



**CITY COUNCIL MEETING -REGULAR SESSION
Tuesday, April 13, 2021, 6:00 PM
MINUTES**

Call to Order- Invocation, Pledge of Allegiance

Mayor Gossett called the meeting to order at 6:00PM.

Members present: Mayor Dwayne Gossett, Mayor Pro-tem Donna Hartman, Council members Dennis Green, Ronny Snow, Bruce Leonhardt, and Robbie Johnson

City Staff: City Manager Dalton Rice, City Attorney Neale Potts, City Secretary Ophelia Rodriguez, Police Chief Charles Cline, Fire Chief Taran Williams, Water Superintendent Jesse Measles, Maintenance Director BJ Schieble, Finance Director Kathryn Norris

Announcements and Citizens Comments-

Citizen/Planning and Zoning Member Andrea Hankins- Concerns of what she has observed, with regards to openings within committees and there being no systematic way of recruiting. She said that the City has a history of appointing builders, real estate agents to various boards, and added that she believes this is a conflict of interest.

Citizen Larry Hartman with 4 topics- *Expressed his concern with the maintenance of a few unattractive fire hydrants and asked for the City to consider painting them. *He also stated that there was no street sign for "ASPEN". *Questioned why the City is not reporting building permits as done in the past. * If Council continues to hold meetings in the Event Center, they should consider the rearranging of the dais (council seats) in another direction, so the sun does not reflect on the audience.

Citizen Jimanne Durkee with 2 topics – *Announced the Tuesday, April 20th Meet & Greet the Candidates Forum for the upcoming Mayor & City Council May 1st General Election. Forum will begin at 6:30PM at the Fellowship Baptist Church with Jeremy Franks as host and moderator. * Mrs. Durkee advised Council that she had addressed the conditions of streets in her area last year and nothing had been done. She stated that Sherwood street is growing grass and is considering throwing flower seed in the growing grass. She added Sherwood, Cliffwood and Archer streets are in terrible shape and that these streets have not been resurfaced since the mid 90's.

Item 1 Discuss and take appropriate action- Minutes for March 9, 2021 Regular Session

Mayor Gossett entertained a motion. Council member Ronny Snow made the motion to accept minutes as written. Mayor-Pro-tem Hartman made the second motion. All present voted "Aye". Motion carried.

Item 2 Report from Planning and Zoning Commission-Chairman Ken Hobbs

Mr. Hobbs reported of 4 items that were discussed with P&Z members with motions to move forward to City Council with recommendations for approval:

**Appointment of Citizen Blake Lufburrow to the P&Z.* Questions and answers took place between Mr. Lufburrow and P&Z members. One concern was Mr. Lufburrow's involvement in real estate and how that could be a conflict of interest. Members along with Mr. Lufburrow discussed assurance of policies to be in place to address conflict. Mr. Lufburrow would recuse himself during discussion and voting on that issue, should such issue it arise. He added a motion by P&Z members was passed with 3 voting to approve and 1 vote against.

**Accessory Structure* – revisions to Ordinance. The revisions would further clarify accessory structures in Morgan's Point and add clarity to sizes and numbers of accessory buildings allowed per site. A motion was passed with all voting for approval.

* *Changing P&Z meeting date-* Members agreed to move meeting date to the 4th Tuesday of every month. A motion was passed with all members approval.

**Final Plat of Rancho Del Lago Phase IV-* P& Z members voted unanimously to approve and move forward to City Council for recommendation of approval.

Item 3 Discuss and take appropriate action- Resolution 2021- 8 Appointment to P&Z

Mayor Gossett entertained a motion. Council member Bruce Leonhardt stated, with Mr. Lufburrow in the business of Real Estate and could possibly benefit financially from the decisions the commission makes, he was opposed to the appointment. He felt it would be a conflict of interest and was not sure how that would be viewed by the public and citizens. Mayor Pro-tem Hartman, asked Council member Robbie Johnson, who is a builder, about his experience being a past member of P&Z. Council member Mr. Johnson answered that there was no conflict of interest during his time but said he would think that Mr. Lufburrow would do what is in the best interest of MPR and recuse himself. Council member Johnson added that, should conflict of interest arise during his time with Council he would immediately recuse himself. Mayor Pro-tem Hartman said she has had to recuse herself twice in the past. Mayor-Pro-tem Hartman added that Mr. Lufburrow expressed interest to serve the Community not only to her, but to the City Manager. She also stated that the City was not receiving any responses from the Website for need of P&Z members. Council member Dennis Green commented, he has met Mr. Lufburrow and found him to be an upstanding gentleman and believes with Chairman Hobb's comments on the assurances of policy in place regarding conflict of interest, this should be approved. Council member Dennis Green made the motion to accept Blake Lufburrow as a member to the P&Z. Mayor Pro-tem Donna Hartman made the second motion. All vote "Aye". Motion carried.

