

## **MINUTES OF JANUARY 8, 2024, REGULAR MEETING**

On this, the 8<sup>th</sup> day of January 2024, beginning at 6:00 p.m., the City Council convened in regular session in the City Council Room. The meeting being open to the public and notice of said meeting having been given as prescribed by Chapter 51 of the Government Code with the following being present and in attendance to wit:

Mayor Joe Davis, Council Members Ed Bailey, Jill Cromwell, C.W. Ivey, Leslie Ivy, Melisa McIntosh and Mollie Moffitt. Employees present were City Secretary Cindy Woodard, Fireman Nick Narvaez, Public Works Director Junior Casas, Police Chief Rex Plant, and Water Clerk Marla Green. Others present were Roger Estlack.

Absent: Ray Dickson and Wooday Richardson

### **CALL TO ORDER AND INVOCATION**

Mayor Davis called the regular meeting to order and noted a quorum present. He welcomed all in attendance and asked Alderwoman Cromwell to voice the invocation. The following items were presented.

### **PUBLIC COMMENT**

No comments were made.

### **APPROVE CONSENT AGENDA ITEMS**

The consent agenda items were presented for approval: the regular meeting minutes from December 11, 2023, accept collections and pay expenditures for December 2023 and Quarterly Investment Report ending December 2023. Alderman Bailey moved to approve the consent agenda items, seconded by Alderwoman Moffitt. The vote was unanimous in favor.

### **DEPARTMENT HEAD REPORTS ON MONTHLY ACTIVITIES**

Public Works Director Junior Casas reported he met with TxDOT to locate some water lines under Highway 287. They are going to begin a project to concrete the highway from Garrison's to Medical Drive. The wet weather has made it difficult to repair potholes. It has also caused the new trash truck to get stuck twice. He is looking at welding some hooks onto the body of the truck since there is not a good place to hook up a chain to pull it out of the mud.

Fireman Nick Narvaez presented his written report to the council. He reported this month has been quiet with only two wrecks and a chimney fire where someone lit their fireplace and forgot they had blankets stuffed in there.

Police Chief Rex Plant presented his written report. He reported everything is working well and they got the skylight in the office repaired. Animal Control Officer Brian Watson will be taking a code enforcement class at the end of the month. They plan to start in the spring enforcing cleanup of abandoned properties and junk vehicles.

**CONTINUATION OF MINUTES JANUARY 8, 2024**

City Secretary Woodard reported the TML Region 2 quarterly meeting will be held in Borger on January 18<sup>th</sup> and rsvp's need to be in by Friday. She reported she will be attending the election law seminar this week and the first day to file for city council will be January 17<sup>th</sup>. Terms expiring this year are Mayor Davis, Alderman Richardson, Alderwoman Moffitt, Alderwoman Cromwell and Alderman Dickson. There will also be a special election to fill the unexpired term in Ward 1 held by Alderman Ivey.

Municipal Court Judge David Aleman was absent and his written monthly report was presented to the council.

**CONSIDER ASSISTANCE FROM HOTEL OCCUPANCY TAXES TO MEMPHIS ECONOMIC DEVELOPMENT CORPORATION FOR AREA WELCOME GUIDE**

Rodger Estlack presented his proposal to create a welcome guide for Memphis and Hall County. The Economic Development Corporation has approved to sponsor the guide and Hotel Occupancy Tax funds can be used to assist the project. Alderwoman McIntosh moved approve \$3,500 out of Hotel Occupancy Tax Fund to the Memphis Economic Development Corporation for the area Welcome Guide, seconded by Alderwoman Ivy. The vote was unanimous in favor.

**CONSIDER CONSTRUCTION OF FENCE AROUND DUMPSTERS AT MEMPHIS HOUSING AUTHORITY APARTMENTS ON BERRY AVENUE**

Alderwoman McIntosh reported she has talked to Josh Talley and the Housing Authority has agreed to pay for the materials to put a fence around the dumpsters and the city put up the fence. Alderwoman McIntosh moved to approve the construction of the fence around the dumpsters at the housing authority apartments on Berry Avenue with the Housing Authority paying for the materials, seconded by Alderwoman Ivy. The vote was unanimous in favor.

**CONSIDER PROJECT FOR APPLICATION TO THE 2024 REGIONAL SOLID WASTE GRANTS PROGRAM**

City Secretary Woodard reported the available funding for the grant cycle this year is less than \$100,000 for all projects submitted. The council discussed two projects, one for a new skid steer and one for ten cardboard dumpsters. Alderwoman Moffitt moved to consider the cardboard dumpsters for the application to the 2024 Regional Solid Waste Grants Program, seconded by Alderwoman Cromwell. The vote was unanimous in favor.

