

CITY OF CUMBY
CITY COUNCIL MEETING
NOVEMBER 1, 2011

THE CITY OF CUMBY, TEXAS, MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 1, 2011, AT 7:00 PM, 100 E. MAIN STREET, CUMBY TEXAS.

THE FOLLOWING WERE PRESENT: MAYOR JEFF STRICKLAND, ALDERMAN CHUCK TUGGLE, ALDERMAN BILL JENKINS, ALDERMAN CODY TALLEY, ALDERMAN KATHY HALL CARTER, ALDERMAN LARRY WHITE, CHIEF SCOTT SEWELL, LaNORA POWELL, TRAVIS BAXLEY.

1) MAYOR STRICKLAND CALLED THE MEETING TO ORDER AT 7:00 PM.

2) ALDERMAN JENKINS MADE A MOTION TO APPROVE THE MINUTES FROM THE PREVIOUS MONTH MEETING. ALDERMAN CARTER SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

3) PRESENTATION FROM THE CITIZENS: TRAVIS BAXLEY ASKED WHY THE HOUSING AUTHORITY WAS PUT ON COMMERCIAL WATER RATES WHEN THE CITY OWNS THE HOUSING AUTHORITY. ALDERMAN JENKINS ASKED WHO PAYS THE UTILITIES AT THE MAIN STREET HOUSING. TRAVIS BAXLEY STATED THAT HE WOULD ASK HOUSING DIRECTOR WANDA WALLACE TO COME TO NEXT MEETING AND EXPLAIN TO THE COUNCIL HOW THE HOUSING AUTHORITY WORKS.

4) OLD BUSINESS:

A) STREETS: GOOD SHAPE, WILL BE PATCHED AS NEEDED.

B) WATER FACILITIES: WELLS PUMPED 2,969,400, WATER SOLD 2,597,200, THE WWTP & CHURCHES USED 273,400. THERE WAS A LOSS OF 98,800 GALLONS. 225 POUNDS OF CHLORINE WERE USED.

C) SEWER PLANT: GOOD SHAPE.

D) WELL SITUATION: STATIC LEVELS ARE UP ON WELLS. WELL #3 70', WELL #5 100'. THE COUNCIL ALL AGREED THAT THE CITY CAN BACK UP TO STAGE 3 IN THE DROUGHT CONTINGENCY PLAN. ALL CITIZENS WILL BE NOTIFIED.

E) LEAK SITUATION: NO LEAKS REPORTED.

5) NEW BUSINESS:

A) DISCUSS/ACTION – RESOLUTION/GENERAL ELECTION DATE CHANGE:

THIS RESOLUTION STATES:

A RESOLUTION OF THE CITY OF CUMBY, TEXAS, MAKING THE FOLLOWING CHANGES TO THE CITY'S GENERAL ELECTION PURSUANT TO SENATE BILL 100, EIGHTY-SECOND REGULAR LEGISLATURE: DUE TO UNAVAILABILITY OF EQUIPMENT FROM THE COUNTY THE CITY OF CUMBY WILL NOT HOLD GENERAL ELECTIONS IN MAY, ELECTIONS WILL NOW BE HELD IN NOVEMBER; PROVIDING FOR SEVERABILITY.

ALDERMAN JENKINS MADE A MOTION TO ACCEPT THIS RESOLUTION AS PRESENTED. ALDERMAN TUGGLE SECONDED THE MOTION. ALL APPROVE. MOTION PASSED. THIS RESOLUTION WILL BE NUMBERED 5-2011.

B) DISCUSS/ACTION – RESOLUTION/ORDINANCE – TAXATION OF GOODS IN TRANSIT:

THIS RESOLUTION/ORDINANCE STATES:

