrong's water bill by EIGHT DOLLARS AND TWENTY-SIX CENTS (8.26). Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the Fourth day of March, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to Table Keith Meyer's and William D. Grant's request for adjustment of water bills until a later date and that no action be taken as of this meeting. Motion Carried.

Agenda Item No. Three - Consider Contractor of Bid Process; City Engineer Tracy Hicks.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this Fourth day of March, 1996, a motion was made by Councilmember George Branch and seconded by Mayor Pro-tem Diane Parker to accept the low bidder, Lester Rodgers' of Frankston bid proposal, and to award the contract for TCDP/City of Elkhart Project EK-005 to Mr. Rodgers. Motion Carried.

Contracts will be brought back for signatures at a later date.

Agenda Item No. Four - Consider Resolution No. 169; Establish a Local Fair Housing Complaint Procedures and designate City Secretary as City's Fair Housing Administrator.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember Devoin Garrison to approve and accept Resolution No. 169; a Fair Housing Complaint Procedures and the appointment of Margie Crawford, City Secretary, as the City's Fair Housing Administrator. Motion Carried.

Agenda Item No. Five - Consider Resolution No. 168;
Authorizing the Submission of a Texas
Community Development Program
Application to the Texas Department of
Housing and Community Affairs.

THE STATE OF TEXAS

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COUNTY ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Mike Gordon to approve and adopt Resolution No. 168; Authorization for Submission of Texas Community Development Program Application to the

Texas Department of Housing and Community Affairs. Motion Carried.

Agenda Item No. Six - Consider Resolution No. 170; Authorizing the Mayor to act as the City's Chief Executive Officer and Authorized representative in all Matters Pertaining to the City's Participation in the Texas Community Development Program.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to approve and adopt Resolution No. 170; Authorizing the Mayor to act as the City's Chief Executive Officer and authorized representative in all matters pertaining to the City's participation in the Texas Community Development Program. Motion Carried.

Agenda Item No. Seven - Consider Designating a Day for City of Elkhart Clean Up by Resolution.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Mike Gordon to designate Saturday, March 16, 1996, as the official Clean Up Day for the City of Elkhart, Texas by the approving and adopting of Resolution No. 167. Motion Carried.

Agenda Item No. Eight - Consider Ditch Repair; Mrs. Boyd, Hemby Street.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember Devoin Garrison that the City of Elkhart repair Mrs. Boyd's ditch with reenforcement mesh and concrete up to the fence line of said property. Motion Carried.

Agenda Item No. Nine - Consider rerouting of Billy Newsoms Water Line.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch for the City of Elkhart to rerout Mr. Newsoms' water line as originally agreed with no tap fees being charged to Mr. Newsom. Motion Carried.

Agenda Item No. Ten - Consider Weather Monitoring Radar Equipment; Public Safety Commission.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges that the City contact Mr. Royce Scales and have the Weather Monitoring Radar Equipment picked up and the City cleared from any obligations pertaining to the said equipment. Motion Carried.

Agenda Item No. 11 - Consider Appointing Chairperson for the Public Safety Commission.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch that Mayor Pro-tem Diane Parker be appointed as Chairperson for the Public Safety Commission to replace exchairperson Raymond Dunlap. Motion Carried.

Agenda Item No. 12 - Consider Appointing New Member to the Building standards Committee.

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember Mike Gordon and seconded by Councilmember Lee Bridges that Item No. 12 be Tabled until a later date after Councilmember George Branch has had the opportunity to speak with prospective members; Ms. Becky Grant and Mr. Jack Parker. Motion Carried.

Agenda Item No. 13 - Consider Car Allowance for Mayor.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Mayor Pro-tem Diane Parker that Mayor Garth Moran, interim Mayor, and overseer for the City of Elkhart's total operations, be paid a monthly car allowance of TWO HUNDRED DOLLARS AND NO CENTS (200) plus mileage for any out of town trips to attend Seminars or any trips pertaining to City business. Motion Carried.

Agenda Item No. 14 - Consider Ordinance No. 107; Amended February 20, 1996.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember Devoin Garrison that Ordinance No. 107; Creating the Position of City Administrator for the City of Elkhart, Texas, be approved, passed, and adopted as amended of February 20, 1996, regular City Council Meeting of that date. Motion Carried.

Agenda Item No. 15 - Executive Session; Personnel: Consider Hiring of Public Works Employee. Section 551.074 of the Government Code, Open Meetings Act.

The City of Elkhart Council adjourned out of regular open session as of 6:45 P.M. and convened into executive session.

Upon conclusion and closing of executive session the council convened back into regular session as of 7:06 P.M.

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THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember Lee Bridges to hire Kenneth White as a Public Works employee doing work duties as deemed necessary for the City of Elkhart. Mr. White's beginning wage will be SEVEN DOLLARS AND FORTY CENTS (7.40) per hour. Mr. White's employment will commence March 5, 1996. Motion Carried.

Agenda Item No. 16 - Addendum Item. Consider Resolution No. 171; Organization Shall Provide Authorized Signators for the State of Texas Purchase Voucher and the Request for Advance or Reimbursement; Texas Community Development Program.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to approve and adopt Resolution No. 171; Authorized Signators for the State of Texas Purchase Voucher and Request for Advance of Reimbursement; Texas Community Development Program; appointed signators are Mayor Garth Moran, Mayor Pro-tem Diane Parker, and City Secretary Margie Crawford. Motion Carried.

