

**CITY OF SAGINAW
CITY COUNCIL MEETING
HELD AT THE SAGINAW CITY HALL
333 W. MCLEROY BLVD.
DECEMBER 5, 2017**

Present at the meeting:

Mayor	Todd Flippo
Mayor Pro-Tem	David Flory
Councilmember	Patrick Farr
Councilmember	Valerie Tankersley
Councilmember	Cindy Bighorse
Councilmember	Mary Copeland
City Attorney	Bryn Meredith
Interim City Manager	Dan O’Leary
Asst. City Manager	Dolph Johnson
City Secretary	Janice England
City Engineer	Jeff James
City Engineer	Andrew Simonsen
Police Captain	Karl Johnson
Fire Division Chief	Scott Craver
Director of Public Works	Rick Trice
Director of Recreation	Keith Rinehart
Library Director	Ellen Ritchie
Human Resources Manager	Melanie McManus
Police Officer	Joshua Gonzalez

Absent from the meeting:

Councilmember	Sheri Adams
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Visitors at the meeting:

Randal Johnson	Mandy Manning
Kristi Avalos	Tasha Perez
Norm Bulaich	Jarred Coursey
Brian Stramburger	Russell Ragsdale
Jason Valendy	Chris Gregory
Elena Pittock	Sasha Pittock
Matt Pool	Charity Deville
Auri Asay	Brandon C.
Damon Ing	Gabe Reaume
Cori Reaume	

(1) Call to Order

Mayor Flippo called the meeting to order at 6:00 p.m. with a quorum present.

Pledge of Allegiance to the United States

Pledge of Allegiance to the State of Texas

(2) Invocation

Reverend Valendy of the Saginaw United Methodist Church gave the invocation

(3) Audience Participation

This item was covered on the video screen.

(4) Consent Agenda

a. CC-1217-01

Action regarding Minutes, November 7, 2017

b. CC-1217-02

Action regarding Minutes, November 13, 2017

c. CC-1217-03

Action regarding Minutes, November 14, 2017

d. CC-1217-04

Action regarding Minutes, November 21, 2017

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Farr to approve the consent agenda as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

(5) CC-1217-05

Consideration and action regarding garbage rate increase request from Waste Connections

Mr. Norm Bulaich of Waste Connections addressed the Council. He explained that Waste Connections is requesting a 1.85% increase in residential and commercial garbage rates. He stated that this will be the first increase in residential rates since 2014. He explained that last year while negotiating a contract extension, there was no change to residential rates but there was a 5% reduction in commercial rates. He stated that due to an error the reduction was never implemented in their system. He explained that commercial customers will receive a reimbursement to correct this error.

Interim City Manager O'Leary explained that the current residential garbage rate will increase by twenty-three cents including tax (\$12.34 per month to \$12.57 per month). Mr. Bulaich stated that the effective date for the proposed rate increase is December 1, 2017.

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Tankersley to approve the 1.85% garbage rate increase as requested. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

- (6) CC-1217-06
Consideration and action regarding Ordinance No. 2017-14, amending residential garbage rate in Master Fee Schedule

Asst. City Manager Johnson explained that the purpose of this item is to amend the Master Fee Schedule to reflect the residential garbage rate increase approved in the previous item. He also explained that the commercial garbage rate structure is not included in the Master Fee Schedule.

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Tankersley to approve Ordinance No. 2017-14 amending the residential garbage rate in the Master Fee Schedule. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

- (7) CC-1217-07
Presentation of ADA Transition Plan Document and Appendix

Mr. Matt Pool of Kimley-Horn & Associates, Inc. addressed the Council. He explained that the Americans with Disabilities Act (ADA) requires all programs, services, and activities of public entities provide equal access for individuals with disabilities. He gave a brief presentation of the ADA Self Evaluation and Transition Plan. He explained that this plan is phase I which includes an evaluation of the City's programs, procedures, and policies. He stated that the plan will be posted on the City's website.

- (8) CC-1217-08
Consideration and action regarding authorization of Individual Project Order with Kimley-Horn & Associates, Inc. for the Fairmount Sanitary Sewer Line Rehabilitation, Phase 1

Director of Public Works Trice stated that the Fairmount Sanitary Sewer Line Rehabilitation Project is identified in the 2019-2020 Wastewater Capital Improvements Plan. However, after completion of the Inflow and Infiltration Study, it was determined that the condition of the existing line needs immediate attention. The proposed Individual Project Order with Kimley-Horn & Associates, Inc. for the Fairmount Sanitary Sewer Line Rehabilitation, Phase 1 includes

approximately 800 linear feet of 12-inch sanitary sewer line from Southern to approximately Fairmount Avenue. He added that the design fee is \$55,000 which includes \$10,000 for construction phase services that will be performed on a reimbursement basis. He added that the project should have a minimal effect to traffic.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Flory to approve the Individual Project Order with Kimley-Horn & Associates, Inc. for the Fairmount Sanitary Sewer Line Rehabilitation, Phase I at a cost of \$55,000. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

- (9) CC-1217-09
Consideration and action regarding Resolution No. 2017-18, granting permission for the Police Department to complete and submit a grant application for the Rifle-Resistant Body Armor Project

Police Captain Johnson explained that Resolution No. 2017-18 gives permission for the Police Department to submit a grant application for rifle-resistant body armor. He stated that funding became available after the tragic loss of five Dallas Police Officers in 2016. The amount of the grant is \$23,607 and will fund the purchase of 43 sets of rifle-resistant body armor. This body armor will supplement the soft body armor already used by personnel. He explained that there is no cost to the City. However, as with previous grants, once it is approved the City will order and pay for the armor and then receive full reimbursement by the State.

