



September 22, 2010

This is a true and correct copy of the Minutes of the **Regular Meeting** and **PUBLIC BUDGET HEARING** of the Simonton City Council on September 21, 2010.

1. Mayor McJunkin called the meeting to order at 7:05 PM.

Council present:

Lou Boudreaux
Mike Kerr
Kathy Nida

Daniel McJunkin
Jane Stockton
Jeff Young

Sandy Bohannon

A quorum was present.

Public Present:

Jim Gammill
David Olson, Attorney
Dean Eichelberger
Samuel J. Blustein, Attorney

Elaine Wleczyk Sain
Larry Sain
John Bohannon

2. Councilman Lou Boudreaux said the Invocation and led the Pledge of Alliance.

3. PUBLIC HEARING presenting the proposed fiscal year 2011 Budget.

a. There was NO PUBLIC COMMENT

4. Consider and take possible action on the proposed fiscal year 2011 Budget

- The only change in the budget was a correction made to the GRANTS line item. The EOC grant now correctly reflects to be \$13,500 and not \$20,000 as first thought.

Councilman Jeff Young made a motion to accept the proposed fiscal year 2011 Budget; Councilman Lou Boudreaux seconded – MOTION PASSED.

5. Consent Agenda.

a. Minutes of Special Council Meeting AUG 12, 2010 and Regular Council Meeting Minutes AUG 17, 2010

- The minutes from the Budget workshop of AUG 25, 2010 were accidentally left off of the agenda so they will be included in next's month consent agenda

b. Financials for August

c. Payment of Bills for August

Councilman Lou Boudreaux made a motion to accept the consent agenda; Councilwoman Sandy Bohannon seconded – MOTION PASSED.

6. Announcements or Public Comments.

a. John Bohannon is now on the POA. They will be publishing a quarterly newsletter if anyone has info to share, please let him know.

b. Jim Gammill asked if the Sain's were coming.

c. The Flood Gates look great.

d. John Bohannon noted the asphalt in the parking lot – wants a pothole party. The Mayor will get some volunteers together the coming weekend.

7. Council Information Sharing

a. Councilwoman Sandy Bohannon checked with the Sheriff's office about Child Safety programs. They are free, but the City could donate to offset the cost. Add to next month's agenda.

- b. Kathy Nida mentioned the possibility of buying the school a portable defibrillator with the Child Safety money. Add to next month's agenda.
- c. Councilman Mike Kerr asked about adding "Permits Required" signs at the City Limits. Add to next month's agenda.
- d. The Fire Extinguishers and smoke alarms have been installed.
- e. Councilman Mike Kerr pointed out there was a family living in a camper in Valley Lodge.

8. Old Business.

- a. Councilman Lou Boudreaux started the pumps two weeks ago. Will start them again next week.
- b. Small Town Mayor's Meeting menu: BBQ brisket, sausage, potato salad, beans, pecan pie & iced tea. Estimating about 25 people at \$10 a plate. Don't forget extra paper towels. Possibly need to raise the budget to cover costs of paper goods and table clothes.

Councilwoman Jane Stockton made a motion to increase the budget for the small town mayor's meeting by \$100 to cover cost of paper goods raising the total budget to \$400; Councilman Jeff Young seconded – MOTION PASSED.

- c. Item "c." moved down on the agenda to wait for the Sain's lawyer to arrive.
- d. Ordinance Violation Letters: Letters were sent to all violators to tell them the Junk Vehicle Ordinance was under review and all action would be suspended until further notice.
- e. Removal of Trees in front of City Hall: Pay someone. Get a couple of estimates. Make sure the company is bonded and insured. Jeff and Jim both know people they can contact.
- f. Presentation of Citation Form: Mayor McJunkin for several samples from s from Chief Scott Head from Fulshear. Jim Gammill was reviewing them to see if any of them work for his needs. Jim wants a plan developed for Municipal Court. Daniel wants to schedule a Municipal Court Workshop before the next council meeting. David Olson pointed out that the court would set the fine schedule. Kathy needs to be certified as a court clerk.
- g. Presentation of AC bids for SECO grant:
 - Two bids from two companies using the same specifications
 - Mayor McJunkin made a spreadsheet comparing the bids
 - Purpose of the grant is to "improve energy efficiency" and not necessarily use the cheapest bid.
 - Wholesale Air \$2,351 cheaper
 - Countryside Air is local
 - Both bid on American Standard Series 20
 - Both offered standard manufacture's 10 year warranty (not covered by grants)
 - A sub-committee was formed including Mike Kerr, Lou Boudreaux and Daniel McJunkin to contact the two companies and talk to them, check their references, make sure the bids are the same and that it includes removal of old equipment & all work is equal.

