



**CITY OF ELKHART
CITY COUNCIL
REGULAR MEETING**

MEETING MINUTES

Monday, May 4, 2020

6:00 pm

First United Methodist Church

CALL TO ORDER

With a quorum present, the Regular Meeting of the City of Elkhart City Council was called to order by Mayor Jennifer McCoy at 6:00 p.m. at the First United Methodist Church, 202 West Parker Street, Elkhart, Texas 75839.

Present: Mayor Pro Tem Raymond Dunlap, Councilmember Lucia Butler, Councilmember James Warren, Councilmember Daryll Faulk, Councilmember Chuck Conner, Code Enforcement Officer Biff Knight, and City Secretary Ami Ashworth.

REGULAR ACTION ITEMS

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

Pledge of allegiance was followed by the invocation given by Mayor Pro Tem Raymond Dunlap.

B. PUBLIC COMMENT

None

C. REGULAR SESSION

1. Discuss and take action, if any, regarding request from resident; Tommy Luce regarding placement of a single wide trailer located at 427 HWY 287 N.

Tommy Luce spoke before council, Tommy and his wife have been looking for a different location to place the trailer, the other locations are located inside the city limits. Mr. Luce is willing to build onto the trailer to bring it into compliance with the city's ordinance.

Motion was made by Councilmember Butler seconded by Councilmember Dunlap to move item into closed session. Upon vote, the motion carried unanimously with a vote of 4-0.

2. Discuss and take action, if any, amending **Ordinance No. O-02192019-2** regarding water rates, disconnects, and deposit requirements.

An additional deposit for accounts that are disconnected more than two times per year for nonpayment will be subject to an additional deposit of \$50.00. This fee is an addition to the disconnect fee that is required to reconnect water service once payment is received.



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The additional deposit of \$50.00 will be applied on the third offence and each offence thereafter.

The City of Elkhart's theft of services will be included in the ordinance.

Motion was made by Councilmember Butler seconded by Councilmember Conner to amend Ordinance No. O-02192019-2 to include Theft of Services with a penalty of \$1,000.00. An additional deposit of \$50.00 for accounts that have been disconnected more than two times in one year. Upon vote, the motion carried unanimously with a vote of 4-0.

3. Discuss and take action, if any, on adopting **Ordinance No. O-01062020-03**, adopting rules and regulations on food establishments, retail food stores, temporary food establishments, mobile food units, and roadside food vendors within the corporate city limits of Elkhart, Texas.

Motion was made to amend Ordinance No. O-01062020-3 to include grease traps and quarterly inspections. The City of Elkhart will follow the current food establishment rules set by the Department of Health and Human Services. Upon vote, the motion carried unanimously with a vote of 4-0.

4. Discuss and take action, if any, on adopting **Ordinance No. O-01062020-01**, establishing rules and regulations for Amusement Redemption Machines within the corporate city limits of Elkhart, Texas Gambling Ordinance.

Jeff Taylor spoke before council offering his help, he provided the City of Frankston's ordinance regarding gambling machines.

Motion was made by Councilmember Butler seconded by Councilmember Conner to adopt Ordinance No. O-01062020-01. Upon vote, the motion carried unanimously with a vote of 4-0.

5. Discuss and take action, if any, adopting **Ordinance No. O-01-05-2020** Alcohol Beverage policy.

This is just an update to allow alcohol sales within the city limits. There will be a fee of 75.00 for the application and a yearly fee which is half of the state fee for each permit issues



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Motion was made by Councilmember Conner seconded by Councilmember Butler to adopt Ordinance No. O-01-05-2020. Upon vote motion carried unanimously with a vote of 4-0.

Councilmember Faulk arrived at 6:45 p.m.

6. Discuss and take action, if any, on drainage maintenance including, but not limited to Lewis St, Moore, Pilgrim, Jones, Hemby.

Motion was made by Councilmember Butler seconded by Councilmember Conner to accept the bids for drainage maintenance for Lewis St, Moore, Pilgrim, Jones, and Hemby. Upon Vote, motion carried unanimously 5-0

7. Discuss and take action, if any, on temporarily closing alley between 112 W Parker and 114 W Parker to allow EVFD to place fire truck in alley way for Senior Picture opportunities.

Motion was made by Councilmember Butler seconded by Faulk to close the alley to thru traffic permanently. Upon vote, motion carried unanimously 5-0.

8. Discuss and take action, if any, on information gathered by Code Enforcement Officer Biff Knight on reinstituting the Elkhart Police Department.

Code Enforcement Officer Biff Knight spoke before Council on what is needed to start a police department. Jeff Taylor also spoke before council offering his assistance.

Motion was made by Councilmember Conner seconded by Councilmember Butler to move forward with gathering information on reinstituting the Elkhart Police Department. Upon Vote, motion carried unanimously 5-0.

D. CLOSED SESSION

Mayor McCoy convened into Executive Session at 7:47 p.m.

Council will convene into Closed Session pursuant to Section 551.074 of the Texas Government Code regarding personnel matters.

1. Take any action necessary regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of Public Work personnel.



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E. RECONVENE INTO REGULAR SESSION

Mayor McCoy reconvened into regular session at 8:20 p.m.

Take any action necessary regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of Public Work personnel.

Motion was made by Council Member Faulk seconded by Councilmember Butler to accept the resignation of Michael Wall and promote James Wiley to Utilities Supervisor with a \$1.50 pay raise. Upon Vote, motion carried unanimously 5-0.

Discuss and take action, if any, regarding request from resident; Tommy Luce regarding placement of a single wide trailer located at 427 HWY 287 N.

Motion was made by Councilmember Butler seconded by Councilmember Faulk to deny the request from Tommy Luce. Upon Vote, motion carried unanimously 5-0.

F. MAYOR'S REPORT

1. Update on city finances, including current bank balances.
2. Update on community projects.
 - Community Art Project
 - Possible Downtown Revitalization Grant
 - \$2,200 Dollars shy on the playground fund. 8x8 will be donating labor to level out park.

G. APPROVAL OF MINUTES

1. Minutes of April 06, 2020

Motion was made by Councilmember Butler seconded by Councilmember Conner to approve the Minutes of April 06, 2020.



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H. ADJOURN

Motion was made by Councilmember Butler seconded by Councilmember Conner to adjourn.
Upon Vote, motion carried unanimously 5-0, dismissing the meeting at 8:46 p.m.

Ami Ashworth, City Secretary

Jennifer McCoy, Mayor

