



MINUTES OF A CALLED PUBLIC MEETING
November 23rd, 2016

City Council Approved on November 28th, 2016

CALL TO ORDER:

Michael Reyna, Mayor Pro-Tem called the meeting to order at 5:32 pm.

ROLL CALL:

Council members present for roll call were as follows; to wit: Mayor Pro-Tem Reyna, Councilman Johnson, Councilwoman Abbe, and Councilman Beck.

INVOCATION:

Councilman Beck gave the invocation.

PUBLIC COMMENT:

George Vera addressed council regarding the current status of the City. He wanted to know who the Acting Mayor was, and if the Police Department had been re-instated. He said that everyone needed the officers back, and the Council was getting nothing done. This was the second meeting of the City Council in the month of November, and nothing had been done.

CONSENT (AUTOMATIC APPROVAL) AGENDA:

Approval of Minutes - September 27, 2016, October 19, 2016, November 9, 2016, November 16, 2016 - Councilman Johnson made a motion to approve the minutes for September 27th, 2016, October 19th, 2016, November 9th, 2016, and November 16th, 2016. Councilwoman Abbe seconds that motion. Councilman Beck is in favor. Motion passed.

CALLED AGENDA: *(Discuss and take action separately on the following items)*

Accept Resignations of Jim Adams, Mayor and Jim Baugh Councilman Place 3 - Councilman Johnson made a motion to accept the resignations of Jim Adams, Mayor, and Jim Baugh, Councilman Place 3. Councilwoman Abbe seconds that motion. Councilman Beck is in favor. Motion passed.

Ordinance #008-16 Canvassing the November 2016 Election - Councilwoman Abbe made a motion to approve the first reading of Ordinance #008-16. Councilman Johnson seconds that motion. Councilman Beck is in favor. Motion passed.

Presentation by Burl Lowery, CPA regarding state of City finances past and present - Burl Lowery presented a handout to the City Council, and explained that the city had overspent the 2015-2016 budget by 264,000 dollars. Councilwoman Abbe asked Lowery how the city got into this mess, and how to get out. Burl explained that it was due to big expenditures, and that in the future, Council needed to make sure city staff understands the difference between budgeted funds and actual monies. Councilwoman Abbe also asked how long it would be before City Staff would be reconciling bank statements and the cities books straightened out, as Harbour and Lowery had been working on the process for a few weeks. Lowery said that everything should be good to go at the end of November, once the next bank statement came in. Council thanked Lowery for his presentation; and no action was taken.

Legal and procedural matters related to future accounting and expenditures - Members of the council expressed that they felt like this topic had been covered in the presentation by Burl Lowery. Upon council's concur, Mayor Pro-Tem Reyna continued on to the next item on the agenda. No action was taken.

Resolution #014-16 Accepting the City of De Leon 2016-2026 Comprehensive Plan - Councilman Johnson wanted to know if the city had a copy of this plan. Harbour advised him that there was a binder with the plan in it inside the City Hall office. Councilwoman Abbe made a motion to approve Resolution #014-16, accepting the City of De Leon 2016-2026 Comprehensive Plan. Councilman Beck seconds that motion. Councilman Johnson is in favor. Motion passed.

Resolution #015-16 - Appointing Director to the Board of Directors of Upper Leon River Municipal Water District - Councilwoman Abbe made a motion to simultaneously appoint Joe Locke as Director the the Board of Directors of Upper Leon River Municipal Water District, and approve Resolution #015-16 confirming such action. Councilman Johnson seconds that motion. Councilman Beck is in favor. Motion passed.

Invoice for Sewer Cleanout, by Eddie Prado - Rob briefed council on the incident with Eddie Prado that resulted in said invoice. He said two service orders had been made for this cleanout, and both had been in Eddie's sewer lines. Rob cleaned them both out, and later at Eddie's request, Rob came out after hours and watched Eddie clean it out himself. Eddie presented pictures to the council, that showed his view standing out in the street. He said he couldn't tear up the street. He said that a friend of his renter, James DeBord who works for the city, came over to look at it after hours on his own time, and told him the blockage was "Way over there" and to call City Hall tomorrow and they would come clean it out. Eddie went on to say that he bought his own Router to take care of his rental properties within the city. Rob presented a pipe display, explaining the situation to the council. Councilman Johnson asked Eddie if the blockage was on the city's side, why only his sewer was stopped up. Council concurred that the invoice issued to Eddie Prado from the city stood. No action was taken.

