

## REGULAR MEETING

October 11, 2011

7:00 p.m.

A Public Hearing was held regarding the Final Notice and Order of Condemnation on Price Addition, Block 7, Lots 5 & 12 located at 612 NW Fifth Street, owned by Johnny and Harvest McGriff.

There being a quorum present, Mayor Saunders called the meeting to order at 7:05 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:

- Mari Graham asked that the police department look into the trash and litter at 401 N. Wright and also stated that she would like to see the fire hydrant in front of her business be painted. She thinks it has graffiti on it.
- Billy Fitzgerald wants to see the abandoned trailer house on SW Seventh torn down. He said it is just a place for cats to breed and kids to hang out in. He also stated that the field next to it has not been mowed in two years. Mr. Fitzgerald also complained that the gate in the fence next to the big ditch has not been repaired. He said that several small children have fallen over the gate. Mayor Saunders explained that the fence belonged to The Kerens Apartments and they would need to make those repairs.

The following Order was read for consideration:

### PLANNING AND ZONING COMMISSON ORDER OF CONDEMNATION

On the 11<sup>th</sup> day of October, 2011 the City Council, acting as the Planning and Zoning Commission for the City of Kerens, held a public hearing and after considering the evidence provided, IT IS THEREFORE ORDERED that the structures be vacated, the buildings secured from unauthorized entry, and the buildings demolished within thirty (30) days from the hearing concerning the structures located at:

612 NW Fifth Street  
Kerens, Navarro County, Texas

If the buildings are not vacated, secured or demolished within the allotted time, the municipality may secure and demolish the buildings and file a lien on the property for the expenses.

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**7:00 p.m.**

Neumayer made a motion to approve the Order as read. Latta seconded the motion. Votes:

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

**Against** – None

**Passed** – 5-0

The following Resolution was read for Consideration:

**RESOLUTION NO. 11-1011**

**WHEREAS**, the Kerens Economic Development Corporation is presently in need of additional funds for use in the improvements to units 103 & 105 of the downtown building and it is desirable that a loan be effected to obtain said sum, and;

**WHEREAS**, the Kerens Economic Development Corporation needs to issue a Deed of Trust to the Powell State Bank to secure said property; and

**WHEREAS**, the City Council of the City of Kerens agrees that the Kerens Economic Development Corporation requires this loan for an acceptable project,

**NOW THEREFORE BE IT RESOLVED** by the City of Kerens that approval is hereby granted for the Kerens Economic Development Corporation to execute a loan from Powell State Bank using the downtown building as collateral and that EDC President A. L. Atkeisson and Vice-President Jeffrey Saunders be authorized to sign on behalf of the Kerens Economic Development Corporation.

Neumayer made a motion to pass and approve the Resolution as read. Allen seconded the motion. Votes:

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

**Against** – None

**Passed** – 5-0

The following Resolution was read for Consideration:

**RESOLUTION 11-1011B**

**OF THE CITY COUNCIL OF THE CITY OF KERENS, TEXAS,  
ACCEPTING THE DRAINAGE IMPROVEMENTS UNDER THE  
CITY'S TEXAS DEPARTMENT OF RURAL AFFAIRS, CONTRACT  
NO. 729147, AND AUTHORIZING FINAL PAYMENT TO J & K  
EXCAVATION.**

**WHEREAS**, the City council accepts the actual quantities and costs of said improvements pursuant to the final estimate of The C. T. Brannon Corporation, Consulting Engineers; and

**WHEREAS**, the City Council establishes the warranty period for said improvements; and

**WHEREAS**, the City Council authorizes final payment to be made to the construction Contractor.

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7:00 p.m.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERENS, TEXAS:**

1. That the City of Kerens Accepts the project as constructed by the Contractor under the contract dated the 16<sup>th</sup> day of December, 2010, between J & K Excavation and the City of Kerens, Texas, approved by a final inspection of The C. T. Brannon Corporation, Consulting Engineers.
2. That the City of Kerens establishes the warranty period under the provision of the contract to be in effect commencing on this date and to remain in full for force and effect until October 11, 2011, 2012, at 12:00 p.m., midnight.
3. That the City of Kerens authorizes payment to the Contractor of \$155,036.31 which represents the total cost of the project including all change orders.
4. That the City of Kerens authorizes final payment to the Contractor as approved by the C. T. Brannon Corporation, Consulting Engineer in the amount of \$34,853.71, to be paid upon receipt of funds from the State and upon presentation to the City of an "Affidavit of All Bills Paid" by the Contractor.

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

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

**Against** – None

**Passed** – 5-0

No action was taken on ballot nominations for the Navarro Central Appraisal District Board of Directors.

Neumayer made a motion to continue to exempt "Goods-in-Transit" from City Property Taxes.. Martin seconded the motion. Votes:

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

**Against** – None

**Passed** – 5-0

Martin made a motion to renew Agreement for Animal Shelter services with the Humane Society of Cedar Creek Lake for another year. Latta seconded the motion. Votes:

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

**Against** – None

**Passed** – 5-0

Neumayer made a motion to accept Brannon Corporation's proposal for Engineering Services for the 2011/2012 TDRA Grant Program. Latta seconded the motion. Votes:

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

**Against** – None

**Passed** – 5-0

## REGULAR MEETING

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Neumayer made a motion to accept Tim F. Glendenning & Associates' proposal for Grant Administration Services for the 2011/2012 TDRA Grant Program. Allen seconded the motion. Votes:

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

**Against** – None

**Passed** – 5-0

### Operations

- **Property Inspections** – Don Covey's report shows 2 certificate of occupancy inspections, 2 citations, 8 vehicles abated, 2 properties mowed and 3 properties cleaned up for the month of September.
- **Water Dept.** – Cindy Scott stated that mild draught conditions were instigated by the City of Corsicana, triggering the City of Kerens voluntary water conservation efforts. Mayor Saunders stated that Randy Featherston was now doing all of the Water Treatment Plant Operators duties.
- **Sewer Dept.** – no major problems
- **Street Dept.** – Roller back in the shop this week.
- **Police Dept.** – Chief Miers stated that the Rural Law Enforcement Institute is donating laptops for all cars and records management software.
- **Animal Control** – Chief Miers stated that Covey and Ivey have attended the State's zoonosis school.
- **Court** – No problems. Court is scheduled for Thursday.
- **Tax Dept.** – Russell Hudson's report not yet received.
- **Office** – No problems to report. Audit field work has been scheduled for January 16.
- **Grants** – 2009 Sewer Grant is due in Austin this month for desk review. SECO grant was sent for desk review and audit last month. Brannon is working on a change order to extend the Drainage Improvement work outside the city limits.
- **Economic Development** – We have several new businesses opening in October and November.
- **Long Range Planning** – TIF board will be convened to approve sidewalks.

Neumayer made a motion to adjourn the meeting. Allen 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 7:57 p.m.

**REGULAR MEETING**

**October 11, 2011**

**7:00 p.m.**

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**Jeffrey Saunders, Mayor**

**Attest:**

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**Cindy Scott, City Secretary**