

**CITY OF SAGINAW
MINUTES OF CITY COUNCIL MEETING
HELD AT THE SAGINAW CITY HALL
333 WEST MCLEROY BLVD.
MARCH 6, 2018**

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
City Engineer	Dana Shumard, P.E.
City Engineer	Andrew Simonsen, P.E.
City Manager	Gabe Reaume
Asst. City Manager	Dolph Johnson
Asst. Finance Director	Kim Quin
City Secretary	Janice England
Director of Public Works	Rick Trice, P.E.
Police Captain	Karl Johnson
Police Captain	Russell Ragsdale
Fire Chief	Doug Spears
Fire Division Chief	Scott Craver
Fire Division Chief	Bobby Davenport
Fire Lieutenant	John Tadlock
Director of Community Svcs.	Keith Rinehart
Library Director	Ellen Ritchie
Director of Human Resources	Melanie McManus

Absent from the meeting:

Councilmember	Sheri Adams
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Visitors at the meeting:

Charles Tucker	Kaci Bryant
Kyle Duke	David Duke
Estee Valendy	Mary Ragle
Jessica Harsha	Bobby Oney

(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-0318-01

Action regarding Minutes, February 20, 2018

b. CC-0318-02

Action regarding Soccer Field Usage Agreement with Eagle Mountain Soccer Association

Summary: The agreement with the Eagle Mountain Soccer Association (EMSA) for the use of the soccer fields at William Houston Park has expired. EMSA would like to continue utilizing these fields. The proposed agreement is for a term of one year, expiring on December 31, 2018. The agreement is the same as the agreement approved last year. Staff recommends approval of the agreement.

c. CC-0318-03

Action regarding Ordinance No. 2018-02, approving a tariff authorizing an annual Rate Review Mechanism (“RRM”) as substitution for the annual Interim Rate Adjustment Process defined by Section 104.301 of the Texas Utilities Code, and as negotiated between Atmos Energy Corp., Mid-Tex Division and the Steering Committee of Cities Served by Atmos

Summary: Ordinance No. 2018-02 approves a tariff authorizing an annual Rate Review Mechanism (“RRM”) as substitution for the annual Interim Rate Adjustment Process defined by Section 104.301 of the Texas Utilities Code, and as negotiated between Atmos Energy Corp., Mid-Tex Division and the Steering Committee of Cities served by Atmos (ACSC). The ACSC Attorney has advised that adoption of the ordinance with its attached tariff is a necessary action pursuant to the exercise of Cities’ original jurisdiction because the RRM process only exists pursuant to City action. The RRM process is not defined by statute. Without the specific regulatory action by Cities, Atmos would make annual GRIP filings with the Railroad Commission, and the Commission would conduct an administrative review of a piecemeal rate application and deny any participation by cities. The ACSC Executive Committee has recommended approval of the revised RRM Tariff as addressed in Ordinance No. 2018-02.

Motion was made by Councilmember Farr with a second by Councilmember Tankersley 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-0318-04

Recognition of Kyle Duke for his Eagle Scout Project at the Aquatic Center

Director of Community Services Rinehart explained that Kyle Duke recently completed his Eagle Scout Project at the Aquatic Center. Kyle organized, planned, supervised and completed this project. He planted a total of 14 crepe myrtles and used 28 bags of mulch on the east side of the Aquatic Center. As these grow, they provide color to the

area as well as shade. Mayor Flippo commended Kyle on a job well done and presented him with a Certificate of Recognition.

- (6) CC-0318-05
Consideration and Action regarding Resolution No. 2018-05 acceptance of grant, if awarded, for vehicle to transport arson dog

Fire Chief Spears explained that Resolution No. 2018-05 supports the Fire Department's application for the Criminal Justice Grant Program from the Governor for the Arson Dog Vehicle Project. Approval of the resolution allows the acceptance of the grant if awarded. The amount of the grant is \$52,500 and does not require any matching funds from the City. He stated that Fire Lieutenant Tadlock will go to New Hampshire in April for training with the department's arson dog. The Fire Department was selected to receive the arson dog through the State Farm Insurance Arson Dog Program in November 2017. In the event that the grant is not received, Lieutenant Tadlock will transport the dog using his personal vehicle.

