

Lavon City Council Meeting Minutes



May 17, 2011

I. MEETING CALLED TO ORDER AT 7:02 P.M. BY MAYOR MARTIN

Members Present: Mayor Norma Martin
Council Member Place 1, Chris Kane, Mayor Pro-Tem
Council Member Place 2, Deborah Nabors
Council Member Place 3, Gary Meeks
Council Member Place 4, Aaron Heatley
Council Member Place 5, Charles Teske

Members Absent: None

Staff Present: City Manager, Mike Jones
City Secretary, Linda Ardis
Administrative Supervisor, Laura Kennemer
City Services Coordinator, Jennifer Wolfe
Chief of Police, Jason Rector

Commission and Board Members: None

II. MAYOR MARTIN TO LEAD THE COUNCIL AND VISITORS IN THE PLEDGE OF ALLEGIANCE.

Mayor Martin led the City Council and visitors in the Pledge of Allegiance.

III. INVOCATION

City Manager Jones led the invocation.

IV. ITEMS OF INTEREST/CITY COUNCIL COMMUNICATIONS

Members of City Council have the opportunity to notify others of community events, functions and other activities. There will also be an opportunity to briefly comment on City Council business, City operations, projects and other items coming before the City Council.

Council Member Nabors told the Council and audience that Friday, May 20th the NeSmith Elementary School will have their carnival with a bounce house, games and other fun things. Mayor Pro-Tem Kane said the carnival would also have arts and crafts and food. All the money raised will go to the NeSmith PTL.

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V. CONSENT AGENDA

A. April 5, 2011 City Council Meeting Minutes*

B. April 19, 2011 City Council Meeting Minutes*

Motion: City Council Member Nabors, "I move we table Item "A" to allow the opportunity to make some corrections and modifications."

Second: Mayor Pro-Tem Kane

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Motion: Passed

Motion: Mayor Pro-Tem Kane, "I move we approve Item "B" of the consent agenda."

Second: Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Motion: Passed

VI. PUBLIC RECOGNITION

A. Mayor Martin to present Mayoral Proclamation to individuals in the community.
(Mayor)

Mayor Martin told the Council that the person to receive the Mayoral Proclamation was not present. She said she would personally give the proclamation to her.

VII. CITIZENS' COMMENTS

Citizens, who wish to address the Council, may discuss matters not on the agenda and who have not previously expressed to the Council or City Hall a desire to discuss such matters. The only response from the Council can be to request these items to be placed on a future agenda for action.

None

VIII. ITEMS FOR DISCUSSION

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A. City Council to discuss update of City financials. (Kennemer)

The City Council discussed the City financials including the decrease in building permits, and the increase in vehicle maintenance, fuel and payroll taxes. Mayor Pro-Tem asked City Manager Jones what he estimated the short fall for the budget would be. Manager Jones said he had wanted to wait until after the Town Hall Meeting to get feedback from the citizens, but he estimated \$80,000 to \$100,000 short of the budget.

B. City Council to discuss update of the HSRCPPT project plan. (Nabors)

City Council Member Nabors told the Council that the committee was meeting with an engineer on Saturday to discuss the scope of the project. Shortly, they will have some real numbers from him and be able to determine the funds needed for the restoration.

C. City Council to discuss appointing a City Council liaison for organizing the Park Board/Committee. (Mayor)

Mayor Martin told the Council that she had a list of volunteers who were waiting for the Park Board/Committee to be established. She encouraged the Council to act quickly as there are funds available to assist in developing parks. Mayor Martin said the board would need a Council liaison to work with them. Mayor Pro-Tem Kane suggested that someone from the new Council might be a good choice.

Motion: City Council Member Nabors, "I move we table this item until the next regularly scheduled City Council meeting."

Second: Mayor Pro-Tem Kane

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Motion: Passed

IX. ITEMS FOR CONSIDERATION AND ACTION

A. City Council to Consider and Act on Ordinance No. 2011-05-17 concerning Budget Amendment # 4 for Fiscal Year 2011." (Ardis)

City Secretary Ardis told the Council that this amendment was for Conway Company CPA that we discussed at the last meeting. We are short \$2,300 Outsourcing-Auditor on page 5 of 6. Mayor Pro-Tem said he was not willing to take any more money out of the Reserve Fund. He asked City Manager Jones if there were any ramifications if the Council did not act on this now. Previously, the Council had voted on using Conway Company CPA for the higher amount.

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The Council agreed we needed to make adjustments to cover the budget item. Council Member Teske drew the Council's attention to page 2 of the budget under City Services-Payroll Temporary. He said there was \$4,000 that could be moved to cover the amount needed.

Motion: Mayor Pro Tem Kane, "I move we use only the balance necessary for the budget item from that category to the other."