There being no further new business, the council addressed the Tabled Item List and this is as follows:

Item No. One - Annexation; will remain

Item No. Three - Computer Up-date; will remain for more
 information.

Item No. Five - Consider Payment of Damages to Alysha Lovell's Car due to an accident involving ex-city employee, Mitch Rials; will remain. Item No. Six - Consider Library; will remain.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to give the books for the Library to the "Friends of the Library". Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the Fourth day of March, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch to adjourn this regular City of Elkhart Council Meeting. Motion Carried.

City Council Meeting adjourned as of 7:30 P.M.

GARTH MORAN, Mayor

ATTEST:

MARGIE CHAWFORD, City Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the 18th day of March, 1996, the City Council of the City of Elkhart, Texas convened at 5:00 P.M. in the Council area of the City Hall with the following members present:

Garth Moran	*	Mayor
Diane Parker	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	*	Councilmember
Mike Gordon	*	Councilmember

All in attendance of this regular council meeting being recognized and a quorum being declared as present, the Mayor addressed the agenda items and they are as follows:

Item No. One - Consider Approval of Minutes for the Texas Community Development Public Hearing, and Minutes for Regular City Council Meeting; March 4, 1996.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 18th day of March, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to approve and accept the Minutes of the Texas Community Development Public Hearing of March 4, 1996, 5:05 P.M. and the Minutes of regular City of Elkhart Council Meeting of March 4, 1996, 5:15 P.M.. Motion Carried.

Item No. Two - City Auditor's Progress Report; Deborah Fisher.

Mayor Moran asked for Mrs. Fisher's Audit Report of audit work

completed up to this date.

Mrs. Fisher's report reiterated statements made by her in previous Council meetings as to why the Audit is going so slow. Mrs. Fisher referenced the minutes of the preceeding year ending as of September 30, 1994 and year end of 1995. She stated that at the end of September 30, 1994, the sewer income as related to a beginning balance for fiscal year beginning, October 1, was out of balance. Mrs. Fisher did an estimate of sewer income based on the prior years sewer account plus a rate increase for usage of sewer. In doing this, she stated that the estimated amount was higher than what was on the books. She asked Mrs. Harris and Mrs. Treadwell why was there so much difference. Mrs. Fisher stated she had done an accounting of income calculated using the number of gallons of water pumped. The conclusion Mrs. Fisher presented to the council was that possibly the reason the water/sewer accounts are off is due to the City Council approving a write-off of these accounts.

Mrs. Fisher further stated that as of this time, no-one seems to be able to answer her questions. Mrs. Fisher said " The rate increase that City Council approved, was not applied immediately"; this was during the fiscal year of 94-95.

By utilizing the writing board on the wall, Mrs. Fisher provided a hypothetical scenario of what she thought were the actions of the Financial Secretary in the posting of data to fund accounts of the City. Mrs. Fisher was very graphic in her accounting of what she deemed to have been Mrs. Treadwell's working practices in the posting of accounting data. Mrs. Fisher attested to there being no cash monies missing, but the problem was numerous posting errors on the books. Therefore, this is the reason the audit has taken so long. She further stated the Audit was now going faster and that she hoped to complete it within two to three weeks. Until the time of completion, she did not feel that it would be necessary for her to bring anything before the council.

Mayor Moran asked Mrs. Fisher if she will be able to provide the City with a good Audit Report at the end of the two or three week period of time. She stated yes to Mayor Moran's question.

Councilmember George Branch asked Mrs. Fisher if the following is a true statment; when an Audit is completed, it is then filed with the City Secretary and it is then placed on file in the City Office.

Mrs. Fisher answered; the completed Audit Report is filed with the City and if there are bond monies involved or grants, such as the forth coming grant monies, then the state must be provided a copy of the Completed Audit Report. - -71

Mrs. Fisher completed her Audit Report to the council. Mayor Moran stated no action to be taken as of this time pertaining to Item No. Two on the Agenda.

Item No. Three - Consider Refund of reconnect Fee and Additional Meter Deposit to Water Customer; Margaret Dancer.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 18th day of March, 1996, a motion was made by Councilmember Mike Gordon and seconded by Councilmember Devoin Garrison that the City refund the Additional Meter Fee and Reconnect Fee to Mrs. Margaret Dancer as a credit to her next water bill and that the City replace the dead meter located at the intersection of FM 1817 and Hwy 287 S on property known as the King Bee. Motion Carried.

Item No. Four - Consider Appointment of Election Judge, Geneva Langston; Alternate Judge, Don Langston; Clerk, Charlene Brown by Resolution No. 172.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 18th day of March, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch that the City of Elkhart for the forth coming general election of the City of Elkhart appoint Geneva Langston as the 96' Election Judge and appoint Don Langston as the Alternate Judge, and Charlene Brown as the clerk for the forth coming election by approving and adopting Resolution No. 172. Resolution No 172; A RESOLUTION FOR APPOINTMENT OF PRESIDING JUDGE, ALTERNATE JUDGE, AND CLERK. Motion Carried.

Item No. Five - Consider Amendment of 95'-96' Fiscal Year Budget.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 18th day of March, 1996, a motion was made by

Councilmember Diane Parker and seconded by Councilmember Lee Bridges that the 95'- 96' Fiscal Year Budget for the City of Elkhart be amended in the following departments:

Workers Compensation:	112-10-5107 142-10-5107 202-10-5107 302-10-5107	
100	\$	1,625.72
Garbage Bags Purchased:	402-30-5322	945.00
		945.00
Interest on FMHA Bond Payment:	302-80-5806	237.50
×		237.50
		U.
SUB TOTAL: Cowan & Assoc. S		2,808.22 6,650.00
TOTAL AME	NDED: \$ ===	9,458.22

The motion so stated above for the amendment of Fiscal Year 95' - 96' City of Elkhart Budget in the amount of NINE THOUSAND FOUR HUNDRED FIFTY-EIGHT DOLLARS AND TWENTY-TWO CENTS (9,458.22) having the majority of votes; motion carried.

