

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 1ST DAY OF NOVEMBER 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. Mayor Mask gave the invocation and all joined in the pledge.

2. RECOGNITION OF VISITORS

Mayor Mask recognized all visitors present.

3. APPROVAL OF MINUTES: - REGULAR MEETING – OCTOBER 18, 2004

Motion was made by Council member Holcomb to approve the minutes of the October 18, 2004 Regular Meeting as written. Motion seconded by Council member Wooten. Motion passes 5-0.

4. REPORTS: MAYOR –

A) PRESENTATION – CERTIFICATES OF APPRECIATION

Mayor Mask called on Fire Chief Deckard to give a history of what happened on October 13, 2004. Mr. Minor Rich was at Crockett Bank when he blacked out and fell to the floor. Several bank employees worked diligently performing CPR to stabilize him until emergency personnel arrived. Due to their combined efforts, they helped save Mr. Rich's life. Mayor Mask recognized bank employees Nickie Goldman, Susan Brittain, Becky Ham, Sheila Ryman and Lisa Magles for their efforts in saving the life of Mr. Rich. Mayor Mask and Council presented plaques on behalf of the City to all of these women.

CITY ADMINISTRATOR – Street work will continue, Keith Davis will be working part-time to help with the 911 addressing in the city, depot bids will be opened on November 16.

5. POLICE DEPARTMENT REPORT – No Report

6. FIRE DEPARTMENT REPORT

Fire Chief Deckard reported for the month of October the following: 25 total calls. A breakdown is included in the packets. Chief Deckard reported to council that at the next fiscal year he would be asking for their support in applying for a SAFER Grant that would help pay the salary of firefighters.

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

Motion was made by Council member Holcomb to convene into executive session under Texas Gov. Code 551.071. Motion seconded by Council member Wooten. Motion passes 5-0. Time was 6:12 P.M.

8. RECONVENE INTO REGULAR SESSION AND CONSIDER ACTION IF ANY ON ITEM NO. 7

Council reconvened into open session at 6:41 P.M. Motion was made by Council member Holcomb to approve the settlement agreement with Billy Horn. Motion seconded by Mayor Pro Tem Shiveley. Motion passes 4-1. Council member D. Jones voted against the motion. Mayor Mask stated for the record that the City of Crockett would be responsible for buying Mr. Horn's house at \$190,000.00, paying one years salary at \$68,000.00 and approximately \$25,000.00 for legal fees.

9. CONSIDER REQUEST FROM PINEY WOODS FINE ARTS ASSOCIATION FOR TEMPORARY CLOSURE OF BRAZOS STREET FROM THE PAVILION IN DAVY CROCKETT PARK ALONG EDMISTON DRIVE TO THE CIVIC CENTER FROM 5:00 PM TO 8:00 PM ON DECEMBER 4, 2004 FOR THE LAS POSADAS FESTIVAL

Motion was made by Council member Holcomb to approve the temporary closure of Brazos Street to the Civic Center for the Las Posadas Festival on December 4, 2004. Motion seconded by Council member Wooten. Motion passes 5-0.

10. CONSIDER AND APPROVE AN ORDINANCE OF THE CITY OF CROCKETT, TEXAS, PRESCRIBING RULES AND REGULATIONS FOR THE CONDUCT OF PEDDLERS AND SOLICITORS; PROVIDING FOR THE LICENSING OF AND LICENSE FEES FOR PEDDLERS AND SOLICITORS; PRESCRIBING RULES AND REGULATIONS FOR THE CONDUCT OF CARNIVALS AND CIRCUSES; PROVIDING FOR THE LICENSING OF AND LICENSE FEES FOR CARNIVALS AND CIRCUSES; PRESCRIBING RULES AND REGULATIONS FOR THE CONDUCT OF POOL HALLS; PROVIDING FOR THE LICENSING OF AND LICENSE FEES FOR POOL HALLS; ESTABLISHING PENALTIES; REPEALING CONFLICTING ORDINANCES; CONTAINING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; AND CONTAINING A SEVERABILITY CLAUSE

Mayor Mask stated that he would like to see this item tabled along with agenda items 11 & 12 until further research could be done. Motion was made by Council member Holcomb to table agenda items 10, 11 & 12. Motion seconded by Mayor Pro Tem Shiveley. Motion passes 5-0.

11. CONSIDER AND APPROVE AN ORDINANCE AMENDING THE CROCKETT ZONING ORDINANCE BY THE AMENDMENT OF ARTICLE 3, ADDITIONAL DISTRICT PROVISIONS; ADDING SECTION 309, EXHIBITION OF MUSIC OR SKILL OR PLEASURE COIN-OPERATED MACHINES, TO RESTRICT THE EXHIBITION OF SUCH A MACHINE WITHIN 300 FEET OF A CHURCH, SCHOOL OR HOSPITAL; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE AND PROVIDING AN EFFECTIVE DATE
12. CONSIDER AND APPROVE AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF CROCKETT, TEXAS, BY THE AMENDMENT OF CHAPTER 13, LICENSES AND BUSINESS REGULATIONS; ADDING ARTICLE IV, TO IMPOSE AN OCCUPATION TAX ON COIN OPERATED MACHINES; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE AND PROVIDING AN EFFECTIVE DATE

13. COMMENTS FROM AUDIENCE OR COUNCIL

Chris Clark – Boy Scout pack 422 – working on Citizenship & Community Badge

Billy Groves – statements against settlement

Council member D. Jones stated that he would like to submit a written statement for the record.

14. ADJOURNMENT

With no more business to consider, meeting was adjourned at 6:46 P.M.

Wayne Mask, Mayor

ATTEST:

Mitzi Thompson, City Secretary