**CONSIDER RESOLUTION 1-8-24A AUTHORIZING THE SUBMISSION OF A FY 2024 REGIONAL SOLID WASTE GRANTS PROGRAM APPLICATION TO PANHANDLE REGIONAL PLANNING COMMISSION**

Alderwoman Moffitt moved to approve Resolution 1-8-24A authorizing the submission of a FY2024 Regional Solid Waste Grants Program application to Panhandle Regional Planning Commission, seconded by Alderwoman Ivy. The vote was unanimous in favor. A copy of the resolution follows these minutes.

**CONTINUATION OF MINUTES JANUARY 8, 2024**

**CONSIDER SPECIAL REQUEST TO REMOVE TRACTOR TIRES AT MEMPHIS COUNTRY CLUB**

Mayor Davis reported someone had dumped two large tractor tires on the country club property and they are requesting the city to help remove them. Alderwoman Moffitt moved to approve the special request for the city crew to remove the two tractor tires with the Memphis Country Club paying the tire disposal fee, seconded by Alderwoman McIntosh. The vote was unanimous in favor.

**CONSIDER LOCKING GATE ENTRANCE TO CITY PARK DURING RESTRICTED HOURS**

Police Chief Plant requested the council consider locking the park gates. They can put a combination lock and overnight campers can call the police department to get the combination. Alderwoman McIntosh moved to approve locking the gate entrance to the city park during restricted hours at the Police Chief's discretion, seconded by Alderwoman Moffitt. The vote was unanimous in favor.

**CONSIDER APPOINTING FIRE MARSHAL AND UPDATING FIRE CODE**

Police Chief Plant reported the city ordinance allows for a Fire Marshall, but that person has to have arrest powers. He also recommended updating the fire code to the most current version to help with ordinance enforcement. Alderwoman McIntosh moved to appoint the Chief of Police as Fire Marshall and update the fire code, seconded by Alderwoman Moffitt. The vote was unanimous in favor.

**CONSIDER APPROVAL OF UPDATED POLICE POLICY**

Alderman Ivey reported he has reviewed the police policy. He recommends they change the wording from Police Commissioners to Police Committee and clarify the probation period is different from other city employees. Alderman Ivey moved to approve the police policy with the recommended changes, seconded by Alderman Bailey. The vote was unanimous in favor.

**CONSIDER INCREASE IN ANIMAL CONTROL FEES**

Police Chief Plant presented recommended changes in animal control fees to help cover the costs of the actual services. Alderwoman McIntosh moved increase the animal control fees as recommended and immediate euthanasia of fortified animals, seconded by Alderwoman Ivy. The vote was unanimous in favor.

**CONSIDER ANIMAL CONTROL CONTRACT WITH CITY OF LAKEVIEW**

City Secretary Woodard presented a contract for the City of Lakeview for animal control services. The contract is the same as the one with Estelline and Turkey. The hourly rate will be

**CONTINUATION OF MINUTES JANUARY 8, 2024**

adjusted to \$25.04 which is the current officer's rate of pay with benefits added in. Alderwoman Cromwell moved approve the animal control contract with the City of Lakeview with the adjusted hourly rate, seconded by Alderwoman McIntosh. The vote was unanimous in favor.

**CONSIDER APPROVAL OF EXPENDITURE AND INVENTORY POLICY**

Polices for department expenditures and inventory were reviewed. Alderwoman Ivy moved approve the presented expenditure and inventory policy, seconded by Alderwoman Cromwell. The vote was unanimous in favor.

**CONSIDER RESOLUTION 1-8-24B APPROVING ANNUAL REVIEW OF INVESTMENT POLICY**

City Secretary Woodard reported the city investment policy must be reviewed annually and approved by Resolution. Alderwoman Ivy moved to approve Resolution 1-8-24B approving the annual review of the city investment policy, seconded by Alderwoman McIntosh. The vote was unanimous in favor. A copy of the Resolution follows these minutes.

**CONSIDER REQUEST FOR BIDS FOR PROPERTY CLEANUP ON THE 100 BLOCK OF S. 5TH STREET**

City Secretary Woodard reported the 30-day deadline to complete the cleanup of the property would be on the 12<sup>th</sup> of this month. Alderwoman Ivy moved to begin accepting bids on Tuesday, January 16th for property cleanup on the 100 block of S. 5<sup>th</sup> street, seconded by Alderwoman Cromwell. The vote was unanimous in favor.

**BUDGET AMENDMENT FOR POLICE DEPARTMENT**

City Secretary Woodard recommended moving the K-9 expense amount over to supplies line item since they no longer have the K-9. Alderman Bailey moved to amend the police budget and move the \$3,000 from the K-9 expense to the supplies line item, seconded by Alderwoman McIntosh. The vote was unanimous in favor.

