

City Council Chamber
2821 Washington Street

City Council
David L. Dreiling, Mayor

Place 1 Jerry Ransom, Mayor Pro Tem
Place 4 Holly Gotcher

Place 2 James Evans
Place 5 Brent Money

Place 3 John Turner
Place 6 Cedric Dean

Work Session Minutes

1. Call to Order

Mayor Dreiling called the meeting to order and noted for the record that Mayor Pro Tem Ransom and Councilmembers Evans, Money, and Dean were present. Also present were City Manager Summer Spurlock, City Attorney Daniel Ray, and City Secretary Carole Kuykendall. Councilmember Gotcher arrived at 5:22 p.m. and Councilmember Turner arrived at 5:30 p.m.

2. Items to be Discussed

A. *CAFR (Talia Willner, Administrative Services/Finance Director)*

Lupe Garcia from Whitley Penn stated the City has been issued an unmodified (clean) opinion with no significant deficiencies or material weaknesses in internal control. The Total Net Position is \$151,710,259 (assets of the City exceeded its liabilities). Change in Net Position is \$14,825,154. General Fund total fund balance is \$6,860,374; Property tax Revenue increased 7% over prior year; Sales Tax Collections increased 0.4% over prior year; Total Debt decreased 9.9% over prior year.

General Fund Highlights:

• Budgeted Revenues	\$21,857,442	
• Actual Revenues	<u>\$22,143,425</u>	\$285,983
• Budgeted Expenditures	\$21,187,116	
• Actual Expenditures	<u>\$20,502,366</u>	\$684,750
Excess of Budgeted Revenues over Budgeted Expenditures		\$970,733

The audit was conducted in accordance with *Government Auditing Standards*.

B. *Park Street as a Truck Route (Summer Spurlock, City Manager)*

Spurlock gave a brief summary of what City Staff has completed. Staff has met with Martin Gonzalez with TxDOT to discuss options, what can be done, or how it can be done better. Discussed signage, the maintenance of Park Street by TxDOT, and enforcement. Approximate estimation of just street maintenance cost totaling 1.40 miles per decade is \$500k to \$600k for full-width mill and overlay plus spot base repairs. Blinking sign off Moulton right now stating No Thru Trucks.

C. *City Council Goals and Objectives (Summer Spurlock, City Manager)*

Mayor Dreiling said he would like to see an assessment of what remains to be done on Items 1-3 of the water projects.

Evans asked the old Austin School and how that correlates to the current goal of Cleaning up the City.

Money would like to see Quality of Life components such as near and long-term goals from parks and recreation. Need to focus on the things that make this community a good place to live.

3. Items on the Regular Agenda of March 26, 2019

No items discussed.

4. EXECUTIVE SESSION AS NEEDED FOR AGENDA ITEMS OR EXECUTIVE SESSION ITEMS AS LISTED ON THE REGULAR AGENDA - SECTIONS 551.071, 551.087, 551.072, 551.074, OR 551.073

The City Council convened into Executive Session at 5:19 p.m.

5. Adjourn

The City Council reconvened into Open Session at 5:58 p.m. and being no further discussion, adjourned the Work Session at 5:58 p.m. by unanimous consent of the City Council.

Regular Session Minutes

1. Call to Order

Mayor Dreiling called the Regular Meeting to order at 6:00 p.m. and noted for the record that Mayor Pro Tem Ransom and Councilmembers Evans, Turner, Gotcher, Money, and Dean were present. Also present were City Manager Summer Spurlock, City Attorney Daniel Ray, and City Secretary Carole Kuykendall.

2. Invocation

Pastor Kenneth Freeman of True Vine Baptist Church gave the invocation.

3. Pledge of Allegiance

Mayor Dreiling led the Pledge of Allegiance.

4. Presentations

No presentations.

5. Citizens to be Heard

Sarah Randall, Claudie Jackson, Betty Franklin, and Marilyn Hale spoke on the old Austin School Building. Jim Morris spoke regarding Scott Smith. Kenneth Freeman spoke about the old Henson-Kickernick building.

6. Public Hearings

- A. Second Public hearing and consideration and action on an ordinance reenacting Section 14.07 entitled "curfew hours for minors" of Chapter 14, "Offenses and Additional Provisions" of the Code of Ordinances, defining terms, creating hours for curfew for

minors, creating offenses for minors, parents of minors, and business establishments violating curfew regulations (*Scott Smith, Acting Police Chief*)

Mayor Dreiling opened the Public Hearing and asked if anyone wished to speak. There was no one. Mayor Dreiling closed the Public Hearing.

Councilmember Turner moved, Councilmember Gotcher seconded for the enactment of Ordinance 19-011: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, REENACTING SECTION 14.07 ENTITLED "CURFEW HOURS FOR MINORS" OF CHAPTER 14, "OFFENSES AND ADDITIONAL PROVISIONS" OF THE CODE OF ORDINANCES, DEFINING TERMS, CREATING HOURS FOR CURFEW FOR MINORS, CREATING OFFENSES FOR MINORS, PARENTS OF MINORS, AND BUSINESS ESTABLISHMENTS VIOLATING CURFEW REGULATIONS, PROVIDING FOR ENFORCEMENT BY THE POLICE DEPARTMENT; PROVIDING A PENALTY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER MARCH 26, 2019.**

Motion carried by unanimous vote of the City Council.

