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AGENDA
CITY COUNCIL MEETING
TUESDAY, JANUARY 19, 1993
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Open & Tabulate Bids on 1978 Mercury Drug Seizure Vehicle - $100.00 Minimum Bid
5. Open & Tabulate Bids on 1986 Ford F250 3/4 Ton Pickup - $100.00 Minimum Bid
6. Open & Tabulate Bids on Two (2) 1985 Medium Duty Dump Trucks - $4,000.00 Minimum Bid Each
7. Consider Awarding Bids on Lynn and Cypress Street Project
8. Authorize Going Out for Bids for Water Well Construction
9. Hear Report on Golf Course Operation
10. Authorize Asking for Bids for Ten Golf Carts
11. Consider Ammending the Golf Course Budget

Executive Session:

1. Discuss personnel on Salaries for Golf course

LATE AGENDA ITEM: JANUARY 12, 1993 at 3:55 P. M.

1. Bo Smith to Discuss Summer Youth Baseball Project with Council

POSTED ON BULLETIN BOARD TUESDAY, JANUARY 12, 1993 , 10:15 A.M. at DIBOLL CITY HALL.

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Minutes of a regular City Council Meeting, Tuesday, January 19,1993, 5:15 P.M., at Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Dick Albrecht	Councilman	
Sam Coleman	Councilman	
Clyde Maxey	Councilman	
R. W. Ingram	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Dewey Wolf	Golf Course Superintendent
Earl Carr	Director of Public Works
J. B. McConnico	Judge
Roger Sanders	Water & Sewer Superintendent
Nick Ashworth	Parks Superintendent
Carl Halsell	Street Superintendent
Danny Ray	Chief of Police
Billy Simms	KSA Engineers
Raymond Vann	
Bo Smith	
Mike Smith	
Beauford Chapman	
Jim Gray	Editor, Free Press
Levy Ellison	

Item #1 & #2 Mayor James Simms called the meeting to order and asked Sam Coleman to give the invocation.

Item #3 Sam Coleman made a motion to approve the minutes of the previous council meetings and Don Hendrick seconded with correction to Item #3.

Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	
Don Hendrick	

Motion Carried

Item #4 Jimmy Cassels, City Attorney, opened and tabulated bids received on 1978 Mercury drug seizure vehicle as follows:

Fred Weeks Diboll, Texas	$111.00

Dick Albrecht made a motion to accept the high bid of $111.00 from Fred Weeks and Clyde Maxey seconded.

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Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #5 Jimmy Cassels, city attorney, opened and tabulated bids received on the 1986 Ford F250 3/4 ton pickup as follows:

J. A. McMullen	$258.00
A. L. Grandgeorge	$300.00

The council rejected all bids and Don Hendrick made a motion to rebid with a $750.00 minimum.

Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #6 Jimmy Cassels, city attorney, opened and tabulated bids received on two dump trucks as follows:

Poulands	truck #34	$4,400.00
Poulands	truck #33	$4,150.00

R. W. Ingram made a motion to accept the high bid of $4,400.00 (#34) from Poulands for one truck and $4,150.00 (#33) for one truck and Dick Albrecht seconded.

Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #7 After discussion by Billy Sims, KSA Engineers, and Raymond Vann, Sam Coleman made a motion to award the bid on the Lynn and Cypress Street Project to Mathews Construction Co., Inc. at a total cost of $394,075.00. Don Hendrick seconded. (See attached bidders list)

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Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #8 City Manager, Vernon Cupit, made comments and justification. Dick Albrecht made a motion to authorize going out for bids for water well construction and new lines. Clyde Maxey seconded.

Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	
Don Hendrick	

Motion Carried

Item #9 Dewey Wolf gave a report on the Golf Course operations. Summarized revenues, improvements and miscellaneous. 18 holes in 1990. Working on 30% increase this year. Stated overall completion of course is progressing on schedule.

Item #10 Don Hendrick made a motion to authorize asking for bids for ten golf carts and Clyde Maxey seconded.

Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Mayor called the council into executive session at 6:25 P.M.. No decisions were made in executive session and no votes were taken. (Minutes of executive session are kept in vault.)

Mayor reconvened council in open session at 6:57 P.M. and asked for recommendations from city manager, Vernon Cupit.

Recommended council to authorize position and hiring of Golf Course Maintenance Superintendent, with expertise in agronomy. Authorize salary of $25,000.00: starting at less than that for 6 months and budget be amended. Don Hendrick made the motion and Sam Coleman seconded.

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Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #11 City Manager, Vernon Cupit, recommended to purchase inventory of pro-shop and operate. Also, hire 2 additional employees. Promote Jimmy Mettlen with raise. Amend budget to $58,000.00 increase.

R. W. Ingram made the motion and Clyde Maxey seconded.

Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Late Item Moved to Item #4
Bo smith discussed Summer Youth Baseball Project with the council. Bo Smith asked if could hire couple of kids part-time to work on fields until summer. Hire one less full time during summer. Mayor James Simms said warden of prison will provide work crews if city would provide tools. Bo Smith asked about possibility of additional field (T-Ball). Mayor James Simms suggested try to involve Parks Board in project. Bo Smith stated needed to check lighting system on fields. Probably 10% of population playing baseball, some 500 kids. Mike Smith stated some painting needed. Mike Smith said plans were to go to all grass infield. Beauford Chapman gave some statistics of field useage during a regular and post season. Said getting excellent return on money.

There being no further business, Don Hendrick made a motion to adjourn and Dick Albrecht seconded.

Voting For	Voting Against
Dick Albrecht	None
Sam Coleman	
Clyde Maxey	
R. W. Ingram	

Motion Carried.

Meeting adjourned at 7:10 P.M. .

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Mayor Pro-Tem

Attest:

City Secretary

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: January 15, 1993 **RE:**

Items 1, 2 & 3 are routine.

Item #4 Open and tabulate bids on 1978 Mercury Drug Seizure Vehicle.

We have one bid on the Mercury at this time.

Item #5 Open & Tabulate Bids on 1986 Ford F250 3/4 Ton Truck

We have two bids on the pickup.

Item #6 Open & Tabulate Bids on Two (2) 1985 Medium Duty Dump Trucks

We do not have any bids at this time.

Item #7 Consider Awarding Bids on Lynn and Cypress Street Project.

The bids for the Lynn and Cypress Street project were opened Thursday with result per attached. K.S.A. is reviewing them at this time and will be at the meeting Tuesday to make a recommendation and answer questions.

Item #8 Authorize going out for bids for Water Well Construction.

We need to authorize going out for bid on the water project. This will be drilling the well and line work.

I am working with Mr. Maxwell in getting assistance from the company. He indicated they will pay $200,000.00 on the project, that will leave approximately $300,000.00 to be paid by bonds which the bank may purchase.

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Item # 9 Hear Report on Golf Course Operation.

Dewey will brief you on the operations of the golf course.

Item # 10 Authorize asking for Bids for Ten Golf Carts.

We need to buy ten additional golf carts. These will be delivered five at a time spring and late summer. This ten will give us sufficient cars to handle a large tournament. This is not our replacement program. We will specify the same color carts currently in use. This is not a budgeted item, but may be paid from the equipment fund.

Late Item: Discuss Summer Youth Baseball

Mike Smith and Bo Smith each called Lanny and asked to be placed on the agenda to discuss the youth baseball program. I have no other information on this item.

Item # 11 Consider amending the Golf Course Budget.

Action on item eleven depends on the results of the executive session.

Executive Session:

I will be able to go into more details during the meeting, but briefly, I will outline the plan.

Back at the time we began planning for the expansion of the golf course, part of these plans included adequate supervision of course maintenance and a qualified backup for Dewey. We made an attempt to accomplish this by moving John to Foreman over maintenance. This has not worked out. We need a person who has knowledge and skills in agronomy or related expertise in soil science. In short, a qualified experienced golf course maintenance person. We have a person with these qualifications who is interested in working for us. We need to create the position and ammend the budget to pay him. The extra expenditure will be paid as operating expense by the company.

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The above is part one of the plan. Part two is that the City assume complete operations of the golf program, including the pro shop.

We would need to buy Dewey's inventory initially, then keep an adequate supply in order to provide a service to our golfers. The specific details of this take over will be worked out between Dewey and I.

The other part of this is that Mrs. Wolf will not be an employee, therefore we will need to employ additional personnel in the pro shop as city employees.

We will need to create and budget for two positions. The second position will be necessary whether we take over or not.

Dewey and I have discussed the details of this plan and agree that implementing these steps will benefit the overall operations of the golf course for the city.

We will need to ammend the budget by $ 58,000.00 for the three new positions. Salary and benefits for the remaining portion of this budget year.

We will need to amend our expenditure line item by $15,000.00 for inventory. This is an approximate figure, tops, to buy Dewey out.

The end result of this change will place Dewey in a position of golf course director allowing him time to promote the course and ultimately increase play. Dewey's salary will remain the same for the current year. He should be able to increase revenue enough for next year to justify his salary in the future.

We have a good golf course. We want to make it better both in course condition and operations.

CITY OF DIBOLL
EQUIPMENT

BID TABULATION
CITY OF DIBOLL

1978 MERCURY DRUG SEIZURE VEHICLE/$100.00 MINIMUM BID

BIDDERS NAME				
FRED WEEKS DIBOLL	$111.00			

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CITY OF DIBOLL
EQUIPMENT

WATER & SEWER DEPT.

BID TABULATION
CITY OF DIBOLL

1986 FORD F250 3/4 TON PICKUP/$100.00 MINIMUM BID

BIDDERS NAME				
J. A. MCMULLEN	$258.00			
A. L. GRANDGEORGE, JR.	$300.00			

DATE: JANUARY 19, 1993

CITY OF DIBOLL
EQUIPMENT

BID TABULATION
CITY OF DIBOLL

BIDDERS NAME

POULANDS	#34	$4,400.00		
POULANDS	#33	$4,150.00		

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BIDDER'S LIST

1991 TDCP STREET IMPROVEMENTS

CITY OF DIBOLL

THURSDAY, JANUARY 14, 1993 AT 11:00 A.M.