Item No. Six - Consider Establishing Documentation for Specific Benefits the City of Elkhart Will Provide for the Position of City Administrator (s).

THE STATE OF TEXAS

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COUNTY OF ANDERSON

IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 18th day of March, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison that when the City hires another City Administrator that it be established that the salary will be on a monthly basis; whoever occupys the position of City Administrator will receive twelve paychecks throughout the year. Car Allowance will be paid

to said employee separately from the regular payroll check and this also will be paid twelve times throughout the year. The City of Elkhart will provide Group Health Insurance to said employee at the City's expense; this for the employee only, not their dependents. Motion Carried.

City Council now addresses the Tabled Item List:

Item No. One - Annexation; will remain

Item No. Two - School Buses Blocking church St. and Private Driveways; will remain.

Councilmember Devoin Garrison and Councilmember George Branch met with John Booth, Elkhart I.S.D. Superintendent, regarding the problem of school buses obstructing driveways and Church Street.

Mr. Booth said he would have the Bus Drivers park in single file allowing room for passing through on Church Street. This committee will continue to monitor the situation.

Item No. Three - Up-grade of computer Equipment; will remain until next council meeting for more information as to money available for the proposed up-grade of computer system.

Item No. Four - Consider Hiring of a City Attorney; will remain until next meeting. Committee of Diane Parker and Mike Gordon will bring back information for council and have an attorney or attorneys in attendance for interview by the council.

Item No. Five - Consider Payment of Damages to Alysha
Lovell's car due to an accident involving
ex-city employee, Mitch Rials; will remain
for more information regarding estimates
of cost for repair of Ms. Lovell's car.

Item No. Six - Consider Library and Removal of Books From Public Works Building and City Office; will remain. Judge Ray and Joe Chaffin have proposed possible trade of properties.

Item No. Seven - Consider Adjustment of water Bills; Keith Meyers and William D. Grant. City Council may wish to consider removing this item or only the part pertaining to Keith Meyers who has paid his bill.

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COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 18th day of March, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember George Branch to remove Keith Myers from the Tabled Item List, Item No. Seven; William D. Grant will remain on said list. Motion Carried.

Item No. Eight - Consider Appointing New Member to the Building Standards Committee; will remain until a future date.

Supplemental Agenda Item No. Seven - Executive Session; Section 551.071, 1A of the Texas Open Meetings Act, Local Government Code. Pending or Contemplated Litigation.

Mayor Moran called for the exiting of regular city council meeting and to convene into executive session under the referenced Section 551.071, 1A of the Texas Open Meetings Act, Local Government Code. Executive Session convened at 6:26 P.M. and reconvened back into regular council session as of 6:58 P.M..

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

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On this the 18th day of March, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember Lee Bridges that Mrs. Treadwell be granted permission to send a letter to Mrs. Sue Harris, former City Administrator, requesting that items belonging to the City of Elkhart be returned, and that Mrs. Sue Harris be removed from the Royal National Bank list of the City of Elkhart authorized persons to enter the rented Safety Deposit Box containing City Back-up Tapes of Fund Accounts. Motion Carried.

Mayor Moran asked for a motion to adjourn.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 18th day of March, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember George Branch to adjourn this regular city council meeting. Motion Carried.

City of Elkhart Council Meeting adjourned as of 7:00 P.M..

GARTH MORAN, Mayor

ATTEST:

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this First day of April, 1996, the City of Elkhart Council convened in regular session at 5:00 P.M.. Mayor Moran called the meeting to order as of the stated time. The City Councilmembers present are as follows:

Garth Moran	*	Mayor
Diane Parker	*	Mayor Pro-tem
City Secretary	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	*	Councilmember
Mike Gordon	*	Councilmember

Mayor Garth Moran declared a quorum as being present and proceeded with the Agenda Items and they are as follows:

Agenda Item No. One - Consider Approval of Minutes; March 18, 1996.

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART * IN CITY COUNCIL MEETING

On this the First day of April, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to approve and accept the minutes of March 18, 1996, regular City of Elkhart Council Meeting. Motion Carried.

Agenda Item No. Two - Interview of Attorney; Eldridge Moak.

Mr. Eldridge Moak, Attorney at Law, upon introduction to the City Council, gave a brief summary of his experiences in Municipal Government. He stated he had served the City of Cuney located in Cherokee County for four years and had provided legal services for the City of Alto. Mr. Moak stated he had also served as a Councilmember on a City council, and is presently serving on the TML Risk Pool Management Board of Directors. Mr. Moak's fee is

based on an hourly rate of ONE HUNDRED TWENTY-FIVE DOLLARS (125.00) AND NO CENTS. This rate is for actual work done; there is not a retainer fee required by Mr. Moak. Mr. Moak asked the council if they required their attorney (ies) to attend every council meeting. The City Council did not consider this to be a necessary requirement for whoever they hire as the City's Attorney.

There was no action to be taken on Item No. Two as of this time; this item will be addressed when the council considers the Tabled Item List.

Agenda Item No. Three - Consider Exchange of Property; To Be Heard, Commissioner Joe Chaffin and Judge Linda Ray.