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Tankersley to approve Resolution No. 2017-18 granting permission for the Police Department to complete and submit a grant application for the Rifle-Resistant Body Armor Project. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

- (10) CC-1217-10
Consideration and action regarding acceptance of 1.676 acre tract of land located on East McLeroy Blvd. from Saginaw Spring Creek Property Partnership, L.P.

Director of Public Works Trice explained that Saginaw Spring Creek Partnership, L.P. would like to donate a 1.676 acre tract of land to the City. He stated that the property is undeveloped and has frontage on East McLeroy Blvd. The property is located within the 100-year flood plain of Little Fossil Creek. He added that the property could potentially be used as a future trailhead for the park system.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Flory to accept the 1.676 acre tract of land as presented. Motion carried unanimously. 6-0-0-1

For: Mayor Flipppo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

(11) CC-1217-11

Consideration and action regarding granting permission to Saginaw DC, LLC to construct a security fence on the front side of their building rather than to the front building line (895 Kennedy Lane, Suite 100)

Director of Public Works Trice explained that Saginaw DC, LLC has requested permission to construct a security fence on the front side of their building closer to the street right-of-way than to their front building line. He stated that the proposed fence will be a six foot chain link fence with three strands of barbed wire. There will be two side gates. Mr. Randall Johnson, representing the property owner and tenant, explained that this is a security business and the tenant has requested this particular type of fence. Director of Public Works Trice explained that the City Code requires Council approval. He added that this property and the property to the south are zoned Light Industrial. The property to the north and west of the property is zoned Heavy Industrial.

Motion was made by Councilmember Farr with a second by Mayor Pro-Tem Flory to grant permission to Saginaw DC, LLC to construct a security fence on the front side of their building closer to the street right-of-way than to their front building line. Motion carried unanimously. 6-0-0-1

For: Mayor Flipppo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

(12) CC-1217-12

Consideration and action regarding adoption of Ordinance No. 2017-15, authorizing the Mayor to execute a Quitclaim Deed abandoning a 10 foot utility easement to Cann Real Estate, LTD, the owner of Lot 1R, Block 3, Worthy Addition

Director of Public Works Trice explained that Racetrack Petroleum, Inc. is currently developing plans for a Racetrack gas station and convenience store at 125 N. Saginaw Blvd. In conjunction with this development, they have requested the City abandon an old water line easement that crosses the property. This easement was used at one time for a water line but is no longer needed. He explained that all utility companies serving Saginaw have been notified of the request and all have sent releases indicating they have no need for the easement.

Motion was made by Councilmember Copeland with a second by Councilmember Bighorse to adopt Ordinance No. 2017-15 authorizing the Mayor to execute a Quitclaim Deed abandoning a 10 foot utility easement to Cann Real Estate, LTD, the owner of Lot 1R, Block 3, Worthy Addition. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

(13) CC-1217-13
Consideration and action regarding Council Meetings scheduled for December 19, 2017 and January 2, 2018

Due to the upcoming holiday season, the cancellation of the regular City Council Meetings scheduled for December 19, 2017 and January 2, 2018 was considered.

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Tankersley to cancel the Council Meetings scheduled for December 19, 2017 and January 2, 2018. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

(14) CC-1217-14
Consideration and action regarding appointment of Mr. Gabe Reaume as City Manager effective January 1, 2018 and approval of contract

Mr. Gabe Reaume briefly addressed the Council. He expressed his appreciation to the Council for their consideration and stated he is looking forward to working for the City. He added that he and his family attended the Tree Lighting Event last week and his family is very excited to be moving to Saginaw. Councilmember Copeland expressed her appreciation to Interim City Manager O'Leary. She thanked him for his service and accomplishments during a transitional time.

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Tankersley to appoint Gabe Reaume to the position of City Manager and approve the employment contract as agreed upon. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

(15) Executive Session

1 § 551.071. Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on 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 provisions of Chapter 551, including the following items:

a. Any Posted Item

2. § 551.074. Texas Government Code. Deliberation regarding Personnel Matters. The City Council may convene in executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee, including deliberation regarding the following officers or employees:

a. City Manager

(16) Adjournment

Motion was made by Councilmember Tankersley with a second by Councilmember Bighorse to adjourn the meeting. Motion carried unanimously. 6-0-0-1

For: Mayor Flippo, Mayor Pro-Tem Flory, Councilmembers Farr, Tankersley, Bighorse, and Copeland

Against: None

Abstain: None

Absent: Councilmember Adams

Mayor Flippo declared the City Council Meeting of December 5, 2017 adjourned at 6:50 p.m.

ATTEST:

APPROVED:

City Secretary Janice England

Mayor Todd Flippo