

City of Big Sandy

Big Sandy, Texas 75755

MINUTES TO MEETING

Tuesday, April 17th, 2018, 6:00 p.m.

The City Council for the City of Big Sandy met in Regular Session on Tuesday, April 17th, 2018, at 6:00 p.m., in the Council Chambers at City Hall.

1. **Call to Order:** Mayor Parsons called the meeting to order at 6:00 p.m.
 - a. Pledge of Allegiance – Mr. Chase Saxon
 - b. Invocation – Mr. Michael Baggett
 - c. **MEMBERS PRESENT:** Mayor Parsons, Michael Baggett, Cindy Bauter, Don Cochran, Chase Saxon and Ronnie Norman.
 - d. **STAFF PRESENT:** Laura Rex, Scott Rogers, Officer Jason Smith and Chief Tim Scott.
 - e. **OTHERS PRESENT:** City Attorney Andy Tefteller arrived at 6:05 p.m. Robert Davis (Attorney representing the City of Big Sandy regarding Clint Norman's appeal), Bobby Lee (Attorney representing Clint Norman), Becky Desborough, Linda Baggett, Dwayne Canup, Lupe Gonzalez, Michael Habee, Bill Hardwick, Volunteer Fire Chief Jeff Jones, Sue Jones, Ken McCarthy, Christina Norman, Clint Norman, Sherry Norman, Paula Parish, Rex Rozell, Jimmy Sanders, Angie Traynham, Jesse Vann, Ray Vega, Wayne Weese, Robert Whisenhunt and John Worden.
2. **Citizen Participation:** None.
3. **Consent Agenda:**
 - a. **Minutes:** Mr. Baggett moved to approve the minutes for the March 27, 2018 meeting and Dr. Bauter seconded. Baggett, Bauter, Cochran, Norman and Saxon voted aye. Motion carried 5-0-0.
 - b. **Financial Reports:** Mr. Cochran moved to approve the March 2018 Financial Reports and Mr. Norman seconded. Baggett, Bauter, Cochran, Norman and Saxon voted aye. Motion carried 5-0-0.
4. **Discussion/Action Items:**
 - a. **Proclamation: Motorcycle Safety & Awareness Month:** Jesse Vann addressed the council and thanked them for proclaiming the month of May as Motorcycle Safety & Awareness Month. Mayor Parsons presented Mr. Vann with the official proclamation.

City Attorney Andy Tefteller arrived at 6:05 p.m.
 - b. **Resolution: Procedures for Grievance Appeal to City Council:** The City of Big Sandy Personnel Policy allows an employee to grieve a supervisor's employment decision to the city council; however, the policy does not provide procedures the appeal process. After discussion, Bauter moved to approve Resolution 2018-012 adopting procedures for a grievance appeal to the city council. Baggett seconded. Baggett, Bauter and Cochran voted aye. Saxon voted no. Norman abstained. Motion carried 3-1-1.

- c. **Executive Session: Consultation with Attorney Robert Davis regarding pending or contemplated litigation:** Cochran moved to convene into executive session and Bauter seconded. Baggett, Bauter, Cochran and Saxon voted aye. Norman voted no. Motion carried 4-1-0.

The council entered into Executive Session at 6:15 p.m.

The council returned to Open Session at 6:28 p.m.

- d. **Clint Norman's Grievance Appeal to City Council:** Bobby Lee, attorney for Clint Norman, addressed the City Council regarding Clint Norman's termination according to the procedures adopted in agenda item (c). Robert Davis, attorney for this matter for the City of Big Sandy, addressed the City Council regarding Clint Norman's termination according to the procedures adopted in agenda item (c).
- e. **Executive Session: Consultation with Attorney Robert Davis regarding pending or contemplated litigation:** Cochran moved to convene into executive session and Saxon seconded. Baggett, Bauter, Cochran and Saxon voted aye. Norman abstained. Motion carried 4-0-1.

The council entered into Executive Session at 6:40 p.m.

