

**COUNCIL MEETING MINUTES**  
**January 21, 2020**

The Governing Body of the City of New Boston, Texas met in a Regular Council Meeting, Tuesday, January 21, 2020 at 6:00 p.m. in the Council Chambers of City Hall.

1. **Mayor Branson called the meeting to order at 6:00 p.m.**
2. **Roll call:**
  - a. **Present:** Councilman Carr, Councilwoman Anderson, Councilman Turner, Councilman Hensley, and Councilman Laney
  - b. **Absent:** None
3. **Invocation** led by Kenneth Betts, Sr.
4. **Pledge of Allegiance** led by Chief Garry McCrary.
5. **Public Comment - Non-Agenda Items:** DeAnna O'Malley a volunteer with the American Red Cross wanted to comment regarding the multi-family fire on December 24, 2019. She commended the Fire Chief and the city coming together helping this families.
6. **Public Comment - Agenda Items:** No one spoke.
7. **Consent Agenda:**
  - a. Approval of minutes for December 17, 2019 Public Hearing.
  - b. Approval of minutes for December 17, 2019 Workshop and Council meeting.
  - c. Approval of payment of bills and inter-fund transfers.

Motion was made by Councilman Carr and seconded by Councilman Hensley to approve the consent agenda as presented. Council approved unanimously.

8. **Consider and take official action to open a restricted fund for the purpose of setting aside funds that are due to Riverbend Water Resources District.**

Motion was made by Councilman Turner and seconded by Councilwoman Anderson to setup this restricted fund so it will be separate from our financials for Riverbend Water Resources. Council approved unanimously.

9. **Consider and take official action to approve pay request #2 from Four Thirteen, Inc. in the amount of \$86,538.37 in connection with the 2016 Capital Improvement Project-WWTP.**

Motion was made by Councilman Turner and seconded by Councilman Hensley to approve the payment request in the amount of \$86,538.37 to Four Thirteen, Inc. Council approved unanimously.

**10. Consider and take official action, if any, to approve the change order regarding the 2019 Pavement Rehabilitation (MTG Project No. 196004).**

David Williams with MTG Engineers & Surveyors provided an update regarding this project. The only asphalt plant in the area is in Texarkana, Arkansas. Every Christmas they close the plant for a week for their annual maintenance, however, the one-week closure turned into three plus weeks. The plant is no up and running. As soon as the weather clears Stan Excavating will be up and running again.

TxDOT Sidewalk Grant application that is pending. Originally the schedule showed project selection would be made in December now they are saying early 2020.

The change order is for Ellis Street on the East side where the water line was replaced, which has left a 15 foot by 540 foot scar. This change order will provide for a patch which will last beyond the upcoming Ellis Street project. If it is not done now, it will need to be done later. The price provided is not just a fair price, it is a good price.

Motion was made by Councilman Turner and seconded by Councilman Hensley to approve the recommendation of the change order. Council approved unanimously.

**11. Consider and take official action on ratifying the execution of a contract with Cybertronics Inc.**

City Administrator, Elizabeth Lea, explain this is the same type of contract that was approved for the Police Department and the Library. This contract added two additional computers, Billy Martz's at the sewer plant and the City Administrator's. Councilwoman Anderson asked the length of the contract. Ms. Lea responded three years.

Councilman Turner commented that technically a council cannot obligate another council in coming years to fund a contract. There was prior discussion about having a three year roll over, where if the council decided not to fund that contract. Ms. Lea stated she spoke with the legal department with TML and this is a complete legal contract. The only thing is that, and most cities don't have the wording in it but we can go back and amend it if necessary and then we would need to amend all of our contracts that does not have the wording that says if a council elects not to fund this contract, that it is null and void. The State recommends this wording, however, it is not a requirement. Councilman Turner wanted to know if this will be for all contract with Cybertronics and Ms. Lea stated it would be for all contracts the City has. For example, the ten-year contract with another vendor.

Motion was made by Councilman Hensley and seconded by Councilman Carr to retire to closed session to consult with Attorney. Motion carried unanimously. Council retired to closed session at 6:16 p.m.

Mayor and Council returned from closed session at 7:10 p.m.

Motion was made by Councilman Hensley and seconded by Councilman Carr to approve ratify the execution of the contract with the current revenue clause. Council approved unanimously.

- 12. Consider and take action to approve the Retainer Agreement with Jordan Law Firm, LLP as General Counsel for the City.**

Motion made by Councilman Turner and seconded by Councilman Carr to accept the Retainer Agreement as presented. Council approved unanimously.

- 13. Consider and take official action on calling the City's General Election for May 2, 2020 for Mayor, Councilpersons Place 2 and Place 3.**

Motion made by Councilman Hensley and seconded by Councilman Laney to call the general election for May 2, 2020. Council approved unanimously.