Motion was made by Councilmember Tankersley with a second by Councilmember Bighorse to approve Resolution No. 2018-05 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

- (7) CC-0318-06
Consideration and Action regarding approval of Amendment Number 1 to the Individual Project Order (IPO) with Kimley-Horn & Associates, Inc. for supplemental inspection services for the Park Center Elevated Tank Rehabilitation Project

Director of Public Works Trice explained that this amendment was briefly discussed at the last Council Meeting when the contract for the Park Center Elevated Tank Rehabilitation Project was awarded. He stated that Amendment Number 1 addresses supplemental inspection services for the project. These services will ensure that the rehabilitation process is in compliance with the plans. He added that the inspections will be handled by third party inspection resources that have specific expertise in water tank rehabilitation. The total cost of the amendment is \$30,000 on a reimbursable basis.

Motion was made by Mayor Pro-Tem Flory with a second by Councilmember Tankersley to approve Amendment No. 1 to the IPO with Kimley-Horn & Associates, Inc. for supplemental inspection services for the Park Center Elevated Tank Rehabilitation Project in the amount of \$30,000. 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

- (8) CC-03187-07
Discussion of an Economic Development Program

City Manager Reaume gave a brief presentation regarding an economic development program. He pointed out the items identified in the SWOT (strengths, weaknesses, opportunities, and threats) analysis prepared by Marty Weider of Strategic Consulting Services in November 2016. He explained that he feels the City needs a dedicated staff member for economic development. He stated that another consideration might be the creation of an Economic Development Advisory Committee and a Community Development Foundation (501 c6). He explained that these could be valuable tools for the City and also benefit the Saginaw Area Chamber of Commerce.

There was a discussion regarding the job description for the proposed economic development position. City Manager Reaume explained that this position should be a director level position that would report to the City Manager. There was discussion regarding possible projects to enhance the appearance of Saginaw Boulevard as well as drainage issues on the south end that would have to be addressed. The Council concurred to consider this item further after more details and a job description are available.

- (9) CC-0318-08
Update on Bailey Boswell Road Phase 2 Project

City Engineer Shumard gave a brief presentation updating the Council on the status of the Bailey Boswell Road Phase 2 Project. She explained that the project has been delayed due to the addition of the sewer line work and the traffic signal at the Basswood Boulevard intersection as well as multiple issues with railroad permits and TXDOT permits. She stated that due to the delays the contractor has asked for additional 200 days which will move the completion date to August 7, 2018. She added that she will continue to meet on a regular basis with the railroad and TXDOT. The Council concurred that monthly updates on the status of the project would be helpful. City Engineer Shumard will also give an update at the April 17, 2018 City Council Meeting

- (10) CC-0318-09
Update on City Council Protocol Policy

City Manager Reaume gave a brief presentation regarding the proposed City Council Protocol Policy. He explained that the goal of the policy is respect and orderly business conduct during meetings. He stated that the ethics portion of the proposed policy has been removed since ethics are clearly outlined in State Law. He added that the policy should be adopted by a Resolution. City Attorney Meredith explained the differences between ordinances and resolutions. He stated that ordinances contain the ability to assess criminal charges where resolutions are used as internal management type documents.

City Manager Reaume stated that one item of concern mentioned by several Councilmembers is the lack of time for review between the posting of the agenda on Friday and the Council Meeting on Tuesday. He explained that a "working agenda" which is basically a list of agenda items can be emailed to the Council on Wednesday afternoons prior to the Tuesday meeting. This will allow extra time for questions and research before the final agenda and meeting packet is posted.

- (11) CC-0318-10
Update on City Charter Revisions

City Attorney Meredith explained the timeline in order to hold a charter revision election on November 6, 2018. There was a discussion regarding an election next May in conjunction with the City's May 2019 General Election. This would allow more time for the appointment of the Charter Review Committee and for the Committee members to review the Charter and submit recommended revisions to the Council. The consensus of the Council was to begin the process of appointing a Charter Review Committee at the next Council Meeting and plan to hold the election in May 2019.

(12) Executive Session

1 § 551.071. Texas Government Code. 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

(13) 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 March 6, 2018 adjourned at 7:18 p.m.

ATTEST:

APPROVED:

City Secretary Janice England

Mayor Todd Flippo