CONTRACTOR	TOTAL BID PRICE
SIMON TRAYLOR & SONS, INC. P. O. Box 439 Jacksonville, Texas 75766 903/586-2226	$
MATHEWS CONSTRUCTION CO., INC. 641 E. Milam Jasper, Texas 75951 409/384-4520	$ 394,075.00
MCKINNEY & MOORE, INC. P. O. Box 787 Jasksonville, Texas 75766 903/586-3911	$
CCE, INC. P. O. Box 631030 Nacogdoches, Texas 75963-1030 409/560-1696	$ 416,882.00
J. W. PAYNE P. O. Box 631878 Nacogdoches, Texas 75963 409/569-6155	$ 455,437.50
MOORE BROTHERS CONSTRUCTION P. O. Box 35 Lufkin, Texas 75901 409/639-2261	$ 518,848.00
J & D CONSTRUCTION Route 2, Box 388 Bronson, Texas 75930 409/275-2464	$ 473,685.00
TIMBERLINE CONSTRUCTION P. O. Box 1848 Lufkin, Texas 75901 409/637-2666	$ 436,882.46

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CITY OF DIBOLL
1991 TDCP Street Improvements
TDCP #701441
BID TABULATION

				J. W. Payne Nacogdoches		J & D Construction Bronson		Moore Bro. Const. Lufkin	
ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Roadway Excavation I	STA	40.3	$1,185.00	$47,755.50	$1,000.00	$40,300.00	$1,450.00	$58,435.00
2	Roadway Excavation II	STA	33.2	$1,735.00	$57,602.00	$2,500.00	$83,000.00	$2,625.00	$87,150.00
3	6" Lime Stabilization	SY	20500	$2.50	$51,250.00	$2.00	$41,000.00	$2.00	$41,000.00
4	Lime	TON	290	$80.00	$23,200.00	$85.00	$24,650.00	$100.00	$29,000.00
5	6" Base (Crushed Limestone)	SY	19800	$7.00	$138,600.00	$7.25	$143,550.00	$8.61	$170,478.00
6	1-1/2" HMAC, Type "C" (Cmptd Thckns)	SY	24100	$4.20	$101,220.00	$4.25	$102,425.00	$4.00	$96,400.00
7	Seal Coat	SY	2200	$3.00	$6,600.00	$2.80	$6,160.00	$3.50	$7,700.00
8	18" RCP Storm Sewer (Class III)	LF	170	$25.00	$4,250.00	$50.00	$8,500.00	$31.00	$5,270.00
9	24" RCP Storm Sewer (Class III)	LF	24	$35.00	$840.00	$55.00	$1,320.00	$37.50	$900.00
10	Safety End Treatment	EA	16	$700.00	$11,200.00	$750.00	$12,000.00	$700.00	$11,200.00
11	Type "B" Headwall	EA	2	$1,500.00	$3,000.00	$2,000.00	$4,000.00	$2,000.00	$4,000.00
12	Curb and Gutter	LF	760	$12.00	$9,120.00	$8.00	$6,080.00	$8.50	$6,460.00
13	Rollover Curb	LF	100	$8.00	$800.00	$7.00	$700.00	$10.00	$1,000.00
	TOTAL BID PRICE				$455,437.50		$473,685.00		$518,993.00

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CITY OF DIBOLL
1991 TDCP Street Improvements
TDCP #701441
BID TABULATION

ITEM	DESCRIPTION	UNIT	QTY	Mathews Const. Jasper		C.C.E., Inc. Nacogdoches		Timberline Const. Lufkin,	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Roadway Excavation I	STA	40.3	$800.00	$32,240.00	$780.00	$31,434.00	$930.60	$37,503.18
2	Roadway Excavation II	STA	33.2	$1,200.00	$39,840.00	$925.00	$30,710.00	$1,022.90	$33,960.28
3	6" Lime Stabilization	SY	20500	$1.80	$36,900.00	$2.40	$49,200.00	$1.45	$29,725.00
4	Lime	TON	290	$85.00	$24,650.00	$77.00	$22,330.00	$103.90	$30,131.00
5	6" Base (Crushed Limestone)	SY	19800	$7.00	$138,600.00	$8.20	$162,360.00	$8.40	$166,320.00
6	1-1/2" HMAC, Type "C" (Cmptd Thckns)	SY	24100	$3.65	$87,965.00	$3.70	$89,170.00	$4.74	$114,234.00
7	Seal Coat	SY	2200	$2.80	$6,160.00	$3.30	$7,260.00	$2.67	$5,874.00
8	18" RCP Storm Sewer (Class III)	LF	170	$24.00	$4,080.00	$27.00	$4,590.00	$26.50	$4,505.00
9	24" RCP Storm Sewer (Class III)	LF	24	$30.00	$720.00	$32.00	$768.00	$37.10	$890.40
10	Safety End Treatment	EA	16	$500.00	$8,000.00	$500.00	$8,000.00	$371.00	$5,936.00
11	Type "B" Headwall	EA	2	$2,300.00	$4,600.00	$800.00	$1,600.00	$318.00	$636.00
12	Curb and Gutter	LF	760	$12.00	$9,120.00	$11.00	$8,360.00	$9.01	$6,847.60
13	Rollover Curb	LF	100	$12.00	$1,200.00	$11.00	$1,100.00	$3.20	$320.00
	TOTAL BID PRICE				$394,075.00		$416,882.00		$436,882.46

STATE OF TEXAS
R. L. THURBER
44228
REGISTERED
PROFESSIONAL ENGINEER

Corrected and Compiled by:
KSA Engineers, Inc.

Robert L. Thurber, P.E.
Vice-President

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AGENDA
CITY COUNCIL MEETING
MONDAY, FEBRUARY 15, 1993
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Bob Brown With T U Electric Will Discuss Rate Increase
5. Open and Tabulate Bids on 1986 F250 3/4 Ton Pickup
6. Open and Tabulate Bids on Golf Carts
7. Consider Purchase of Pro-Shop Inventory
8. Authorize Payment to Task Force
9. Consider Resolution for Certificate of Obligation for Water Well Project
10. Consider Resolution Urging the Governor and Legislature of the State of Texas to Adopt and Enact Legislation Providing Capital Punishment for Persons Who Abuse and Murder Children, and Providing an Effective Date
11. Appoint Election Judge and Alternates
12. Order the Election for May 1, 1993 for Mayor and Two Councilmen

POSTED ON BULLETIN BOARD AT DIBOLL CITY HALL, TUESDAY, FEBRUARY 9, 1993 at 11:45 A. M. .

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor & City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: February 12, 1993 **RE:**

Items 1, 2 & 3 are routine.

Item #4 Bob Brown with T.U. Electric Will Discuss Rate Increase.

Mr. Brown will be here to address the T.U. Electric rate increase. I expect he will say what has been said in the news about the reasons they need the increase.

The laws still leave the decision up to the Public Utility Commission. T.U. Electric has prepared two sample ordinances A-1 and H-1 attached. A-1 is the one we have used in the past which basically deffers any action to the Public Utility Commission. With this method each time a request for a rate increase is requested, the City is advised and this type action is required. Ordinance sample H-1 deffers this request and all future requests directly to the Public Utility Commission.

Item #5 Open and Tabulate Bids on 1986 F250 3/4 Ton Pickup

At this time we have one bid for the truck.

Item #6 Open and Tabulate Bids on Golf Carts

We have one bid for the golf carts and expect to receive at least one additional bid.

Item #7 Consider Purchase of Pro-Shop Inventory

The purchase of the pro shop inventory is the action required to complete the transition for the City to own and operate the pro shop.

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We will be required to take bids on the items within the inventory because collectively, as a unit, the price will exceed the no bid limit.

We will inventory next Monday and advertise for those specific items as a unit. I do not expect to receive any other bids. I recommend that management with our attorney be authorized to open and award the bids, for the purpose of expediting the sale. All sales after inventory and before close out will be accounted for in a separate holding fund. Our plans are to complete the transition March 1st or 2nd.

Item #8 Authorize Payment to Task Force

The Task Force has asked for their annual payment of $5,000.00. This is a budgeted item. We will be hearing more about the Task Force in the near future.

Item #9 Consider Resolution for Certificate of Obligation for Water Well Project

Mr. Ed Moore will be present to present the information concering the resolution for issueing the certificates for the water project.

Item #10 Consider Resolution Urging the Governor and Legislature of the State of Texas to Adopt and Enact Legislation Providing Capital Punishment for Persons Who Abuse and Murder Children, and Providing an Effective Date

The sample resolution is attached. This resolution will give strength for the enactment of such legislation.

Items #11 & 12 Appoint Election Judge and Alternates
Order The Election for May 1, 1993 for Mayor & Two Councilmen

These two items probably should be inverted, however the Mayor needs to order the election and you need to appoint an election judge. The positions up for election are Mayor Simms, Councilmen Coleman and Maxey.

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Minutes of a regular City Council Meeting, Monday, February 15, 1993, 5:15 P. M., Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Clyde Maxey	Councilman	
Sam Coleman	Councilman	
Don Hendrick	Councilman	
R. W. Ingram	Councilman	
Dick Albrecht	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Earl Carr	Director of Public Works
Carl Halsell	Street Superintendent
Dewey Wolf	Golf Course Superintendent
Danny Ray	Chief of Police
Jim Gray	Editor, Free Press
Ed Moore	Southwest Securities
Bob Brown	T U Electric
Buddy Stanaland	Task Force

Item #1 & #2 Mayor James Simms called the meeting to order and asked Vernon Cupit to give the invocation.

Item #3 Dick Albrecht made a motion to approve the minutes of the previous council meeting and Sam Coleman seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

Item #4 Bob Brown, with T U Electric made presentations for 15.3% rate increase. Presented two resolutions for consideration, old and new. Don Hendrick made a motion to keep old resolution and Sam Coleman seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

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Item #5 City Attorney, Jimmy Cassels, opened and tabulated bids received on 1986 F250 3/4 Ton Ford Pickup as follows:

RICHARD CARLTON	$875.00
ROBERT PECK, JR.	$800.00
FRED WEEKS, JR.	$785.00
BOBBY WATERS	WITHDRAW BID

Don Hendrick made a motion to reject all bids and Clyde Maxey seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

Item #6 Jimmy Cassels, City Attorney, opened and tabulated bids received on Golf Carts as follows:

WATSON'S HOUSTON, TEXAS	$28,440.00	
*** E-Z-GO TEXTRON HOUSTON, TEXAS	******$26,590.00***	15 DAY DELIVERY
MELEX USA, INC. RALEIGH, N.C.	NO BID	
METRO GOLF CARS, INC. FORTWORTH, TEXAS	NO BID	

Dick Albrecht made a motion that the low bid of $26,590.00 submitted by E-Z-GO TEXTRON be accepted upon review and acceptance by staff and R. W. Ingram seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

Item #7 Vernon Cupit, City Manager, discussed plans and propositions. Sam Coleman made a motion to go out for bids for a "lot" of golf course equipment at pro-shop and Clyde Maxey seconded.

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Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

Item #8 After discussion Dick Albrecht made a motion to authorize payment of $5,000.00 to the Task Force and R. W. Ingram seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

Item #9 After discussion by Ed Moore and Vernon Cupit, Don Hendrick made a motion to authorize publishing notice of intent resolution for Certificate of Obligation for Water Well Project and Dick Albrecht seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

Item #10 After discussion R. W. Ingram made a motion to approve the resolution urging the governor and legislature of the State of Texas to adopt and enact legislation providing capital punishment for persons who abuse and murder children and providing an effective date and Clyde Maxey seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

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Item #11 After discussion R. W. Ingram made a motion to appoint Robert Ramsey, as election judge and authorize Mr. Hendrick as alternate judge. Clyde Maxey seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

Item #12 R. W. Ingram made a motion for Mayor to order the city election for a mayor and two councilmen. Sam Coleman seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

There being no further business R. W. Ingram made a motion to adjourn and Don Hendrick seconded.

Voting For	Voting Against
Clyde Maxey	None
Sam Coleman	
Don Hendrick	
R. W. Ingram	
Dick Albrecht	

Motion Carried.

Meeting adjourned at 5:55 P. M. .

