

COUNCIL MEETING MINUTES
August 18, 2020

The Governing Body of the City of New Boston, Texas met in a Regular Council Meeting, Tuesday, August 18, 2020 at 6:00 p.m. in the Community Center of City Hall.

Councilman Turner read aloud a letter from Mayor Branson that stated: Dear Citizens and Council Members of the City of New Boston. It has been my privilege to serve the citizens of New Boston for over 45 years, both as a Councilman and Mayor. It is time for me to resign effective immediately Tuesday August 18, 2020. I will always be available for all citizens if needed. I appreciate your confidence and respect for all the years that I have served as your Councilman and Mayor. Sincerely, Johnny Branson.

1. **Mayor Pro Tem Turner called the meeting to order at 6:02 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 Ron Humphrey.
4. **Pledge of Allegiance** led by Chief Garry McCrary.
5. **Public Comment - Non-Agenda Items:** Bill Eggenburger regarding the subdivision on CR 4001 – Mr. Eggenburger had questions regarding the ordinance passed on July 28th, he was told the City was paying for the infrastructure that is currently going in. He wanted to know how did we circumvent the subdivision ordinance that specifically states the developer is responsible. Councilman Carr stated to Mr. Eggenburger that Council cannot respond as this matter is not an agenda item. Mr. Eggenburger further stated the City has opened up a can of worms that any developer would be entitled to this same privilege. He also stated that he sent in an email regarding a light pole on 128 N Elm St. where the cover is off in front of Maria's.
6. **Public Comment - Agenda Items:** none.
7. **Consent Agenda:**
 - a. Approval of minutes for July 21, 2020 Council Meeting.
 - b. Approval of minutes for July 28, 2020 Public Hearing and Called Council Meeting.
 - c. Approval of payment of bills and inter-fund transfers.

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

8. **Consider and take official action, if any, to approve Change Order No. 1 regarding the Wastewater Screening Equipment in connection with the 2016 Capital Improvement Project-WWTP, which decreased the final contract amount by \$18,062.00.**

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

- 9. Consider and take official action to approve Pay Request #4 and Final from Four Thirteen, Inc. in the amount of \$104,133.63 in connection with the 2016 Capital Improvement Project-WWTP.**

Motion was made by Councilman Hensley and seconded by Councilman Carr to approve the payment request for Four Thirteen, Inc. Council approved unanimously.

- 10. Consider and take official action to approve Pay Request #5 from RBIS, LLC in the amount of \$131,925.61 in connection with the 2016 Capital Improvement Project-WWTP.**

Motion was made by Councilman Carr and seconded by Councilman Hensley to approve the payment request for RBIC, LLC. Council approved unanimously.

- 11. Consider and take official action to approve Pay Request #3 from Four Thirteen, Inc. in the amount of \$444,638.52 in connection with the Rice Creek WWTP.**

Motion was made by Councilman Hensley and seconded by Councilman Laney to approve the payment request for Four Thirteen, Inc. Council approved unanimously.

- 12. Consider and take official action, if any, regarding the proposed ad valorem tax rate.**

Motion was made by Councilman Turner and seconded by Councilman Laney to postpone this item for two weeks. Council approved unanimously.

- 13. Consider and take official action, if any, on participating in the HOME Program.**

Motion was made by Councilman Carr and seconded by Councilman Hensley to participate in the HOME Program. Council approved unanimously.

- 14. (Agenda Item #15) Consider and take official action on Resolution No. 20-R-09 authorizing the submission of a home application to the Texas Department of Housing and Community Affairs; and authorizing the City Administrator to act as the City's Executive Officer, authorized signatory, and authorized representative in all matters pertaining to the City's participation in the Home Program Reservation System Agreement.**

Motion was made by Councilman Carr and seconded by Councilman Hensley to authorize the Mayor Pro Tem to execute the Resolution. Council approved unanimously.