Resolution #016-16, Closing of the 100 Blk of E Reynosa St. from 5:30 pm to 9pm, Dec 2nd for De Leon Chamber Christmas Celebration - Councilwoman Abbe made a motion to approve Resolution #016-16. Councilman Johnson seconds that motion. Councilman Beck is in favor. Motion passed.

Potential Amendment of the De Leon City Charter - Assistant City Attorney Eileen Hayman briefed the council on procedure on amending the charter for the May 2017 Ballot. She made several suggested changes, such as ordinances not requiring two readings, removing the next-day-canvassing of election results (as those dates are set by state law), and cleaning up and clarifying some of the language related to what constitutes as a quorum. Councilman Johnson also mentioned something defining the authorities, powers, and duties of the mayor. Eileen agreed, and also mentioned the city hiring a City Administrator or City Manager to fill that role. Councilman Abbe made a motion to authorize City Secretary Melenda Harbour, Assistant City Secretary Sarah Cogburn, and Assistant City Attorney Eileen Hayman to begin working on potential amendments to the city charter. Johnson seconds that motion. Beck is in favor. Motion passed.

Compensation of City Employee James Ed Dyson - At 6:18 pm, Mayor Pro-Tem Reyna moved the meeting into executive session, citing Texas Government Code Section 551.076, for personnel matters. At 6:30 pm, he re-opened the meeting in public session, and council agreed that the corrections due James Ed Dyson from payroll would be made. No action was taken.

New overtime rule as it relates to City Employees - Assistant City Attorney Eileen Hayman briefed the council on a new overtime law that was supposed to have gone into effect on December 1st, 2016, but had been suspended by a federal judge indefinitely, to determine whether or not Congress had exceeded the authority given them from the Fair Labor Standards Act of 1938. The law would have affected salaried employees who make under \$913 dollars a week, requiring they be paid overtime. No action was taken.

Lease of office space to the De Leon Chamber of Commerce - Mayor Pro-Tem Reyna addressed the public, speaking of how he hoped the city and the Chamber could move forward, and too that they would move back into the city's building. Kelly Rowell and Cindy Beaty of the chamber both voiced about how the chamber would like to move back into the city office. Councilwoman Abbe made a motion for City Hall to begin the lease paperwork for the Chamber to move back into the room by the City Office. Councilman Johnson seconds that motion. Councilman Beck is in favor. Motion passed.

Appoint Mayor to fill term until May 2017 Election - Councilman Johnson made a motion to appoint Michael Reyna to serve as mayor until the May 2017 Election. Councilwoman Abbe seconds that motion. Councilman Beck is in favor. Motion passed. This left a vacancy on the council in Place One, to be filled in the May 2017 Election.

Appoint Mayor Pro-Tem to fill term until May 2017 Election - Councilman Johnson made a motion to appoint Gynnalyn Abbe to serve as Mayor Pro-Tem. Councilman Beck seconds that motion. Councilwoman Abbe was in favor, motion passed.

Appoint Council Member to Place 3 to fill term until May 2017 Election - Councilman Johnson made a motion to appoint Jaye Golden to fill Place 3 on the City Council, until the May 2017 Election. No seconds; motion failed. Councilwoman Abbe softly voiced to Jaye that she had some concerns about appointing her to council. Beck also mentioned a few concerns about needing someone more experienced to serve during hard times. Councilwoman Abbe made a motion to appoint Bob Whitney to fill Place 3, until the May 2017 Election. Councilman Johnson seconds that motion. Councilman Beck is in favor. Motion passed.