Mayor

Attest:

City Secretary

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CITY OF DIBOLL
EQUIPMENT FOR SALE

BID TABULATION
CITY OF DIBOLL

GOLF CARTS / GOLF COURSE

BIDDERS NAME				
WATSON'S HOUSTON, TEXAS	$28,440.00			
E-Z-GO TEXTRON ********** HOUSTON, TEXAS	$26,590.00**********		15 DAY DELIEVERY	
MEXEX USA, INC. RALEIGH, NC.	NO BID			
METRO GOLF CARS, INC. FORT WORTH, TEXAS	NO BID			

DATE: FEBRUARY 15, 1993

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CITY OF DIBOLL
EQUIPMENT FOR SALE

BID TABULATION
CITY OF DIBOLL

1986 FORD F250 3/4 TON PICKUP / $750.00 MINIMUM BID

BIDDERS NAME				
RICHARD CARLTON	$875.00			
ROBERT PECK, JR.	$800.00			
FRED WEEKS, JR.	$785.00			
BOBBY WATERS	WITHDRAW BID			
****REJECTED ALL BIDS******* **********				

DATE: FEBRUARY 15, 1993

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AGENDA
CITY COUNCIL MEETING
MONDAY, MARCH 15, 1993
5:15 P. M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Hear Audit Report From Lynn Montes, Axley and Rode
5. Consider Cooperative Work Agreement with East Texas Task Force With Resolution
6. Approve EPA Audit Report on Sewer Plant Operations with Resolution
7. Authorize Ordinance to Issue 1993 Series Bonds in the Amount of $500,000.00
8. Consider Refunding and Reissue of 1986 Series Bonds
9. Discuss Satellite Dishes

EXECUTIVE SESSION

1. Legal Matters Update By City Attorney

LATE ITEM

1. Ask For Authorization To Go Out For Bids For A Approximately 48'x60' Metal Storage Building For Golf Carts.

March 12, 1993-10:15 A. M.

POSTED ON BULLETIN BOARD TUESDAY, MARCH 9, 1993 AT DIBOLL CITY HALL AT 9:25 A. M..

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: March 10, 1993 **RE:**

Items 1, 2, & 3 are routine.

Item #4 Hear Audit Report

Mr. Montes will be here to discuss the audit (copy attached).

We have discussed all items listed in the management letter. Several items have been corrected some are the same as all other years, i.e., not enough personnel to disburse all work without overlapping duties. I am confident that we have enough checks and balances to avoid any inappropriate activities.

I will discuss the purchase of the motor grader and other equipment purchased from John Deere in more detail at the meeting. The motor grader was purchased three years ago on a lease purchase agreement. Paid in full last month. Equipment at golf course was bid and then paid on installment plan because of no interest. There were no bid violations during this period. The golf course building project slab was paid during this time (October 91). I will discuss this in detail again if necessary at the meeting.

The administrative problems have been corrected or being corrected.

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Item # 5 Consider Work Agreement and Resolution with Task Force.

This is the same type work agreement we have had with the task force for the past several years. We have been contributing $5,000.00 annually and this year they are asking for $13,500.00. My understanding of the increase is for two primary reasons, one, the state is requiring participants to pay a larger portion of the total cost and second, there are fewer agencies participating. Chief Ray may give more information on this at the meeting.

Even with the increase in donations I think we need to try and continue working with the task force.

Item #6 Approve EPA Audit Report

Earl has visited each of you concerning this report and resolution. We just need to take formal action on the resolution.

Item #7 Authorize ordinance to issue bonds.

This is the bond issue we have discussed for several meetings. We need to issue the full $500,000.00.

We had a meeting with Mr. Maxwell and others in the Company, and decided the Company will help defray the cost with an annual donation extended for the life of the bond issue, (14 years). We are considering about $20,000.00 annually.

Item #8 Discuss refunding the 1986 bonds.

Mr. Moore did some analysis on our 1986 Bond issue and it appears we can save about $6,000.00 annually for the life

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of the issue (12 years) or $72,000.00 if we refund and reissue these bonds.

Item # 9 Discuss Satellite Dishes

We have talked two or three times over the years about the satellite dishes and their location. Mr. Cassels will give us a brief report on this matter.

Executive Session:

There are some legal matters that Mr. Cassels will discuss.

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Minutes of a regular City Council Meeting, Monday, March 15, 1993, 5:15 P. M. at Diboll City Hall.

Present		Absent	
James Simms	Mayor	Sam Coleman	Councilman
Dick Albrecht	Councilman	Clyde Maxey	Councilman
R. W. Ingram	Councilman		
Don Hendrick	Councilman		

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Carl Halsell	Street Superintendent
Dewey Wolf	Golf Course Business Manager
Earl Carr	Director of Public Works
Danny Ray	Chief of Police
Brenda Smith	Administration Clerk
Tina Cavazos	Administration Clerk
Charles Maclain	Water & Sewer Superintendent
Jason Burrous	Police Officer
Patrick Carnley	Dispatcher
Lynn Montes	Axley & Rode
Jim Gray	Free Press, Editor
Kent & Lisa Havard	
Eddie & Julie Horton	
Levy Ellison	

Item #1 & #2 Mayor James Simms called the meeting to order and asked Vernon Cupit to give the invocation.

Item #3 Don Hendrick made a motion to approve the minutes of the previous council meeting and R. W. Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #4 Mr. Lynn Montes, CPA with Axley & Rode presented the 1991-92 annual audit report. Said the city had a clean report. Dick Albrecht asked about capital leases and bidding laws and other purchases. Lynn Montes explained about capital leases and bids. Didn't find anything to materially affect the financial statements. More concerned with recording than way reported.

R. W. Ingram made a motion to approve the audit report. Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R. W. Ingram	
Don Hendrick	

Motion Carried.

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Item #5 After discussion and questions by Counilman R. W. Ingram, Don Hendrick, and Dick Albrecht, and Danny Ray, Police Chief, Jason Burrous was asked what he thought about Task Force. Jason Burrous said he didn't think the Task Force was worth it. Eddie Horton asked why not hire full time Narcotics Investigator.

R. W. Ingram was concerned about drug problems in the city.

Failed for lack of a motion.

Item #6 After discussion and explanation by Earl Carr, Dick Albrecht made a motion to approve the EPA Audit Report on the Sewer Plant Operations with a resolution. Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #7 Item was tabled until next council meeting. R. W. Ingram made a motion to table until next meeting and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #8 Item was tabled until next council meeting. Vernon discussed. Dick Albrecht made a motion to table item till next meeting and R. W.Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #9 Satellite dishes were discussed. Jimmy Cassels discussed satellite ordinances. Said City of Diboll doesn't have ordinance addressing satellite positioning in yards. R. W. Ingram made comments. City Attorney, Jimmy Cassels said probably could not enforce movement of satellites dishes already in place.

Item will be placed on next council agenda.

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Late Item After discussion in which Vernon Cupit stated that he would like for the council to consider a 48' x 60' metal storage building. It would be large enough to store 40 carts. The golf course needs space for 10 golf carts. The other 30 spaces could be used as rental spaces. R. W. Ingram made a motion to authorize going out for bids for an approximately 48' x 60' metal storage building and electrical for golf carts. Don Hendrick seconded.

Voting For	Voting Against
	Dick Albrecht
R. W. Ingram	
Don Hendrick	

Motion Carried.

At this time Mayor James Simms called the council into executive session.

Mayor James Simms called the council back into open session. No action and no votes were taken by the council in executive session.

Mayor James Simms commended and congratulated Trey Ingram for his achievement in being selected to the all state academic sports team.

R. W. Ingram made a motion to adjourn and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R. W. Ingram	
Don Hendrick	

Motion Carried.

Meeting was adjourned at 7:45 P. M.

Next council meeting will be set for March 29, 1993 at 5:15 P. M..

Clyde Mabry
MAYOR PRO-TEM

ATTEST:

Penny Brisk
CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
MONDAY, MARCH 29, 1993
5:15 P. M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Authorize Ordinance to Issue 1993 Series Bonds in the Amount of $500,000.00
4. Consider Refunding and Reissue of 1986 Series Bonds

POSTED ON BULLETIN BOARD TUESDAY, MARCH 23, 1993 at 8:25 A. M. at Diboll City Hall.

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City of Diboll

OFFICE MEMORANDUM

TO: *Mayor and City Council*

FROM: *Vernon Cupit* Vernon Cupit

SUBJECT: *Agenda Comments*

DATE: *March 24, 1993* **RE:**

There are two items on the agenda, both tabled at our March 15th meeting.

The first item is to authorize the issuance of $500,000.00 bonds.

We have furnished Mr. Shands at the bank all necessary information and documents to finalize the sale.

Second item is to discuss the refund and reissue of the 1986 bonds.

I have attached two possible proposals received from Mr. Moore. He will be here to inform us on our possible savings and the cost incurred.

This is a discussion item.

Additional Comments:

A. I think Mr. Gray missed the audit report and reported on comments from the management letter. I did visit with him in an attempt to clarify any questions he may have had concerning the report. He understands our audit report was a clean audit. We also pointed out that the request for bids on the building was on the agenda.

B. The jail information that was reported in the Lufkin News is all Bob Brown could tell me. He has asked Mr. Duncan if there was anything else we could do! We should hear in May.

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C. I asked Billy Sims to look at our street repair needs and to give us a priority list for repairs with an estimated cost to cut off at 1.5 million. I have attached a blank priority list for you to fill out and return to me. Please indicate the street you get the most complaints on.

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Minutes of a called city council meeting, Monday, March 29, 1993, 5:15 P. M. at Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Clyde Maxey	Councilman	
R. W. Ingram	Councilman	
Dick Albrecht	Councilman	
Sam Coleman	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Earl Carr	Director of Public Works
Danny Ray	Chief of Police
Ed Moore	Southwest Securities

Item #1 & #2 Mayor James Simms called the meeting to order and asked Vernon Cupit to give the invocation.

Item #3 After discussion by city manager Vernon Cupit and Ed Moore of Southwest Securities, a motion to authorize an ordinance to issue City of Diboll, Texas, Tax and Utility System Subordinate Lien Revenue Certificates of Obligation, Series 1993 in the amount of $500,000.00 and Don Hendrick seconded.

Voting For	Voting Against
Clyde Maxey	None
R. W. Ingram	
Dick Albrecht	
Sam Coleman	
Don Hendrick	

Motion Carried.

Item #4 City Manager, Vernon Cupit and Ed Moore of Southwest Securities explained advance refunding and savings on both rated and non-rated issue. Ed Moore recommended going rated route. Estimated would save extra $30,000.00 by going with rated bonds. If decide not to go with refunding will have to pay 1/2 of rating fee. Rating good for 90 days. Item to be placed on April agenda. Probably take 3 weeks to get rating.

There being no further business, Sam Coleman made a motion to adjourn and R. W. Ingram seconded.

Voting For	Voting Against
Clyde Maxey	None
R. W. Ingram	
Dick Albrecht	
Sam Coleman	
Don Hendrick	

Motion Carried.

Meeting adjourned at 5:41 P. M..

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Clyde Mayes
MAYOR PRO-TEM

ATTEST:

Lenny Pavlik
CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
MONDAY, APRIL 19, 1993
5:15 P. M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Consider Refunding and Reissue of 1986 Series Bonds
5. Open and Tabulate Bids on Golf Cart Storage Building for Golf Course
6. Discuss Satellite Dishes
7. Consider Request for Residential Water Service Outside City Limits
8. Authorize Asking For Bids For Restrooms in Park
9. Consider Bids and Award Contract on Water Project
10. Set Council Meeting May 3, 1993 to Canvass Votes

POSTED ON BULLETIN BOARD APRIL 13, 1993 AT DIBOLL CITY HALL AT 8:30 A. M.

