

MINUTES OF THE
CITY OF DIBOLL CITY COUNCIL
Monday August 8, 2016
5:15 PM

Call to Order

Mayor McClain called the meeting to order at 5:15 pm. Council members Ivey, Hendrick, Lopez, Moses, and Hernandez present. Council member Farley was absent.

Staff present: City Manager Boren, City Treasurer Garza, Police Chief Baker, Civic Center Director Christmas and Fire Chief Jones. City Attorney Cassels present at the meeting.

Invocation

Pastor David Goodwin, United Methodist Church in Diboll

Pledge of Allegiance

Citizens Presentation: (Limited to 3 minutes)

This item provides the opportunity to address the City Council on any matter whether or not it's posted on the agenda. However, in accordance with the Texas Open Meetings Act, Section 551.041, the Council cannot discuss, deliberate, or take any action on matters not listed on the agenda. At this time the Council will receive citizen comments, and if necessary, may refer the matter to City staff for research, resolution or referral to Council on a future agenda.

There was no presentations from Citizens

Item #1: Consent Agenda: All matters listed under 'Consent Agenda' are considered to be routine by the City Council and will be enacted by one motion. There will not be Discussion and action to consider an Ordinance Discussion and action to consider an Ordinance separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

Discussion and action to consider an Ordinance

- a. Minutes of the June 13, 2016 City Council meeting
- b. June Financial Report
- c. Quarter Ending June 30, 2016

Motion made by Council member Ivey to accept the Consent Agenda, Seconded by Council member Hendrick, none opposed. Vote in favor unanimous.

Item #2: Discussion and action to consider an Ordinance of the City of Diboll, Angelina County, Texas amending the City of Diboll Code of Ordinances Section 22-52 providing

for a definition of high weed and brush nuisances and declaring it unlawful for any owner, lessee, occupant, representatives or person in charge of any lot, track or parcel of land within the city to allow grass, weeds or brush to grow in height exceeding 12 inches from the ground surface in zoning districts other than agricultural districts and adjoining developed street right-of ways, and providing a severability clause; and effective date.

Motion made by Council member Hendrick to approve. Seconded by Council member Ivey. None Opposed. Vote in favor unanimous.

Item #3: Discussion and action to authorize the City Manager and Fire Chief to sell as surplus two fire apparatus.

- a. 1992 E-1 Pumper S/N 1GDP7H1J2NJ525770
- b. 1987 Ford Chassis Cab S/N 1FDNF77H9HVA57154

Motion made by Council member Hendrick to approve. Seconded by Council member Ivey. None opposed. Vote in favor unanimous.

Item #4: Appoint Laura Hobbs and Chrystal Williams to the Library Board of Trustees to replace Mike Warren and Carolyn Elmore. Both of these directors have moved out of the area.

Motion made by Council member Lopez to appoint new directors. Seconded by Council member Ivey. None Opposed. Vote in favor unanimous.

Item #5: Authorize City Manager to enter into an Inter local Agreement with TML Multi State Intergovernmental Employee Benefits Pool to provide health benefits to municipal employees.

Motion made by Council member Ivey to approve. Seconded by Council member Hendrick. None opposed. Vote in favor unanimous.

Item #6: Authorize City Manager to sign a Cobra Continuation of Coverage Administrative Agreement with TML Multi State Intergovernmental Employee Benefits Pool.

Motion made by Council member Hendrick to approve. Seconded by Council member Ivey. None opposed. Vote in favor unanimous.

Item #7: Discussion and action to consider an Ordinance electing for the city to make current and prior service contributions to the city's account in the benefit accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employment compensation.

Motion made by Council member Ivey to approve. Seconded by Council member Hendrick. None opposed. Vote in favor unanimous.

Item #8: Update and Discussion concerning the remaining balance of the Diboll Youth Baseball Association.

No action taken due to Mr. Williams, past Diboll Youth Baseball Association President was not present at the meeting.

Item #9: Discussion to set the schedules of future budget workshops.

Budget Workshop to be scheduled for August 25th at 5:515 pm at City Hall.

Item #10: CITY MANAGER AND DEPARTMENT HEAD REPORTS

- a. Update on the Home Grant Program
- b. Update on the Residential Street Condition Appraisal
- c. Update on the review of the 2000 Diboll Comprehensive Plan and Capital Improvement Program
- d. Update on the grant opportunity for a new Comprehensive Plan and Capital Improvement Program
- e. Update on the grant opportunity for a Community Development Block Grant for improvements needed at the waste water plant.

City manager updated the City Council on the above. Chief Baker reported the crime statistics to the City Council. Loretta Christmas gave a report on the Ninja Turtle Pizza Party and the upcoming events and activities for Diboll Day.

Item #11: Convene in Executive Session pursuant to Local Government Code 551.074 – Personnel Matters – Public Municipal Officer - to consult with City Attorney concerning the investigation of employee complaints against City Manager.

City Council convened onto executive session with City Attorney Cassels.

Item #12: Reconvene into Open Session to discuss and/or take action on investigation concerning City Manager.

City Council reconvened to discuss and take action on the investigation. The City Council reported the finding of no inappropriate touching. They did find that the City Manager used inappropriate language with city staff. The following items were in a motion made by Council member Ivey, seconded by Council member Hendrick. Motion passed.

Item 1. Employee manual to be amended to include sexual harassment policy.

Item 2. Mr. Boren to take mandatory training

Item 3. Video cameras to be installed

Item 4. Contract to be amended to include probation for the term of the contract with no severance should any future claims of proven harassment with specific recorded evidence. This suggestion was made to the council by Mr. Boren after Council discussed the length of 6 months to 18 months.

Adjournment




~~Mayor, John McClain~~ SS

MAYOR Pro Tem

Lewis IVET

ATTEST:


City Manager, Gerry Boren