Second: Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Motion: Passed

City Manager Jones gave the Council the adjusted budget item totals:

1. City Services- Payroll Temporary \$1700
2. Outsourcing-Auditor \$13,100
3. Reserve Fund \$30,074.02

Motion: Mayor Pro Tem Kane, "I move we approve the amended budget."

Second: Council Member Nabors

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Motion: Passed

B. City Council to consider and act on the designation of a City Council Alderman to serve as a liaison to the office of the City Secretary as outlined in the Lavon Code of Regulations Section 3.2.5.5B. (Nabors)

Council Member Nabors told the Council that generally the Mayor serves as the liaison to the office of the City Secretary. Her intent was to either designate the liaison in the LCR or delete the requirement.

City Manager Jones said that the wording of the agenda item would not support that recommendation. However, if the motion were "I make a motion to appoint the Mayor as the liaison in perpetuity," the recommendation would be acceptable.

Motion: City Council Member Nabors, "That is my motion."

Second: Mayor Pro-Tem Kane

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Motion: Passed

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C. City Council to Consider and Act on changing insurance status and building valuation of the old school building. (Ardis)

City Secretary Ardis told the Council that TML needed to know whether the City was requesting historic replacement cost or current building value before they could give us an estimate. City Manager Jones said the value placed on the building was placed at \$179,000 last year and it was classified as vacant. TML gives the City a one time a year opportunity to change the valuation of what we have insured.

Mayor Pro-Tem Kane said the current building value was the most cost effective. Council Member Meeks asked if TML would consider rating the property on a vacant building insurance rate and then changing it over to an occupied building insurance rate after the restoration. He also asked if the HSRCP had a project completion date. Council Member Nabors said the committee set the time frame at 5 to 7 years. Mayor Pro-Tem Kane said that the completion of the first phase was a year or 18 months to get the building restored for the public to use.

The Council decided to have the City Secretary go back and talk with TML about insuring the building as vacant now and then increasing the rate to occupied in 6 to 8 months. Another question was to see if there were options for insurance for renovation.

Motion: Mayor Pro-Tem Kane, "I move that we table this item until we can get some answers to our questions."

Second: Council Member Meeks

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Motion: Passed

D. City Council to set a requirement effective immediately, making it mandatory that all citizens, employees or other persons entering the old city hall/school building be required to sign a waiver indemnifying the City against any and all losses as a result of personal injury. (Mayor)

Mayor Martin was very concerned about people getting hurt in the building and the City being held responsible. Citizen David Hawkins with the HSRCP said that the City does have limited liability on the building. City Council Member Nabors said that we need to first determine where we are in the building project after the HSRCP meets with the engineer and gets his recommendations as stated in Discussion Item "B". Second, it is not legal to ask any employee to sign a waiver for indemnifying the City against personal injury when we order them to go into the building.

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Motion: Mayor Pro-Tem Kane, "I move we table this item until the next meeting until we have more information from Linda Ardis."

Second: Council Member Meeks

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Abstained: None

Motion: Passed

E. City Council to Consider and Act on setting content valuation of City Hall for insurance purposes. (Ardis)

City Manager Jones clarified that this content valuation was for the property at 695 Main Street. Council Member Nabors asked City Secretary Ardis if an inventory of the contents had been done. City Secretary Ardis said there had not been as far as she knew. Without an inventory, the Council decided to table the item until one could be conducted.

Motion: Council Member Nabors, "I move we table this item until we can get an inventory of the contents."

Second: Council Member Meeks

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Abstained: None

Motion: Passed

X. CITY COUNCIL TO SET FUTURE MEETINGS AND AGENDAS

Council Members and staff may request items to be placed on a future agenda or request a special meeting be called. Each request that passes by a majority vote will be placed on the schedule by the City Secretary.

Motion: Mayor Pro-Tem Kane, "I move we move Discussion Item "C" to a Consider and Act item at the next meeting."

Second: Council Member Heatley

In Favor: Mayor Pro-Tem Kane, Council Member Nabors, Council Member Meeks, Council Member Heatley and Council Member Teske

Opposed: None

Abstained: None

Motion: Passed

XI. MAYOR MARTIN TO ADJOURN CITY COUNCIL MEETING

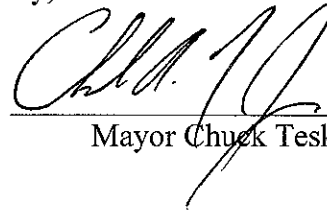
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Mayor Martin adjourned the City Council Meeting at 8:48 p.m.

Duly passed and approved on this 5th day of July, 2011.



Mayor Chuck Teske

Attest:



Linda Ardis, City Secretary