Commissioner Joe Chaffin and Judge Linda Ray asked the council if they would consider trading of land. Equal Land for Equal Land. The City of Elkhart would acquire the land with the Justice of Peace Office as it stands now and the County of Anderson would acquire a lot on the Corner of Watkins and Hortman Street for the proposed constructing of a new facility for the Justice of the Peace and the Constable. The stipulation in this trading of equal lands would be that the Central Air-Conditioning would remain the County's property. Commissioner Chaffin proposed that the County of Anderson and the City of Elkhart could possibly split the cost of this trade of land. He would bring the proposals before the Commissioners' Court, April 12, 1996, if the council agreed to the trade of equal lands.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the First day of April, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Lee Bridges that the City of Elkhart, Texas and the County of Anderson, Texas make a trade of equal amounts of land. The City would accquire the land with the established structure of the Justice of the Peace Office and the County of Anderson would acquire a City owned lot located at the corner of Watkins and Hortman Street; with the stipulation that the Central Air-Conditioning remains County property. Motion Carried.

Agenda Item No. Four - Consider Ordinance No. 169; City Regulations For Group Health Plan.

Mayor Moran presented Ordinance No. 169 to the council for consideration upon the reading of said ordinance by the City Secretary.

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the First day of April, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember Mike Gordon to approve, pass, and adopt Ordinance No. 169 which reads as follows:

AN ORDINANCE OF THE CITY OF ELKHART, TEXAS ADOPTING THE REGULATIONS GOVERNING THE PROVISION OF A GROUP HEALTH PLAN FOR TERMINATED CITY EMPLOYEES.

The Ayes having the majority of the vote on the above stated motion; motion carried.

Agenda Item No. Five - Consider Disclosure Letter to Auditor, Deborah Fisher.

The City Council discussed Item No. Five in depth as to the type of letter that they were being asked to sign and why was it required that all councilmembers as well as the financial secretary and the city secretary sign the presented document from Mrs. Fisher. The normal signatures required for this type of document, a letter of disclosure from the City to the Auditor, are the mayor and city administrator and or the city secretary. Also, the date of said letter of disclosure was questioned as to why was it dated february 9, 1996, as it is now the month of April, 1996. Therefore, it is the consensus that this item be tabled until Mrs. Fisher can be contacted for answers to the above stated concerns of the Council and the City Attorney could give an opinion on said letter of disclosure.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

* IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the First day of April, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to Table Item No. Five, Consider Disclosure Letter to Auditor, until more information can be obtained regarding the letter. Motion Carried.

Agenda Item No. Six - Consider Proclamation; Fair Housing Month, TCDP.

THE STATE OF TEXAS

COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the First day of April, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to approve and accept the Proclamation for the proclaming of the month of April, 1996, as "FAIR HOUSING MONTH". Motion Carried.

Agenda Item No. Seven - Consider Amendment of 95-96 Fiscal Year Budget.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the First day of April, 1996, a motion was made by Mayor Pro-tem Diane Parker and seconded by Councilmember Lee Bridges that the City of Elkhart Fiscal Year Budget of 95-96 be amended to reflect the taking of THREE THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (3,500) from salaries in Fund Account No. 142 and place said dollar amount into Professional Services within Fund Account No. 142. Motion Carried.

The Mayor addressed the Tabled Item List with the following items being considered:

Item No One - Annexation; remains.

Item No. Two - School Buses Blocking Church St. and Private Driveways; will remain.

Item No. Three - Up-grade of Computer Equipment.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the First day of April, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison that the City of Elkhart accept the low bid of TWO THOUSAND NINE HUNDRED EIGHTEEN DOLLARS (2,918.00) proposed by T D M Sytems for up-grade of City's Computer System. Motion Carried.

Item No. Four - Consider Hiring of a City Attorney.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the First day of April, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Mike Gordon that the City of Elkhart hire Mr. Eldridge Moak as the City of Elkhart's attorney with the stipulation that there is no retainer fee and rate of pay for services rendered will be at ONE HUNDRED TWENTY-FIVE DOLLARS (125.00) per hour worked. Motion Carried.

Item No. Five - Consider Payment of Damages to Alysha Lovell's Car Due to an Accident Involving Ex-City Employee, Mitch Rials.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On the First day of April, 1996, a motion was made by Devoin Garrison and seconded by Councilmember George Branch to offer Ms. Alysha Lovell payment of ONE HUNDRED DOLLARS (100.00) for assessed damages to the right front fender panel of Ms. Lovell's car. Motion Carried.

Item No. Six - Consider Library; remains.

Item No. Seven - Consider adjustment of Water Bill; William D. Grant; will remain.

Item No. Eight - Consider Appointing New Member to the Building Standards Committee; will remain.

Upon completion of review of the Tabled Item List, a motion was asked for to remove Item No. Three, Up-grade of Computer Equipment and Item No. Four, Consider Hiring of a City Attorney.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the First day of April, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Mayor Pro-tem Diane Parker that Items No. 3 and No. 4 of the Tabled Item List be removed from the said list. Motion Carried.

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Regular Agenda Item No. Eight - Consider Viewing of Documentary; Texas State Board of Plumbing Examiners.

Mayor Moran stated that this viewing of documentary would not be viewed this night as it would take too long a period of time. Therefore, the Councilmembers and any employee who wishes to view the film may do so at there discretion. No action to be taken regarding Item No. Eight.

