

CITY OF CUMBY
CITY COUNCIL MEETING
SEPTEMBER 7, 2010

THE CITY OF CUMBY, TEXAS, MET IN REGULAR SESSION ON TUESDAY, SEPTEMBER 7, 2010, AT 7:00 PM, 100 E. MAIN STREET, CUMBY TEXAS.

THE FOLLOWING WERE PRESENT: MAYOR JEFF STRICKLAND, ALDERMAN CHUCK TUGGLE, ALDERMAN BILL JENKINS, ALDERMAN BRIAN SEELY, ALDERMAN KATHY HALL CARTER, ALDERMAN LEON HIGGINBOTHAM, CITY SECRETARY ANGIE ALLEN, CHIEF SCOTT SEWELL, LaNORA POWELL, ANGELA LEE, JUDY MACHEN, RICHARD PICKENS, PAT HIGGINS, TRAVIS BAXLEY, BERT SLAUGHTER, CHARLES HERFORD, AMY HERFORD, MIKE MORGAN, KATHERINE PAYNE, PAULA FERRELL, BRUCE FERRELL, TAMMY RAYMOND, THE GAY FAMILY, JANETTE MOSER, THE SMITH FAMILY.

1) MAYOR STRICKLAND CALLED THE MEETING TO ORDER.

2) ALDERMAN BILL JENKINS MADE A MOTION TO APPROVE THE MINUTES FROM ALL THE PREVIOUS MONTHS MEETINGS. ALDERMAN TUGGLE SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

3) PRESENTATION FROM THE CITIZENS:

A) CERTIFICATE OF HEROISM/ PRESENTED TO TAYLOR GAY: MAYOR JEFF STRICKLAND PRESENTED TAYLOR GAY WITH AN "AWARD OF HEROISM" FOR HELPING DUSTIN SMITH WHO WAS TRAPPED, ESCAPE FROM HIS SMOKING VEHICLE MOMENTS BEFORE IT BURST INTO FLAMES. THE CITY COUNCIL AS WELL AS THE CITIZENS OF CUMBY WISH TO THANK TAYLOR GAY FOR HIS UNSELFISH ACT.

4) OLD BUSINESS:

A) STREETS: AFTER RAIN, NEED PATCHING

B) WATER FACILITIES: WELLS PUMPED 4,494,200. WATER SOLD 3,043,800. THE WWTP & CHURCHES USED 450,680. THERE WAS A LOSS OF 999,720. 366 POUNDS OF CHLORINE WERE USED.

C) SEWER PLANT: RUNNING GOOD.

D) WELL SITUATION: NO CHANGE, RUNNING GOOD.

E) LEAK SITUATION: LEAK ON DEPOT, LEAK ON 275 SOUTH. LEAK FIXED ON W. MAIN STREET.

5) NEW BUSINESS:

A) **2008-2009 AUDIT / CONWAY & COMPANY:** MR. NEAL CONWAY WITH CONWAY & COMPANY PRESENTED THE CITY COUNCIL WITH THE 2008-2009 AUDIT. MR. CONWAY LET THE CITY COUNCIL KNOW THAT THE AUDIT IS CLEAN. THE CITY'S DEBT LEVEL IS GOOD. ALDERMAN JENKINS MADE A MOTION TO ACCEPT THE 2008-2009 AUDIT. ALDERMAN TUGGLE SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

B) ATMOS ENERGY / "CONSIDERATION OF AN ORDINANCE TO APPROVE ATMOS ENERGY RATE REVIEW MECHANISM EXTENSION, RATE INCREASE AND RECOVERY OF STEEL SERVICE LINE REPLACEMENT PROGRAM COST":