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Minutes of a regular City Council Meeting, Monday, April 19, 1993, 5:15 P.M. at Diboll City Hall.

Present		Absent	
R. W. Ingram	Councilman	James Simms	Mayor
Clyde Maxey	Councilman	Don Hendrick	Councilman
Dick Albrecht	Councilman		
Sam Coleman	Councilman		

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Earl Carr	Director of Public Works
Charles Maclin	Water Superintendent
Carl Halsell	Street Superintendent
Danny Ray	Chief of Police
Jason Burrous	Police Officer
Ed Moore	Southwest Securities
Billy Sims	K S A Engineers
Jim Gray	Free Press, Editor
Levy Ellison	

Item #1 & #2 Council selected Clyde Maxey to preside in the absence of the mayor and the mayor pro-tem. City Attorney Jimmy Cassels called the meeting to order and asked Vernon Cupit to give the invocation.

Item #3 R. W. Ingram made a motion to approve the minutes of the previous council meeting and Dick Albrecht seconded.

Voting For	Voting Against
R. W. Ingram	None
Clyde Maxey	
Dick Albrecht	
Sam Coleman	

Motion Carried.

Item #4 After discussion by city manager, Vernon Cupit and Ed Moore with Southwest Securities, Dick Albrecht made a motion to proceed with refunding the 1986 series bonds and R. W. Ingram seconded. Decided if savings less than $75,000.00 to reconsider again later.

Voting For	Voting Against
R. W. Ingram	None
Clyde Maxey	
Dick Albrecht	
Sam Coleman	

Motion Carried.

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Item #5 Jimmy Cassels, city attorney opened and tabulated bids on the Golf Cart Storage Building as follows:

MAC'S PORTABLE BUILDINGS	$15,975.00
GARY JONES	$NO BID
LES BROOKS	$18,991.00

R. W. Ingram made a motion to accept the low bid of $15,975.00 submitted by Mac's Portable Buildings upon review and approval by staff of specifications. Sam Coleman seconded.

Voting For	Voting Against
R. W. Ingram	Dick Albrecht
Clyde Maxey	
Sam Coleman	

Motion Carried.

Item #6 Jimmy Cassels, city attorney discussed lack of ordinance restrictions on satellite dishes. Pointed out can pass ordinance but present dishes will be exempted by grandfather. If desire to do this, must put item on agenda for approval. City attorney, Jimmy Cassels to draw up sample ordinance to be considered at May meeting.

Item #7 City manager, Vernon Cupit, discussed the application. City attorney, Jimmy Cassels, discussed the pros and cons of outside city limit consumer receiving water service.

R. W. Ingram made a motion to provide water service to Mr. Capps outside city limits and Sam Coleman seconded.

Voting For	Voting Against
R. W. Ingram	None
Clyde Maxey	
Dick Albrecht	
Sam Coleman	

Motion Carried.

Item #8 After discussion by city manager, Vernon Cupit, R. W. Ingram made a motion to authorize asking for bids for restrooms in Old Orchard Park and Dick Albrecht seconded.

Voting For	Voting Against
R. W. Ingram	None
Clyde Maxey	
Dick Albrecht	
Sam Coleman	

Motion Carried.

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Item #9 After discussion by city manager,Vernon Cupit, and Billy Sims with K S A Engineers, Sam Coleman made a motion to accept the low bid of $269,400.00 submitted by Layne-Texas for the water well. R. W. Ingram seconded.

Other bids were as follows:

LAYNE-TEXAS HOUSTON, TEXAS	$269,400.00
DUPLICHAIN ALTO, TEXAS	$284,120.00
H & H WATER WELL HOUSTON, TEXAS	$312,363.00
ALSAY, INC. HOUSTON, TEXAS	$338,200.00

Voting For	Voting Against
R. W. Ingram Clyde Maxey Dick Albrecht Sam Coleman	None

Motion Carried.

After discussion by city manager Vernon Cupit, and Billy Sims with K S A Engineers, Sam Coleman made a motion to accept the low bid of $151,739.00 submitted by Crawford Construction for laying the water lines for the water project. R. W. Ingram seconded.

Other bids were as follows:

CRAWFORD CONSTRUCTION LUFKIN, TEXAS	$151,739.00
TIMBERLINE LUFKIN, TEXAS	$164,048.81
RHONE CONSTRUCTION HILLSBORO, TEXAS	$171,615.00
DUPLICHAIN CONTRACTORS ALTO, TEXAS	$179,479.40
BK CONSTRUCTION BEAUMONT, TEXAS	$192,673.50
BLACKSHER & SONS ORANGE, TEXAS	$244,565.00
DOUGHTIE PLUMBING HUNTSVILLE, TEXAS	$245,272.60
A. E. SHULL & CO. TYLER, TEXAS	$248,183.00

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Voting For	Voting Against
R. W. Ingram	None
Clyde Maxey	
Dick Albrecht	
Sam Coleman	

Motion Carried.

Item #10 Dick Albrecht made a motion to have a council meeting, Monday, May 3, 1993 at 5:15 P.M. to canvass the votes of the May 1, 1993 election. Clyde Maxey seconded.

Voting For	Voting Against
R. W. Ingram	None
Clyde Maxey	
Dick Albrecht	
Sam Coleman	

Motion Carried.

There being no other business, Sam Coleman made a motion to adjourn and Dick Albrecht seconded.

Voting For	Voting Against
R. W. Ingram	None
Clyde Maxey	
Dick Albrecht	
Sam Coleman	

Motion Carried.

Meeting adjourned at 6:05 P.M. .

Clyde Maxey
COUNCILMAN

ATTEST:

Lenny Rush
City Secretary

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: April 14, 1993 **RE:**

Items 1, 2 & 3 are routine

Item #4 Consider Refunding and Reissue of 1986 Series Bonds.

This is the 1986 bond issue that we have discussed several times. We have worked with Phillip Freisen (A.G. Edwards) on getting quotes on both rated and non rated bonds. If and when like numbers were used the results were about the same. Since Mr. Moore (Southwest) started the process I think we should stay with them for this issuance. Depending on what date all this is closed out our savings should be about $110,000.00 on the complete issue with the BAA rated issue.

Item #5 Open and Tabulate Bids on Golf Cart Storage Building for Golf Course

I expect we will get at least two bids on the building. The Temple Inland Foundation does not want to pay for the building, they will however, pay that portion we may be able to charge back to operations rather than capital. Their reasoning is the short pay back period on the investment.

Item #6 Discuss Satellite Dishes

We are putting the satellite discussion back on the agenda as a discussion item.

Item #7 Consider Request for Residential Water Service Outside City Limits

Kenneth and Ginger Capps son Jeff has moved a mobile home in on their property on Holubec Street outside the city limits.

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and is requesting city water. We serve Kenneth and others in that area, therefore there will be no problem for us to serve this home.

Item #8 Authorize Asking for Bids for Restrooms in Park

The Booster Club has given us $15,000.00 for the construction of a bathroom in the park. We are getting some plans together before we advertise for bids. We are considering the road side park type. Open for suggestions on type and location.

Item #9 Consider Bids and Award Contract on Water Project

The bid opening for the water project will be Friday. Mr. Sims will have time to review them and should be able to make a recommendation at the meeting Monday.

Item #10 Set Council Meeting May 3, 1993 to Canvass Votes

We are required to canvass the votes within 6 days. Monday the 3rd will meet that requirement.

Other Comments:

The political sign in the employees yards were allegedly placed there by their spouses.

Voting is very slow the first two days, 2 have voted.

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NOTICE

The City of Diboll is accepting bids for the construction of a 50 x 60 metal golf cart storage building.

Specifications and bid package can be picked up at Diboll City Hall, 400 Kenley Street, Diboll, Texas.

Bids will opened and tabulated at 5:15 P.M. on April 19, 1993.

VERNON CUPIT
CITY MANAGER

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JEFF CAPPS
P. O. Box 643
Diboll, Texas 75941

April 8, 1993

Mr. Vernon Cupit
City Manager
City of Diboll
Diboll, TX 75941

Dear Mr. Cupit:

Please consider my request for residential water service from the City of Diboll. My residence is located the first lot outside city limits on Holubec Street.

If you need additional information, please call me after 4:00 p.m. at 829-4303, or 829-5295 (my parents, Kenneth and Ginger Capps) .

Sincerely,

Jeff Capps

Jeff Capps

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CITY OF DIBOLL
EQUIPMENT
)LF COURSE

BID TABULATION
CITY OF DIBOLL
48' x 60' metal storage building

BIDDERS NAME				
IAC'S PORTABLE BUILDINGS	$15,975.00			
ARY JONES	no bid			
.ES BROOKS	$18,991.51			

DATE: APRIL 19, 1993

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AGENDA
CITY COUNCIL MEETING
MONDAY, MAY 3, 1993
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Canvass Votes From May 1, 1993 City Election

EXECUTIVE SESSION:

Discuss Legal Personnel Matters.

POSTED ON BULLETIN BOARD AT DIBOLL CITY HALL APRIL 26, 1993 AT 2:05 P.M..

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Minutes of a called City of Diboll Council Meeting, May 3, 1993, 5:15 P.M. at Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Don Hendrick	Councilman	
Dick Albrecht	Councilman	
Clyde Maxey	Councilman	
R. W. Ingram	Councilman	
Sam Coleman	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Julie Horton	Councilman Elect
Kent Havard	Councilman Elect
Earl Carr	Director of Public Works
Danny Ray	Chief of Police
Gary Wilmon	Free Press

Item #1 & #2 Mayor James Simms called the meeting to order and asked Sam Coleman to give the invocation.

Jimmy Cassels, city attorney, at this time gave statements of elected office to James Simms, Julie Horton and Kent Havard.

Item #3 Dick Albrecht made a motion to accept the tally of votes by election judge, Robert Ramsey, as correct after the council had canvassed the votes of the May 1, 1993 city election and Clyde Maxey seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Clyde Maxey	
R. W. Ingram	
Sam Coleman	

Motion Carried.

At this point, Mayor Simms called the council into executive session.

Mayor James Simms called the council back into open session. No decisions were made and no votes were taken in executive session. A certified agenda was kept and is on file of the executive session.

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There being no further business, R. W. Ingram made a motion to adjourn and Clyde Maxey seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Clyde Maxey	
R. W. Ingram	
Sam Coleman	

Motion Carried.

Meeting adjourned at 5:40 P.M. .

Mayor

ATTEST:

City Secretary

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AGENDA
CITY COUNCIL MEETING
MONDAY, MAY 17, 1993
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Swearing In of New Councilmen
4. Approval of Minutes
5. Recognition of Outgoing Members
6. Elect Mayor Pro-Tem
7. Appoint Municipal Judge
8. Consider ordinance on Purchase and Resale of 1986 C of O Bonds
9. Consider Ordinance on Satellite Dishes
10. Discuss Police Department Policy on Allowing None Department Certified Officers to Ride With Department Officers

POSTED ON BULLETIN BOARD AT DIBOLL CITY HALL: TUESDAY, MAY 11, 1993 at 9:00 A.M.

