

REGULAR CITY COUNCIL MEETING

The Edna City Council met in regular session Thursday, October 17, 2013 in council chambers at 6:30 p.m.

CALL TO ORDER: Mayor Joe D. Hermes, Councilmember Justin Bonnot, William Selders, Ray Chavarria, Jean Sorensen and Maxine Price were present. City Manager Ken Knight, City Secretary Becky Miska, Finance Director Olga Salomon, Chief of Police Clinton Wooldridge, EMS Director Loyd Chase and Director of Public Works Brad Ryan.

APPROVE MINUTES OF THE CITY COUNCIL MEETING HELD OCTOBER 3, 2013:

Councilmember Price made the motion to approve minutes of the city council meeting held October 3, 2013. Councilmember Selders seconded the motion. All voted AYE. Motion carried.

VISITORS: Gene Kruppa-BEFCO Engineers, Inc., Mike Reeves-Republic Services, Chris Lundstrom-Jackson County Herald Tribune, Tommy Srp, Donny Sparks, David Webel, Shelley Srp, Jake Srp, Wesley Atkinson, David Garcia, Esther Garcia, Donna Atzenhoffer, Gail Hoskins, Louis E. Zetka, Alicia Gerdes and Sally Pryor.

HEARING OF VISITORS:

“At this time, comments will be heard from the audience on any subject matter that is not on the agenda. In accordance, with the Open Meeting Act, City Council may not discuss or take action on any item which has not been posted on the agenda.”

DISCUSS AND TAKE POSSIBLE ACTION TO CONSIDER REQUEST FROM THE TEXANA ARTS CENTER FOR FUNDING FROM THE HOTEL-MOTEL:

Sally Pryor presented council with the Texana Arts expense report, 2013 budget and answered questions as presented. City Manager Knight noted that funding to the Texana Arts Center was considered and approved during budget workshops. Councilmember Sorensen made the motion to approve the request from the Texana Arts Center for funding in the amount of \$5,000.00. Councilmember Price seconded the motion. All voted AYE. Motion carried.

HEAR REPORT FROM BEFCO IN REGARDS TO THE QUIET ZONE STUDY FOR THE CITY OF EDNA:

Gene Kruppa, P.E., R.P.L.S., BEFCO Engineering, Inc. told the council that after a very preliminary analysis the city appears to be eligible for Quiet Zone status. Mr. Kruppa described each crossing in the city and presented councilmembers with steps that would be needed to put the Quiet Zone into effect. According to the Federal Railroad Administration, in a Quiet Zone, railroads have been directed to cease the routine sounding their horns when approaching public highway-rail grade crossings. Train horns may still be used in emergency situations or to comply with other Federal regulations or railroad operation rules. The next step is a diagnostic meeting with the Federal Railroad Administration, Kansas City Southern Railway, TxDOT and City Manager, Ken Knight. Questions were answered from several citizens about the city qualifying and if granted had a Quiet Zone ever been rescinded. Kruppa stated only twice in the United States and never in Texas. Councilmember Price made the motion to authorize City Manager Ken Knight and Gene Kruppa to proceed with the next step in obtaining a Quiet Zone for the City of Edna.

DISCUSS AND TAKE POSSIBLE ACTION TO CONSIDER RESOLUTION NO. R-2013-03 APPROVING THE PROPOSAL BY THE BOARD OF DIRECTORS OF THE JACKSON CENTRAL APPRAISAL DISTRICT TO PURCHASE REAL PROPERTY

(FAMILIARLY DESCRIBED AS THE JACKSON CENTRAL DISTRICT BUILDING LOCATED AT 404 N. ALLEN, EDNA, TEXAS) TO BE USED FOR APPRAISAL OPERATIONS; SAID ACTION TO BE TAKEN PURSUANT TO 6.051 OF THE TEXAS PROPERTY TAX CODE:

Donna Atzenhoffer and Gail Hoskins, Jackson Central Appraisal District Board members, were present to answer questions. Atzenhoffer and Hoskins asked the council to consider a resolution from the JACD to support the purchase of the building they occupy located at 404 N. Allen Street. The 4,252 sq. ft. building was built in 2010 by Stephen Brezina/Texana Builders is on the JCAD's appraisal roll valued at \$284,256.00. The JCAD has the option of continuing to pay rent of \$3,678.00 per month, which goes up to \$4,050.00 on January 1st, buying out of the remainder of the lease for \$306,000.00 and finding a new location, or purchasing the building for \$469,000.00. Mayor Hermes told Atzenhoffer and Hoskins that they have found themselves (the JACD) in a challenging situation. "You signed something you shouldn't have and no matter which option you choose you will still be spending lots of money you shouldn't have." Mrs. Atzenhoffer stated that when the lease was originally signed in 2009, the board did not feel they had many options. "We had lots of lost time due to air conditioning and heating issues while we were in the Wells Fargo Building. The inadequate air conditioning was damaging to the sensitive and expensive computer equipment and the rent for that location was going to increase as well. Brezina built the current building for the Jackson Central Appraisal District to their specifications." Councilmember Sorensen, who served on the JCAD board as the City of Edna's representative, said the directors were never told the appraised value when they signed the contract with Brezina. Sorensen went onto say the JCAD's attorney agreed with the terms of the agreement and the board trusted the attorney's judgment.