RELATED TO APPROVAL OF TAXATION OF GOODS-IN-TRANSIT THAT ARE OTHERWISE EXEMPTED FROM TAXATION BY PROPERTY TAX CODE

SECTION 11.253

WHEREAS, the Texas Legislature during the 80th Regular Session passed House Bill 621 which added Section 11.253 to the Texas Property Tax Code that grants an exemption from property taxation for certain goods-in-transit personal property;
WHEREAS, Section 11.253 of the Texas Property Code provides for a local option under which a taxing unit may tax such property otherwise exempt, if the governing body of such taxing unit after a public hearing takes official action to tax such personal property;
WHEREAS, on October 25, 2011 the governing body of the City of Cumby held a public hearing at which members of the public were permitted to speak for or against the taxation of certain goods-in-transit personal property;
WHEREAS, the governing body of the City of Cumby has determined that such personal property, as exempted by Texas Property Tax Code Section 11.253, should be subject to taxation by the City of Cumby for tax year 2012 and all subsequent years;
THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL / CITY COMMISSION OF THE CITY OF CUMBY THAT:
(1) all of the above recitals are incorporated and made a part of this Resolution and,
(2) all such goods-in-transit personal property as covered by Texas Property Tax Code Section 11.253 shall be, and are hereby declared to be, taxable by the City of Cumby for tax year 2012 and for every year thereafter, all as provided for and in accordance with Texas Property Tax code Section 11.253.

ALDERMAN WHITE MADE A MOTION TO ACCEPT THIS RESOLUTION/ORDINANCE AS READ. ALDERMAN JENKINS SECONDED. ALL APPROVE. MOTION PASSED. THIS RESOLUTION WILL BE NUMBERED 6-2011 & ORDINANCE WILL BE NUMBERED 2011-11.

C. DISCUSS/ACTION – ONCORE:

MAYOR STRICKLAND STATED THAT ONCOR PROPOSED A FRANCHISE FEE INCREASE OF 5%. IF THE PUC DECLINES THE INCREASE ALL MONEY THAT WAS COLLECTED WILL REVERT BACK TO THE CUSTOMERS. MAYOR STRICKLAND STATED THAT IF THE CITY CHOOSES TO OPT OUT NO ACTION IS REQUIRED BY THE CITY. THE COUNCIL IS ALL IN AGREEMENT THAT THE CITY WILL TAKE NO ACTION.

D. DISCUSS CITY TRUCK:

JOHNNY ROSS FROM SULPHUR SPRINGS DODGE DELIVERED THE NEW 2012 CITY MAINTENANCE TRUCK. THE CITY COUNCIL ALL AGREED TO PURCHASE 3 TOOL BOXES FOR THE TRUCK. MAYOR STRICKLAND ALSO STATED THAT THE TRUCK NEEDS CITY LOGOS ON THE DOORS.

E. DISCUSS FRISCO STREET PROJECT:

MAYOR STRICKLAND STATED THAT THE CITY STILL NEEDS 1 EASEMENT SIGNED FOR THE PROJECT. THE HOMEOWNER REFUSES TO SIGN THE EASEMENT. MAYOR STRICKLAND STATED THAT HE WOULD LIKE TO MEET WITH THE ENGINEER FIRM AND DISCUSS SOME OPTIONS FOR THE PROJECT.

6) POLICE DEPT. – CHIEF SEWELL: FOR THE MONTH OF NOVEMBER THERE WERE A TOTAL OF 274 CITATIONS ISSUED.5 OFFENSE REPORTS, 4 MISD. ARRESTS, 1

FELONY ARRESTS, 2 ACCIDENTS, 3 CASES FILED WITH THE COUNTY ATTORNEY, 1 CASES FILED WITH THE DISTRICT ATTORNEY.
CHIEF SEWELL STATED THAT THE SEIZED 1999 CHEVROLET PU SOLD FOR \$3,150.

7) PAY MONTHLY BILLS: ALDERMAN TALLEY MADE A MOTION TO PAY THE MONTHLY BILLS. ALDERMAN JENKINS SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

8) ITEMS FROM COUNCIL: ALDERMAN JENKINS STATED THAT HE HAS BEEN CALLED ABOUT STRAY DOGS RUNNING AROUND TOWN THAT WERE TEARING UP TRASH. THE CITY NEEDS TO DO SOMETHING ABOUT THE DOG PROBLEM. THE CITY NEEDS TO LOOK INTO HIREING A DOG CATCHER.

WITH ALL BUSINESS COMPLETE THE MEETING WAS ADJORNED AT 8:00 PM.


MAYOR JEFF STRICKLAND

ATTEST:



