



**CITY OF ELKHART
CITY COUNCIL
REGULAR**

MEETING MINUTES

Monday, August 19, 2019

6:00 pm

Elkhart Holy Temple

CALL TO ORDER

With a quorum present, the Regular Session Meeting of the City of Elkhart City Council was called to order by Mayor Jennifer McCoy at 7:03 p.m. in the Elkhart Holy Temple, 113 West Parker Street, Elkhart, Texas 75839.

Present: Mayor Jennifer McCoy, Mayor Pro Tem Raymond Dunlap, Councilmember Lucia Butler, Councilmember Chuck Conner, Councilmember Daryll Faulk, City Administrator Judith Cantrell, City Secretary Ami Ashworth.

Also Present: Code Enforcement Officer Biff Knight

Absent: Councilmember Taylor Bentley

REGULAR MEETING

A. CALL TO ORDER, PRAYER, AND PLEDGE OF ALLEGIANCE

Pledge of allegiance was followed by the invocation given by Reverend Bernie Walker.

B. ACKNOWLEDGMENTS

The City Administrator informed Council of the Community Partnership Grant that was awarded to the City of Elkhart by CenterPoint Energy for safety equipment. The funds will be deposited into the General Fund to be disbursed for safety equipment as defined in the Award.

C. MINUTES

1. Approval of Minutes of the August 5, 2019 City Council Meeting.

Motion was made by Councilmember Butler, seconded by Councilmember Conner to approve Minutes of the August 5, 2019 City Council Meeting with corrections. Upon vote, the Motion carried unanimously 4-0.

D. CITY ADMINISTRATOR REPORT

City Administrator Judith Cantrell informed the Council that all bills, including employee insurance, have been brought current, notwithstanding any invoices which may not be known to Administration. Administration is in the end stages of the budget planning



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process for FY 2019-2020, with the assistance of Alan Gell, retired forensic auditor, and the final proposed budget will be ready for the August 26, 2019 Special Meeting.

Ms. Cantrell informed the Council that several City policies, including the Purchasing Policy, would need to be updated to ensure City-wide accountability in the future.

Ms. Cantrell also updated Council on the progress of the City's partnership with Elkhart ISD and projects with the students that are in the works including, but not limited to potential murals by the Art Department, growing the school's community garden, programs to help students who are at or below the poverty level.

E. CLOSED SESSION

Council will convene into Closed Session pursuant to Section 551.074 of the Texas Government Code regarding personnel matters to discuss the employment, evaluation, reassignment, duties, discipline, or dismissal of all Public Works personnel.

Council convened into Executive Session at 7:22 p.m.

F. RECONVENE IN REGULAR SESSION

Mayor McCoy reconvened Council into Regular Session at 9:12 p.m.

1. Discuss and take action, if any, on matters discussed in Executive Session.

Motion was made by Councilmember Faulk, seconded by Councilmember Conner, to terminate the employment of Public Works Supervisor BJ Perry and that the City not honor the alleged Employment Agreement between the City of Elkhart and BJ Perry. Upon vote, the Motion carried unanimously 4-0.

2. Discuss and take action, if any, on the resignation of Councilmember Taylor Bentley, and appointment of the Place 4 Council position.

Mayor McCoy informed Council of Ms. Bentley's resignation due to relocation to another town. Mayor McCoy also received a request from Mr. James Warren through the City's after-hours mail slot requesting to replace Councilmember Taylor Bentley. Motion was made by Mayor Pro Tem Dunlap, seconded by Councilmember Conner, to accept the appointment of James Warren for Place 4 Council position. Upon vote, the Motion carried unanimously 4-0.



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3. Discuss and take action, if any, concerning water billing customer, Thomas Roberson at 1135 Bedre Lane.

The City Administrator advised Council on an application for water received from Thomas Roberson for the service address of 1135 Bedre Lane. Mr. Perry alerted staff he and Seth Hollingsworth had witnessed Mr. Roberson stealing water from the tap located at the subject address. Ms. Cantrell advised Council of the information she had received, and that she had invited the Robersons to address the Council to discuss their account. Council discussed the issue with the account holder, offering a clean slate.

Motion was made by Councilmember Butler, seconded by Councilmember Faulk to connect Thomas Roberson to the City's water system for the service address of 1135 Bedre Lane. Upon vote, the Motion carried unanimously 4-0.

4. Discuss and take action, if any, on bids received for streets and/or drainage maintenance including, but not limited to, N. Main, Church, Moore, Oakwood, Woodcrest, Ridgedale, and Pilgrim (between Hertz and CR 1817).

The City Administrator addressed the Council concerning several bids that had been received over the past few weeks for work on several City streets. Those bids contained drastic variances in pricing, ranging from \$98,000 to over \$300,000. An additional quote for drainage ditch maintenance was presented to Council for consideration as well.

Motion was made by Councilmember Conner, seconded by Councilmember Butler, to hire Athens Contracting to clear the ditches on N. Main Street, Moore Street, Oakwood Street, Woodcrest Street, Ridgedale Drive and Pilgrim. Upon vote, the Motion carried unanimously 4-0.

5. Discuss and take action, if any, on selection of solid waste service provider, to be effective October 1, 2019, and authorize Mayor McCoy to execute a contract with the selected solid waste provider for City Solid waste services.

The City Administrator advised Council that two bids were received, one from Waste Connections and one from Ameri-Tex. Pricing was competitive, with both being very close in nature. The Mayor has also followed drivers for both companies in neighboring towns and has observed their processes and ethics. Mayor McCoy noted



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she has received an amended quote from Waste Connections and requested that she be allowed to have one more week to compare quotes, in an effort to make the most fiscally responsible decision for the taxpayers.

Motion was made by Councilmember Butler, seconded by Councilmember Faulk, to allow Mayor McCoy to make a decision on the City's solid waste provider and to enter into a contract for services with the chosen provider, noting that the matter did not need to be brought back before the Council. Upon vote, the Motion carried unanimously 4-0.

ADJOURN

Motion was made by Councilmember Conner, seconded by Councilmember Faulk, to adjourn the Regular Meeting of the City of Elkhart City Council at 9:57 p.m. Upon vote, the Motion carried unanimously 4-0.

Ami Ashworth, City Secretary

Jennifer McCoy, Mayor