MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 3RD DAY OF FEBRUARY 2003 IN THE CITY HALL COUNCIL CHAMBERS, LOCATED AT 200 NORTH FIFTH IN THE CITY OF CROCKETT, HOUSTON COUNTY TEXAS AT 6:00 P.M.

THE COUNCIL MET IN REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT: WAYNE MASK, JACK SHIVELEY, DARIUS KITCHEN, NATHAN GARDNER, MARGARET BURNETT & CHUCK CUNNINGHAM. CITY OFFICIALS PRESENT: CITY ADMINISTRATOR BILLY HORN, CITY SECRETARY MITZI THOMPSON, CITY TREASURER RONALD DUNCAN, POLICE CHIEF JIMMY FISHER & FIRE CHIEF DARRELL DECKARD.

1. OPEN MEETING WITH INVOCATION AND PLEDGE

Mayor Mask called the formal session open. Council member Kitchen gave the invocation and all joined in the pledge.

2. RECOGNITION OF VISITORS

Mayor Mask recognized all visitors present.

3. APPROVAL OF MINUTES: JANUARY 21, 2003 - SPECIAL MEETING

Motion was made by Council member Burnett to approve the minutes of the January 21, 2003 – Special Meeting. Motion seconded by Mayor Pro Tem Shiveley. Motion passes 5-0.

4. REPORTS: MAYOR – Mayor Mask recognized Ms. McKnight’s students. The students asked council if the class could be a part of one of the Council meetings with their elected class students serving on the council. Mayor Mask said he and council would appreciate the presence of the students in the Council Chambers.

CITY ADMINISTRATOR – no comments

POLICE REPORT – Police Chief Fisher reported for the period of January 21 – February 2, 2003 the following report: 14 total manpower, 1 total reserve manpower, 915 total manpower hours, 20 total reserve manpower hours, 190 calls, 13 arrests, 31 traffic tickets, 12 accidents and a dollar loss of $910.00. A breakdown of the criminal reports is included in the packets.
Chief Fisher reported to council in detail an incident that occurred Friday night that involved a standoff with police. The standoff lasted for 12 hours with the suspect being taken into custody without incident. Chief Fisher was emotional as he told council that while he was inside the home he felt his life was in danger. He told council that during the incident he feared for the safety of his police officers and asked that they consider purchasing life saving equipment such as tear gas, pepper spray and bulletproof shields.

Council member Gardner asked if there were any funds available to help the Chief, Mr. Horn responded that it would be looked into and reported back at the next council meeting.

FIRE DEPARTMENT – Fire Chief Deckard reported for the month of January 2003 the following report: 17 total fires. A breakdown is included in the packets.

Chief Deckard reported to council that he had received a registered letter containing a summons regarding a federal lawsuit that Council member Burnett had filed against him. Chief Deckard then addressed Council member Burnett directly with a response to the suit. He told her that the events as related in her suit are for the most part completely false. These volunteers left the safety and comfort of their homes and their first concern is the safety of everyone involved. They placed themselves in danger for the sole purpose of extinguishing the fire and preservation of property. In closing he challenged Ms. Burnett to join him in an agreement in whichever of the two of us has his/her accusation rejected by the court, will resign their respective position immediately.

Council member Burnett responded that she would not answer that. Mr. Horn stated that he was also named in the suit and that it was a frivolous suit. He added that in the nearly four years that he has been employed, he has been named in about 20 lawsuits and that defending each of those suits was costly to the taxpayers. He said that it was time this stops.

5. CONSIDER RESOLUTION OF THE CITY OF CROCKETT, TEXAS DECLARING SUPPORT FOR THE COLE CREEK APARTMENTS, L.P. TAX CREDIT APPLICATION, YEAR 2003

Mr. Mike Lankford with Lankford Interests, LLC presented council with a presentation regarding Cole Creek Apartments. These will be an affordable housing development that would be located on Loop 304 between Hwy 287 and Hwy 7. Mr. Lankford intends to submit an application to the Texas Department of Housing and Community Affairs in order to receive a tax credit allocation for 2003. There will be 64 single units and of these, 4 units will be leased with no income qualifications. It will be entirely fenced and gated. Motion was made by Council member
Kitchen to approve the resolution declaring support for the Cole Creek Apartments, L.P. Tax Credit Application, Year 2003. Motion seconded by Mayor Pro Tem Shively. Motion passes 3-2. Council members Burnett & Gardner voted against the motion.

6. CONSIDER ORDER CALLING THE MAY 3RD, 2003 GENERAL ELECTION

Mayor Mask recommended approval of the Order. Motion was made by Mayor Pro Tem Shiveley to approve the Order calling the May 3rd, 2003 General Election. Motion seconded by Council member Burnett. Motion passes 5-0.

