

*** MEETING MINUTES ***

JANUARY 12, 2015

7:00PM

**VENUS COUNCIL CHAMBERS
103 W. 3RD STREET
VENUS, TEXAS 76084**

THE CITY COUNCIL MAY CONDUCT A CLOSED MEETING AS AUTHORIZED BY SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO SEEK THE ADVICE OF IT'S ATTORNEY ON LEGAL ISSUES REGARDING ANY MATTER LISTED ON TODAY'S CITY COUNCIL AGENDA.

COUNCIL MEMBERS PRESENT:

MAYOR JAMES BURGESS
MAYOR PRO TEM GERONIMO HERNANDEZ
COUNCIL PERSON JEANNIE PRAZAK
COUNCIL PERSON KRIS SHELMAN
CONCIL PERSON JUDY FAULKNER
CONCIL PERSON WESLEY DADY

CITY STAFF PRESENT

APRIL STOLL, CITY ADMINISTRATOR
R.L. YOUNG, CHIEF OF POLICE
CESAR ROCA, PUBLIC WORKS DIRECTOR
VICKI THOMPSON, CITY SECRETARY
CASS CALLAWAY, CITY ATTORNEY

- 1. INVOCATION**
- 2. PLEDGE TO THE FLAG**
- 3. CALL SESSION TO ORDER**
- 4. ROLL CALL**

WITH A QUORUM OF CITY COUNCIL MEMBERS PRESENT, THE REGULAR CALLED MEETING OF THE VENUS CITY COUNCIL WAS CALLED TO ORDER BY MAYOR JAMES BURGESS AT 7:03 PM ON MONDAY, JANUARY 12, 2015 IN THE COUNCIL CHAMBERS ROOM AT 103 W. THIRD ST. VENUS, TEXAS.

- 5. ANY ANNOUNCEMENT OR PRESENTATIONS BY THE MAYOR.**

A) Cell phones are to be turned off or placed on vibrate only.

B) No conversation or comment from the audience is permitted unless specifically called upon by the Mayor. Please remain respectfully quiet.

6. PUBLIC FORUM

Citizens may sign up before the meeting begins and will be allowed up to 5 minutes to address the Mayor and Council. No personal attacks on any elected official or city employee will be allowed.

CITIZEN JANET SEABERT ADDRESSED THE COUNCIL TO URGE THEM TO CHANGE THE POLICY OF LEAVING THE CITY PARK LIGHTS EVEN WHEN THE PARK IS NOT IN USE. SHE ARGUED LEAVING THE LIGHTS IS WASTEFUL AND A WASTE OF TAXPAYER MONEY.

CONSENT AGENDA

7. **ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL NOT BE SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.**
8. **APPROVAL OF MINUTES OF THE JANUARY 12, 2015 PUBLIC HEARING AND THE JANUARY 12, 2015 REGULAR MEETING.**
9. **APPROVAL OF THE BILLS FOR PAYMENT.**

MOTION: UPON A MOTION BY MS. PRAZAK AND A SECOND BY MS. FAULKNER, THE COUNCIL VOTED THREE (3) FOR- MS. PRAZAK, MS. FAULKNER AND MR. HERNANDEZ, ONE (1) OPPOSED- MR.SHELMAN, ONE (1) ABSTAIN – MR. DADY. THE MOTION CARRIED.

REGULAR AGENDA

10. **DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST BY MR. JONATHAN PINION FOR THE ANNEXATION OF THE PROPERTY LOCATED ON COUNTY ROAD 109 THAT ADJOINS MEADOW RIDGE II & THE VENUS CEMETARY (ABST 379 RR18A WM HILL) INTO THE VENUS CITY LIMITS.**

RECEIVED ANNEXATION PETITION TODAY, JANUARY 12, 2015. FIVE (5) DAY LAW WAITING PERIOD REQUIRED. VENUS' WATER DISTRICT IS ACROSS CR 109. NO WATER AND SEWER ACCESSIBLE. NO ACTION TAKEN.

