



REGULAR CITY COUNCIL MEETING

July 19, 2012 @ 6:00 P. M. at the Oran White Civic Center

MINUTES

The City of Tool, City Council meeting was called to order at 5:59 pm. Present were Councilmen Williams, Phillips, Sonka, Wright and Reeder. Quorum was established with Mayor Pitts presiding.

Invocation and Pledge of Allegiance was led by Council Member Sonka.

Motion to approve the Minutes as presented for Regular City Council Meeting June 21, 2012 was made by Councilman Williams, second by Councilman Phillips. Motion carried with no opposition.

Motion to approve the Consent Agenda as presented for June 2012. Monthly Activity Reports: (A) Municipal Court Report, (B) Police/Animal Control/Code Enforcement Report, (C) Financial and Expenditure Report, (D) Maintenance/Street Department Report, (E) Building Department Report, (F) City of Tool Volunteer Fire Department Report. Motion to approve the Consent Agenda given by Councilman Phillips and seconded by Councilman Williams. Motion carried with no opposition.

- General discussion regarding (C) Financial and Expenditure Report by Council Person Sonka noting that maintenance of police vehicles is over budget and that budgeted fuel is reaching the limit for the fiscal year.
- Councilman Phillips requested Fire Chief Mike Grant speak about the recent burn ban, in relation to (F) City of Tool Volunteer Fire Department Report. Fire Chief Grant advised the burn ban needs to stay in place until the conditions are no longer hazardous.

ITEM 1: Consideration and or action to approve a request by Mrs. Jean Brown to park a 2012 Coachman RV on her undeveloped lot located at 1100 Royal Oak Dr. Mrs. Jean Brown was not present at the Council Meeting for discussion. Council Person Sonka made a motion to deny approval, for a second time. Motion was seconded by Councilman Wright. Motion carried to deny approval with no opposition.

ITEM 2: Consideration and or action to approve a request for Variance, by Cary Russell, to allow an accessory building on his undeveloped lot at 1017 Doe Run Road. Mr. Russell was present for the council meeting and advised he lives in Ft. Worth, Texas and needs the accessory building to store his tools and other machinery until he can build a house on the property. He has plans to build a 10 X 12 (120 sq.ft.) building on stilt or block foundation, in such a location on the property as to easily place a house within the next 12 months. Councilman Phillips made motion to approve the variance, Councilman Reeder seconded the motion. Motion to grant variance for Cary Russell was approved with no opposition.

ITEM 3: Consideration and or action to approve a request for Variance, by Sam Grimes, to allow an accessory building on his undeveloped lot at 2030 Luau. Mr. Grimes was present for the council meeting and advised Morton Buildings will be bringing in a 1200 sq.ft. accessory building onto the lot. Ron Chester, President of Paradise Bay POA was present at the meeting also, and advised the Paradise POA had no issue with the building being placed onto a vacant lot. Councilman Phillips made motion to approve the variance, Councilman Williams seconded the motion. Motion to grant variance for Sam Grimes was approved with no opposition.

ITEM 4: Consideration and or action approve a request to amend Ordinance 20 Section VII to include: Fence height requirements on all permitted fences not to exceed eight feet in height from the ground's natural grade. Citizen, Phil



Ringley was present for the meeting, as he is currently the complainant for his neighbor's fence in Arnold Hills. He also presented the council with photographs of his neighbor's property, and discussed that a property owner should not be allowed to build any fence or other structure that would block a neighbor's view of the lake. Mayor requests the item be tabled until the next council meeting in order to get with Building Official Mike Howell. Motion to table made by Council Person Sonka, Councilman Williams seconded the motion. Motion carried to table with no opposition.

ITEM 5: Consideration and or action to approve a request for variance of Ordinance 20 Section VII, by Charles T. Miller, to allow an existing fence to remain at 13 feet in height due to the sloping nature of his property. Mr. Miller was not present for the meeting. Mayor suggests getting with Building Official Mike Howell about this fence. Motion to table until the next council meeting was made by Councilman Phillips, and seconded by Council Person Sonka. Motion carried with no opposition.

ITEM 6: Consideration and or action to approve to order the November 06, 2012 Election: a general election to elect three new council members. General discussion that this is just to correct the information printed in the paper that the election was for three council members and the mayor's seat. Motion to approve was made by Councilman Reeder, and seconded by Councilman Phillips. Motion carried with no opposition.

ITEM 7: Consideration and or action to approve the adoption of Resolution 2012-03R, establishing procedures for the November 6, 2012 General Election. Motion to approve was made by Council Person Sonka, and seconded by Councilman Williams. Motion carried with no opposition.

ITEM 8: Consideration and or action to approve interlocal agreement with Henderson County to set forth the purpose, terms, rights and duties of the contracting parties whereby the County is to provide certain equipment limited to the undertaking of an election herein described for the City of Tool. Motion to approve was made by Councilman Phillips, and seconded by Councilman Williams. Motion carried with no opposition.

ITEM 9: Convene into Executive Session pursuant to Texas Gov't Code 418.18(f): Section 551.074 to consider "the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee", specifically the Chief of Police. Executive Session began at 6:27pm.

ITEM 10: Reconvene into Regular Session at 6:47pm.

ITEM 11: Take any action necessary from Executive Session. Mayor Pitts announced that after considerable discussion regarding Item 9: consideration of "the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of an employee", specifically the Chief of Police, he opened the floor for a motion on the matter. Councilman Reeder made motion to terminate Chief of Police Warren Loscuito, effective immediately. Motion to terminate seconded by Council Person Sonka. Councilman Wright opposed. Mayor Pitts announced he will call Warren Loscuito and advise him of his termination, as well as wish him the best and thank him for his service to the City.

Motion to Adjourn was by Councilman Phillips, Councilman Williams second. Motion passed 5-0 at 6:49 pm.



Passed and approved this 16th day of August 2012