- ALDERMAN JENKINS STATED THAT HE HAD BEEN ON THE PHONE BACK AND FORTH WITH JANNETTE MOSER OF ATMOS ENERGY ASKING QUESTIONS ABOUT THE PROPOSED ORDINANCE. THE CITY COUNCIL HAS MANY QUESTIONS ABOUT THE ORDINANCE. JANETTE MOSER WITH ATMOS ENERGY STATED THAT SHE WAS HERE TO EXPLAIN THE ORDINANCE TO THE CITY COUNCIL. THIS IS AN EXECUTIVE SUMMARY :
- Atmos Energy began the rate review mechanism (RRM) in 2008 as part of a three year pilot program.
- The RRM is an agreement between Atmos Energy and the cities to provide an annual transparent review of company expenses and investment.
 - The use of the RRM has significantly reduced the cost of litigation in these filings.
- With the success of this pilot, the company has reached agreement with coalition city representatives to extend the RRM for two more years.
- RRM extension includes an accelerated replacement program for steel-service lines.
 - The company is working with the Texas Railroad Commission's safety division to ensure the highest priority service lines are replaced in this two year period.
- Overall impact to customers
- Average Residential customer (using 4.5 Mcf a month) will have an increase of \$1.40/month, 3.15% overall. Based on the original RRM proposal, this increase would have been \$3.21/month, 7.22% overall.
 - Average Commercial customer (using 34.2 Mcf a month) will have an increase of \$3.82/month, 1.58% overall. Based on the original RRM proposal, this increase would have been \$8.62/month, 3.57% overall.

ALDERMAN JENKINS STATED THAT HE WOULD LIKE SOME OF THE WORDING CHANGED. ALDERMAN JENKINS MADE A MOTION TO TABLE THIS ORDINANCE UNTIL THE CITY'S LEGAL DEPARTMENT CAN MAKE ADJUSTMENTS TO THE ORDINANCE. ALDERMAN SEELY SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

C) 2010-2011 BUDGET: MAYOR STRICKLAND STATED THAT THE 2010-2011 BUDGET WAS FILED WITH THE CITY SECRETARY ON AUGUST 15, 2010. THE CITY COUNCIL HELD THE FIRST PUBLIC HEARING ON THE PROPOSED BUDGET ON AUGUST 16, 2010. THE SECOND PUBLIC HEARING WAS HELD ON SEPTEMBER 7, 2010. ALDERMAN SEELY MADE A MOTION TO ACCEPT THE 2010-2011 BUDGET. ALDERMAN HALL-CARTER SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

D) LEVY TAXES 2010: MAYOR STRICKLAND READ A CAPTION FROM THE TAX RATE ORDINANCE. THIS ORDINANCE STATES:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CUMBY, TEXAS, LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF SAID CITY FOR THE TAX YEAR 2010 UPON ALL TAXABLE PROPERTY WITHIN THE SAID CITY, FIXING THE RATE THEREOF; PROVIDING THAT SAID ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE IMMEDIATELY UPON ITS PASSAGE AND APPROVAL.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CUMBY, TEXAS:

I.

THERE IS HEREBY LEVIED, AND THERE SHALL BE COLLECTED, FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE SAID CITY OF CUMBY, TEXAS FOR THE TAX YEAR 2010. UPON ALL PROPERTY, WHETHER REAL, PERSONAL, OR MIXED, WITHIN THE CORPORATE LIMITS OF SAID CITY AND SUBJECT TO TAXATION, A TAX OF .3842 PER EACH \$100.00 VALUATION OF SUCH PROPERTY.

ALDERMAN JENKINS MADE A MOTION TO ACCEPT THE TAX RATE OF .3842 PER \$100.00 OF VALUE. ALDERMAN TUGGLE SECONDED THE MOTION. ALL APPROVE. MOTION PASSED. THIS ORDINANCE WILL BE NUMBERED 2010-5.

E) **WEIR BIDS / WWTP:** THE CITY RECEIVED 2 BIDS IN THE MONTH OF AUGUST, A BID FROM AMTEC & A BID FROM SOUTHWEST. THE BIDS DID NOT HAVE THE TROUGH INCLUDED IN THE BID PRICE. THE CITY ASKED BOTH COMPANIES TO RE SUBMIT THE BIDS TO INCLUDE THE TROUGH. AMTEC WAS THE ONLY COMPANY TO SUBMIT A NEW BID. THE BID AMOUNT IS \$16,514.00 ALDERMAN JENKINS MADE A MOTION TO ACCEPT THE WEIR & TROUGH BID FROM AMTEC IN THE AMOUNT OF \$16,514.00. ALDERMAN HIGGINBOTHAM SECONDED THE MOTION. ALL APPROVE. MOTION PASSED. THE CITY HAS ALSO RECEIVED 2 BIDS FOR THE FABRICATION & REPLACEMENT OF ROTOR BLADES. A BID FROM AMTEC IN THE AMOUNT OF \$8,125.00 & A LOCAL BID FROM FERRIN LONG IN THE AMOUNT OF \$4,750.00. ALDERMAN JENKINS MADE A MOTION TO ACCEPT THE BID FROM FERRIN LONG IN THE AMOUNT OF \$4,750.00. ALDERMAN HIGGINBOTHAM SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

