

**TYE CITY COUNCIL  
REGULAR MEETING  
6:30 PM MONDAY, SEPTEMBER 23, 2019**

**Call to Order:** Mayor Pro-tem Moore announced there was a quorum present and called the meeting to order at 6:30 pm with the following city council members present:

Place 1 - Vada Childers

Place 2 – Kenny Dry

Place 5 - Chuck Downs

Absent

Place 4 – Michael Bryant

**Invocation:** Given by Chuck Downs

**City employees present:** Belinda Hohhertz City Secretary, Jay Strong Police Chief, Shawn Hicks Assistant Police Chief / Volunteer Fire Chief, Rick Wilson Director of Public Works.

**Citizens present:** Pastor Bill Murphy and Noah Jones.

**Visitor/Citizen Comments:** No comments

**4. ACTION ITEMS for Consideration/Approval**

a. Minutes from the Regular Council meeting on August 19th and Special Called Minutes from August 26<sup>th</sup>, September 3<sup>rd</sup>, September 9<sup>th</sup>, September 16<sup>th</sup>, 2019. Motion made by Councilwoman Childers to approve the minutes as presented with one correction on the August 19<sup>th</sup> minutes “item b iii needed a second recorded”. Councilman Childers seconded the motion. Motion carried 4-0.

b. **ORDINANCE & PUBLIC HEARING: ADOPTING A BUDGET AND APPROPRIATING RESOURCES FOR THE BUDGET YEAR BEGINNING OCTOBER 1, 2019**

Mayor Pro-tem Moore opened the public hearing there being no one present and desiring to be heard the public hearing was closed.

Motion made by Councilman Dry to approve the budget as presented. Councilman Dry seconded the motion. Motion carried. 4-0

**Ordinance 0-19-05**

AN ORDINANCE ADOPTING A BUDGET AND APPROPRIATING RESOURCES FOR THE BUDGET YEAR BEGINNING OCTOBER 1, 2019.

c. **Discuss and Consider:** Hold a discussion and Public Hearing on the Proposed FY 2020 Tax Rate – **Adopting an Ordinance Levying Ad Valorem Taxes for the use and support of the City of Tye for the 2019-2020 Fiscal Year providing for**

## **apportioning each levy for specific purposes Setting the rate at M&O .5628 and I&S .0735**

Mayor Pro-tem Moore opened the public hearing there being no one present and desiring to be heard the public hearing was closed.

Motion made by Councilwoman Childers moved that the property tax rate be increased by the adoption of a tax rate of .6363 which is effectively a 7.869% increase in the tax rate. Councilman Dry seconded the motion. Motion carried 4-0

### **Ordinance O-19-06**

**AN ORDINANCE LEVYING AD VALOREM TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF TYE FOR THE 2019-2020 FISCAL YEAR, PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES, AND PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID**

- d. **Discuss and Consider: Ordinance – APPROVING AND ADOPTING FEES AND CHARGES FOR THE FISCAL YEAR OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020, FOR THE CITY OF TYE, REPEALING ALL ORDINANCES, RESOLUTIONS IN CONFLICT HEREWITH.** Council and Staff discussed the various fees and charges a list was provided that the city currently charges. Several fees and charges will be coming back to the council at a different date for review.

Motion made by Councilman Downs to approve the Ordinance for fees and charges as presented with a few changes. Councilwoman Childers seconded the motion. Motion carried. 4-0.

### **Ordinance O-19-07**

**AN ORDINANCE APPROVING AND ADOPTING FEES AND CHARGES FOR THE FISCAL YEAR OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020, FOR THE CITY OF TYE, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES, RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT HEREWITH**

- e. **Discuss and Consider: Rural Taylor County Aging/Tye Senior Nutrition Advisory Committee:** Minutes from September 10<sup>th</sup> 2019 – Discussion only no action taken. Trent recipients were discussed.

- f. **Discuss and Consider: Ordinance - REGULATING THE PRESENCE OF MINORS UNDER THE AGE OF SEVENTEEN YEARS IN PUBLIC STREETS AND OTHER PLACES BETWEEN CERTAIN HOURS, PROVIDING FOR ARREST AND PENALTIES FOR VIOLATIONS THEREOF, REPEALING ORDINANCES IN CONFLICT THEREWITH** Council and Staff discussion included: 1) a tool in the toolbox for law enforcement; and 2) has to be renewed every three years.

Motion made by Councilman Downs to approve the ordinance as presented for minors under the age of 17. Councilman Dry seconded the motion. Motion carried. 4-0

### **Ordinance O-19-08**

**AN ORDINANCE REGULATING THE PRESENCE OF MINORS UNDER THE AGE OF SEVENTEEN YEARS IN PUBLIC STREETS AND OTHER PLACES BETWEEN CERTAIN HOURS, PROVIDING FOR ARREST AND PENALTIES FOR VIOLATIONS THEREOF, REPEALING ORDINANCES IN CONFLICT THEREWITH**

- g. **Discuss and Consider: AMENDING CHAPTER 12 TRAFFIC AND VEHICLES ARTICLE 12.02 OPERATION OF VEHICLES, DIVISION 2, Sec. 12.02.051 GENERAL SPEED LIMIT; SECTION 12.02.054 SPEED LIMITS ON SPECIFIC STREETS, DIVISION 3 STOP AND YIELD INTERSECTIONS, SECTION 12.02.092 STOP INTERSECTIONS AND DELETING SECTION 12.02.093 YIELD**

**INTERSECTIONS, SECTION 12.03.005 PARKING ON INTERSTATE 20 ACCESS ROADS OF THE CITY OF TYE**

Council and Staff discussion included: 1) new signs, 2) TxDOT; and 3) Bus Stops.

Motion made by Councilman Dry to amend and update Chapter 12 Traffic and Vehicles Ordinance. Councilwoman Childers seconded the motion. Motion carried. 4-0

**Ordinance O-19-09**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYE, TEXAS, AMENDING CHAPTER 12 TRAFFIC AND VEHICLES ARTICLE 12.02 OPERATION OF VEHICLES, DIVISION 2, Sec. 12.02.051 GENERAL SPEED LIMIT; SECTION 12.02.054 SPEED LIMITS ON SPECIFIC STREETS, DIVISION 3 STOP AND YIELD INTERSECTIONS, SECTION 12.02.092 STOP INTERSECTIONS AND DELETING SECTION 12.02.093 YIELD INTERSECTIONS, SECTION 12.03.005 PARKING ON INTERSTATE 20 ACCESS ROADS OF THE CITY OF TYE TEXAS CODE OF ORDINANCES; ESTABLISHING AN EFFECTIVE DATE HEREOF**

- h. **Discuss and Consider: ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES TO PROVIDE FOR THE CITY'S CONTINUED RECEIPT OF A PORTION OF BINGO GAMES PRIZE FEES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

Motion made by Councilman Downs to approve the Ordinance for the continued receipt of a portion of bingo games prize fees. Councilman Dry seconded the motion. Motion carried. 4-0

**Ordinance O-19-10**

**AN ORDINANCE; AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES TO PROVIDE FOR THE CITY'S CONTINUED RECEIPT OF A PORTION OF BINGO GAMES PRIZE FEES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

- i. **Discuss and Consider:** Resolution – Authorizing the possible purchase and upgrade of the SCADA Computer and HMI Software for the Water System from Meers Engineering in the amount of \$20,100.00. After discussion by Council and Staff. Councilman Dry made the motion to approve the Resolution authorizing the purchase and upgrade of the SCADA System. Councilman Downs seconded the motion. Motion carried. 4-0.

**Resolution R-19-23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYE AUTHORIZING THE PURCHASE OF AN UPGRADED SCADA COMPUTER WITH HMI SOFTWARE FOR THE WATER DEPARTMENT FROM MEERS ENGINEERING IN THE AMOUNT OF \$20,100.00**

- j. **Discuss and Consider:** Resolution – Authorizing the possible purchase and upgrade of the Radio Read DriveBy System of Water Meters and Equipment from Western Industrial Supply, LLC in the amount of \$173,041.42.  
**After discussion by Council and Staff.** Councilman Childers made a motion to TABLE this item to the next meeting. Councilman Downs second the motion. Motion carried. 4-0
- k. **Discuss and Consider:** Engaging Merritt, McLane & Hamby, P.C. for Audit services for 2018-2019. Councilwoman Childers made the motion to approve Merritt, McLane & Hamby, P. C. for the upcoming Audit. Councilman Dry seconded the motion. Motion carried. 4-0.

1. **Discuss and Consider:** Installing a possible culvert for the Tye Cemetery at the NE corner of the Cemetery - and mowing of the cemetery. The cemetery board will supply the materials. Council and Staff discussion included: 1) location and the mowing outside of the fence. Councilwoman Childers made the motion to approve the mowing outside the fence and to install a culvert at the NE corner of the cemetery. Councilman Downs seconded the motion. Motion carried. 4-0

m. **Discuss and Consider:** Resolution to Nominate a candidate for the Appraisal District Board of Directors. Councilwoman Childers made the motion to nominate Cecil Davis to the Appraisal District Board of Directors. Councilman Dry seconded the motion. Motion carried. 4-0

**Resolution R-19-24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYE NOMINATING MR. CECIL DAVIS TO THE BOARD OF DIRECTORS OF THE CENTRAL APPRAISAL DISTRICT OF TAYLOR COUNTY FOR TWO YEARS BEGINNING JANUARY 1, 2020**

n. **Discuss and Consider:** Voting for Stephen Haynes Mayor, City of Brownwood to the TML Health Benefits Pool Board of Trustees – TML Region 6. Councilman Downs made the motion to vote for Stephen Haynes Mayor of City of Brownwood to the TML Health Benefits Pool Board of Trustees – TML Region 6. Councilman Dry seconded the motion. Motion carried. 4-0.

5. **Consent Items** – All consent agenda items listed are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests. Information concerning consent items is available for public review.

- a. Department Activity Reports August 2019
  - Code Enforcement -Jay Strong
  - Financial
  - Fire Chief’s report
  - Fire Department Runs/Training/Water usage
  - Municipal Court
  - Public Works
  - Utility Department

Motion made by Councilwoman Childers to approve the Consent Items as presented. Councilman Downs seconded the motion. Motion carried. 4-0.

Mayor Pro-tem Moore announced that she had received a letter of resignation from Councilman Bryant.

8. **Motion to ADJOURN** – Motion made by Councilman Downs to adjourn at 8:30 p.m. Councilman Dry seconded the motion. Motion carried. 4-0. Meeting adjourned.

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Belinda Hohhertz, City Secretary

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Councilwoman Nancy Moore