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: May 11, 1993 **RE:**

Item #1, #2, and #4 are routine.

Item #3 Swearing in of new councilmen.
The swearing in of new councilmen is placed on the agenda so that the action will be recorded in the minutes for the record.

Item #5 Recognition of out going Councilmen.
Mayor Simms will present Mr. Coleman and Mr. Maxey a plaque expressing appreciation to these members for their service to the city.

Item #6 Elect a Mayor Pro-Tem.
Each year the council elects one member to preform the duties of Mayor Pro-Tem. The duties of this position are outlined in section 2-55 of the ordinance.

Item #7 Appoint Municipal Judge.
The term of the Municiple Judge is the same as that of the mayor. Section 10-6 of the ordinance is the authority for this appointment.

Judge McConnico is currently serving and desires to continue to serve.

Item #8 Consider Resale of 1986 C of O Bonds.
This is the bond issue that has been discussed at prior meetings and the issue Mayor Simms and I discussed with Mrs. Horton and Mr. Havard during our orientation. Mr. Ed Moore with Southwest Securties will be here to give any type report necessary and/or answer questions relating to this matter.

Item #9 Consider ordinance on satellite dishes.
This is another item that has been discussed in previous meetings and each of you have a copy of the proposed ordinance.

Item #10 Discuss police department policy on riders.
Constable Horton asked about our policy concerning his deputies riding with an officer.

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Our current policy is that we do not allow riders with our officers on a routine basis. Part of the reason for this policy is a question about our liability insurance coverage.

Mr. Cassels and I discussed the policy and he has asked our liability carrier to clarify the question. Hopefully we will have a reply to his letter of inquiry before the meeting.

Other comments:

We attempt to call each councilman the day of the council meeting just as a reminder. Please let Brenda or Betty know the number you may be reached at.

If you have any questions about the agenda or comments in this packet, please let me know.

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CASSELS, HAGLUND & CLARK
Attorneys at Law
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P.O. Box 1626
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Jimmy A. Cassels, P.C.
Wayne D. Haglund
Paul A. Clark, P.C.

Telephone: (409) 634-8466
FAX: (409) 639-1939

May 6, 1993

Hartford Insurance Group
P. O. Box 4626
Houston, Texas 77210-4626

Attention: Claims Manager, Mr. McCracken

Dear Mr. McCracken:

My name is Jimmy Cassels and I am City Attorney for the City of Diboll, Texas. It is my understanding that the Hartford Insurance Group handles the police liability and general liability coverage for the City of Diboll, Angelina County, Texas.

The local constable whose precinct envelops the City of Diboll has requested that his deputy constables be allowed to accompany City of Diboll police officers from time to time while they are on patrol. These deputy constables are certified police officers having completed the basic certification training course required by the State of Texas.

My concern and therefore my question to you is whether or not these deputy constables would affect our insurance coverage when they are on patrol with our officers. I have told the city counsel and the police chief that my only two (2) concerns are that the deputy constables be certified that ride with our officers and that this activity must be scrutinized so that we are absolutely sure that it has no effect on our insurance coverage. Please communicate with me in writing advising the effect, if any, that this situation would have on liability coverage of the City of Diboll, Texas.

Respectfully yours,

Jimmy A. Cassels

JAC:mh

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Minutes of a regular City Council Meeting, May 17, 1993, 5:15 P.M. at Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Julie Horton	Councilman	
Kent Havard	Councilman	
Dick Albrecht	Councilman	
R. W. Ingram	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Danny Ray	Chief of Police
Danny Havard	Police Officer
Guy Anthony	Police Officer
Charlie Harris	Police Sergeant
Rubuen Castillo	Police Officer
Jason Burrous	Police Officer
Richard Thompson	Police Dispatcher
James McGuire	Police Officer
Eddie Horton	Constable
Butch Parish	Deputy Constable
Earl Carr	Director of Public Works
J. B. McConnico	City Judge
Tony Perez	City Mechanic
Charles Maclin	Water & Sewer Superintendent
Gary Jones	Fire Chief
Sam Coleman	
Jim Gray	Editor, Free Press
Ed Moore	Southwest Securities
Lisa Havard	
Levy Ellison	
Buster Grigg	Pastor, First Baptist Church
Sandra Ray	
Mrs. James McGuire	

Item #1 & #2 Mayor James Simms called meeting to order and asked Buster Grigg to give the invocation.

Item #3 Jimmy Cassels, City Attorney gave the oath of office to re-elected mayor, James Simms and newly elected councilmen Julie Horton and Kent Havard.

Item #4 Dick Albrecht made a motion to approve the minutes of the last regular council meeting minutes and also the minutes of the called city council meeting of May 3, 1993. Julie Horton seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

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Motion Carried.

Item #5 Mayor James Simms recognized outgoing councilmen Sam Coleman and Clyde Maxey. Commended them for their service and presented each a plaque of appreciation. Mr. Maxey was not present.

Item #6 Don Hendrick made a motion to elect Dick Albrecht as Mayor Pro-Tem for this year and R. W. Ingram seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #7 Dick Albrecht made a motion to reappoint J. B. McConnico as Municipal Judge and Don Hendrick seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #8 After discussion by City Manager, Vernon Cupit and Ed Moore with Southwest Securities, Julie Horton made a motion and Don Hendrick seconded to authorize Ordinance No 93-5 as follows:

An Ordinance authorizing the issuance of "City of Diboll, Texas, General Obligation refunding Bonds, Series 1993-A; specifying the terms and features of said bonds; levying a continuing direct annual ad valorem tax for the payment of said bonds; and resolving other matters incident and related to the issuance, sale, payment and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement, a Purchase Contract and Special Escrow Agreement and the approval and distribution of and Official Statement pertaining thereto; and declaring an emergency.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

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Kent Havard made a motion and R. W. Ingram seconded to pass the following:

A Resolution providing for the redemption of certain outstanding obligations of the City; and reslolving other matters incident and related to the redemption of such obligations.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item #9 Mayor James Simms, City Attorney Jimmy Cassels and councilmen discussed the ordinance and asked audience for input. Decision was made to table ordinance and run article in newspaper and consider responses.

Item #10 Jimmy Cassels, city attorney discussed Police Department Policy on allowing non-department certified officers to ride with department officers in reference to city liability. Advised council to weigh all information and risk and cost involved before making decision. Councilwoman Horton asked why this came up all of a sudden. Discussion ensued with members of the audience and council members. Is there "a waiver of liability" which can be signed. Do we need reserves asked by R. W. Ingram. Cannot be reserve officer and deputy constable at the same time.

Council decided to have a called meeting, Monday, May 24, 1993, 5:25 P.M. and discuss and consider implementation of reserve officer program.

There being no further business, Kent Havard made a motion to adjourn and Julie Horton seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Meeting adjourned at 6:42 P.M. .

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MAYOR

ATTEST:

CITY SECRETARY

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AGENDA
CALLED CITY COUNCIL MEETING
MONDAY, MAY 24, 1993
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Discuss and Consider Implementation of Reserve Officer Program

POSTED ON BULLETIN BOARD AT DIBOLL CITY HALL: TUESDAY, MAY 18, 1993 at 8:35 A.M.

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: May 21, 1993 **RE:**

The one item on the agenda is to discuss and consider implementation of the reserve program.

I have enclosed a copy of Chapter 15 of the ordinance which discusses the reserve or auxiliary police force. This ordinance is not specific in several areas of operating a reserve force.

We are checking with other area agencies as to details of their departments and reserve program. I have also enclosed two memos concerning other departments and some discussion about one man shifts.

We will try and have adequate information for you Monday to discuss this program completely.

I also have information about the cost of an additional officer in the department. The cost of a new officer including salaries, benefits and equipment is approximately $29,000.00 annually.

Based upon our current valuation and tax rate we can increase ad valorem tax a maximum of 8% without a rollback possibility, 8% increase equals two cents or $28,000.00. We will get more involved with the figures as we approach the budget year.

If you have questions I may answer before the meeting or information I may get for you let me know.

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City of Diboll

OFFICE MEMORANDUM

TO: City Manager

FROM: Chief Danny Ray

SUBJECT: One Officer Shifts

DATE: 5/20/93 RE:

A great deal of concern has been discussed about officer's safety due to one (1) officer shifts. It should be pointed out that (1) officer shifts effect our citizens safety too. 1) In the event of a D.W.I. arrest, the officer is required to transport to Lufkin for a breathalyzer and paperwork. While the officer is gone, there is no police coverage in Diboll. 2) In the event of a major wreck, the officer is required to do follow-up at the hospital the victim is transported to. This requires the officer to go to Lufkin and again there is no police coverage in Diboll. 3) We are having M.H.M.R. patients in Housing Authority residences. These patients require special attention due to their illnesses. The special attention may require that a police emergency warrant be filled out and the patient taken to Memorial Hospital (Pineywoods) for evaluation. At times, we even have to transport to Rusk State Hospital. These trips can take hours to complete.

In all of the above situations we would try to call an officer in to work. There have been times that it is very hard to find someone to work. Some of these situations can happen in the middle of the day. It seems most of the situations will happen in the early morning hours. Regardless, we try to not leave the city unprotected. It can take hours to work out a solution to manning a shift.

Officer worked alone: Full Shift

42 times - day shift
9 times - evening shift
11 times - midnights
62 total shifts

Officer worked alone: 1/2 Shift

33 times - evening shift
55 times - mid shift
88 total shifts

Total of above: 150 shifts in 136 days.

The above figures for (1) officer shifts have been taken from the first 136 days of this year. (January 2,1993 thru May 18,1993)

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City of Diboll

OFFICE MEMORANDUM

TO: Chief Ray

FROM: Sgt. Harris

SUBJECT: Survey of Area Police Depts

DATE: May 18, 1993 **RE:**

---

1. Jasper Texas - Population 7,000

   14 Sworn Officers - included below
   4 Sergeants
   2 Detectives
   Salary- 16,900 to 20,000
   Reserve Program - None

2. Livingston Police Dept - Population 5,000

   11 Sworn Officers - included below
   2 Sergeants
   1 Corporal
   1 Detective
   Salary - 19,281 to 22,360 Plus Merit and Cost of Living (High of 28,000 to 30,00
   Reserve Program - 7 Paid if Called Out on Emergency / Work under the direction of Ch

3. Center Police Dept. - Population 5,000

   11 Sworn Officers - included below
   1 Sergeant
   1 Lt. - Detective
   1 Assistant Chief
   Reserve Program - 8 Non Paid/ Work under the direction of the Chief of Police
   Salary - 9:00 per hour - Starting wages officer.

4. Crockett Police Dept. - Population 7,000

   11 Sworn Officers - included below
   3 Sergeants
   No Detective Div.
   Reserve Program - 2
   Salary - unavailable

5. Woodville Police Dept. - Population 3,200

   5 Sworn Officers
   1 Sergeant / Does Have Reserve Program / No Detectives.
   Salary - Unavailable

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Chapter 15

POLICE*

Art. I. In General, §§ 15-1—15-15
Art. II. Auxiliary Police Force, §§ 15-16—15-29

ARTICLE I. IN GENERAL

Sec. 15-1. Interlocal law enforcement assistance.

