Regular Meeting of the City Council of the City of Lindsay

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| Mayor | Scott Neu | |
| Alderman | Klay Gilbert | |
| | Jeff Neu | |
| | Glenn Block | |
| | Robert Sharp | |
| | Sam Sparkman | |
| City Secretary | Betsy Fleitman | |
| City Secretary | Monica Laux | |
| Police Chief | Jimmy Yarbrough | (Absent) |

Visitors: David Perkins, KSA; Robin Hermes; Jason Hermes; Bradley Anderle, TOASE and Brandon Miller, Bailey Ranch.

Invocation and Pledge of Allegiances were led by Alderman Klay Gilbert. The Roll Call was taken showing all members present. Establishing a quorum, Mayor Neu called the meeting to order at 7:01PM. Mayor Neu explained the "Consent Agenda", stating that one motion approves the minutes from the regular meeting on October 8, 2018, the Operating Checks, Checks, Invoices, Financial Statements and the reports from the Police Department, Lindsay Volunteer Fire Department, Keep Lindsay Beautiful and Public Works. A motion to approve the Consent Agenda was made by Jeff Neu and seconded by Robert Sharp. Motion carried 5-0.

The first item to discuss on the agenda was Ordinance 1118-4, to appoint Monica Laux as City Secretary for the City of Lindsay. Glenn Block made a motion to approve Ordinance 1118-4 with Klay Gilbert seconding. Motion carried 5-0

A motion to ratify the hiring of Katie Duncan as City Clerk was made by Robert Sharp, followed by a second from Glenn Block. Motion carried 5-0.

A Public Hearing was opened at 7:04 PM regarding the preliminary/final plat for Jason and Robin Hermes. Mayor Scott Neu stated five letters were mailed out, one response received reflecting, No Opinion. The plat was recommended, with the addition of a utility easement, by both the Planning and Zoning Committee and the City Staff. No comments were made. The Public Hearing closed at 7:05 PM. Jeff Neu made a motion to approve the plat and Sam Sparkman seconded. Motion carried 5-0.

A simple plat was considered for the Mario and Cherish Orduna, property at 320 Elm, also known as 160 West Fourth Street. A motion was made by Klay Gilbert, seconded by Glenn Block. Motion carried 5-0.

A motion was made by Sam Sparkman and seconded by Robert Sharp to include Wednesday, Thursday and Friday, November 21, 22 and 23, in the Thanksgiving holidays, the Christmas holidays to include Monday and Tuesday, December 24 and 25 and Monday and Tuesday, December 31 and January 1, 2019. The motion carried 4-1, with Jeff Neu voting against.

The annual Christmas party date was set for December 2, 2018 at the Smokehouse in Lindsay.

Certification pay of $100.00 per month, was approved for the Police Chief by a motion made by Glenn Block and seconded by Sam Sparkman. Motion carried 5-0.

Robert Sharp made a motion to ratify a 90-day contact with Patterson Professional Services to operate the water and wastewater systems. Mayor Neu stated they would offer a longer contract at the end of the 90-day period. The mayor assumed that the new contract would be at the same price. The mayor stated he would be in favor of approval because he was very pleased with the service so far. Jeff Neu seconded the motion. Motion carried 5-0.

Approval from the Council to purchase a Holt Caterpillar backhoe for $65,536.61 was confirmed by a motion made by Robert Sharp and seconded by Glenn Block. Mayor Neu stated that the purchase through Buy Board is such, that the City can use the backhoe for a couple years and sell it for the same amount. The motion carried 5-0.

The bids on the waterline extension project were presented by the David Perkins, KSA. BRCT LLC, dba Black Rock Construction was awarded the bid. Perkins explained they could bid such a low price because they are already doing work for the City and have equipment already staged in Lindsay. A motion to approve a contract with Black Rock Construction for $49,400.00, to do the water line extension project was made by Glenn Block and seconded Klay Gilbert. Motion carried 5-0

Bradley Anderle, TOASE, presented Ordinance 1018-1, regulating the mobile food truck units. The ordinance was tabled at the October meeting because of the necessity to make zoning changes. The zoning changes has been prepared and will be presented the Planning and Zoning Committee at their next meeting. Klay Gilbert made a motion to approve Ordinance 1018-1 with the following amendments: inspections will be effective for a six-month period; current inspection by the city inspection service done in another municipality will be honored; a permit fee is to be established and removal of the restroom requirement. Motion seconded by Glenn Block. The motion carried 5-0.

Bradley Anderle, TOASE, explained Ordinance 1118-1, a fee schedule for certain administrative and other services. The fee schedule was approved on a motion made by Glenn Block and a second by Klay Gilbert with the following changes: mobile food unit inspection fee of $75.00 and a mobile food unit permit fee of $30.00 per month. Motion carried 5-0.

Ordinance 1118-2, The Regulations of Food Establishments was passed on a motion made by Jeff Neu and seconded by Sam Sparkman. The motion carried 5-0.

The Council approved a Countywide Inspection Service contract to perform food service/health inspections for the City. Robert Sharp made the motion to approve and Klay Gilbert seconded. Motion carried 5-0.

The council entered executive session at 8:25 PM. on a motion made by Jeff Neu and a second by Glenn Block. Motion carried 5-0. Invited into the executive session were Brandon Miller, Bailey Ranch; Bradley Anderle, TOASE; and David Perkins, KSA. The Council entered into Executive Session pursuant to Sec. 551.071 of the Texas Government code, to receive advice from its attorney as permitted by law. In addition, the Board may convene in executive session to receive advice from its attorney regarding the following:

a. Pending or contemplated litigation or a settlement offer.
b. A matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the chapter.

and pursuant to Sec. 551.074, deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; specifically, Public Works employees.

and pursuant to Sec. 551.087, deliberation regarding Economic Development Negotiations including (1) discussion or deliberation 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 negotiations; OR (2) deliberation of a financial or other incentive to a business prospect, specifically Bailey Ranch, a Mixed Use Development.

At 9:27PM Mayor Scott Neu and Alderman Jeff Neu left the Executive Session because of a conflict of interest with the matter to be discussed. Conflict of interest forms are on file with the City.

The Council reconvened at 9:47PM on a motion from Glenn Block and seconded by Jeff Neu. Motion carried 5-0. Klay Gilbert made the motion to take no action on Agenda Item 21, Nortman Estates Agreement. Motion seconded by Glenn Block. Motion carried 4-0-1 with Jeff Neu reporting abstaining because of conflict of interest. A motion made by Glenn Block and seconded by Klay Gilbert, to grant the Public Works employee, Steve Fuhrmann, a $2.00 per hour raise. The motion carried 5-0.

There being no further business before the Council, the meeting adjourned at 9:50PM. (For more detailed information you may consult the recording of this meeting available at City Hall.)

Scott Neu
Mayor

Monica Lacy
City Secretary