

**Minutes
Flatonia City Council
Regular Meeting
October 12, 2010**

Present:

Mayor	Scott Mica
Mayor Pro Tem	Bryan Milson
Councilpersons	Jan Lahodny Kathy Collins Teri Wilks Tyler Mica
City Staff	Kenneth Knight – City Manager Melissa Brunner – City Secretary Jack Pavlas – Utility Director Mike Noak – Police Chief Angela Beck – City Attorney Gregory Robinson – Code Compliance Officer

Opening Agenda

Call to Order	Mayor Mica called the meeting to order at 6:00 p.m.
Invocation and Pledge	Code Compliance Officer Robinson led the invocation and Mayor Mica led the pledge.
Citizen's Participation	Charles Lightearl spoke concerning the chickens in his neighborhood and the noise disturbance they cause.

Reports

Council Members' Reports	Kathy Collins reported that she, Mark Eversole and Kirk Pate have received good feedback from the meetings they are attending.
Police Chief's Report	Chief Noak presented the September 2010 Police Report
City Manager's Report	City Manager Knight reported that the concrete work on the utility warehouse complex had begun. Knight further stated that he had met with Gene Kruppa and representatives from Layne, the company the City has contracted with for the arsenic remediation project. While the City has yet to receive the final okay from Texas Commission on Environmental Quality (TCEQ), Layne is going to go ahead and begin purchasing items that will be necessary for the project and hopefully construction will begin by the end of the year. Knight also reported that he had also spoke to Judy Langford, the City's grant consultant, and she was checking

to see when the funds for the Downtown Trails Grant will be released.

Fire Department Report

Fire Chief David Vire reported that the donations for the third quarter of 2010 through the utility bills amount to \$2,357.15. He thanks the community for the support.

Consent Agenda

Kathy Collins motioned to accept the Consent Agenda, including the minutes of the September 14, 2010 regular meeting, the Special meetings on September 7, 10 and 27 and the September 2010 financial. Bryan Milson seconded the motion. None opposed. Motion carried.

Deliberation Agenda

10-2010.1 Jan Lahodny motioned to not extend the city manager's lease on the Park House to run concurrent with his employment contract plus one month. Tyler Mica seconded the motion. Jan Lahodny voted in favor. Kathy Collins, Tyler Mica, Bryan Milson and Teri Wilks voted against. Motion failed.

Kathy Collins motioned to extend the city manager's lease on the Park House to run concurrent with his employment contract plus one month. Bryan Milson seconded the motion. Jan Lahodny voted against the motion. Kathy Collins, Tyler Mica, Bryan Milson and Teri Wilks voted in favor. Motion carried.

10-2010.2 Jan Lahodny motioned to deny the request from the city manager for 40 hours of vacation accrual. Tyler Mica seconded the motion. None opposed. Motion carried.

10-2010.3 Jan Lahodny motioned to enter into a lease arrangement with Southern Bay Energy for oil and gas rights for two tracts owned by the City. Tyler Mica seconded the motion. Discussion held. All opposed. Motion failed.

Kathy Collins motioned to table the proposed lease arrangement with Southern Bay Energy for oil and gas rights for two tracts owned by the City to the November 9, 2010 meeting. Tyler Mica seconded the motion. None opposed. Motion carried.

10-2010.4 Bryan Milson motioned to approve the ordinance abandoning the rights of way and establish a utility easement of certain street rights of way in relation to the property identified by PID 28089 in the area of Arnim Lane and Eleventh Street and to authorize the city manager to record the transfer. Kathy Collins seconded the motion. None opposed. Motion carried.

10-2010.5 Teri Wilks motioned to adopt the resolution ceasing the monthly stipend paid to the mayor and council members. Kathy Collins seconded the motion. Heated discussion ensued. Kathy Collins motioned a point of personal privilege. Teri Wilks seconded the motion. Jan Lahodny and Tyler Mica opposed the original motion. Kathy Collins, Bryan Milson and Teri Wilks voted in favor. Motion carried.

- 10-2010.6 Jan Lahodny motioned to accept the resignations and appointments to the Flatonia Economic Development Commission. There was no second. Motion died for lack of a second.
- No action is taken on this item.
- 10-2010.7 Kathy Collins motioned to suspend the Flatonia Economic Development Commission's Business Incentive Program until further notice and authorize staff to process the one outstanding application. Teri Wilks seconded the motion. None opposed. Motion carried.
- 10-2010.8 Jan Lahodny motioned to take no action on disciplining council members who miss regular and special council meetings. Tyler Mica seconded the motion. Kathy Collins voted against. Jan Lahodny, Tyler Mica, Bryan Milson and Teri Wilks voted in favor. Motion carried.
- 10-2010.9 Kathy Collins motioned to direct each elected official to provide to the city secretary the preferred manners in which the elected official wishes to be contacted along with an alternative method and to direct the city secretary on what information may be released if requested to do so from a member of the public. Bryan Milson seconded the motion. None opposed. Motion carried.
- 10-2010.10 No action was taken on the interlocal agreement for a county drug enforcement officer.

Executive Session – Council did not adjourn into executive session because the city manager requested the review be conducted in open session as he is allowed to do according to Texas Government Code 551.074.

ES10-2010.1 As authorized by Texas Government Code 551.074 – personnel matters
Review of City Manager

10-2010.11 No action was taken on review of City Manager.

The meeting was adjourned at 7:03 p.m.



Signed

Scott Mica
Scott Mica
Mayor

Attest

Melissa Brunner
Melissa Brunner, TRMC, CMC
City Secretary

Approved this 9th day of November 2010