The city manager, at his discretion, may send the regularly employed law enforcement officers of the city to assist any other county or municipality when, in the opinion of the mayor, or other officer authorized to declare a state of civil emergency in such other county or municipality, there exists in such other county or municipality a need for the services of additional law enforcement officers to protect the health, life and property of such other county or municipality, its inhabitants and the visitors thereto, by reason of riot, unlawful assembly characterized by the use of force and violence or threat thereof by three (3) or more persons acting together or without lawful authority, or during time of natural disaster or man-made calamity.
(Code 1973, § 3-2038

State law reference—Authority for above section, V.T.C.S., Art. 999b.

Secs. 15-2—15-15. Reserved.

ARTICLE II. AUXILIARY POLICE FORCE†

Sec. 15-16. Established.

An auxiliary police force to be known as the police reserve is hereby established, such force to be separate and distinct from the police department.
(Code 1973, § 3-2024)

Sec. 15-17. General powers of chief of police relative to reserve.

(a) The chief of police shall be the head of the police reserve, and the members of the reserve shall be under the authority, control and command of the chief of police, subject to the

---

***Cross references**—Administration, Ch. 2; fire prevention and protection, Ch. 6; municipal court, Ch. 10; inspection of pool halls, § 8-24; emergency vehicles, § 9-6.

State law references—Police, V.T.C.S., Arts. 995, 998 et seq.; peace officers, V.T.C.C.P., Art. 2.12 et seq.; arrest, V.T.C.C.P., Ch. 14 et seq.

†**State law references**—Police reserve force, V.T.C.S., Art. 998a; special police force, V.T.C.A., Art. 995.

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right of general control by the city council and also subject to all of the provisions of the ordinances of the city.

(b) The chief of police may, by order, establish rules and regulations to govern the police reserve force, subject to the approval of the city council, to fix specific duties of its members and to provide for the maintenance of discipline. He may change such orders from time to time, and he may command members of the police reserve force to obey the instructions of regular police officers in carrying out their orders.
(Code 1973, § 3-2025)

Sec. 15-18. Composition.

The police reserve force shall be composed of personnel who have volunteered to join the organization, whose applications for membership have been accepted and who have complied with all the rules, regulations and orders provided for the conduct and control of the members thereof. It shall be composed of not more than ten (10) members.
(Code 1973, § 3-2026)

Sec. 15-19. Diminishing or expanding membership.

The chief of police, with the approval of the city council, may by order diminish or expand the membership of the police reserve force as exigency may require, within the limit established by section 15-18.
(Code 1973, § 3-2027)

Sec. 15-20. Application for membership.

An application for membership in the police reserve shall be filed with the police department. Such application shall be on a form prescribed by the chief of police and approved by the city council, and shall state the residence of the applicant.
(Code 1973, § 3-2028)

Sec. 15-21. Applicants—Qualifications; references.

Each applicant for membership in the police reserve shall be an actual resident of the city and shall furnish satisfactory proof of good character, temperate habits, freedom from communicable diseases and physical ability to perform the duties of the position for which he seeks appointment. He shall furnish three (3) references and attach letters of recommendation from such references to the application.
(Code 1973, § 3-2029)

Sec. 15-22. Same—List of eligibles.

The chief of police shall compile, and the police department shall maintain, a list of eligible applicants, accompanied by a complete set of fingerprints, which shall be checked by the identification bureau to ascertain any criminal record of such applicants.
(Code 1973, § 3-2031)

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Sec. 15-23. Same—Oath.

Every person whose name appears on the list of eligibles referred to in section 15-22 shall subscribe to an oath that he will observe and obey the Constitution of the United States, the Constitution of this state, and the laws of this nation, this state and this city and that he will carry out the duties of a member of the police reserve force to the best of his ability.
(Code 1973, § 3-2030)

Sec. 15-24. Appointment; term.

All appointees under the provisions of this article as auxiliary or volunteer policemen shall be selected from the list of eligibles by the city council and shall serve without term and at the discretion of the city council.
(Code 1973, §§ 3-2031, 3-2037)

Sec. 15-25. Uniforms; badges.

The chief of police shall prescribe the uniforms and badges for the members of the police reserve force and direct the manner in which the same shall be worn.
(Code 1973, § 3-2032)

Sec. 15-26. General duties.

The police reserve force, subject at all times to the direction, supervision and control of the chief of police and subject to the general control of the city council, shall assist the regular members of the police department in the enforcement of law and the maintenance of peace and order during periods of emergency designated by the chief of police. The chief may prescribe other duties to be performed by the police reserve force, not inconsistent with the provisions of this article.
(Code 1973, § 3-2033)

Sec. 15-27. Power of arrest.

A member of the police reserve force shall have the following powers of arrest and none other:

(1) He may arrest only while on active duty.

(2) He may arrest for a public offense committed in his presence.

(3) He may arrest when a felony has in fact been committed, when he has reasonable cause for believing the person arrested has committed it.

(4) He may lend physical aid to any regular member of the police department in making any lawful arrest, when authorized by the chief of police or requested by any regular member of the police department.

(Code 1973, § 3-2034)

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Sec. 15-28. Entry upon private property.

No member of the police reserve force shall break into or otherwise forcefully enter upon private property or enter the dwelling or habitation of another person without the consent of a member of the police department who then and there requests his aid in the enforcement of the law.
(Code 1973, § 3-2035)

Sec. 15-29. Termination of membership generally.

(a) Membership of any person in the police reserve may be terminated by the chief of police at any time for any cause deemed sufficient by the chief of police, with the consent of the city council, and any member may resign from the police reserve at any time, but it shall be his duty to notify the chief of his resignation.

(b) In addition to the penalties provided by law, any violation of law under color of the performance of his duties as a member of the police reserve force, and any breach of the rules and regulations established by the chief of police and approved by the city council, shall subject any member to summary expulsion and the fact thereof may be published at the order of the chief, with the consent of the city council.
(Code 1973, § 3-2036)

[The next page is 873]

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City of Diboll

OFFICE MEMORANDUM

TO: City Manager

FROM: Chief Danny Ray

SUBJECT: One Officer Shifts

DATE: 5/20/93 RE:

A great deal of concern has been discussed about officer's safety due to one (1) officer shifts. It should be pointed out that (1) officer shifts effect our citizens safety too. 1) In the event of a D.W.I. arrest, the officer is required to transport to Lufkin for a breathalyzer and paperwork. While the officer is gone, there is no police coverage in Diboll. 2) In the event of a major wreck, the officer is required to do follow-up at the hospital the victim is transported to. This requires the officer to go to Lufkin and again there is no police coverage in Diboll. 3) We are having M.H.M.R. patients in Housing Authority residences. These patients require special attention due to their illnesses. The special attention may require that a police emergency warrant be filled out and the patient taken to Memorial Hospital (Pineywoods) for evaluation. At times, we even have to transport to Rusk State Hospital. These trips can take hours to complete.

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Minutes of a Called City Council Meeting, Monday, May 24, 1993, 5:15 P.M., Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Kent Havard	Councilman	
Dick Albrecht	Councilman	
R. W. Ingram	Councilman	
Julie Horton	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Danny Ray	Chief of Police
J. B. McConnico	Municipal Judge
Earl Carr	Director of Public Works
Danny Havard	Police Officer
Guy Anthony	Police Officer
Reuben Castillo	Police Officer
Jimmy Lenderman	Police Officer
Richard Thompson	Dispatcher
Patrick Carnley	Dispatcher
Jason Burrous	Police Officer
Gary Jones	Fire Chief
James McGuire	Police Officer
John Richards	Volunteer Fireman
Butch Parish	Deputy Constable
Eddie Horton	Constable
Jim Gray	Editor, Free Press
Sandra Ray	
Lisa Havard	
Angela Havard	
Buster Grigg	Pastor, First Baptist Church
Jeff Robinson	
Dave Martinez	

Item #1 & #2 Mayor James Simms called the meeting to order and asked Earl Carr to give the invocation.

Item #3 Mayor James Simms opened the floor for discussion. City Attorney, Jimmy Cassels, expained the ordinance and interlocal law enforcement assistance, article in ordinance. Suggests different options available and informed council the decision was theirs to make. Question was asked what cost of reserve program would be. R. W. Ingram asked Police Chief, Danny Ray, how many reserve needed. Cheif Danny Ray responded the number 10 would be sufficient. R. W. Ingram asked what was furnished. Chief Danny Ray said what is furnished varies by each individual entity. Dick Albrecht asked if any interest in the city. Chief remarked had 20 or so indicate interests. Also, suggested type of uniform and badge. Dick Albrecht stated didn't think could afford to raise tax rate above rollback rate. Recommended point toward reserve officer program. Don Hendrick asked if reserve officer will replace officer. Don Hendrick asked if Chief Danny Ray needs another officer. Chief Danny Ray said would like another officer. Julie Horton asked if paying a lot of overtime. Chief Danny Ray said yes. How long would it take to get reserve up and operating. Depends upon

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qualifications-could be weeks, could be months. R. W. Ingram said sounds like need to start reserve program immediately and hire an additional officer immediately. Kent Havard wanted to know if could find money current budget. Don Hendrick wanted to know if any areas under budget where could get money. City Manager, Vernon Cupit said can do it if council wants to.

Julie Horton made a motion that the reserve officer program be implemented according to the city ordinance and R. W. Ingram seconded.

Voting For	Voting Against
Kent Havard	None
Dick Albrecht	
R. W. Ingram	
Julie Horton	
Don Hendrick	

Motion Carried.

There being no further business, Don Hendrick made a motion to adjourn and Dick Albrecht seconded.

Voting For	Voting Against
Kent Havard	None
Dick Albrecht	
R. W. Ingram	
Julie Horton	
Don Hendrick	

Motion Carried.

Meeting adjourned at 6:12 P.M. .

Mayor

Attest:

City Secretary

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AGENDA
CITY COUNCIL MEETING
MONDAY, JUNE 21, 1993
5:15 P.M.
DIBOLL CITY HALL

1. Call To Order
2. Invocation
3. Approval Of Minutes
4. Proclamation For National Recognition For Drug Program At Jr. High
5. Bob Brown With TuElectric To Discuss Increase In Gross Receipts Tax from 3% to 4%
6. Amend Sec. 15-21 So That Applicant Does Not Have To Be Resident Of The City of Diboll
7. Consider Reappointing Stacy Cooke And Roy Smith To Housing Authority Board
8. Appoint A Councilman To the DETCOG Board
9. Report From Police Department
10. Discuss Reserve Constables Riding With City Police Officers
11. Consider Adding A Police Position In The Police Department And Consider Ammending The Budget To Fund The Position.
12. Discussion Of Reserve Program

EXECUTIVE SESSION: Discuss Personnel/Reserve Applicant Appointments

13. Selection Of Reserve Officers

LATE ITEM#1 Discuss Proposed Jail Construction Relating To Annexation, Streets, Water And Sewer. POSTED ON BULLETIN BOARD, WEDNESDAY, JUNE 16, 1993 AT 11:15 A.M..

POSTED ON BULLETIN BOARD TUESDAY, JUNE 15, 1993 at DIBOLL CITY HALL at 9:00 A.M.

LATE ITEM #2 Consider Change Order Number One on the Street Improvement Project.