Item 4 Discuss and take appropriate action- Final Plat of Rancho Del Lago Phase IV

Mayor Gossett entertained a motion. Mayor Pro-tem Hartman made the motion to approve the final plat of Rancho Del Lago Phase IV. Council member Dennis Green made the second motion. All present voted "Aye". Motion carried.

Item 5 Discuss and take appropriate action – Resolution 2021-09 Authorizing proceeding with issuance of certificates of obligations and further directing the publication of notice of intention to issue a combination tax and revenue certificates of obligation; and other matters related thereto.

City Manager Rice stated that the Resolution only starts the Certificate of Obligation process of the 46-day rule, for public notices in local newspaper and City Website. A citizen asked what a Certificate of Obligation was. Mr. Rice explained that it is a Bond Debt. The Bond allows the City and City Council under Ordinance to vote to issue the debt to fund necessary projects such as infrastructure, and public works. He added that with this CO the City and City Council are entertaining a 250,000 Gallon Storage tank located at the Public Safety Center. Mayor Pro-tem Hartman commented that the City is going to apply for a grant to help fund the project. She said this has been needed for several years and has been discussed for over a year. She requested that City Attorney review the CO.

Mayor Gossett stated that TCEQ (*Texas Commission Environmental Quality*) requires so much water per residence, and the City also must retain excess over that requirement. The City is running out of the excess, and the City is obligated by TCEQ to add more water tower or ground storage. He added this is the purpose of the Certificate of Obligation. Mayor Pro-tem Hartman made the motion to approve Resolution 2021-09. Council member Bruce Leonhardt made the second motion. All present voted "Aye". Motion carried.

Item 6 Discuss and take appropriate action- Extension of Disaster Declaration

Mayor Gossett entertained a motion. Council member Ronny Snow made the motion to extend the Disaster Declaration to May 11, 2021. Council member Bruce Leonhardt made the second motion. All present voted "Aye". Motion carried.

Item 7 Discuss and take appropriate action- Ordinance 13-1 Drought Contingency Plan -Update adopted date only.

Mayor Gossett stated that there are no changes for this Ordinance. It is required by TCEQ that the adoption date be updated every five years. Mayor Gossett entertained a motion. Mayor Pro-tem Donna Hartman made the motion to accept the adoption date. Council member Dennis Green made the second motion. All present voted "Aye". Motion carried.

Item 8 City Manager's Reports/Updates

Maintenance Department are currently working on a plan schedule to address pothole issue throughout the City to include Sherwood and clean up streets as much as possible.

Street Sign- there are funds allocated for Street signs for this fiscal year.

Camp Kachina -Received a call from the Manager of Camp Kachina, regarding a leak that was missed by a contractor doing repairs due to the February snowstorm. This leak accumulated a \$20,000 bill, the City will assist the girl scout camp in any way possible. This could be something to consider as an opportunity to voluntarily annex the Kamps acreage to the City. It would not impact them due to their being tax exempt. This would allow the City a long- term growth management opportunity.

Legislative Update- City Manager Riced Advised City Council, with his visit with to the State Capitol he was able to file HB 3690. If approved this would allow the Mayor and City Council to return to staggered terms.

Item 9 Mayor and City Council Comments

Mayor Pro-tem Hartman thanked all who helped and participated (*Members of the Auxiliary, Police, Fire, Maintenance, and Water Departments, City Council*) in City's annual Easter Egg Hunt. It was a complete success.