- 14. Consider and take official action on the appointment of Wilma Rose as Early Election Judge and Election Judge for the municipal election.**

Motion made by Councilman Turner and seconded by Councilman Laney to accept Wilma Rose as the Early Election Judge and as Election Judge. Council approved unanimously.

- 15. Consider and take official action on Resolution No. 20-R-01, a Resolution of the City Council of the City of New Boston, Texas; authorizing the Mayor to enter into agreement with the New Boston Independent School District, for the purpose of sharing an election polling place with the City of New Boston.**

Motion made by Councilman Turner and seconded by Councilman Laney to accept this Resolution. Council approved unanimously.

- 16. Consider and take official action on Resolution No. 20-R-02, a Resolution of the City Council of the City of New Boston, Texas; authorizing the Interim City Administrator to be added as a signor on all bank accounts.**

Motion made by Councilman Laney and seconded by Councilman Carr to accept this Resolution. Council approved unanimously.

- 17. Consider and take official action on Ordinance No. 20-O-01, an Ordinance to erect two stop signs at the east and west corners of Ellis Street and S Front Street.**

Motion made by Councilwoman Anderson and seconded by Councilman Carr to accept this Ordinance. Council approved unanimously.

- 18. Consider and take official action to allow the purchase of twenty-five (25) 5/8"-3/4" SR11 ER Meters and twenty-five (25) M520M Radios totaling the estimated amount of \$6,733.25 plus freight.**

Motion made by Councilman Laney and seconded by Councilman Carr to accept this purchase. Council approved unanimously.

**19. Consider and take official action to allow the purchase of a 200-foot Opticam Camera for the use in water and sewer lines in the amount of \$6,795.00.**

Motion made by Councilman Hensley and seconded by Councilman Laney to accept this recommendation. Council approved unanimously.

**20. Consider and take official action regarding the bathrooms for Central/Scrapp Miller Park.**

Councilwoman Anderson provided a handout from Saddle Brooke regarding a portable building for ADA compliant restrooms for the park. Councilman Turner asked the cost of this building. Councilman Carr stated about \$10,000 and does not include, water sewer or electric. Councilwoman Anderson stated that it does include electric.

Motion made by Councilwoman Anderson and seconded by Councilman Turner to purchase this building.

Councilman Hensley asked what else will go into this park. Councilwoman Anderson stated that the committee asked for restrooms, then to put up the playground equipment. The remaining funds will be used to purchase tables and refurbish the basketball goals.

There was discussion regarding the basketball goals and the understanding that the community wanted regulation goals. Currently there are two half courts. The current court cannot be added to.

Councilman Carr would like the Motion to be amended so that MTG could provide cost for a basketball court, cost to install the playground equipment, and bids for the restrooms, so the project can be prioritized.

Councilwoman Anderson stated that MTG had already worked up a restroom that would cost \$90,000.00. This is one that could not be destroyed.

Jane Hanna spoke stating that this project was intended to be in phases. The \$150,000.00 is phase one, then SIDC could see what was finished first and then go from there for the next phase.

Councilman Tuner clarified that the restrooms and playground equipment will be installed simultaneously.

Council approved unanimously.

**21. Consider and take official action to place the Mowing Contract up for bid.**

Councilman Turner asked if it has been identified what needs to be mowed. Mayor Branson stated yes, same as last year. Councilman Carr asked if the baseball fields would be added, or the parks, or the trail. Mr. Jordan stated to have the other locations as alternate bids, so you may pick and choose what you would like to do. There was discussion regarding having all the mowing in one bid or separated. Councilman Carr recommended that there be three separate bids.

Motion made by Councilman Carr and seconded by Councilman Turner to request for bids for 1) the current items under contract, 2) trail, and 3) parks and ball fields. Council approved unanimously.

**22. Consider and take official action on Street Rental Agreement with Southwestern Electric Power Company (SWEPCO).**

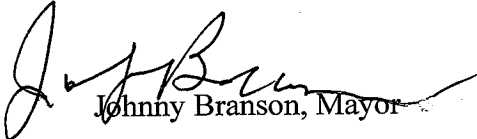
Motion made by Councilman Laney and seconded by Councilman Carr to accept this rental agreement. Council approved unanimously.

**23. Consider and take official action to declare surplus property and to authorize the disposition thereof. List of property attached hereto as Exhibit "A."**


Motion made by Councilman Hensley and seconded by Councilman Turner to accept this recommendation. Council approved unanimously.

**24. Adjourn.**

Motion was made by Councilman Turner and seconded by Councilman Carr to adjourn meeting at 7:45 p.m.

  
Johnny Branson, Mayor

Attest:

  
Sharmin R. Hutto  
City Secretary