Council then took a small intercession to swear in the new Mayor, Mayor Pro-Tem, and Place 3 Member.

Resolution #017-16 Designation of Signatories on all Financial Accounts, including Tex Pool, and name on City Debit Card - Councilman Johnson made a motion to make Michael Reyna, Sarah Cogburn, and Bob Whitney the designated signatories on all financial accounts. Councilwoman Abbe seconds that motion. Beck and Whitney are in favor. Motion passed.

MAYOR REPORT - Mayor Reyna thanked the Sheriff's Department, and Texas State Troopers for patrolling in town in the absence of the city's Police Department. He also stated that the city is re-establishing the Police Department, as soon as possible. He said that the city will be moving forward in future months, that it will be hard, but things will change. He went on to read the water sample report from U.S. Water which was clean, and also deeply encouraged the public to attend all future meetings. Councilman Johnson added that all city business would be done by quorum of the city council, and not any one person. Councilwoman Abbe made honorable mention of Ben Rowell, stating that when she had called TCOLE, under held duty and not suspicion asked them if this was a Police Chief issue. She was much assured that it was not, and that Ben Rowell was a very valuable member and asset to the force. She went on to say that TCOLE commended Chief Rowell. Chief Rowell was then commended by the public and council. Councilman Whitney addressed the public saying things would be better from now on, and that he would be happy to help with that.

USW REPORT - Council agreed that this had been covered in the Mayor Report.

POLICE CHIEF REPORT - Chief Rowell thanked the citizens of De Leon for their patience, and let them know that the police department was ready and willing to come back and serve as soon as they were re-comissioned by the state. He went on to mention that a lot of citizens had been telling him they wanted the police to come back. Chief Rowell stated that hopefully all the paperwork would be finished up on Monday, to send off to TCOLE. He went on to thank the Sheriff's Office and Texas State Troopers for patrolling in the City, and watching the school zone while the De Leon PD was decommissioned.

CITY SECRETARIES' REPORT - Assistant City Secretary Cogburn addressed the public, letting them know city offices would be closed Thursday and Friday in observation of Thanksgiving day. She went on to mention that Thursday's regular garbage services would be moved to Friday instead, due to the holiday, and also that there would be no bulk pickup that week. Cogburn went on to let the public know that if they had bulk for this week, to get with City Hall on Monday and we would try to get them picked up that week instead. City Secretary Harbour addressed the Public, letting them know that Water Bills had been printed earlier that day, and that they reflected the new rates passed by council in September. She also went on to mention that Jennifer Easley, Utility Clerk, was out on bed rest due to a pregnancy, but things were looking well for her and that she might be welcoming a new baby in the next couple of weeks.

ITEMS OF COMMUNITY INTEREST:

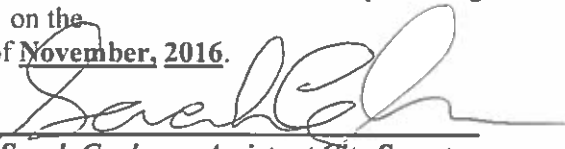
- Expression of thanks, congratulations of condolences
- Information regarding Holiday Closings
- Honorary recognition of city officials, employees or other citizens
- Reminders about upcoming events sponsored by the City or other entity that is scheduled to be attended by a city official or city employee

ADJOURN - Councilman Johnson made a motion to adjourn at 7:05 pm. Councilman Whitney seconds that motion. Councilman Beck, and Councilwoman Abbe are in favor. Motion passed.

CERTIFICATION

I, *Sarah Cogburn*, Assistant City Secretary for the City of De Leon, Texas, do hereby certify in a good faith effort, that the above and foregoing is true and correct of the Called Meeting by the City Council of the City of De Leon and of the minutes pertaining thereto

on the
23rd day of November, 2016.


Sarah Cogburn, Assistant City Secretary

Minutes PASSED AND APPROVED by the City Council of the City of De Leon on the
28th day of November 2016.

ATTEST: Melenda K Harbour
Melenda K Harbour, City Secretary

Michael Reyna
Michael Reyna, Mayor