11. DISCUSSION AND POSSIBLE ACTION REGARDING THE FOLLOWING ITEMS RECOMMENDED BY THE VCDSC.

1) PURCHASE OF ROCK TO FILL IN AROUND GAZEBO; PAINT THE OUTSIDE WALLS OF THE COMMUNITY CENTER, REPLACE THE PARK BLEACHER BOARDS WITH COMPOSITE BOARDS; REMOVE THE VOLLEYBALL COURT; REPLACE THE CARPET ON THE CIVIC CENTER STAGE; INSTALL ADDITIONAL LIGHTS ON THE METAL CHRISTMAS TREE.

2) INCREASE MR. JAMES LOVELL'S PAY BY AN ADDITIONAL ONE (\$1) DOLLAR PER HOUR.

MOTION: UPON A MOTION BY MR. HERNANDEZ AND A SECOND BY MR. DADY. THE COUNCIL VOTED FIVE (5) FOR AND NONE (0) OPPOSED TO APPROVE BOTH ITEMS 1 & 2. MOTION CARRIED.

12. DISCUSSION AND POSSIBLE ACTION REGARDING DESIGNATING AN OFFICIAL NEWSPAPER AS IS REQUIRED BY TEXAS LOCAL GOVERNMENT CODE SECTION 52.004.

MOTION: UPON A MOTION BY MS. PRAZAK AND A SECOND BY MR. HERNANDEZ. THE COUNCIL VOTED FIVE (5) FOR AND NONE (0) OPPOSED TO DESIGNATE THE MIDLOTHIAN MIRROR AS THE CITY OF VENUS' OFFICIAL NEWSPAPER. MOTION CARRIED.

13. DISCUSSION AND POSSIBLE ACTION REGARDING THE PASSAGE OF ORDINANCE 399-2015 TO REDUCE THE SPEED LIMIT ON FM 1807, FROM MILE POINT 5.972 TO MILE POINT 7.200 FROM 60 MILES PER HOUR TO 55 MILES PER HOUR BY REQUEST OF THE TEXAS DEPARTMENT OF TRANSPORTATION BY MINUTE ORDER 114181, WHICH WAS THE RESULT OF A DEPARTMENT CONDUCTED TRAFFIC INVESTIGATION AND VOTE OF THE COMMISSION TO SET AN EMERGENCY SPEED ZONE.

MOTION: UPON A MOTION BY MS. FAULKNER AND A SECOND BY MS. PRAZAK. THE COUNCIL VOTED FIVE (5) FOR AND NONE (0) OPPOSED TO APPROVE THE PASSAGE OF ORDINANCE 399-2015 TO REDUCE THE SPEED LIMIT ON FM 1807. MOTION CARRIED.

14. DISCUSSION AND POSSIBLE ACTION WHETHER OR NOT TO WAIVE AN APPROXIMATELY \$4,200 LATE PAYMENT FEE FOR WATER SERVICES PROVIDED TO MANAGEMENT & TRAINING CORPORATION (MTC) PRIVATE PRISON, THE SANDY ESTES UNIT LOCATED AT 1100 HIGHWAY 1807, VENUS, TEXAS.

MOTION: UPON A MOTION BY MS. PRAZAK AND A SECOND BY MR. HERNANDEZ TO DECLINE WAIVING THE LATE FEE FOR MANAGEMENT & TRAINING CORPORATION, THE COUNCIL VOTED FIVE (5) FOR AND NONE (0) OPPOSED. MOTION CARRIED.

MS. PRAZAK EXPLAINED IF YOU DO IT FOR ONE CUSTOMER THEN YOU MUST DO IT FOR ALL. MR. SHELMAN HAD NO OPINION. MS. FAULKNER WAS OPPOSED TO WAIVING THE LATE FEE. MR. HERNANDEZ EXPLAINED THE PRISON HELPS WITH BENEFITS AND FUNDRAISERS, BUT SHARED THE SAME OPINION AS MS. PRAZAK. MR. DADY AGREED WITH THE STAFF.

15. PRESENTATION OF MONTHLY DEPARTMENT REPORTS FROM CITY ADMINISTRATOR APRIL STOLL, PUBLIC WORKS DIRECTOR CESAR ROCA, CHIEF OF POLICE R.L. YOUNG.

MS. STOLL PRESENTED HER REPORT WITH NO FURTHER INFORMATION.

MR. ROCA PRESENTED HIS REPORT WITH NO FURTHER INFORMATION.

