

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 16<sup>th</sup> DAY OF AUGUST 2004 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, DARRELL JONES, ELOUISE WOOTEN, JACKIE JONES & BILL HOLCOMB. CITY OFFICIALS PRESENT: CITY ADMINISTRATOR RONALD DUNCAN, CITY SECRETARY MITZI THOMPSON, CORPORAL MICHAEL HARRELL AND FIRE CHIEF DARRELL DECKARD.

1. OPEN MEETING WITH INVOCATION AND PLEDGE

Mayor Mask called the formal session open and informed council that Mr. Holcomb will be late arriving. Council member Wooten gave the invocation and all joined in the pledge.

2. RECOGNITION OF VISITORS

Mayor Mask recognized all visitors present.

3. APPROVAL OF MINUTES: BUDGET WORKSHOP – JULY 26, 2004  
REGULAR MEETING – AUGUST 2, 2004

Motion was made by Mayor Pro Tem Shiveley to approve the minutes of the July 26, 2004 Budget Workshop and the August 2, 2004 Regular Meeting as written. Motion seconded by Council member Wooten. Motion passes 4-0.

4. REPORTS: MAYOR - none

CITY ADMINISTRATOR – City did not receive funding for the 2004 Home Program, current Home Program is still taking applications and Lovers Lane is paved.

Mayor Mask then moved on to Item No. 7 due to Council member Holcomb's absence.

5. EXECUTIVE SESSION: GOV. CODE 551.071 – CONSULTATION WITH ATTORNEY – PENDING LITIGATION. CONSIDER BILLY HORN vs. CITY OF CROCKETT

Motion was made by Mayor Pro Tem Shiveley to convene into executive session under Texas Gov. Code 551.071. Motion seconded by Council member Holcomb. Motion passes 5-0. Time was 6:11 P.M.

6. RECONVENE INTO REGULAR SESSION AND CONSIDER ACTION IF ANY ON ITEM NO. 5

Council reconvened into open session at 7:10 P.M. No action to take on item 5.

7. PUBLIC HEARING ON PROPOSED BUDGET OF THE CITY OF CROCKETT FOR THE 2004-2005 FISCAL YEAR

Mayor Mask opened the public hearing. No comments. Close public hearing

8. CONSIDER AND APPROVE ORDINANCE ADOPTING THE ANNUAL BUDGET OF THE CITY OF CROCKETT FOR THE 2004-2005 FISCAL YEAR

AN ORDINANCE MAKING APPROPRIATION FOR THE SUPPORT OF THE CITY OF CROCKETT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005; APPROPRIATING MONEY TO SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY'S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF CROCKETT FOR FISCAL YEAR 2005

Motion was made by Mayor Pro Tem Shiveley to approve the annual budget of the City of Crockett for 2004-2005 Fiscal Year. Motion seconded by Council member D. Jones. Motion passes 4-0.

9. CONSIDER AND APPROVE ORDINANCE LEVYING AD VALOREM TAXES FOR THE 2004-2005 FISCAL YEAR

AN ORDINANCE LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF CROCKETT FOR FISCAL YEAR 2005; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; AND PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME BECOME DELINQUENT IF NOT PAID

Council member Holcomb arrived at this time. City Administrator Duncan explained that the tax rate will be .49574; last year's rate was .48745. Motion was made by Council member D. Jones to approve the ordinance levying ad valorem taxes for the 2004-2005 fiscal year. Motion seconded by Council member Holcomb. Motion passes 5-0. Mayor Mask then went back to item 5. on the agenda.

10. CONSIDER AND APPROVE 2004 TAX ROLL

Motion was made by Council member Holcomb to approve the 2004 tax roll. Motion seconded by Council member D. Jones. Motion passes 5-0.

11. CONSIDER AND APPROVE 2004-2005 FISCAL YEAR BUDGET FOR THE CROCKETT ECONOMIC & INDUSTRIAL DEVELOPMENT CORPORATION

Mr. Tim Culp, Director of the CEIDC, presented the 2004-2005 fiscal year budget. Motion was made by Council member Holcomb to approve the 2004-2005 fiscal year budget for the CEIDC. Motion seconded by Council member J. Jones. Motion passes 5-0.

12. PUBLIC HEARING ON REQUEST FROM FIRST STATE BANK FOR A ZONE CHANGE FROM R2 TO C2 LOCATED AT 105 S. GRACE STREET, ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IN THE CITY OF CROCKETT, HOUSTON COUNTY, TEXAS, BEING PART OF LOTS 1 AND 2, BLOCK 1 OF THE J.B. SMITH ADDITION: CLOSE PUBLIC HEARING

Mayor Mask opened the public hearing and stated that Planning and Zoning did approve this zone change. No comments. Close public hearing.