EXECUTIVE SESSION: Personnel/City Manager Duties
POSTED ON BULLETIN THURSDAY, JUNE 17, 1993 at DIBOLL CITY HALL AT 4:30 P.M.

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City of Diboll

OFFICE MEMORANDUM

TO: MAYOR AND COUNCILMEN

FROM: VERNON CUPIT Vernon Cupit

SUBJECT: AGENDA COMMENTS

DATE: JUNE 17, 1993 **RE:**

Items #1, #2, & #3 are routine.

Item #4 PROCLAMATION FOR NATIONAL RECOGNITION FOR DRUG PROGRAM AT JR. HIGH

Mayor Simms wanted to publicly recognize the Jr. High for their efforts in winning National recognition in their drug free program. A proclamation will be presented to one of the leaders of that program.

Item #5 BOB BROWN WITH TUELECTRIC TO DISCUSS INCREASE IN GROSS RECEIPTS TAX FROM 3% TO 4%

Mr. Brown will be present to discuss the proposed franchise fee increase. The last information I sent you from the City of Arlington was for your information. The attached letter is also for your information.

The City of Diboll has never been a part of any organized protest against TuElectric. I think the local office (Bob Brown) has always been up front with us and I feel we have aways received a fair deal. I have no reason to think this proposal will be any different. The TuElectric ordinance proposal is attached.

Item #6 AMEND SEC. 15-21 SO THAT APPLICANT DOES NOT HAVE TO BE RESIDENT OF THE CITY OF DIBOLL

Attached is the proposed ordinance change to section 15-21 deleting the in city residential requirement.

Item #7 CONSIDER REAPPOINTING STACY COOKE AND ROY SMITH TO HOUSING AUTHORITY BOARD

The Housing Authority makes a recommendation for board members appointments or reappointments. This year Mr. Cooke and Mr. Smith were recommended for reappointment.

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Item #8 APPOINT A COUNCILMAN TO THE DETCOG BOARD

The city is allocated one board member position on the DETCOG board. The board member must be an elected official. The board meets regularly once per month at a different county each month.

Item #9 REPORT FROM POLICE DEPARTMENT

Chief Danny Ray will give a report on the police department, not related to the reserve program. The schedule has been changed so that normally the midnight shift will have two officers on duty.

Item #10 DISCUSS RESERVE CONSTABLES RIDING WITH CITY POLICE OFFICERS
There still seems to be some question about the policy of reserve deputy constables riding with our policemen.

Item #11 CONSIDER ADDING A POLICE POSITION IN THE POLICE DEPARTMENT AND CONSIDER AMMENDING THE BUDGET TO FUND THE POSITION

Mr. Havard has that this be placed on the agenda for discussion.and consideration.

Item #12 DISCUSSION OF RESERVE PROGRAM

There are some items that need clarifying such as who is eligible.to apply? Can one serve both as a volunteer fireman and reserve policeman? May city employees apply for the reserve program? Just a general discussion.

EXECUTIVE SESSION: DISCUSS PERSONNEL/RESERVE APPLICANT APPOINTMENTS

We will go into executive session and dicuss those applicants that were reviewed by the review board and those recommended to be appointed.

Item #13 SELECTION OF RESERVE OFFICERS

After the executive session, you will appoint applicants to the reserve program.

LATE ITEM#1 DISCUSS PROPOSED JAIL CONSTRUCTION RELATING TO ANNEXATION, STREETS, WATER AND SEWER.

We need to have a general discussion about construction of the new jail relating to what the city needs to do.

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Late Item #2 CONSIDER CHANGE ORDER #1 ON THE STREET IMPROVEMENT PROJECT

The attached letter of transmittal and change order (cost estimate) are attached.

EXECUTIVE SESSION: PERSONNEL /CITY MANAGER DUTIES

Mr. Havard asked that this item be placed on the agenda.

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Minutes of a regular City Council Meeting, June 21, 1993, 5:15 P.M. at Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Dick Albrecht	Councilman	
Kent Havard	Councilman	
Julie Horton	Councilman	
R. W. Ingram	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parrish	City Secretary
Jimmy Cassels	City Attorney
Bob Brown	T U Electric
Jim Gray	Editor Free Press
Dave Martinez	
Buster Grigg	Pastor, First Baptist Church
Butch Parish	Deputy Constable
Betty Capps	Court Clerk
Fran Mc Clain	ABC
Jan Wilkerson	STACK
Jo Ann Musick	STACK
J. B. Mc Connico	Municipal Judge
Roy Smith	
Charles Mc Clin	Water Superintendent
Billy Sims	KSA Engineer
Raymond Vann	Raymond Vann & Associates
Danny Ray	Chief of Police
Sandra Ray	
Eddie Horton	Constable
Guy Anthony	Police Officer
James Mc Guire	Police Officer
Reuben Castillo	Police Officer

Item 1 & 2 Mayor James Simms called the meeting to order and asked Buster Grigg to give the invocation.

Before meeting called to order Mayor James Simms recognized Mrs. Fran Mc Clain and she thanked City officials for support

Item 3 Don Hendrick made a motion to approve the minutes of the previous regular council meeting and the minutes of the called city council meeting and Julie Horton seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R.W. Ingram	
Don Hendrick	

Motion Carried.

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Item 4 Mayor James Simms read and commended those who participated in achieving the recognition and presented a Proclamation for National Recognition For Drug Program at Diboll Junior High.

R. W. Ingram made motion to approve the proclamation and Don Hendrick seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R.W. Ingram	
Don Hendrick	

Motion Carried.

Item 5 Bob Brown with T U Electric discussed an increase in gross receipts tax for the City of Diboll from 3 % to 4 %. Commended all for national recognition for Drug Free Junior High in Diboll. Discussed modifications to Franchise Agreements and answered questions. City Attorney Jimmy Cassels commented and remarked have not had problems and Mayor James Simms made remarks. Don Hendrick made motion to ammend the the Franchise Agreement and approve increasing Gross Receipts Franchise from T U Electric to City of Diboll from 3 % to 4 % and Kent Havard seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item 6 Amending Section 15 - 21 of the City Ordinance so that applicant does not have to be resident of the City of Diboll was discussed by Mayor James Simms.

Dick Albrecht made a motion to approve amending Section 15 - 21 so that applicant does not have to be resident of the City of Diboll and Don Hendrick seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

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Item 7 After discussion Julie Horton made a motion to reappoint Mr. Stacy Cooke and Mr. Roy Smith to the Housing Authority Board and Don Hendrick seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item 8 After discussion by City Manager Vernon Cupit, R. W. Ingram made a motion to appoint Mayor James Simms to the DETCOG Board and Julie Horton seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Item 9 City Manager Vernon Cupit asked Chief Danny Ray to give a report on shift changes. Explained how shift allows two officers to be on most shifts.

Item 10

After item 13, item 10 was discussed. Dick Albrecht made remarks and Kent Havard made comments. Julie Horton also made comments regarding Reserve Constables riding with City Police Officers. Chief Dany Ray was asked to comment. City Attorney Jimmy Cassels reviewed extent of possible liabilities to the City and recommended against so doing. Mayor Simms called on Billy Sims and he remarked that primary concern was safety of officer. James Mc Guire remarked concerning the matter. Eddie Horton commented.

R. W. Ingram made a motion to let other certified police officers ride with city police officers and Kent Havard seconded.

Voting For	Voting Against
R. W. Ingram	Dick Albrecht
Don Hendrick	
Kent Havard	Abstained
	Julie Horton

Motion Carried.

Item 11 Kent Havard commented on the need of adding a police position in the police department and reasons. Dick Albrecht commented that statements be received was of the same sentiment.

Julie Horton made a motion to authorize adding a position to police department and ammend budget to provide funds and Kent Havard seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried

Item 12 City Manager Vernon Cupit, discussed questions: can fireman be reserves, can city employees be reserves. Gave examples when persons be needed for two activities (example disaster). Comments made by councilmen and police chief. Concensus was that city employees can be reserve and fireman can be one or the other but not both. Mayor James Simms stated we need to know where we are so won't have to back-up. Chief said reserves will have monthly report. Julie Horton suggested that Chief give report put as standing item on Agenda each month.

Mayor James Simms asked Chief to check on all details and requirements.

Item 13 After discussion R. W. Ingram made motion upon recommendation of police department to select David Garza, Michael Shurley and Barry Lee Sauicer as reserve officers and Kent Havard seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Motion Carried.

Late Item # 1 City Manager Vernon Cupit discussed proposed jail construction. Anticipated getting funds from state for street, water, sewer improvements but moratorium has been placed on these funds for time being. Questions pertaining to potential costs to city in these and other areas were discussed.

Late Item # 2 Mayor James Simms asked Billy Sims, KSA to discuss change order No. 1 on the Street Improvement Project, Mr. Sims explained the need for the change order and the cost of $ 14,655.20 additional needed. Also explained the project's funding. If approve 50 % comes from grant funds.

Dick Albrecht made a motion to approve the change order and R.W. Ingram seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R.W. Ingram	
Don Hendrick	

Motion Carried

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Don Hendrick made a motion to adjourn and Julie Horton seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R. W. Ingram	
Don Hendrick	

Meeting adjourned at 7:35 PM

City Council Meeting
June 21, 1993

MAYOR

ATTEST:

CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
MONDAY, JULY 19, 1993
5:15 P. M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Consider Change Order #2 on Street Improvement Project
5. Consider Applying for TCDP Grant
6. Consider to Petition to Close Sara Lane
7. Authorize asking for Bid for Health Insurance
8. Discuss Construction of Bathroom in Park
9. Budget workshop

Posted on Bulletin Board at City Hall: Tuesday, July 13, 1993 at 9:40AM.

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: July 13, 1993 **RE:**

Items 1, 2, & 3 are routine.

Item#4 Consider Change Order #2 on Street Improvement Project

Shortly after change order #1 was approved as a result of different soil conditions than what the core samples reflected on a portion of Cypress Street, it was determined that there were several sections of both Lynn and Cypress that would require modification resulting in extreme changes. The engineers restudied the conditions with the contractor and the result is the recommendation to change the method of repair. These changes will result in a construction cost savings. Mr. Sims and Mr. Thurber will be present to answer questions and address this issue.

Item #5 Consider Applying for TCDP Grant

Two years ago we applied for a grant for water line renovation on A, B, C, and Rutland Streets. Raymond Vann and Billy Sims worked the grant and we would like to try again. Part of the rating is based upon the percent matching funds by the city, the last time we proposed to put up approximately $42,000.00. We would again like to do the same. Total project cost is estimated to be in excess of $200,000.00.

Item #6 Consider to Petition to Close Sara Lane

Temple-Inland has purchased the property off Holubec Street that was a proposed subdivision. They do not desire to develop the subdivision and would like to have the street portion of the

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property returned to the tract of land. The street and lots were never developed therefore we do not need the street right-of-way.

Item #7 Authorize asking for Bid for Health Insurance

Our group health insurance is up for renewal. We need to go out for bids for next year's coverage.

Item #8 Discuss Construction of Bathroom in Park

This bathroom project is the one we have discussed and authorized to bid previously. The Booster Club president indicates they will fund the difference in the $15,000.00 they have already given us and the estimated $30,000.00 this type building will cost.

Item #9 Budget Workshop

This is actually the time to give each of you a budget worksheet and discuss the budget process. Department heads are also beginning work on their department budget. It is too early for us to have a good estimate of revenue.