CHIEF YOUNG PRESENTED HIS REPORT WITH ADDITIONAL INFORMATION REGARDING A DISTURBANCE AT CITY HALL-MALE CITIZEN WITH WARRANTS WAS UPSET OVER HIS UNCLE'S ISSUES WITH CODE ENFORCEMENT; WORKING ON TLETS AND WARRANTS; HEIGHTENED ALERTS-SEVERAL LOCAL CITIZENS ARE AGAINST LAW ENFORCEMENT OFFICERS IN AREA.

16. MAYOR'S ANNUAL REPORT.

MAYOR EXPLAINED THE CITY IS IN GOOD FINANCIAL SHAPE AT THE START OF 2015. MAYOR EXPLAINED THERE WERE CERTAIN THINGS HE WAS NOT AWARE OF WHILE ON COUNCIL OR AT THE BEGINNING OF HIS TERM REGARDING CHAPTER 5 MEETINGS; NOT EVERY DECISION HAS TO COME BEFORE COUNCIL BEFORE MAKING DECISIONS; CLARIFIED BY LOOKING AT STATE LAWS, CITY ORDINANCES, EMPLOYEE HANDBOOK, PURCHASING POLICY AND BUDGET.

MS.STOLL'S SCHEDULE WAS DISCUSSED. MAYOR ORIGINALLY HAD HER ON 4 DAY WORK WEEK, TUES-FRI TO MAKE SURE NO EMPLOYEE WAS LEFT ALONE IN CITY HALL. EVERY MONDAY SOMETHING HAS COME UP THAT REQUIRED MS. STOLL TO COME TO CITY HALL. MS. STOLL REQUESTED TO CHANGE HER SCHEDULE TO M-F.

MAYOR EXPLAINED THAT ALL EXEMPT EMPLOYEES AVERAGE OVER 43.46 HOURS OVER A SIX (6) MONTH PERIOD; 43.99 HOURS TOTAL AVERAGE. IMPRESSED WITH MS. STOLL'S PROGRESS IN ONE MONTH- A LOT TAKES TIME.

17. THE CITY COUNCIL MAY MEET IN CLOSED SESSION AS PERMITTED BY SECTION 551.071 OF THE TEXAS GOVERNMENT CODE AND FOR THE PURPOSE AS FOLLOWS:

MOTION: UPON A MOTION BY MR. HERNANDEZ AND A SECOND BY MS. PRAZAK, THE COUNCIL VOTED FIVE (5) FOR AND NONE (0) OPPOSED TO GO INTO EXECUTIVE SESSION.

- A) **TEXAS GOVERNMENT CODE SECTION 551.071: CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LITIGATION: JOSHUA EVANS V. CITY OF VENUS, CAUSE NO. C201400207 PENDING IN THE 18th DISTRICT COURT OF JOHNSON COUNTY, TEXAS.**
- B) **TEXAS GOVERNMENT CODE SECTION 551.071: CONSULTATION WITH CITY ATTORNEY REGARDING CONTEMPLATED LITIGATION: TEXAS BOARD OF PROFESSIONAL ENGINEERS ADMINISTRATIVE ENFORCEMENT ACTION REGARDING JOHN BENJAMIN CLOPTON COMPLAINT FROM 2011.**
- C) **EXECUTIVE SESSION ADJOURNMENT.**

18. RECONVENE INTO REGULAR SESSION AND CONSIDER ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION.

MOTION: UPON A MOTION BY MS. FAULKNER AND A SECOND BY MS. PRAZAK, THE COUNCIL VOTED FIVE (5) FOR AND NONE (0) OPPOSED TO RETURN TO REGULAR MEETING at 9:51 PM.

19. ADJOURNMENT

MOTION: UPON A MOTION BY MS. PRAZAK AND SECOND BY MR. DADY, THE COUNCIL VOTED FIVE (5) FOR AND NONE (0) OPPOSED FOR ADJOURNMENT.

THE MEETING ADJOURNED AT 9:52PM.

MINUTES RESPECTFULLY SUBMITTED:

MAYOR JAMES BURGESS

DATE APPROVED

ATTEST:

LINDA TAYLOR, ACTING CITY SECRETARY