

MINUTES OF THE CROCKETT CITY COUNCIL MEETING HELD ON THE 3rd DAY OF NOVEMBER 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, DARRELL JONES, NATHAN GARDNER, MARGARET BURNETT & CHUCK CUNNINGHAM. CITY OFFICIALS PRESENT: CITY ADMINISTRATOR RONALD DUNCAN, CITY SECRETARY MITZI THOMPSON, FIRE CHIEF DARRELL DECKARD & SERGEANT DOUG KING.

1. OPEN MEETING WITH INVOCATION AND PLEDGE

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

2. RECOGNITION OF VISITORS

Mayor Mask recognized all visitors present.

3. APPROVAL OF MINUTES: OCTOBER 20TH 2003 - REGULAR MEETING

Motion was made by Council member Jones to approve the minutes of the October 20, 2003 - Regular Meeting as written. Motion seconded by Mayor Pro Tem Shiveley. Motion passes 5-0.

4. REPORTS: MAYOR – There was a good representation of the city at the US Postal Service grand opening of their CPU on the loop at the Log Cabin.

CITY ADMINISTRATOR – Update on project no. 2; also included in the packets is a list of street names - streets have been approved but signs have not been changed. These will need to be changed to get ready for 911 service/database. Council member Gardner asked about the possibility of changing Martin Luther King with the expansion of this street. Mr. Duncan stated that when this extension is complete; then it would be a good time to change the name and rename the street.

5. POLICE DEPARTMENT REPORT

Sergeant King reported for the time period of October 20 – November 2, 2003 the following: 16 total manpower, 2 reserve manpower, 1,250 total manpower hours, 30 total reserve manpower hours, 240 total calls and 8 total accidents. A breakdown of the criminal reports is included in the packets.

6. FIRE DEPARTMENT REPORT

Fire Chief Deckard reported for the month of October the following: 11 total calls. A breakdown is included in the packets.

7. CONSIDER AND APPROVE A RESOLUTION TO CAST VOTES FOR THE BOARD OF DIRECTORS FOR HOUSTON COUNTY APPRAISAL DISTRICT

Motion was made by Mayor Pro Tem Shiveley to approve casting 299 votes for Levi Steptoe. Motion seconded by Council member Cunningham. Motion passes 5-0.

8. CONSIDER AND APPROVE A RESOLUTION OF THE CITY OF CROCKETT, TEXAS DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF TAX EXEMPT OBLIGATION

Mr. Duncan explained that this resolution is merely an instrument to have in place to be able to reimburse expenditures with the proceeds from a tax exempt obligation that he is currently working on. Motion was made by Mayor Pro Tem Shiveley to approve the resolution declaring expectation to reimburse expenditures with proceeds of tax exempt obligation. Motion seconded by Council member Cunningham. Motion passes 4-1. Council member Gardner voted against the motion.

9. AWARD BID: REPLACEMENT OF HVAC SYSTEM FOR THE CROCKETT PUBLIC LIBRARY

Mr. Duncan explained that two bids were received: Dial's Air Conditioning - \$39,800.00 and Hargrove Neel Refrigeration - \$38,500.00. Council member Burnett asked how long the warranty on the unit was. Mr. Duncan replied it would be five years on the units. Motion was made by Council member Burnett to award the bid of the replacement of the HVAC System for the Crockett Public Library to Hargrove Neel Refrigeration in the amount of \$38,500.00 Motion seconded by Council member Gardner. 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

Mr. Duncan explained that this ordinance was one that should have been changed years ago. The original ordinance states that a surety bond was required; this should have been written out of the ordinance. There were no provisions on circuses or pool halls, it also levels out the fees charged for peddlers licenses. Council member Jones asked about the liability of a circus and the responsibility if someone was hurt. Mr. Duncan explained that the carnival or circus is responsible and would have to supply proof of insurance. Mayor Pro Tem Shiveley agreed with the comments and suggested that the city should clearly state that they would not be liable in any way. Motion was made by Mayor Pro Tem Shiveley to approve the ordinance prescribing rules and regulations for the conduct of peddlers and solicitors. Motion seconded by Council member Cunningham. Motion fails 3-2. Council members Jones, Gardner and Burnett voted against the motion.

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

Mr. Duncan explained that this ordinance would control where pleasure coin-operated machines could be located. Motion was made by Mayor Pro Tem Shiveley to approve the 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. Motion seconded by Council member Cunningham. Motion fails 3-2. Council members Jones, Gardner and Burnett voted against the motion.

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

Mr. Duncan explained that this was approved by the State and cities could enact an occupation tax of one quarter on coin -operated machines. The city would gain about fifteen dollars per machine per year. Motion was made by Mayor Pro Tem Shively to approve the 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. Motion seconded by Council member Cunningham. Motion fails 3-2. Council members Jones, Gardner and Burnett voted against the motion.

13. COMMENTS FROM AUDIENCE OR COUNCIL

Karla Morris – concerns over water deposits and water rates.

14. ADJOURNMENT

With no more business to consider, meeting was adjourned at 6:42 P.M.

Wayne Mask, Mayor

ATTEST:

Mitzi Thompson, City Secretary