7. Ordinances

- A. Consideration and action on an ordinance authorizing entry into an Economic Development Agreement with Greenville Retail Center LLC (*Daniel W. Ray, City Attorney*)

This item was not considered as the Developer (Kent Stainback) requested this item be pulled from the agenda.

8. Resolutions

- A. Consideration and action on a resolution authorizing the Mayor to sign a Certificate of Approval of Mayor for the Pioneer Technology & Arts Academy (*Daniel W. Ray, City Attorney*)

Councilmember Money moved, Councilmember Dean seconded for the adoption of Resolution 19-22: **RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF APPROVAL OF MAYOR FOR THE PIONEER TECHNOLOGY & ARTS ACADEMY; AND PROVIDING AN EFFECTIVE DATE.** Motion carried by unanimous vote of the City Council.

- B. Consideration and action on a resolution confirming Scott Smith as Police Chief (*Summer Spurlock, City Manager*)

Councilmember Ransom moved, Councilmember Gotcher seconded for the adoption of Resolution 19-23: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, CONFIRMING THE APPOINTMENT OF A POLICE CHIEF OF THE CITY OF GREENVILLE, TEXAS; AND SETTING AN EFFECTIVE DATE.** Motion carried by unanimous vote of the City Council.

9. Consent Calendar

- A. City Council Meeting Minutes – March 12, 2019
- B. Resolution appointing Glover George (Place 1), Dennisha Denney (Place 2), and Sue Ann Harting (Place 5) to the GEUS Board of Trustees (*City Council*)

Resolution 19-024: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE, TEXAS, REAPPOINTING MEMBERS TO PLACE 1, PLACE 2, AND PLACE 5 ON THE GEUS BOARD OF TRUSTEES; AND ESTABLISHING AN EFFECTIVE DATE.

Councilmember Dean moved, Councilmember Turner seconded for the adoption of the Consent Calendar. Motion carried by unanimous vote of the City Council.

10. City Staff/City Council Reports

- A. February Financials (*Talia Willner, Administrative Services/Finance Director*)
- B. HB. 1767 (Gas Utilities) (*Summer Spurlock, City Manager*)

City Manager Spurlock reported that Alfred Herrera (the City's Public Utility Counsel) has been keeping the City updated regarding this bill. Rep. Murphy (Houston) filed a utility related bill on the gas-utility side that cities should be concerned about. HB 1767 if enacted into law, would deem a gas-utility's compensation expenses "reasonable and necessary" if the utility produces a "compensation study" that shows their salaries, wages, and benefits, are comparable to the utility's compensation expenses. This means those expenses with limited to no review, would be paid for by ratepayers.

11. City Council Discussion/Proposed Agenda Items

Texas Open Meeting Act Walking Quorum – City Attorney Daniel Ray gave an update that the Court of Criminal Appeals on February 27 issued a decision that affected the walking rules in the State of Texas. Basically, in that case there was a county judge that was indicted for conspiring to circumvent the Act through what is called the daisy chain. The indictment was dismissed, an appeal, and a secondary appeal. The Court ruled the Open Meetings Act Section that relates to walking quorums was unconstitutionally vague and so that Section of the Act was struck down. Essentially it means it is no longer a crime to have a walking quorum but as Ray has advised the Council, it is still a good idea to follow the intent of the law and not intentionally use the absence to try to create a consensus among Council members that haven't made up their minds yet, or try to get them to try and make up their minds. That is obviously the intent of the law in general. The decision did come out in time to meet the March 8 bill filing, so bills have come out which will bring the law back; hopefully much clearer.

Fire Chief Jeremy Powell told the City Council that the Department conducts mandatory fire extinguisher training at industries in the City. The Department applied for and has received notice that they will receive a grant from Fire House Subs to purchase a Fire Extinguisher Training Simulator with about a \$10,700 value.

Councilmember Evans said he would like a report or to review a MasterPlan from Freese and Nichols that may have cost around \$40,000.

12. Board and Commission Minutes

Post Event Report American Cotton Museum/Audie Murphy February Gun Show
Greenville Board of Development Minutes from February 19, 2019

13. Executive Session

- A. **Section 551.071 (1) & (2)** Consultation with City Attorney on any regular session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items as needed; consultation with City Attorney regarding pending or contemplated litigation, settlement offers, or matters deemed subject to the Code of

Professional Responsibility of the State Bar of Texas: *Litigation Update, City Water Supply; Walking Quorum Court of Criminal Appeals Decision in State v. Doyal*

- B. **Section 551.074:** - Meeting involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: *City Manager, City Attorney, City Judge, City Secretary; Police Chief Appointment Process - Scott Smith*
- C. **Section 551.087(1):** Deliberation Regarding Economic Development Negotiations - (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations: *Project Ready; Project Rounder*

14. Take action on any item discussed in Executive Session

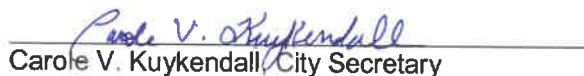
No action taken.

15. Adjourn

The City Council reconvened into Open Session at 8:08 p.m. and being no further business, adjourned the Regular Meeting by unanimous consent of the City Council.


Jerry J. Ransom, Mayor Pro Tempore

ATTEST:


Carole V. Kuykendall, City Secretary