7. PUBLIC HEARING ON REQUEST FROM DARLENE ALLEN FOR A SPECIFIC USE PERMIT FOR A MOBILE HOME TO BE LOCATED AT 413 ALAMO AVE., ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PART OF LOTS 7 AND 8 IN BLOCK 1 OF THE SMITH BROTHERS ADDITION, CITY OF CROCKETT, HOUSTON COUNTY, TEXAS: CLOSE PUBLIC HEARING

Mayor Mask opened the public hearing. He stated that Planning and Zoning approved this request. There were no comments. Mayor Mask closed the public hearing.

8. CONSIDER REQUEST FROM DARLENE ALLEN FOR A SPECIFIC USE PERMIT FOR A MOBILE HOME TO BE LOCATED AT 413 ALAMO AVE., ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PART OF LOTS 7 AND 8 IN BLOCK 1 OF THE SMITH BROTHERS ADDITION, CITY OF CROCKETT, HOUSTON COUNTY, TEXAS

Motion was made by Council member Kitchen to approve the request from Darlene Allen for a Specific Use Permit to allow a mobile home to be located at 413 Alamo Ave. Motion seconded by Council member Cunningham. Motion passes 5-0.

9. EXECUTIVE SESSION: GOV. CODE 551.087 – DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS FOR MAJOR PROSPECT 3

Mayor Mask stated that he felt council should convene into executive session under Texas Gov. Code #551.087. Motion was made by Mayor Pro Tem Shiveley to approve council convening into executive session at 6:40 P.M. Motion seconded by Council member Cunningham. Motion passes 5-0.
Council re-convened in open session at 6:55 P.M.

10. REVIEW AND ACTION REGARDING AGREEMENT BETWEEN THE CITY OF CROCKETT, TEXAS, CROCKETT ECONOMIC AND INDUSTRIAL DEVELOPMENT CORPORATION AND MAJOR PROSPECT 3

Mr. Eric Winter Executive Director told council that the Major Prospect 3 is Baskins Department Store. They are proposing to purchase the old Boles Food Market. This agreement will allow Crockett Economic and Industrial Development to negotiate with Baskins to locate to Crockett. Motion was made by Mayor Pro Tem Shiveley to approve the agreement between the City of Crockett, Crockett Economic and Industrial Development Corporation and Major Prospect 3. Motion seconded by Council member Kitchen. Motion passes 5-0.

11. PUBLIC HEARING ON NEW JOINT CITY OF CROCKETT, CITY OF LATEXO AND HOUSTON COUNTY ENTERPRISE ZONE

Mayor Mask opened the public hearing. Mr. Winter spoke on the new Enterprise Zone that will expand. Judy Lankford, of Lankford Management Services, is the consultant and she explained that by adopting the proposed new enterprise zone it would expand the areas into areas near Latexo and in Latexo, near the airport and out to Ratcliff. By doing so this will be even more helpful to the City to allow for possible incentives to prospective new businesses. After questions from citizens, Mayor Mask closed the public hearing.

12. REVIEW AND ACTION ON ORDINANCE FOR NEW JOINT CITY OF CROCKETT, CITY OF LATEXO AND HOUSTON COUNTY ENTERPRISE ZONE

Motion was made by Mayor Pro Tem Shiveley to approve the ordinance for the New Joint Enterprise Zone as follows. Motion seconded by Council member Kitchen. Motion passes 3-2. Council members Burnett & Gardner voted against the motion.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CROCKETT, TEXAS TERMINATING THE AGREEMENT FOR DESIGNATION OF ENTERPRISE ZONE NUMBER EZ 331-110201-C WITH THE TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT; AND NOMINATING A NEW AREA AS AN ENTERPRISE ZONE PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT (TEXAS GOVERNMENT CODE, CHAPTER 2303): PROVIDING TAX INCENTIVES; DESIGNATING AN AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS PERTAINING TO
THE TERMINATION OF ENTERPRISE ZONE NUMBER EZ 331-110201-C AND NOMINATION AND DESIGNATION OF THE AREA DESCRIBED HEREIN AS AN ENTERPRISE ZONE AND REINVESTMENT ZONE (TEXAS TAX CODE, CHAPTER 312); AND FURTHER DESIGNATING A LIAISON TO ACT ON ALL MATTERS PERTAINING TO THE ENTERPRISE ZONE ACT ONCE DESIGNATED BY THE TEXAS DEPARTMENT OF ECONOMIC DEVELOPMENT

13. COMMENTS FROM AUDIENCE OR COUNCIL

Council member Kitchen let council know that he initiated a program with the Boys and Girls Club to come to his precinct on the third Saturday of this month to help him in the Clean Crockett Campaign. Mrs. Peggy Horn, with the Clean Crockett Campaign, announced that the Annual Spring Cleanup for the City would be March 29, 2003.

14. ADJOURNMENT

With no more business to consider, meeting was adjourned at 7:10 P.M.

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Wayne Mask, Mayor

ATTEST:

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Mitzi Thompson, City Secretary