Mr. Adolf Cobb was recognized by Mayor Moran. Mr. Cobb was wishing to address the council in order to obtain permission to extend his water line in the amount of 175 feet. However, Mr. Cobb was not on the Agenda for this meeting of April 01, 1996, and the City Council could not take any action as of this time. Mr. Cobb did ask to be placed on the Agenda for the April 15, 1996, regular City council meeting for consideration of expansion of water line.

Mayor Moran now asked for a motion to adjourn.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEEETING

On this the First day of April, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch to adjourn this meeting. Motion Carried.

This regular City of Elkhart Council Meeting of April 1, 1996 adjourned as of 5:59 P.M..

GARTH MORAN, Mayor

ATTEST:

MARGIE CRAWFORD, City Segretary

THE STATE OF TEXAS *

COUNTY OF ANDERSON *

CITY OF ELKHART *

On this the eighth day of April, 1996, a Special Called Meeting of the City of Elkhart Council convened as of 5:00 P.M. with the following councilmembers present:

Garth Moran * Mayor

Diane Parker * Mayor Pro-tem

Margie Crawford * City Secretary

George Branch * Councilmember

Lee Bridges * Councilmember

Mike Gordon * Councilmember

Devoin Garrison * Councilmember

Mayor Moran declared a quorum as being present and proceeded with the Agenda.

Agenda Item No. One - Consider Closing of the City of Elkhart Fiscal Year of 1995 Audit; Deborah Fisher.

Mayor Moran requested the Council to consider the disclosure letter addressed to the City Auditor, Mrs. Deborah Fisher, from the City of Elkhart, Texas and make a determination as to the signing of said letter for the purpose of finalizing the City of Elkhart's Fiscal Year 1995 Audit; as well as to obtain Mrs. Fisher's review of audit for the Council. Mayor Moran stated to the Council that of audit for the Council. the City had prepared another letter with a disclaimer attached to This document was signed by Mayor Moran and the City the letter. Secretary. Mayor Moran reported that Mrs. Fisher would not accept this letter, she insisted the City must sign off with the statement she had prepared for the City as the City of Elkhart's disclosure If the document in question was not signed as presented, letter. then Mrs. Fisher would have to give another opinion of the Audit; not the one she would be reviewing for the Council this meeting. For the record, there were three documents of the same content; the original from Mrs. Fisher requiring all members of the Council, Financial Secretary, and City Secretary to sign the said document, the letter prepared by the City of Elkhart, a standard form with a disclaimer attached signed by the Mayor and City Secretary, and the third, another letter prepared by Deborah Fisher requiring only three signatures; Mayor, City Secretary, and Financial Secretary.

As of 5:04 P.M. Mrs. Deborah Fisher arrived for the meeting.

Mayor Moran acknowledged Mrs. Fisher and seated her at the Council table and the discussion continued regarding the letter of disclosure addressed to Mrs. Fisher. Mrs. Fisher stated that this letter must be signed in order for her to complete her opinion of the City of Elkhart's Fiscal Year-end Audit of 1995; indicating the disclosure letter she had prepared dated February 9, 1996.

Upon the close of a lengthy discussion of said disclosure letter pertaining to the finalizing of 95' audit, the Council took the following action upon Item No. One on the Agenda.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the eighth day of April, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison that the letter prepared by Mrs. Fisher, dated February 9, 1996, be signed by Mayor Moran, City Secretary Margie Crawford, and Financial Secretary Billie Treadwell. Motion Carried.

Upon the signing of disclosure letter addressed to Mrs. Fisher, the auditor, Mrs. Fisher, proceeded with the review of the completed City of Elkhart Audit Report for the year of 1995.

After review of the Audit Report and a copy of adjustments to be implemented were presented to the Council, Mrs. Fisher and Billie Treadwell left the Council area as of 5:45 P.M. to discuss the adjustments.

The City of Elkhart Fiscal Year of 1995 Audit having been presented and declared as a good audit by Mrs. Fisher, Auditor, Mayor Moran asked for a motion to adjourn.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the eighth day of April, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Mike Gordon that the Council adjourn this Special Called Meeting. Motion Carried.

Special Called Meeting of the City of Elkhart Council adjourned 6:00 P.M..

GARTH MORAN, Mayor

ATTEST:

Margie Crawford
MARGIE ERAWFORD, City Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this 15th day of April, 1996, the City of Elkhart Council convened in a regular session as of 5:00 P.M. with the following members present:

Garth Moran * Mayor

Diane Parker * Mayor Pro-tem

Margie Crawford * City Secretary

George Branch * Councilmember

Lee Bridges * Councilmember

Mike Gordon * Councilmember

Devoin Garrison * Councilmember

All Councilmembers being present, Mayor Moran declared a quorum as being present.

Citizens were recognized and they are as follows:

Jim Bob Parker, Fire Chief .of the Elkhart Volunteer Fire Department, Randy McCoy and Phillip O'Neal; citizens and volunteer fireman, Commissioner Joe Chaffin of Anderson County; Precint One, Cindy Polk, reporter for the Palestine Herald Press, and city employee, Billie Treadwell.

The agenda items are now addressed:

Item No. One - Consider Approval of Minutes for the Regular City Council Meeting of April 1, 1996, and the Special Called Meeting of April 8, 1996.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember Devoin Garrison that the council approve and accept the minutes of April 1, and April 8, 1996 as presented. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember Devoin Garrison that the City of Elkhart provide Mr. Adolf Kolb water service to an extension of 150 feet of water line to his existing water line and with Mr. Kolb asorbing all cost of pipe for extension of water line plus a SEVENTY-FIVE DOLLAR (75.00) Meter Deposit and the cost for a mandatory installation of a cutoff valve. Motion Carried.