Mayor Pro-tem Hartman read the Auxiliary Report: *Auxiliary* sent a thanks to the City for allowing the Auxiliary to participate. *Citizen Barbara Lynam* will head up the Water Aerobics this year. Daytime sessions only for now. *Citizen & Auxiliary President Lynn Milam* will be heading up the 2021/2022 Miss Flame. *Auxiliary plans* are to kick off Cops and Robbers annual 5K run.

All \$258,000 was received from the COVID Relief (*C.A.R.E.S. Fund*).

EXECUTIVE SESSION- Mayor Gossett called the order convene into closed Executive Session at 6:30 PM.

1. Consultation with Attorney Texas Gov't 551.071 (a) pending or anticipated litigation
2. Personnel Matters -Deliberate the appointment, employment, evaluation, reassignment duties, discipline, or dismissal of a public officer or employee Texas Local Gov't 551.074

RECONVENE TO REGULAR SESSION- Mayor Gossett called to reconvene to Regular Session at 7:15 PM

Item 10 Discussion – 20/21 Budget Overview

City Manager Rice briefly reviewed the current budget submitted to Council.

Property tax revenue- shows year over year on the property tax revenue, even as conservative of 6 ½ percent growth, the lowest would be \$135,000 increase of property tax. Some opportunity for revenue just in ad valorem taxes alone.

General Fund, Wastewater, Marina breakdown, shows what was budgeted for 20/21 current year and year to date revenue. In General Fund it is roughly 98% in revenue and in some areas, we have exceeded some revenue projections.

Expenditures are higher than budget, involved the department heads with the budget process and were able to trim down the budget and maintain the same quality, to citizens and provide Council with a better overview of current budget. Based on the current budget there is a potential of \$144,000 in savings across all funds.

Item 11 Discuss of and Possible Action Resulting from Executive Session

Mayor Pro-tem Hartman made the motion to approve, the hiring of the firm Harrell, Stoebner and Russell, for the Monge Case of the continual violation of City Ordinance. Council member Dennis Green made the second motion. All present voted "Aye". Motion carried.

Item 12 Discuss and take appropriate action- Request for creation and budget of new position in Administration.

City Manager Rice stated with the need to get a good sound structured balance budget in the future, adding another position in finance would give the City an opportunity to keep the continuity and continue the growth. Mayor Gossett entertained a motion. Council member Dennis Green made the motion to approve budget for new position in Administration. Council member Ronny Snow made the second motion. All present voted "Aye". Motion carried. Council member Johnson asked what the position would be. City Manager replied Grant Coordinator, Finance Specialist, Accounts Payable, working through the semantics at this time.

Item 13 Discuss and take appropriate action -Request for Salary increase for Finance Director position

City Manager Rice explained after speaking with other cities with similar populations, demographics and revenues, the standard is about the same, so the ask is \$70,000 to 80,000. Council member Bruce Leonhardt commented that City Manager Rice has been able to seize significant savings in the departments, where he could fund for this position, and could not find anything wrong with this request. Mayor Gossett entertained a motion. Council member Dennis Green made the motion to approve the increase of the finance director position. Council member Ronny Snow made the second motion. All present voted "Aye". Motion carried.

Item 14 Discuss and take appropriate action – Purchase of 1 Backhoe for Maintenance & Water Departments

City Manager Rice stated currently the City has two backhoes, that roughly cost for maintenance and repairs, from \$8000 to \$12,000 for each one each year. The proposal is to fund through Water department \$40,000 and Maintenance Department Road Maintenance fund \$42,000. Water and Maintenance departments will share a quality backhoe. The purchase will be through Buy Board for a Caterpillar at \$77,000. City Manager Rice advised he wanted to reassure the Citizens that there is \$95,000 in the budget to do potholes and road maintenance. Mayor Gossett entertained a motion. Mayor Pro-tem Hartman made the motion to approve the purchase of 1 Backhoe. Council member Ronny Snow made the second motion. All present voted "Aye". Motion carried.

Adjournment– Mayor Gossett entertained a motion. Mayor Pro-tem Donna Hartman made the motion to adjourn. Council member Ronny Snow made the second motion. All present voted "Aye". Motion Carried. **Meeting adjourned at 7:30 PM.**

Dwayne Gossett, Mayor
City of Morgan's Point Resort, Texas

ATTEST:



Ophelia Rodriguez, City Secretary
City of Morgan's Point Resort, Texas