

MINUTES

THE CITY OF LOMETA

COUNCIL CHAMBERS IN CITY HALL
100 E SAN SABA ST, LOMETA TX 76853
512-752-3331

REGULAR COUNCIL MEETING MONDAY, OCTOBER 3, 2022 7 P.M.

All meetings will be recorded live on our Facebook page.
View this meeting during or after the meeting at:
<https://www.facebook.com/CityofLometaTexas/>

THE SUBJECTS TO BE DISCUSSED, CONSIDERED, OR ACTED UPON ARE AS FOLLOWS:

- I. **CALL TO ORDER.** Mayor Stephen Brister Hicks called the meeting to order at 7:08p.m.
- II. **PLEDGE OF ALLEGIANCE** Mayor Stephen Brister Hicks led council and guest in pledging allegiance to the American and Texas Flag.
- III. **INVOCATION:** Chief Cantu led council and guests in prayer.
- IV. **ROLL CALL:**
 1. **Mayor, Stephen Brister Hicks** PRESENT
 2. **Councilmember, Bob Butler** PRESENT
 3. **Councilmember, James Dickison** ABSENT
 4. **Councilmember, Lydia Davis** PRESENT
 5. **Councilmember, Ronnie Cartwright** PRESENT
 6. **Councilmember, Johnny Towerton** PRESENT
- V. **REVIEW AND ACCEPT THE MINUTES FOR THE FOLLOW MEETINGS:**
 1. **SEPTEMBER 6, 2022, REGULAR MEETING,**
 2. **SEPTEMBER 26, 2022, SPECIAL CALLED MEETING.**

A motion was made by Bob Butler with a second by Ronnie Cartwright to approve the minutes listed above. Minutes passed by unanimous vote.

- VI. **REVIEW, RATIFY AND ACCEPT THE BILLS PAID DURING THE MONTH OF JULY 2022.** A motion was made by Bob Butler with a second by Ronnie Cartwright to approve the bills for September 2022. Motion passed by unanimous vote.

MINUTES

VII. OPEN FORUM:

Citizens are welcome to speak about any subject matter, even if it is not on the agenda, for up to three (3) minutes during open forum. ***If you need more time, please contact the City Secretary in advance.*** Please keep in mind that council action cannot and will not be taken during open forum. For such an item, the Council may either: (1) make a statement of fact, (2) make a statement concerning the policy regarding the item or (3) propose that the item be placed on a future agenda.

1. Gregg Rightmeyer wanted to say hello and reintroduce himself and his business the Lometa Hangout to council and guest.

VIII. BUSINESS Note: Agenda items do not have to be taken in the same order as shown on the meeting notice.

NEW BUSINESS

1. **Discuss and consider action:** Second review of the proposed FY 2022-2023 City Fee Schedule Ordinance and adoption of said Ordinance herewith.

ORDINANCE NO. 10032022-FEESCH – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMETA, TEXAS, ADOPTING A FEE SCHEDULE FOR THE CITY OF LOMETA AND REPLACING ALL OTHER FEE SCHEDULES AND FEES APPROVED UNDER OTHER CITY ORDINANCES OR RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVING FOR AN EFFECTIVE DATE. A motion was made by Bob Butler with a second by Lydia Davis to table this item for a workshop. Motion passed by unanimous vote.

2. **Discuss and consider action:** Further discussion on the adoption of an ordinance regulating garage sales within the city limits and associated permit fee.

ORDINANCE NO. 10032022-GS – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMETA, TEXAS, ESTABLISHING REGULATIONS FOR “GARAGE SALES” WITHIN THE CITY LIMITS; ESTABLISHING REQUIREMENTS FOR PERMITS FOR RESIDENTIAL PORCH AND YARD SALES, CLUBHOUSE/RECREATIONAL/CHURCH HALL SALES, RUMMAGE SALES, TENT SALES AND ESTATE SALES; PROVIDING FOR THE LIMITATION ON THE NUMBER OF GARAGE SALES PER YEAR AT SPECIFIED LOCATIONS; PROVIDING FOR A FINE OF UP TO \$500.00 FOR EACH VIOLATION; PROVIDING A SEVERABILITY CLAUSE; TO PROVIDE FOR ENFORCEMENT; TO PROVIDE FOR INJUNCTIVE RELIEF; PROVIDING GOVERNMENTAL IMMUNITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION. A motion was made by Ronnie Cartwright with a second by Bob Butler to table this item for a workshop. Motion passed by unanimous vote.

NEW BUSINESS

3. **Discuss and consider action:** Council approval to place and AD in the paper for **Request for Qualifications for a City Engineer for contract services.** A motion was made by Lydia Davis with a second by Ronnie Cartwright to place an ad in the paper for RFQ for a city Engineer. Motion passed by unanimous vote.