Item No. Three - Consider Adjustment of Water Leak: Terri Durnell.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 15th day of April, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember Lee Bridges that the City of Elkhart adjust Ms. Terri Durnell's water bill by half of the amount of leak; water only in the amount of FOURTEEN DOLLARS AND THREE CENTS (14.03). Motion Carried.

Item No. Four - Consider Adjustment of Sewer charge; Joe Paxton.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Devoin Garrison that the City of Elkhart adjust Mr. Paxton's sewer charges on his bill of January, 1996, by half of the amount charged for usage. This will be a credit on the next billing cycle for Mr. Paxton. Motion Carried.

Item No. Five - Consider Approval and Acceptance of the City of Elkhart's Fiscal Year 1995 Audit.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Mike Gordon that the City of Elkhart accept the 94' - 95' City Fiscal Year Audit as presented. Motion Carried.

Item No. Six - Consider the City of Elkhart 95' - 96'
Audit/Auditor.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to engage Mr. Cecil Staples of Staples and Yandel Accounting Firm for the forth coming fiscal year-end City of Elkhart Audit for a projected cost of SIX THOUSAND AND FIVE HUNDRED DOLLARS (6,500). Financial services apart from audit charges will be in an estimated amount of THREE THOUSAND SIX HUNDRED DOLLARS (3,600). Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember George Branch and Councilmember Diane Parker that a courtesy notice of disconnect be implemented to provide the consumer of water service a days notice before actual cut-off of service; this to be brought back in the form of an ordinance. Motion Carried.

Item No. Eight - Consider Accepting Contract Between the City of Elkhart and Contractor for Replacement of Lift Stations Project EK-005.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember George Branch and seconded by Devoin Garrison that

the City of Elkhart approve and accept the contract for Project EK-005; Replacement of Lift Stations. Contract is between the City of Elkhart and Contractor Lester Rodgers. Motion Carried.

Item No. Nine - Consider Review of Previous Action
Taken on the Exchange of Properties
Between the County and the City;
Commissioner Joe Chaffin.

Mayor Moran asked Commissioner Joe Chaffin to review for the Council information relating to the exchange of equal amounts of properties.

Commissioner Joe Chaffin stated that he had met with the Commissioner's Court and they did approve the exchange of properties between the City of Elkhart and the County of Anderson, Texas. Commissioner Chaffin stated the lot size will be a 50' X 50' on the corner of Watkins and Hortman Street. The proposed building to be constructed will be 48' X 16'. The lot size will allow for some parking area. It is understood by all that this will be an exchange of equal amounts of land and that there will be a survey of said lands and that the cost will be paid by each enity by half of expense.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember Lee Bridges and seconded by George Branch that the exchange of equal amounts of properties between the City of Elkhart and the County of Anderson, Texas continue with the City of Elkhart paying half of the cost for the surveyor's fee and for the cost of deed work and recording of said deeds. Motion Carried.

This being the conclusion of agenda items, the council now addresses the Tabled Item List and this is a follows:

Item No. One - Annexation; remains

Item No. Three - Consider Payment of Damages to Alysha Lovell's Car Due to an Accident Involving Ex-City Employee, Mitch Rials; remains.

The City of Elkhart requested that Ms. Lovell be notified that the council's consensus of the worth of damage to her car would be no more than ONE HUNDRED DOLLARS (100.00) to be paid in cash as requested by Ms. Lovell.

Item No. Four - Consider Library; remains.

Mr. Grant attested to the fact that he did have several water leaks which have been located and repaired. The most recent water leak was of April 7, 1996 due to his son backing over water equipment creating a leak. This leak has been repaired so stated by Mr. William D. Grant in regular session of this City of Elkhart Council Meeting of April 15, 1996. It is also stated by the council and billing person Ms. Treadwell that the next water bill will have some of the water leak charges on the bill and that Mr. Grant should be aware of this charge.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch that the City of Elkhart adjust Mr. William Grant's water bill by half of the amount of the water leak; FORTY-NINE DOLLARS AND FIFTY CENTS (49.50), water only. Motion Carried.

This Item No. Five will remain until next billing cycle.

Item No. Six - Consider Appointing New Member to the Building Standards Committee; remains.

Item No. Seven - Consider Letter of Disclosure to Deborah Fisher and The Removing of This Item From the Tabled Item List.

The Letter of Disclosure having been acted upon previously, the only action to be taken as of this meeting is to remove Item No. Seven.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this 15th day of April, 1996, a motion was made by Councilmember Diane parker and seconded by Councilmember Devoin Garrison that Item No. Seven, Letter of Disclosure to Deborah Fisher, be removed from the Tabled Item List as of this meeting. Motion Carried.

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COUNTY OF ANDERSON

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CITY OF ELKHART

IN CITY COUNCIL MEETING

On this the 15th day of April, 1996, a motion was made by Councilmember George Branch and seconded by Mike Gordon to adjourn this regular session of the council. Motion Carried.

The City of Elkhart, Texas, Council Meeting adjourned at 6:00 P.M..

SARTH MORAN, Mayor

ATTEST:

MARGIE CHAWFORD, City Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this 6th day of May, 1996, the City of Elkhart Council convened in a regular session as of 5:00 P.M. with the following members present:

Garth Moran * Mayor

Diane Parker * Mayor Pro-tem

Margie Crawford * City Secretary

George Branch * Councilmember

Lee Bridges * Councilmember

Mike Gordon * Councilmember

Devoin Garrison * Councilmember

All Councilmembers in attendance, Mayor Moran declared a quorum as being present.