- f. **The council returned to Open Session at 7:03 p.m.:** Based on the evidence presented and reviewed, after careful consideration, Bauter moved that the City Council uphold Chief Tim Scott's decision to terminate Clint Norman and Baggett seconded. Baggett, Bauter and Cochran voted aye. Saxon voted no. Norman abstained. Motion carried 3-1-1.
- g. **Executive Session: Consultation with Attorney Robert Davis regarding a settlement offer with Ryan Kuhn:** The council entered into Executive Session at 7:06 p.m.

The council returned to Open Session at 7:27 p.m. Ronnie Norman was not present when the council returned to open session.

- h. **The council returned to Open Session at 7:27 p.m. to take action regarding a settlement offer with Ryan Kuhn:** Bauter read a portion of the prepared agreement, stating the City is entering into the agreement to avoid protracted and expensive litigation and to buy peace. Cochran moved to accept the settlement offer as presented, Baggett seconded. Baggett, Bauter and Cochran voted aye. Saxon abstained. Motion carried 3-0-1.
- i. **Water Bill Adjustments: W.L. Baird:** Baggett moved to reduce W.L. Baird's water and sewer bill by \$31.25 and Cochran seconded. Baggett, Bauter, Cochran and Saxon voted aye. Motion carried 4-0-0.
- j. **FYE 09.30.2017 Audit:** After discussion, Bauter moved to accept the bid from Henry & Peters CPA's to perform the audit for Fiscal Year Ending Sep. 30, 2017 for \$15,000 and Baggett seconded. Baggett, Bauter, Cochran and Saxon voted aye. Motion carried 4-0-0.
- k. **CenterPoint Energy Annual GRIP Rate Adjustment:** Baggett moved to approve Resolution 2018-015 delaying the rate adjustment for 45 days and Saxon seconded. Baggett, Bauter, Cochran and Saxon voted aye. Motion carried 4-0-0.


- l. **Resolution: May 5, 2018 Election:** Baggett moved to approve Resolution 2018-013 outlining the specific details and naming the Election Judges for the May 5, 2018 election and Baggett seconded. Baggett, Bauter, Norman and Saxon voted aye. Motion carried 4-0-0.
 - m. **Resolution: May 5, 2018 Election:** Bauter moved to approve Resolution 2018-014 approving a contract with Big Sandy Ind. School District for a joint-election at the May 5, 2018 election and Cochran seconded. Baggett, Bauter, Norman and Saxon voted aye. Motion carried 4-0-0.
 - n. **Public Works:**
 - i. **Water Tank Repair Update:** Central Tank Coatings has started their work on the tank on Boulder Drive, which has caused a slight drop in water pressure for some sections of town. No council action taken.
 - ii. **Circle Drive Lift Station: Manhole Conversion:** Bauter moved to approve the conversion from a lift station into a manhole at a cost of \$2,650 and Baggett seconded. Baggett, Bauter, Cochran and Saxon voted aye. Motion carried 4-0-0.
 - o. **Streets: Wimberly Drive Repairs:** Public Works Director Rogers reported that he and Mayor Parsons met with the Upshur County Road & Bridges Supervisor to discuss the repairs to Wimberly Road. The estimated cost for the current proposed repairs is approximately \$1000.
 - p. **American Tower Lease Extension Proposal:** Mr. Tefteller is continuing to research the possibility of relocating the Upshur County repeater to this tower in addition to the proposal for the 30 year lease extension and report back at the May meeting. Saxon moved to table this item to the May meeting and Cochran seconded. Baggett, Bauter, Cochran and Saxon voted aye. Motion carried 4-0-0.
 - q. **Landmark Dividend Lease Proposal:** Mr. Tefteller is continuing to research the proposal. After discussion, Cochran moved to table this item and Baggett seconded. Baggett, Bauter, Cochran and Saxon voted aye. Motion carried 4-0-0.
5. **Items from the Mayor:** Mayor Parsons reported that the work has begun on the TxCDBG Grant #7216222 (the south side of Gilmer Street sidewalk renovations).
6. **Items from the Council:** None.
7. **Adjourn:** There being no further posted business before this Council, Mr. Cochran moved to adjourn the meeting at 8:04 p.m. and Dr. Bauter seconded.



 Sonny Parsons, Mayor



 Laura M. Rex, City Secretary



 Date