



MINUTES OF A CALLED PUBLIC MEETING  
5:30 p.m. – Monday, January 28<sup>th</sup>, 2019  
City Council Room – 125 S Texas

City Council Approved on February 11<sup>th</sup>, 2019

1. **CALL TO ORDER** – Mayor Scott called the meeting to order at 5:34 pm.
2. **ROLL CALL** - Council members present for roll call were as follows; to wit: Terry Scott, Jon Awbrey, Jaye Golden and James Beck. Council members not present for roll call were as follows; to wit: Sarah Childers and Bob Whitney.

Staff members present for said meeting were as follows: David Denman (City Administrator), Melenda Harbour (City Secretary) and Sarah Cogburn (Assistant City Secretary).

3. **INVOCATION** – Beck gave the invocation.

4. **PUBLIC COMMENT** – No public comments were made.

5. **City Administrator Report** – Denman began by addressing an ordinance located on the City’s website from the early 2000’s allowing for two caskets per grave in the De Leon Cemetery. Denman stated there was no executed copy of the ordinance on file, and no minutes could be found to prove that it was effective. Awbrey inquired if the City was equipped for that process anyway, to which Denman responded he had recently figured out in discussion with Todd Anders a multiple casket burial was a very tedious process and the City was not capable.

He then reported on the City’s audit, saying the new auditor should have it completed by the March meeting and would be conducting the audit near the end of February.

Denman continued stating that an employee in Public Works, Ian Patterson, had smashed his hand earlier that day and was currently in surgery, then announced that another employee, Jim Debord, would be resigning his position on March 22<sup>nd</sup> along with Sarah Cogburn. He added he had hired Vint Ramirez for a full-time position in Public Works, and Vint had started today.

He finished up the report by addressing the procurement process for an engineering firm for the CDBG grant, saying he had requested proposals from Blue Oak, Corlett-Probst Boyd LLP, Freese & Nichols INC, Jacob & Martin and Hanson Professional Services. He then covered other parts of the procurement process such as letters he had written, that he had obtained the appraisal values for various city properties and a citizen survey which would have to be conducted door to door.

6. **CONSENT (AUTOMATIC APPROVAL) AGENDA:** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member requests an item to be removed and considered separately)*

- a. **Approval of Minutes – January 14<sup>th</sup>, 2019** – Beck took the floor, stating that under the Library Report the wording for “sale” should be changed to “sell” as it was not used in the proper context. Beck continued that he abstained from voting in the action to approve the minutes, unlike an anonymous vote like the minutes proposed, and finally that under the DIDC Final Budget Amendments item the word “un-anticipated” was technically not supposed to be hyphenated. Beck made a motion to approve the minutes, with said corrections. Awbrey seconds that motion. All members present were in favor; motion passed.

7. **CALLED AGENDA:** *(Discuss and act separately on the following items)*

*Old Business*

A. **Second Reading of Resolution #001-19 for Grant Management Services for Application Preparation and Project Development in conjunction with 2019/2020 CDBG Grant Application** – Mayor Scott made the second reading. Awbrey asked Denman about the fee would be for HOWCO’s services (\$30,250, or 11%), then discussion followed of how much the grant would be for if awarded (\$275,000), and what percentage of it the City would have to pay since it was a matching grant (\$27,500, or 10%). Awbrey made a motion to approve the second reading. Golden seconds that motion. All members present were in favor; motion passed.

*New Business*

B. **Second reading of Ordinance #001-19, Establishing an Expenditure Process for Hotel Occupancy Tax Revenue** – Mayor Scott made the second reading. Denman addressed the Council, saying this ordinance was standard issue from the attorney and was basically reciting state law. He continued De Leon had passed an ordinance in the 1990’s to create the hotel/motel tax revenue, but no ordinance had ever been

created to regulate the expenditure proces. According to City Attorney Pat Chesser (quoted by Denman), the City could charge a maximum of 7% for this tax like bigger cities such as Austin and Houston, but generally smaller cities stick with 5%. However, Council didn't seem interested in raising the tax rate. Beck took the floor saying he had reviewed state law for this tax and there were a lot of good things that could have been pulled over from state law and placed in sections 1-6 of this ordinance, such as laws pertaining to how the revenue could be spent. Denman responded that the ordinance was standard issue from Chesser, but there was a lot more information included in the application that applicants would find useful. Golden made a motion to approve the second reading of the ordinance and the proposed application. Beck seconds that motion. All members present were in favor; motion passed.

**C. First reading of Ordinance #002-19, Establishing a Hotel Occupancy Tax Revenue Advisory Board** – Mayor Scott made the first reading. Denman addressed the Council, saying he had made changes to sections 1-3 so City Council could be the hotel/motel tax board, as opposed to creating a special board for this purpose. Beck made a motion to approve the first reading. Golden seconds that motion. All members present were in favor; motion passed.

**D. Engineering Service Contract for Application Preparation and Project Development in conjunction with 2019/2020 CDBG Grant Application** – Eddie Aguilar was present representing the Jacob & Martin Engineering firm, and Denman took the floor saying Jacob & Martin was the only proposal received from procurement. Beck asked various questions about the proposed contract, such as where the \$49,000 figure on page two, fees for services, was assessed. Aguilar responded under TDA law engineering firms could not charge more than 25% of the monies awarded for this grant, and the firm would have multiple expenses for this process along with the City. Beck then asked if the \$49,000 would need to be paid in advance, to which Aguilar responded it would be paid upon the city being awarded the grant. Beck asked other various questions and about the contract and it also came up that \$27,000 of the grant monies would be paid to HOWCO for grant writing services, to which Awbrey stated that in reality the city would only be receiving \$200,000 for actual supplies and labor which Aguilar confirmed. Denman stated he had been considering paying these fees out of the road maintenance account instead to save some of the grant monies, but Beck voiced he did not feel it fair to all the other citizens to use the road maintenance money for this project as many streets in town needed repair, many more in fact than the grant could cover. Awbrey agreed with Beck, then asked how many streets \$200,000 would pave to which Aguilar responded roughly 3-4 city blocks. Aguilar asked if the city had asked the County office about borrowing their equipment to do the paving to save some labor costs and then perhaps more blocks could be paved. Beck asked what criteria would be used for determining which streets would be paved, and Aguilar replied selection would be based upon road conditions and income surveys. Golden made a motion to enter into the proposed contract. Awbrey seconds that motion. All members present were in favor; motion passed.

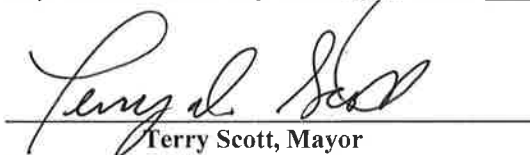
8. **ADJOURN** – At 6:15 p.m., Mayor Scott adjourned the meeting.

#### CERTIFICATION

I, Sarah *Cogburn*, Assistant City Secretary for the City of De Leon, Texas, do hereby certify in good faith 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 **28th** day of **January 2019**.

  
Sarah Cogburn, Assistant City Secretary

**READ, PASSED and APPROVED** by the City Council of the City of De Leon on the **11th** day of **February 2019**.

  
Terry Scott, Mayor

ATTEST,   
Melinda K. Harbor, City Secretary