Those persons in attendance other than councilmembers are as follows: City Attorney; Mr. Eldridge Moak and Mitzi Avera of the Tyler Morning Telegraph Newspaper. Citizen Phillip O'Neal, and Financial Secretary, Billie Treadwell.

There being no citizens to address the council, the Mayor addresses the Agenda Items and they are as follows:

Item No. One - Consider Approval of Minutes of April 15, 1996.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

* IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 6th day of May, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to approve and accept minutes of April 15, 1996 as presented. Motion Carried.

Item No. Two - Consider Housing Development; Kermit Grimsley.

Mayor Moran presented to the council the plan for a housing development as told to him by Kermit Grimsley. Mr. Grimsley was

called and said to remove the item from the agenda until a later date.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of May, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Mike Gordon that no action be taken on Item No. Two; Consider Housing Development; Kermit Grimsley. Motion Carried.

Item No. Three - consider Ordinance No. 170-050696; Courtesy Notice of Disconnect.

This Ordinance provides for a day before actual cut-off day a notice of non-payment and provides the opportunity for customer to pay delinquent water bill.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

* IN CITY COUNCIL MEETING

On this the 6th day of May, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Mike

Councilmember George Branch and seconded by Councilmember Mike Gordon to approve, pass, and adopt Ordinance No. 170-050696; Courtesy Notice of Disconnect. Motion Carried.

Item No. Four - Consider Rresolution No. 175-050696; Commitment of Additional Local Funds to the Texas Community development Program #715211, Sanitary Sewer Improvements Grant Project.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

IN CITY COUNCIL MEETING

CITY OF ELKHART

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On this the 6th day of May, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember Devoin Garrison to approve, pass, and adopt Resolution No. 175-050696; Commitment of Additional Local Funds to the Texas Community Development Program #715211, Sanitary Sewer Improvements Grant Project which reads under Item No. One of said resolution as follows:

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THE CITY COUNCIL AUTHORIZES AND COMMITS THE USE OF

record that they found the count to be correct for all places on the ballot. The consensus of the council was that the count was correct and the official Talley List will stand as presented.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 9th day of May, 1996, a motion was made by Councilmember George Branch and seconded by Councilmember Devoin Garrison to adjourn this special called meeting of May 9, 1996, called for the purpose of canvassing the election of May 4, 1996. Motion Carried.

Canvassing of said election within the special called meeting adjourned as of 4:20 P.M.

SATTH MORAN, Mayor

ATTEST:

MARGIE CRAWFORD, City Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

On this the 13th day of May, 1996, the City of Elkhart Council convened as of 4:00 P.M. in a special called meeting. Mayor Moran called this emergency meeting because of an on-going mechanical problem at the well site which was prohibiting the distribution of water to city main lines and on to residential structures.

The agenda was posted according to regulations governing emergency meetings; agenda was posted for the required time limit of two hours and for above that time limit.

The members present are as follows:

Garth Mayor	*	Mayor
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridge	*	Councilmember
Devoin Garrison	*	Councilmember
Mike Gordon	*	Councilmember

Councilmember absent; Diane Parker.

Employees present are as follows:

Billie Treadwell, Financial Secretary

James Morgan, Public Works

Darrell Morgan, Public Works

Kenneth White, Public Works

Virgil Simpson, Licensened Water Operator, Public Works

Mayor Moran declared a quorum as being present and proceeded with the special called meeting with only one agenda item.

Agenda Item No. One - Consider Mechanical Operation of Elkhart Water Works System.

Mayor Moran reiterated the problems that had taken place over the past weekend for all in attendance. Beginning with Friday, May 10, 1996, a chlorinator cylynder failed to switch over automatically as it usually would have and this caused the water to have a bad odor due to the Sulphur content not being treated by the injection of Chlorine.

Upon flushing of main water lines and discovering what the mechanical problem was and considering the mechanism repaired and Chlorine content being at the required levels at various points of the city, the public works department developed another problem the following day, Saturday, no water was reaching the residents within the city. Most water customers had very low water pressure or no water at all and this problem continued on into Monday morning.

Mayor Moran stated that until the City of Elkhart employees currentley employed with the city obtain their required licensing to be able to operate the Water Works System, Virgil Simpson will be the supervisor over the Elkhart Water Works System.

The councilmembers and the mayor and the public works department discussed the possibility of placing an aerator on the Newsom Well (also known as Well # 5). It was determined that it would be possible to have an aerator built by a local fabrication company for a lessor cost than to go with a top of the line preconstructed aerator.

It was stated also that a timer switch at the well site malfunctioned and did not function automatically as usual. It was stated that as of this date, the city was operating off of the old well located up by the school while Newsom Well's mechanical and electrical problems were in the process of being prepared. With the Newsom well being cut off, and the Day well being empty of water, it became necessary to switch to the old well by the school.

Councilmember George Branch asked if anyone thought that the well had been tampered with; the answer was no, service pump was off, Chloinator was off, and this was because of a faulty pressure switch due to a leaking valve.

Mr. Simpson reported to the council that Mr. Dave Williams of TNRCC was in the city this date as he had received numerous complaints throughout the day and because of the complaints he had to do a visual inspection of the situation pertaining to the distribution of water to residents and the odor problem of Sulphur.

Security was discussed as to securing the well sites, housing for chlorinator cyclnders, and all gates. A fence will be established as soon as possible; all materials are at site for the building of said fence.