F) **POLICE DEPARTMENT/SEIZURE REPORT:** CHIEF SEWELL STATED THAT ACCORDING TO THE TEXAS CODE OF CRIMINAL PROCEDURE THE CHIEF HAS TO PRESENT THE SEIZURE REPORT TO THE CITY COUNCIL AT THE END OF THE PHYSICAL YEAR. ALDERMAN TUGGLE MADE A MOTION TO ACCEPT THE 2009-2010 POLICE DEPT. SEIZURE REPORT. ALDERMAN HALL-CARTER SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

G) **BACKHOE PURCHASE:** MAYOR STRICKLAND STATED THAT HE WOULD LIKE A MOTION ALLOWING THE CITY TO RESEARCH AND ALLOW THE CITY TO ACCEPT BIDS. MAYOR STRICKLAND STATED THAT DURING THE BID PROCESS THE CITY SHOULD RESERVE THE RIGHT TO REJECT ANY AND ALL BIDS, AND TO AWARD THE BID CONTRACT IN THE BEST INTEREST OF THE CITY. ALDERMAN HIGGINBOTHAM ASKED MAYOR STRICKLAND IF THE CITY WILL BE FINANCING THE BACKHOE PURCHASE THROUGH ALLIANCE BANK. MAYOR STRICKLAND STATED YES THAT THE CITY WOULD FINANCE THE BACKHOE THROUGH ALLIANCE BANK. ALDERMAN JENKINS MADE A MOTION TO PURSUE BIDS ON PURCHASING A NEW BACKHOE AND TO FINANCE THE PURCHASE THROUGH ALLIANCE BANK. ALDERMAN SEELY SECONDED THE MOTION. ALL APPROVE. MOTION PASSED. THE BID NOTICE WILL BE PUBLISHED IN THE NEWSPAPER TWICE AND THE BID OPENING WILL BE HELD ON THE NEXT CITY COUNCIL MEETING OCTOBER 5, 2010.

H) **ITRON HANDHELD METER:** MAYOR STRICKLAND STATED THAT THE ITRON HANDHELD METER IS A METER DEVICE USED TO READ METERS IN A QUICKER MORE EFFICIENT WAY, IT WILL ELIMINATE THE USE OF THE 4 METER BOOKS THAT ARE NOW USED TO RECORD THE MONTHLY METER READINGS. AFTER THE READINGS ARE RECORDED INTO THE DEVICE THE READER INSERTS INTO A DEVICE THAT WILL THEN TAKE THE READINGS FROM THE MACHINE TO THE COMPUTER. THE PRICE FOR THE DEVICE, INSTALATION, TRAINING, & SOFTWARE IS \$10,938.00. ALDERMAN SEELY MADE A MOTION TO PURCHASE THE IRON HANDHELD METER READER. ALDERMAN JENKINS SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

6) POLICE DEPARTMENT / CHIEF SEWELL: FOR THE MONTH OF AUGUST THERE WERE A TOTAL OF 501 CITATIONS ISSUED. 12 OFFENSE REPORTS TAKEN. 10 MISD. ARRESTS, 3 FELONY ARRESTS, 6 CASES FILED WITH THE COUNTY ATTORNEY, 4 CASES FILED WITH THE DISTRICT ATTORNEY. THE POLICE DEPT. SEIZED \$5,181.35 CASH AND 3,491 LBS MARIJUANA.

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

8) ITEMS FROM THE COUNCIL: NONE

9) THE CITY COUNCIL WILL NOW GO INTO EXECUTIVE SESSION – UNDER ARTICLE 6252-17 OF THE OPEN MEETINGS LAW, REGARDING CITY PERSONNEL. ALDERMAN SEELY MADE A MOTION TO GO INTO EXECUTIVE SESSION UNDER ARTICLE 6252-17 OF THE OPEN MEETINGS LAW. THE MAYOR STATED THE TIME AS 8:10 PM. ALDERMAN JENKINS SECONDED THE MOTION. ALL APPROVE. MOTION PASSED.

OPEN SESSION: THE MAYOR RECONVENED THE MEETING AT 8:30PM.

WITH ALL BUSINESS COMPLETE THE MEETING WAS ADJORNED AT 8:32PM.



JEFF STRICKLAND, MAYOR

ATTEST:



