

**REGULAR MEETING**

**April 10, 2012**

**7:00 p.m.**

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There being a quorum present, Mayor Saunders called the meeting to order at 7:00 p.m.

Council members present: Rick Neumayer, Brett Latta, Greg Allen, Ann Fessenden and Tyrone Martin

Absent: None

Neumayer made a motion to approve the Consent Agenda to include the Minutes to the last meeting and budget review and payment of bills. Latta seconded the motion. Votes:

**For** – Neumayer, Latta, Allen, Fessenden and Martin

**Against** – None

**Passed** – 5-0

**Public Comment:**

- Marie Graham stated that she has noticed the new officer visiting businesses in town and invites him to come out to meet the residents of her facility.

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The following Ordinance was read for the second and final time for consideration:

**Ordinance Number 12-0410**

**AN ORDINANCE OF THE CITY OF KERENS, TEXAS, AMENDING THAT SECTION OF THE CODE OF ORDINANCES, CITY OF KERENS, TEXAS CHAPTER 8, SECTION 4 - A - TRAFFIC CONTROL SIGNS**

**Be it Ordained by the City Council of the City of Kerens, Texas:**

**THAT** the following items will be amended to read:

26. On the east and west side of S Throckmorton Avenue at its intersection with S. 2<sup>nd</sup> Street controlling north and south bound traffic on S. Throckmorton Avenue; and on the north and south side of S. 2<sup>nd</sup> Street at its intersection with S. Throckmorton Avenue controlling east and west bound traffic on S. 2<sup>nd</sup> Street creating a 4-way Stop.
27. On the east and west side of S. Bonner Avenue at its intersection with S. 2<sup>nd</sup> Street controlling north and south bound traffic on S. Bonner Avenue and on the north and south side of S. 2<sup>nd</sup> Street at its intersection with S. Bonner Avenue controlling east and west bound traffic on S. 2<sup>nd</sup> Street creating a 4-way Stop.
28. On the east and west side of S. Goodman Avenue at its intersection with S. 2<sup>nd</sup> Street controlling north and south bound traffic on S. Goodman Avenue; and on the north and south side of S. 2<sup>nd</sup> street at its intersection with S. Goodman Avenue controlling east and west bound traffic on S. 2<sup>nd</sup> Street creating a 4-way Stop.
33. On the east and west side of S. Humphreys Avenue at its intersection with S. 3<sup>rd</sup> Street; and on the north and south side of S. 3<sup>rd</sup> Street at its intersection with S.

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Humphreys Avenue controlling east and west bound traffic on s. 3<sup>rd</sup> Street creating a 4-way Stop.

- 42. On the east and west side of S. Throckmorton Avenue at its intersection with S. 4<sup>th</sup> Street; and on the north and south side of S. 4<sup>th</sup> Street at its intersection with S. Throckmorton Avenue controlling east and west bound traffic on S. 4<sup>th</sup> Street creating a 4-way Stop.
- 44. On the east and west side of S. Goodman Avenue at its intersection with S. 4<sup>th</sup> Street; and on the north and south side of S. 4<sup>th</sup> Street at its intersection with S. Goodman Avenue controlling east and west bound traffic on S. 4<sup>th</sup> Street creating a 4-way Stop.

**SEVERABILITY**

If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Kerens, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reason of unconstitutionality or invalidity of any portion or provision.

Latta made a motion to pass and approve the Ordinance as read. Neumayer seconded the motion. Votes:

- For** – Neumayer, Latta, Allen, Fessenden, and Martin
- Against** – None
- Passed** – 5-0

The following Order was read for consideration:

**ORDER OF CANCELLATION**

The City Council of the City of Kerens hereby cancels the election scheduled to be held on May 12, 2012 in accordance with Section 2.053(a) of the Texas Election Code.

The following candidates have been certified as unopposed and are hereby elected as follows:

- Greg Allen                      Alderman
- Carole Cottrell                Alderman
- Ann Fessenden                Alderman

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

Martin made a motion to pass and approve the Order as read. Allen seconded the motion. Votes:

- For** – Neumayer, Latta, Allen, Fessenden, and Martin
- Against** – None
- Passed** – 5-0

Ruth Wilson spoke to the Council concerning her complaint against Tyrone Martin's barking dog. After hearing her complaint again, Mayor Saunders stated that he

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would make sure that animal control checked the situation again. He also told her that none of the other neighbors has complained.

TIF Board of Directors submitted a request to approve their recommendation to award the sidewalk improvement project to Ross Washington for completion. Neumayer made a motion to approve the request of the TIF Board. Allen seconded the motion. Votes:

**For** – Neumayer, Latta, Allen, Fessenden, and Martin

**Against** – None

**Passed** – 5-0

Martin made a motion to accept and approve the default rates for Municipal Telecommunications Right-of-Way Access Line Rates as adjusted for inflation by the Public Utility Commission of Texas. Latta seconded the motion. Votes:

**For** – Neumayer, Latta, Allen, Fessenden, and Martin

**Against** – None

**Passed** – 5-0

After some discussion, the council requested Scott to write an amendment to the Animal Control portion of the City Code for presentation at the next Regular Meeting. They want to remove provisions for the livestock permit, allowing no livestock or fowl within the city limits after December 31, 2012.

Allen made a motion to approve the request of the Kerens Volunteer Fire Department for \$1,500 for materials to replace the back wall of the Fire Station. The KVFD will provide installation. Fessenden seconded the motion. Votes:

**For** – Neumayer, Latta, Allen, Fessenden, and Martin

**Against** – None

**Passed** – 5-0

### Operations

- **Property Inspections** – Chief Miers stated that Officer Covey's report shows 2 animal citations, 4 occupancy inspections, 5 junk vehicles abated and 7 properties mowed.
- **Water Dept.** – No major problems.
- **Sewer Dept.** – Our crew has reworked several manholes to reduce I & I.
- **Street Dept.** – Mayor Saunders stated that he still wants to try oil sand, perhaps on Reagan Street.
- **Police Dept.** – Chief Miers introduced Erik Heilmann as the newly hired patrol officer. He also presented his racial profiling report as well as comparison of UCRs since 2008.
- **Animal Control** – no new problems.
- **Court** – court was held last week.
- **Tax Dept.** – This month's report not yet received, but 84.78% of current property taxes collected as of February 29, 2012.
- **Office** – Scott reported that the electric line going into the back of the building was pulled down by an 18 wheeler. Repairs were made and brought up to code at the same time. City Hall was without electric service from about noon until 10:00 p.m.

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- **Grants** – work on the final stage of the Drainage Grant has been stalled pending attorney action after Doug Trent ordered us off his property.
- **Economic Development** – No new information.
- **Long Range Planning** – Scott updated the council on the completion of several items on the schedule.

Neumayer made a motion to adjourn the meeting. Latta seconded the motion.  
Votes:

**For** – Neumayer, Latta, Allen, Fessenden, and Martin

**Against** – None

**Passed** – 5-0

With no further business to transact, Mayor Saunders adjourned the meeting at 8:33 p.m.

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**Jeffrey Saunders, Mayor**

**Attest:**

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**Cindy Scott, City Secretary**