13. CONSIDER REQUEST FROM FIRST STATE BANK FOR A ZONE CHANGE FROM R2 TO C2 LOCATED AT 105 S. GRACE STREET, ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IN THE CITY OF CROCKETT, HOUSTON COUNTY, TEXAS, BEING PART OF LOTS 1 AND 2, BLOCK 1 OF THE J.B. SMITH ADDITION

Motion was made by Council member Holcomb to approve a zone change from R2 to C2 located at 105 S. Grace Street. Motion seconded by Council member Wooten. Motion passes 5-0.

14. PUBLIC HEARING ON REQUEST FROM LARRY BENGE FOR A ZONE CHANGE FROM R3 TO MANUFACTURING ON LOOP 304 SOUTH, 1.5 ACRES, OUT OF 4.93 ACRES OF LAND, AND A PART OF THE FRANK JOHNSON SURVEY, A-46, IN HOUSTON COUNTY, TEXAS: CLOSE PUBLIC HEARING

Mayor Mask opened the public hearing and stated that Planning and Zoning approved this zone change. Mr. Benge stated that his plans are to open a pawnshop with some sporting goods and office space. Close public hearing.

15. CONSIDER REQUEST FROM LARRY BENGE FOR A ZONE CHANGE FROM R3 TO MANUFACTURING ON LOOP 304 SOUTH, 1.5 ACRES, OUT OF 4.93 ACRES OF LAND, AND A PART OF THE FRANK JOHNSON SURVEY, A-46, IN HOUSTON COUNTY, TEXAS

Motion was made by Council member Holcomb to approve a zone change from R3 to manufacturing on Loop 304 South. Motion seconded by Council member D. Jones. Motion passes 5-0.

16. CONSIDER AND APPROVE A RESOLUTION BETWEEN THE CITY AND HOUSTON COUNTY FOR THE PROVISION OF FIRE SUPPRESSION SERVICE OUTSIDE THE CITY LIMITS

Mr. Duncan explained that this resolution does put a one-year limit on the agreement. These funds will be used specifically for the use of repairs of the truck we now have and to support purchasing a new fire truck. Fire Chief Deckard addressed council with his concerns concerning this agreement. He stated that this agreement is beneficial to the County but does nothing for the City. Motion was made by Council member Holcomb to approve the resolution between the City and Houston County for the provision of fire suppression service outside the city limits. Motion seconded by Council member J. Jones. Motion passes 4-1. Council member D. Jones voted against the motion.

17. CONSIDER AND APPROVE AN INTERLOCAL AGREEMENT WITH HOUSTON COUNTY GOVERNING THE USE OF THE CROCKETT VOLUNTEER DEPARTMENT FOR FIRE SUPPRESSION OUTSIDE THE CITY LIMITS WITH THE COUNTY AGREEING TO PAY THE EQUIVALENT OF 40% (a minimum of \$9,600.00) IN THE FY 2004-2005 TO THE CITY

Motion was made by Council member Holcomb to approve an interlocal agreement with Houston County governing the use of the Crockett Volunteer Department for fire suppression outside the City limits with the County agreeing to pay the equivalent of 40% (a minimum of \$9,600.00) in the FY 2004-2005 to the City. Motion seconded by Mayor Pro Tem Shiveley. Motion passes 4-1. Council member D. Jones voted against the motion.

18. CONSIDER AND APPROVE DESIGNATING THE INTERSECTION OF SOUTH FIFTH STREET, ANSON JONES STREET AND WELLS STREET, AT THE ENTRANCE TO DAVY CROCKETT MEMORIAL PARK, AS A FIVE WAY STOP

Council member Holcomb stated that this street has always been a problem for speeders. He has had requests from citizens for this Stop sign to be put up in an effort to slow drivers down. Council member Holcomb stated that he would like to amend the agenda item and also add Bell and South Fifth Street. Motion was made by Council member Holcomb to approve designating the intersection of South Fifth Street, Anson Jones Street and Wells Street, at the entrance to Davy Crockett Memorial Park, as a Five Way Stop as well as adding Bell and South Fifth Street. Motion seconded by Mayor Pro Tem Shiveley. Motion passes 5-0. (The addition to the motion of Bell and South Fifth Street will be approved on the next council meeting agenda, could not amend motion without an agenda item).

19. COMMENTS FROM AUDIENCE OR COUNCIL

Billy Groves – spoke in opposition to items on agenda and other city matters.

20. ADJOURNMENT

With no more business to consider, meeting was adjourned at 7:40 P.M.

ATTEST:

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Wayne Mask, Mayor

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Mitzi Thompson, City Secretary