There being no further business to be discussed, the mayor asked for motion to adjourn.

THE STATE OF TEXAS

COUNTY OF ANDERSON

CITY OF ELKHART * IN SPECIAL CALLED MEETING

On this the 13th day of May, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember Mike Gordon to adjourn the special called meeting of May 13, 1996. Motion Carried.

Special Called Meeting adjourned as of 4:47 P.M.. Special Called meeting way-----

GARTH MORAN, Mayor

ATTEST:

Margie Crawford, dity Secretary

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ADDITIONAL LOCAL FUNDS IN THE AMOUNT OF FIVE THOUSAND EIGHT HUNDRED FORTY-FIVE DOLLARS AND NO/100 (\$5845.00) TO ACCOMPLISH SANITARY SEWER IMPORVEMENTS ACTIVITES.

The majority having the vote; motion carried.

Item No. Five - Consider reimbursement of Funds to the Elkhart Volunteer Fire Department for Painting of facility Housing Fire Trucks and Fire Equipment.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of May, 1996, a motion was made by councilmember Lee Bridges and seconded by Councilmember George Branch to reimbursement to the fire department an amount of SIX HUNDRED EIGHTY-FOUR DOLLARS AND FIFTY-FOUR CENTS (684.54) for repairs to burners in heater and the painting supplies for renovation of housing facility of fire equipment and trucks. Motion Carried.

Before entering into executive session the Mayor presents the Tabled Item List for consideration as follows:

Item No. One - Annexation; will remain for more data.

Item No. Three - Consider payment of damages to Alysha
Lovell due to an accident involving excity employee, Mitch Rials. Remains for
response from owner of damaged car.

Item No. Four - Consider Library; Will remain.

Item No.Five - Consider Appointing New Member to the Building Standards Committee.

Item No. Six - Consider Adjustment of Water Bill; Wm. D. Grant.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On the 6th day of May, 1996, a motion was made by

Councilmember Devoin Garrison and seconded by councilmember Diane Parker to remove Item No. Six- Consider Adjustment of water Bill; Wm. D. Grant, from the Tabled Item List. Motion Carried.

Item No. Six of the Regular City Council Meeting - Executive sessions.

Item No. One - Section 551.071; Consultation With City Attorney Regarding Pending Litigation.

Item No. Three - Section 551-074; Personnel, consider cost-of-Living Wage Increase for City Employees.

Three A - Continuation of Item No. Three; Consider Position of City Administrator.

Executive Session convened as of 5:40 P.M. and Council convened back into regular open session as of 6:32 P.M.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this day the 6th day of May, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember Devoin Garrison that the City of Elkhart and individual Councilmembers have the City Attorney, Mr. Eldridge Moak, to file an answer to the pending litigation of a law suit. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

IN CITY COUNCIL MEETING

CITY OF ELKHART

On this the 6th day of May, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember Mike Gordon for the City of Elkhart to purchase land owned by Troy Burris located Hwy 294 West for a price of TWENTY-NINE THOUSAND NINE HUNDRED FORTY-SEVEN DOLLARS AND SEVENTY-SIX CENTS (29,947.76). Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

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On this the 6th day of May, 1996, a motion was made by Councilmember Devoin Garrison and seconded by Councilmember George Branch to increase the wages of city employees by 5% based on the individual employee's total income. Motion Carried.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of May, 1996, a motion was made by Councilmember Diane Parker and seconded by Councilmember Mike Gordon that the council take no action as of this meeting as to the vacate position of City Administrator. Motion Carried.

There being no further business, the Mayor asked for a motion to adjourn.

THE STATE OF TEXAS

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COUNTY OF ANDERSON

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CITY OF ELKHART

* IN CITY COUNCIL MEETING

On this the 6th day of May, 1996, a motion was made by Councilmember Lee Bridges and seconded by Councilmember George Branch to adjourn this regular session of the City Council Meeting of May 6, 1996. Motion Carried.

The meeting adjourned as of 6:48 P.M..

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GARTH MORAN, Mayor

ATTEST:

Margie Chaufaul
MARGIE CHAWFORD, City Secretary

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COUNTY OF ANDERSON

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CITY OF ELKHART

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On this the 9th day of May, 1996, the City of Elkhart Council convened in a special called meeting for canvassing of the May 4, 1996, City of Elkhart, Texas General Election. This meeting convened as of 4:00 P.M. with the following members present:

Garth Moran	*	Mayor
Diane Parker	*	Mayor Pro-tem
Margie Crawford	*	City Secretary
George Branch	*	Councilmember
Lee Bridges	*	Councilmember
Devoin Garrison	*	Councilmember

Councilmember Mike Gordon was absent from the canvassing of the votes of the election referenced above.

A quorum being present, Mayor Moran proceeded with the canvassing of the May 4, 1996, City of Elkhart General Election. This action necessary to make a declaration of the vote as being true as recorded on talley sheet by the official election judge.

The Mayor's race was canvassed first and the results is as follows: Garth Moran - 146 Votes

Raymond Dunlap - 92 Votes

PLACE ONE: Diane Parker - 119 Votes

Jo Warren Lasiter - 115 Votes

PLACE THREE: Randy McCoy - 51 Votes

Mike Gordon - 121 Votes

Opal Parker - 65 Votes

PLACE FIVE: Devoin Garrison - 161 Votes

Louie Riddle - 76 Votes

Councilmember George Branch counted votes with Mayor Gart, Moran also counting votes for each place that was on the ballot.

Mayor Moran asked of each councilmember to state for the