**REPORT FROM CLEAN UP COMMITTEE**

Alderwoman Ivey reported the cleanup committee met today and they will be meeting with Junior on the 18<sup>th</sup>. They are looking at putting a work order system in place and the priority will be the laundromat. Alderman Ivey has put together a list of signs that need to be replaced and potholes that need to be fixed. They were going to give it to Junior and let him delegate giving a time frame for the work to be done. Alderwoman Cromwell discussed trying to use a patching system to fix potholes with a different material than what is being used now and also cleaning up around the square once a month.

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**MAYOR AND COUNCIL ITEMS OF COMMUNITY INTEREST**

Alderman Ivey commented there is a pothole near the overpass that needs to be addressed because it is a traffic hazard. Alderwoman McIntosh thanked everyone for what they do. Alderman Bailey commented he is glad to see progress. Alderwoman Ivy thanked everyone for what they do. She reported they discussed having an employee luncheon to go over policy. This would be a mandatory meeting for all employees. Alderwoman Cromwell reported they want to show the employees they appreciate them and this luncheon will give the council an opportunity to do that. She would like to get with the Mayor before the meeting and go over what needs to be addressed that day. Mayor Davis agreed this would be a good idea.

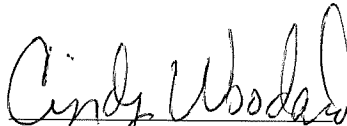
**ADJOURN**

Alderman Bailey moved to adjourn the meeting, seconded by Alderwoman McIntosh. The vote was unanimous in favor. The meeting was adjourned at 8:40 p.m.

Approved:

  
Joe Davis, Mayor

Attest:

  
Cindy Woodard, City Secretary

RESOLUTION NO. 1-8-24A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MEMPHIS, TEXAS, AUTHORIZING THE SUBMISSION OF A FY 2024 REGIONAL SOLID WASTE GRANTS PROGRAM APPLICATION TO THE PANHANDLE REGIONAL PLANNING COMMISSION (PRPC) AND AUTHORIZING THE MAYOR TO REPRESENT THE CITY IN ALL MATTERS PERTAINING TO THIS APPLICATION.

**WHEREAS**, the citizens of the State of Texas, either directly or indirectly, pay into a state-managed solid waste tipping fee fund which provides the Texas Commission on Environmental Quality (TCEQ) the funding to administer a variety of programs designed to afford the state a higher degree of environmental protection; and

**WHEREAS**, a portion of these TCEQ-administered tipping fee funds have been made available to the state's local governments through the regional councils of governments of Texas to provide grants for regional/local solid waste management projects; and

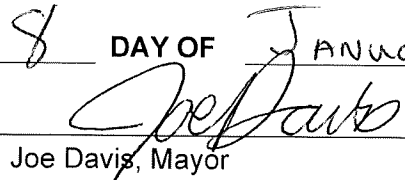
**WHEREAS**, the primary intent of these grant funds is that they be used to implement/enhance programs at the regional/local level which promote the management goals of the regional and state solid waste plans; and

**WHEREAS**, the City is eligible to receive these funds and desires to undertake a program which advances the solid waste management goals and objectives of the state solid waste management plan and the Panhandle Regional Solid Waste Management Plan.

**NOW THEREFORE**, be it resolved by the City Council of the City of Memphis, Texas:

1. That the City Council has reviewed the project details and has duly authorized the submission of a related grant application to the PRPC.
2. That City is applying for funds to equip and implement a program to be known as the **City of Memphis Recycling Project**.
3. That the City Council designates the Mayor to act as its duly authorized representative in all matters pertaining to this application.
4. That any grant funds received will be used for their intended purpose.
5. That as a condition of funding, the City agrees to provide the necessary certifications and assurances required by the TCEQ.

CONSIDERED AND APPROVED THIS 8 DAY OF January, 2024

  
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Joe Davis, Mayor

ATTEST:

  
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Cindy Woodard, City Secretary

**RESOLUTION NO. 01-08-24B**

**A RESOLUTION APPROVING THE REIVEW OF THE INVESTMENT POLICY FOR  
THE CITY OF MEMPHIS, TEXAS**

**WHEREAS**, the requirements of the Public Funds Investment Act, Chapter 2256, Government Code, requires the adoption and annual review of an investment policy for the municipality; and

**WHEREAS**, the City Council in their November 9, 2020, adopted of an investment policy, which is on file in the City Secretary's office and prescribed by the policy; and

**WHEREAS**, the investment policy shall be formally reviewed by resolution on an annual basis by the City Council; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEMPHIS**, that the annual review of the investment policy adopted in the November 9, 2020, City Council meeting has been performed.

**PASSED AND APPROVED** by the City Council of the City of Memphis on this 8th day of January, 2024.

APPROVED: \_\_\_\_\_

Joe Davis, Mayor

ATTEST: \_\_\_\_\_

Cindy Woodard, City Secretary