Councilman Lou Boudreaux made a motion that the Council give the subcommittee the authority to meet with both companies, compare the bids and make a decision spending up to \$21,000 on replacing the AC units; Councilwoman Sandy Bohannon seconded – MOTION PASSED.

- c. Report from the Sains on property at 215 Wagon.
 - Mr. Sam Blustein said the Sain's structural engineer has made several structural recommendations. They have brought a set of blue prints for Council review.
 - The Council is only receiving information and possibly hire an engineer to review the documents.
 - Mayor McJunkin asked for a budget of about \$1,000 to hire an engineer to review the documents presented.

Councilman Lou Boudreaux made a motion to to give the Mayor up to \$1,000 to hire a structural engineer to review documents; Councilwoman Sandy Bohannon seconded – MOTION PASSED.

- Sam Blustein authorized the Mayor to contact the Sain's directly to set up entry into the property with the City Engineer. Mr. Sain wants to be present for that inspection as well.

- The Sain's currently have flood insurance on the property. If the total cost of improvements to bring the house into habitable condition is less than 50% of the value of the house, they will not have to raise the foundation.
- For next meeting, the Sain's should: 1. Present a Timeline; 2. Provide a list of Specifications; 3. Present a Budget.

9. Report from Animal Control Officer

- a. A lady was riding her horse and the horse was attached by a pit-bull near Fort Bend and Comanche. She filed a report. The home is rented. Jim Gammill knows the homeowner, but not the renter's names. He has been to the home before and left another notice about ordinance violations. Mrs. Dunbar declined to file a complaint. A few nights later, Jim received a call from Pony and Comanche said there were two pit-bulls on her front porch. She has two small children and is concerned for their safety.

10. New Business

- a. Interlocal Agreement with Fort Bend County about Junk Car Ordinance
 - David Olson reported that the county is revising their policy. It could take awhile before it is adopted.
- b. Consider and Take Action on New Junk Vehicle Ordinance
 - This ordinance adopts the State law. Just because a vehicle fits into this category can fit into this category does not mean the City HAS to take action – unless it creates a nuisance.
 - David Olson strongly recommends the Council adopt this new ordinance.

Councilman Mike Kerr made a motion to adopt the new Ordinance 10-0921 replacing existing Ordinance 92072101; change the definition of junk vehicle a.1. from AND to OR and add wording on page 5 item (e) , Councilwoman Sandy Bohannon seconded – MOTION PASSED.

- In Section 6, how do you get authorization to check on vehicle? The best way is to have the Municipal Court to give that authorization, but since Simonton does not have a working Municipal Court is for the Council can authorize the Mayor to check vehicles.

Councilwoman Jane Stockton made a motion to authorize the Mayor to take necessary means to investigate vehicles, Councilman Mike Kerr seconded – MOTION PASSED.

- c. Adopt proposed tax rate of .27 per \$100 for FY2011.

Councilwoman Jeff Young made a motion to adopt the proposed tax of .27 per \$100, Councilman Mike Kerr seconded – MOTION PASSED.

- d. Certification of 2010 Tax Rate was read into the minutes by Kathy Nida.

- e. Administrative Services Agreement between Simonton Development Corporation and the City of Simonton.

Councilman Mike Kerr made a motion to adopt the Administrative Services Agreement between Simonton Development Corporation and the City of Simonton, Councilwoman Sandy Bohannon seconded – MOTION PASSED.

- f. Renew InterLocal Agreement with Fort Bend County Environmental Health Department

Councilman Lou Boudreaux made the motion to renew the InterLocal Agreement with the County, Councilman Mike Kerr seconded – MOTION PASSED.

11. Adjournment

Councilman Jeff Young made a motion to adjourn; Councilman Lou Boudreaux seconded – MOTION PASSED.

The meeting ended at 9:30 p.m.

Respectfully submitted,



Daniel McJunkin
Mayor



Kathy Nida
City Secretary