Jake Srp asked the council if it would be possible for the JCAD to renegotiate the purchase price with Mr. Brezina. "It's worth the attempt. You're pulling all this money for our schools and local government."

After a lengthy discussion, Councilmember Selders made the motion to table this item requesting the Jackson Central Appraisal District contact Mr. Stephen Brezina/Texana Builders to consider renegotiating a lower price. If they are successful, come back to council with the lower purchase price. Councilmember Price seconded the motion. Councilmember Bonnot and Councilmember Chavarria voted AYE. Councilmember Sorensen abstained. Motion carried 4 to 1.

DISCUSS AND TAKE APPROPRIATE ACTION ON ROLL OUT OF REPUBLIC SERVICES:

Mike Reeves with Republic Services reported to council that a sea of green trash carts were replaced with Cowboy blue ones earlier this month. Due to the numerous requests for a second trash cart there were not enough to meet all the requests. All citizens have received the first can, some their second and the remaining will receive within their month. Mr. Reeves thanked city staff for fielding citizen calls and assisting with the roll out.

DISCUSS AND TAKE POSSIBLE ACTION TO APPOINT CITY OF EDNA REPRESENTATIVE TO THE JACKSON CENTRAL APPRAISAL DISTRICT BOARD:

Mayor Hermes noted that Councilmember Jean Sorensen had resigned from the Jackson Central Appraisal District Board. Mayor Hermes thanked Councilmember Sorensen for her dedicated service. Mayor Hermes went onto say that Mrs. Sorensen recommended Tommy Srp to be appointed as her replacement. Councilmember Bonnot made the motion to appoint Tommy Srp as the City of Edna's representative to the Jackson Central Appraisal District Board. Councilmember Price seconded the motion. All voted AYE. Motion carried.

DISCUSS AND TAKE APPROPRIATE ACTION TO CONSIDER SECOND READING OF ORDINANCE NO. 2013-09 AN ORDINANCE OF THE CITY OF EDNA DEFINING TERMS; CREATING OFFENSE FOR MINORS, PARENTS AND GUARDIANS OF MINORS; PROVIDING DEFENSES; PROVIDING FOR ENFORCEMENT BY THE POLICE DEPARTMENT; PROVIDING FOR WAIVER BY THE MUNICIPAL COURT OF JURISDICTION OVER A MINOR WHEN REQUIRED UNDER THE TEXAS FAMILY CODE; PROVIDING A PENALTY NOT TO EXCEED \$500; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE:

City Manager Ken Knight noted the juvenile curfew ordinance is to be renewed every three years and that the first reading of Ordinance No. 2013-09 was approved on October 3rd council meeting. Councilmember Chavarria made the motion to approve the second reading of Ordinance No. 2013-09 an ordinance of the City of Edna defining terms; creating offense for minors, parents and guardians of minors; providing defenses; providing for enforcement by the police department; providing for waiver by the municipal court of jurisdiction over a minor when required under the Texas Family Code; providing a penalty not to exceed \$500; providing a severability clause; and providing for an effective date. Councilmember Price seconded the motion. All voted AYE. Motion carried.

CONSIDER PAYMENT OF CURRENT BILLS:

Councilmember Bonnot made the motion to approve payment of current bills in the amount of \$32,441.43. Councilmember Selders seconded the motion. All voted AYE. Motion carried.

CITY STAFF REPORTS:

“At this time, the City Council will hear reports / updates on all committees or department assignments, which may include, but is not limited to the following: Police Department-grant updates, police report; Fire Department-grant updates, fire reports; Public Works Department-park reports, water/sewer line updates, street repairs/projects; City Manager & City Secretary-public information; Finance Director-financial report; Code Enforcement-progress reports on code issues. No formal action can be taken on these items.”

City Manager Ken Knight thanked the city staff for their assistance with the roll out of new Republic Services trash carts and answering the numerous calls from customers. Knight also gave kudos to Brad Ryan who serves on the Jackson County Fair Board noting this year's fair was a success and enjoyed by many in the county. **Finance Director Olga Salomon** noted the fiscal year end report has been completed. **EMS Director/Fire Marshal Loyd Chase** reported that several schools have been visited and fire prevention activities have been promoted at the schools.

ADJOURN:

Councilmember Bonnot made the motion to adjourn. Councilmember Price seconded the motion. All voted AYE. Motion carried.

APPROVED: _____
Joe D. Hermes, Mayor

ATTEST: _____
Becky Miska, City Secretary