MINUTES

4. **Discuss and consider action: Adoption of Resolution No. 10032022**
A RESOLUTION A RESOLUTION OF CITY OF LOMETA TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER(S) SELECTION FOR AMERICAN RESCUE PLAN ACT (ARP ACT) PROGRAM(S). A motion was made by Bob Butler with a second by Johnny Towerton to select MRB Engineering. Motion passed by unanimous vote.
5. **Discuss and consider action: Purchasing signage for the RV park which says “RV Park Office” for directions to the park assistant at site #0.** A motion was made by Lydia Davis with a second by Ronnie Cartwright to purchase signage for the RV park for directions to the park assistant at site #0. Motion passed by unanimous vote.
6. **Discuss and consider action: Cortez and Felan families’ purchase of trees for their family cemetery plots within the Lometa City Cemetery under the conditions that the City assist with planting, solely, and the families manage the overall care; no curbing of plots by the families.** A motion was made by Lydia Davis with a second by Ronnie Cartwright to allow the families to purchase a tree for the city to plant under the conditions listed above. Motion passed by unanimous vote.
7. **Discuss and consider action: Placing Lometa Housing Authority donated building at the RV Park near site #0 to serve as the Park Assistant’s.** A motion was made by Ronnie Cartwright with a second by Bob Butler to accept the building from the Lometa Housing Authority for use as an office for the Park Assistant.
8. **Discuss and consider action: Adoption of the City’s new Social Media Policy under Resolution No. 10032022-Media**
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMETA, TEXAS ADOPTING A SOCIAL MEDIA POLICY FOR THE CITY. A motion was made by Bob Butler with a second by Ronnie Cartwright to adopt a Social Media Policy by Resolution No. 10032022_Media. Motion passed by unanimous vote.
9. **Discuss and consider action: Accepting contract for audit services for the City’s annual fiscal audit with a CPA.** No action taken.
10. **Discuss and consider action: Opening a new account with the current City banking institution, Cadence Bank (BancorpSouth), Lometa for the purpose of holding deposit of carried over fiscal year general account funds, titled “Unreserved Funds” and to have Mayor Stephen Brister Hicks, Mayor Pro Tem Bob Butler, City Secretary, Lindsey Grant and Court Clerk, Amanda Tower as account signers on the bank’s signatory cards.** A motion was made by Ronnie Cartwright with a second by Lydia Davis for the purpose of using the account for unreserved funds. Motion passed by unanimous vote.
11. **Discuss and consider action: Council approval on the transfer of the amount of \$102,963.61 into the “Unreserved Funds” account upon opening and amending the FY 2022-2023 Budget to reflect such line-item transfer.** A motion was made by Bob Butler with a second by Ronnie Cartwright to transfer the amount of \$102963.61 into the “Unreserved Funds” account upon opening. Motion passed by unanimous vote.

MINUTES

A motion was made by Bob Butler with a second by Ronnie Cartwright at 7:48pm to go into executive session. Motion passed by unanimous vote.

EXECUTIVE SESSION

The City Council will convene into Executive Session in Accordance with Texas Government Code Section 551.071 - Consultation with Attorney and Section 551.074 - Personnel.

- 12. Discuss and consider action: Hiring a part-time maintenance employee within the Maintenance Department and setting hourly rate of pay.**
- 13. Discuss and consider action: Evaluation, reassignment, duties, discipline, or dismissal of Police Chief, Melissa Cantu in accordance with Texas Government Code Section 551.074 (Personnel Matters)**
 - a) New permanent work schedule of the position of Police Chief as a City Department Head – Monday through Friday, 8 a.m. to 5 p.m.** A motion was made by Bob Butler with a second by Ronnie Cartwright to make M-F 8am to 8pm, Chief Cantu's new schedule, with her determining her lunch hour. Motion passed by unanimous vote.
 - b) Review of prior written requested and approved compensation time.** This item was review and a discussion with Attorney, Chief Cantu and Council occurred. No action taken.
 - c) Review and consider applicants for the open officer position within Lometa Police Department.** A motion was made by Bob Butler with a second by Ronnie Cartwright to keep application process for the officer position open. Motion made by unanimous vote.
 - d) LPD Police Department Procedures and/or Policies relating to departmental operations.** A motion was made by Ronnie Cartwright with a second by Lydia Davis to table for attorney review. Motion passed by unanimous vote.

A motion was made by Ronnie Cartwright with a second by Bob Butler at 8:57pm to reconvene into regular session. Motion passed by unanimous vote.

RECONVENE IN OPEN SESSION

- 14. Discuss and consider action: Take any action discussed during executive session on hiring a part-time maintenance employee and setting hourly rate of pay.** A motion was made by Ronnie Cartwright with a second by Lydia Davis to allow for a part-time 1099 position at \$10 hourly with hours to be determined by the Mayor. Motion passed by unanimous vote.
- 15. Discuss and consider action: Take any action discussed during executive session regarding the evaluation, reassignment, duties, discipline, or dismissal of Police Chief, Melissa Cantu.** (See item 13 for individual motions).

MINUTES

IX. REPORTS: MUNICIPAL DEPARTMENT HEAD REPORTS, WHEN NECESSARY.

MAYOR:

COUNCIL MEMBERS: None

CHIEF OF POLICE: Monthly Reports

CITY SECRETARY: None

MUNICIPAL COURT: Monthly Reports

FIRE DEPARTMENT: None

- X. ADJOURN:** A motion was made by Bob Butler with a second by Lydia Davis to adjourn to meeting at 9:53p.m.

APPROVED:



Mayor Stephen Brister Hicks
November 7, 2022



ATTEST:



Lindsey Grant, City Secretary
November 7, 2022