

# Regular Meeting Minutes

Oran White Civic Center  
February 16<sup>th</sup> 2017; 6:00pm

1. Call to Order @ 6:00pm
2. Roll Call: Whitfill, Ringley, Daniel, Napoles, and Fladmark, Council Member Whitehurst was absent.
  - (a) Establish Quorum
3. Invocation and Pledge of Allegiance by Mayor Daniel
4. Citizen Comments: Citizens wishing to speak on an agenda item must sign up to do so (**3 Minute Maximum**)
5. Approve Minutes: January 19<sup>th</sup> 2017, February 03<sup>rd</sup> 2017 and February 8<sup>th</sup> 2017 Motion to approve was made by Council Member Fladmark second by Council Member Ringley. Motion passed 4-0.
6. Approve Consent Agenda Items "A" thru "F"; Monthly Activity Reports for January 2017, as presented: (A) Municipal Court; (B) Police; (C) Financial and Expenditure; (D) Maintenance; (E) Building and (F) Code Enforcement. Motion to approve was made by Council Member Ringley second by Council Member Napoles. Motion passed 4-0.

## Public Hearing

7. Public hearing to modify, continue, or abolish the City's Curfew Ordinance for minors. Mayor Daniel opened the hearing at 6:03pm. Citizen, Dale Price of the Heather Woods addition asked what the age limit and time restrictions were of the Ordinance. Council Member Ringley read the pertinent section of the Ordinance aloud and Council member Fladmark added that there was not a time listed in the Ordinance for Friday night. Motion to amend the Ordinance to clearly identify the curfew hours for minors on Friday evenings was made by Council Member Fladmark, second by Council Member Ringley. Motion passed 4-0. Mayor Daniel announced that the public hearing was closed at 6:15pm.

## New Business

8. Carolyn and Kenneth Nowotny of 1412 Bora Bora to request a 4.5 ft. variance of the 20 ft. setback requirement to allow the construction of an add on. Several Members of Council questioned the location of the add on and requested a site plan. Item tabled at 6:16 to allow Ms. Nowotony to bring a site plan in later in the meeting. At 7:47pm Ms. Nowotony presented the site plan as requested by Council. Motion to approve was made by Council Member Napoles second by Council Member Ringley. Motion passed 4-0.
9. Action to remove Ashley Payne from probation and appoint as the City of Tool's Court Clerk. Motion to approve was made by Council Member Napoles second by Council Member Whitfill. Motion passed 4-0.
10. Boyd London with Hilltop Securities to present interest rate results from bond purchasers for public road improvements. Mr. London stated that two bids had been received with the lowest coming in at 2.58% from Texas Independent Bank. He also added that the debt service would be out of existing tax revenues.
11. Action to adopt Ordinance 2017-01; authorizing the issuance and sale of City of Tool, Texas, Combination Tax and Limited Surplus Revenue Certificate of Obligation, Series 2017; levying an annual ad valorem tax and providing for the security for and payment of said Certificate; providing an effective date; and enacting other provisions relating to the subject. Motion to adopt Ordinance 2017-01; authorizing the issuance and sale of City of Tool, Texas, Combination Tax and Limited Surplus Revenue Certificate of Obligation, Series 2017; levying an annual ad valorem tax and providing for the security for and payment of said Certificate; providing an effective date; and enacting other provisions relating to the subject. was made by Council Member Napoles second by Council Member Ringley. Motion passed 4-0.
12. Action to award a contract based on a the bid proposals received for public road improvement, contingent upon contractor reference check and acquisition of required bonds. Mayor Daniel read the bids allowed and made the recommendation to award to the lowest bidder, 5W Contracting at a rate of \$1.63 per unit cost contingent on securing the required bonds and acceptable reference checks. Motion to award a contract for public road improvement to the lowest bidder, 5W Contracting at a rate of \$1.63 per unit cost, contingent on securing the required bonds and acceptable reference checks was made by Council Member Ringley second by Council Member Napoles. Motion passed 4-0.
13. Convene into executive session pursuant to Texas Government Code Chapter 551, Sections:
  - (a) Section 551.071 for consultation with the City Attorney.
  - (b) Section 551.074 to consider the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of police department personnel. Convened in to closed session at 6:34 pm.
14. Reconvene in open session and take any action necessary resulting from executive session @ 7:47 PM.
  - (a) Section 551.071 for consultation with the City Attorney. Motion to have the City Attorney issues a notice of violation to Home Sweet Home RV Park was made by Council Member Ringley second by Council Member Napoles. Motion passed 4-0.

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(b) Section 551.074 to consider the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of police department personnel. Motion to follow through on the termination of Jenny and Garrett Engle was made by Council Member Ringley second by Council Member Whitfill. Mayor Daniel clarified that Garrett Engle has resigned but no action had been taken on Jenny Engle. Motion passed 4-0.

Mayor Daniel announced that prior to this evenings Council Meeting Chief Rickye Feist unexpectedly submitted a letter of resignation immediately. Motion to accept the resignation of Police Chief Rickye Feist was made by Council Member Ringley second by Council Member Fladmark. Motion passed 4-0.

## General Discussions

15. Staff

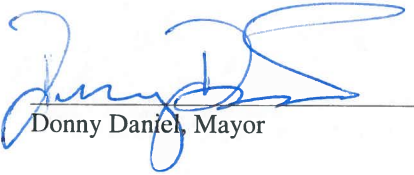
16. Citizens

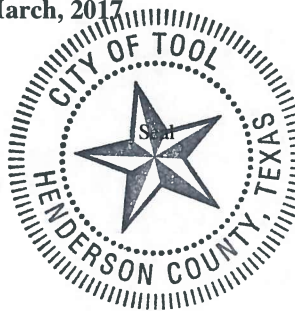
## Closing

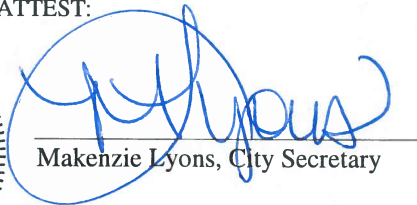
17. Adjourn Motion to approve was made by Council Member Napoles second by Council Member Ringley. Motion passed 4-0 at 7:52pm.

Passed and approved this 16<sup>th</sup> day of March, 2017

ATTEST:

  
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Donny Daniel, Mayor



  
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Makenzie Lyons, City Secretary