- 15. (Agenda Item #14) Consider and take action, if any, on approving the bid recommendation for the Limb Pick Up Contract.**

City Administrator, Elizabeth Lea informed the Council that two bids were presented and were identical at \$1,500.00 per month. One bid stated a five-year contract which is not normal, and that limbs would be disposed of at Waste Management using the City's

contract, which is not allowable. City Attorney, Wes Jordan, advised the Council that this is a non-conforming bid and would be forced not to accept either bid and go back out for bid. Motion was made by Councilman Hensley and seconded by Councilman Laney to re-bid the limb pick up and to include in the specs that it is for a year contract. Council approved unanimously.

16. Update regarding installation of water and sewer lines – David Williams with MTG Engineers & Surveyors, Inc.

David Williams updated the Council regarding the “REDI Property” that was purchased by SIDC. There are two ways to service this property with water; 1) the North tract would be serviced by extending the 8” water main and 2) the South tract by coming of the main member cities main line which is inside TexAmericas and run it across the railroad and US 82. There are unknowns as to what type of industry will be using the property and their water needs. Mr. Williams recommended a 16” line from the member cities line. There is a floodplain on this property where a future water main loop is possible. Regardless of the industry coming to this property, there will be a need for elevated storage. Currently there are no sewer facilities in this area. The nearest sewer to this property is in TexAmericas property. The plan would begin in the north eastern portion of the northern tract which is the lowest part of the tract with a lift station, then forced south across I-30 to a second lift station, then west parallel with I-30, then convert to a gravity main, then south along County Road 2003, then west along US 82 to Walnut Road. The gravity main on the west end is not in place right now. This property is currently outside the New Boston’s Sewer CCN. It is possible that they could choose to go with Riverbend’s CCN which would be more economical.

The next update is titled West Water Development is pushing west from the water tower on US 82. Currently there is a combination of 6” and 8” water lines that need to be replaced. His recommendation would be to abandon the 6” and 8” water lines and make new service connections. Next would be to get water to the proposed Loves location. There are two options; 1) would be to obtain a right-of-way from TxDot and connect back to the trail or 2) to obtain an easement from Victron where you can continue south to the trail. Both options would then head west along the trail and then north on County Road 3006 and then across US 82 to the southwest corner of the proposed Loves site. Currently the City’s sewer system ends at a lift station behind TigerMart. Mr. Williams proposes following the same route as the water line to the proposed Loves site, however, a lift station will be needed either on the east or west side of I-30 then to the existing lift station behind TigerMart.

The next update is regarding ground storage location options near I-30 and US 82. All three locations would require property acquisition or easements. The location behind TigerMart is the least desirable location due to location and size. Mr. Williams recommend a dual pump system that way one pump can service the prison and the other can service the city. This would be approximately 500,000 gallon above ground storage, which would make it about 60 feet in diameter by about 24 feet tall with the possibility of growing from there.

The final update is regarding Robinson Road, construction is close to the end of the water line extension. Next would be the sewer line extension. The City is working with Central Bowie regarding the CCN matter

17. Mayor and Council to retired to closed session pursuant to Government Code §551.071 - Consultation with Attorney

Motion was made by Councilman Carr and seconded by Councilman Hensley to retire to closed session. Motion carried unanimously. Council retired to closed session at 6:46 p.m.

18. Mayor and Council returned from closed session at 7:32 p.m. to consider and take official action, if any, as a result of the closed session regarding Government Code §551.071 - Consultation with Attorney - No action was taken other than Agenda Item #20 below.

19. Consideration and take official action to approve the donation of the radio tower located behind 120 West Street.

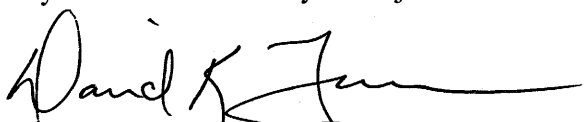
No action taken.

20. Discussion and possible action regarding Lease Agreement with William Froelich d/b/a Cowboy Guns.

Motion was made by Councilman Hensley and seconded by Councilman Laney to invoke the provision to terminate the lease and provide a ninety (90) day notice. Council approved unanimously.

21. Adjourn.

Motion was made by Councilman Carr and seconded by Councilman Laney to adjourn meeting at 7:34 p.m.


David Turner, Mayor Pro Tem

Attest:


Sharmin R. Hutto, City Secretary