Other Comments:

You probably know that Sue transferred from the dispatchers position to replace Brenda in utility billing. We are very pleased to have Sue here, didn't lose a long term employee and she already had a good deal of knowledge of what this job entails.

We received about thirty applications for the police position. No selection has been made yet.

Temple-Inland has agreed to fund $30,000.00 for repairs on Mill Street.

I have no information at this time on the reserve program nor the police department report. Both will be included in the packet.

No new information on the jail.

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Minutes of a regular City Council Meeting, July 19, 1993, 5:15 P.M. at Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Don Hendrick	Councilman	
Dick Albrecht	Councilman	
R. W. Ingram	Councilman	
Julie Horton	Councilman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parrish	City Secretary
Jimmy Cassels	City Attorney
Earl Carr	Public Works Director
Lane Bass	Street Superintendent
Gary Martz	
Charles McClin	Water Superintendent
Levy Ellison	
Guy Anthony	Police Officer
Danny Ray	Chief of Police
Buster Grigg	Pastor, First Baptist Church
Boy Scouts	
Billy Sims	KSA Engineer

Item 1 & 2 Mayor James Simms called the meeting to order and asked Buster Grigg to give the invocation.

Mayor James Simms read letter from Bill Ward, School Superintendent commending the Fire Department.
Mayor James Simms welcomed Boy Scouts..

Item 3 Kent Havard made a motion to approve the minutes of the previous council meeting and Julie Horton seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R.W. Ingram	
Don Hendrick	

Motion Carried.

Item 4 After discussion by Billy Sims, KSA, Dick Albrecht made a motion to approve Change Order #2 on the Street Improvement Project of the 1991 TCDP Street Improvements Project and R.W. Ingram seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R.W. Ingram	
Don Hendrick	

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Motion Carried.

Item 5 After discussion Kent Havard made a motion to Table. Don Hendrick seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R.W. Ingram	
Don Hendrick	

Motion Carried.

Item 6 After discussion by Vernon Cupit, City Manager, Kent Havard made a motion to table the petition by Temple-Inland to close Sara Lane off Holubec Street and R.W. Ingram seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	Abstained
R.W. Ingram	Don Hendrick

Motion Carried.

Item 7 After discussion by Vernon Cupit, City Manager, Dick Albrecht made a motion to authorized accepting bids for health insurance for the city to be opened and tabulated at the August 16, 1993 city council meeting and R.W. Ingram seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R.W. Ingram	
Don Hendrick	

Motion Carried.

Item 8 City Manager discussed construction of bathroom in Old Orchard Park. Pointed out that Booster Club is willing to fund total project. Consensus was to proceed with project. Kent Havard had questions on P.D. report. Wanted to know if can have report from each department and City Manager said will have these in workshops.

Item 9 City Manager made comments and explanations concerning the 1993-94 budget and workshops.

Item 10 Late Item Police Officer, Guy Anthony presented a report on the Reserve Officer Program. New reserves waiting on equipment. Itemized some of the pre-requisites to become a reserve and regulations after becoming reserve officer.

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There being no other business Kent Havard made a motion to adjourn and R.W. Ingram seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R.W. Ingram	
Don Hendrick	

Motion Carried.

Meeting adjourned at 6:20 P.M.

City Council Meeting
July 19, 1993

MAYOR

ATTEST:

CITY SECRETARY

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AGENDA
SPECIAL CITY COUNCIL MEETING
THURSDAY, AUGUST 5 1993
5:15 P.M.
DIBOLL CITY HALL

1. *Invocation*

2. *Call to Order*

3. *Executive Session:*
   Discuss Police Department Personnel /Disciplinary Measures
   Discuss Golf Course Personnel

4. *Budget Workshop*

Posted on Bulletin Board at Diboll City Hall, Wednesday, July 28, 1993 at 4:30 P.M.

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Minutes of a called City Council Meeting, Diboll City Hall, 5:15 P.M., August 5, 1993.

Present		Absent
James Simms	Mayor	None
Don Hendrick	Councilman	
R.W. Ingram	Councilman	
Kent Havard	Councilman	
Julie Horton	Councilman	
Dick Albrecht	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parrish	City Secretary
Jimmy Cassels	City Attorney
Kevin Whiteley	Golf Course
Charles McClin	Water Superintendent
Danny Ray	Chief of Police
Guy Anthony	Police Officer
Jim Gray	Free Press
Earl Carr	Public Works Director
Jimmy Metten	Pro Shop Superintendent
Ray Lenderman	Waste Water Treatment Superintendent
Dewey Wolf	Golf Course
Lane Bass	Street Superintendent

Item 1 & 2 Mayor James Simms called the meeting to order and asked Vernon Cupit, City Manager to give the invocation.

Item 3 (Moved to after workshop item, Item 4) Mayor Simms called the Council into executive session. A certified agenda of the executive session is on file. No votes were taken and no decisions were made.

Mayor Simms called council back into open session.

Item 4 (Moved before Executive Session to Item 3) Budget workshop was conducted.

There being no further business Kent Havard made a motion to adjourn and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
R.W. Ingram	
Dick Albrecht	
Julie Horton	
Kent Havard	

Motion Carried.

Meeting adjourned at 9:00 P.M.

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AGENDA
CALLED CITY COUNCIL MEETING
Monday, August 9, 1993
6:30 P. M.
DIBOLL CITY HALL

1. Invocation
2. Call to Order
3. Budget Workshop

Posted on Bulletin Board at City Hall: Friday, August 6, 1993 at 8:20 A.M.

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Minutes of a called City Council Meeting at Diboll City Hall, 6:30 P. M., August 9, 1993.

Present		Absent	
James Simms	Mayor	R.W. Ingram	Councilman
Julie Horton	Councilman		
Don Hendrick	Councilman		
Dick Albrecht	Councilman		
Kent Havard	Councilman		

Also Present

Vernon Cupit	City Manager
Lanny Parrish	City Secretary
Kevin Whiteley	Golf Course
Jim Gray	Editor Free Press
Jimmy Mettlen	Pro Shop Superintendent
Danny Ray	Chief of Police
Guy Anthony	Police Officer

Item 1 & 2 Mayor Simms called meeting to order.

Item 3 Budget workshop was conducted.

There being no further business meeting adjourned at 8:10 P.M.

James P. Simms, Mayor

ATTEST:

Lanny Parrish, City Secretary

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AGENDA
CITY COUNCIL MEETING
MONDAY, AUGUST 16, 1993
5:15 P. M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Consider Applying for TCDP Grant
5. Consider to Petition to Close Sara Lane
6. Budget Workshop
7. Discuss increasing Tax Rate to .36228, take Record Vote and schedule Public Hearing for August 26, 1993, Thursday at 5:15 P.M.
8. Open and tabulate Medical Insurance Bids
9. Open and tabulate bids on Bathroom in Old Orchard Park

Posted on Bulletin Board at Diboll City Hall, Monday, August 9, 1993 at 9:30 A.M.

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Minutes of a regular City Council Meeting, August 16, 1993, 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Don Hendrick	Councilman	
Dick Albrecht	Councilman	
R.W. Ingram	Councilman	
Julie Horton	Councilman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Jim Gray	Free Press
Raymond Vann	Raymond Vann & Associates
Lane Bass	Street Superintendent
Gary Jones	Fire Chief
Nick Ashworth	Park Superintendent
Charles Maclin	Water Superintendent
Earl Carr	Public Works Director

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon Cupit to give the invocation.

Item 3 Kent Havard made a motion to approve the previous council meetings minutes and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion Carried.

Item 4 After discussion by Raymond Vann, R.W. Ingram made a motion to Authorize Resolution to apply for TCPD Grant application and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Julie Horton	
Kent Havard	
Dick Albrecht	
R.W. Ingram	

Motion Carried.

Item 5 After discussion by Vernon Cupit, City Manager, Julie Horton made a motion to close Sara Lane and accept appraisal value of $1,750.00 for same from Temple Inland and Don Hendrick seconded.

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Voting For	Voting Against
Kent Havard	None
Dick Albrecht	
R.W. Ingram	
Don Hendrick	
Julie Horton	

Motion Carried.

Item 6 Budget workshop conducted.

Item 7 After discussion by City Manager, Vernon Cupit, Dick Albrecht made a motion to increase the tax rate to .36228 and schedule a Public Hearing for August 26, 1993, Thursday, 6:00 P.M. at Diboll City Hall and R.W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Julie Horton	
Kent Havard	
Dick Albrecht	
R.W. Ingram	

Motion Carried.

Item 8 City Attorney, Jimmy Cassels opened and tabulated bids for Medical Insurance and R.W. Ingram made a motion to tabulate and refer to staff. Don Hendrick seconded.

Voting For	Voting Against
Julie Horton	None
Kent Havard	
Dick Albrecht	
R.W. Ingram	
Don Hendrick	

Motion Carried.

Item 9 Postponed til September Council Meeting.

There being no further business Kent Havard made a motion to adjourn and R.W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Julie Horton	
Kent Havard	
Dick Albrecht	
R.W. Ingram	

Motion Carried.

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Meeting adjourned at 8:35 P.M.

City Council Meeting
August 16, 1993

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
MONDAY, AUGUST 23, 1993
5:15 P.M.
DIBOLL CITY HALL

1. Call to order
2. Invocation
3. Consider awarding bid for health and life insurance
4. Budget workshop.

Posted on Bulletin Board at Diboll City Hall, Tuesday, August 17, 1993 at 8:30 A.M.

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City of Diboll

OFFICE MEMORANDUM

TO: *Mayor and City Council*

FROM: *Vernon Cupit* Vernon Cupit

SUBJECT: *Agenda Comments*

DATE: *August 18, 1993* **RE:**

Item #1 & 2 are Routine

Item #3 Consider Bids on Health Insurance

We reviewed the insurance bids and the list of the best three bids are attached. We recommend accepting the Blue Cross and Blue Shield of Texas bid.

The figures are total annual cost to the city. With the Blue Cross bid there is an annual $51.00 difference in what we are currently paying.

Item #4 Budget Workshop

1. Listed below is a synopsis of both funds, general and utility.

The revenue for both funds include our estimated ending balance to the closest amount based on the remainder of the year being average.

GENERAL FUND

Estimated Beginning Balance	*$275,000.00*
Total Estimated Revenue using the tax rate of 36¢ (not including debt services payment)	*$2,263,825.71*
Total General Fund Revenue	*$2,538,825.71*
Total General Fund Expenditures (not including debt service)	*$2,532,649.21*
Difference on the + Side	*$ 6,176.50*

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The difference in the (current) 32¢ tax rate and the (proposed) 36¢ tax rate is $48,000.00.

The general fund debt service is $104,547.50 revenue and payment.

UTILITY

The utility fund has a line item for debt service therefore it is included in the expenditures ($242,062.50).

Estimated Beginning Balance	$113,000.00
Estimated Revenue	594,400.00
Total Revenue	$707,400.00
Total Expenditures	796,976.67
Negative Difference	[$ 89,576.67]

2. Attached is a revised budget work sheet. The column of numbers on the right side are the proposed budget numbers that were presented by the department heads. We have highlighted the totals for revenue and expenditures.

General Fund Revenue on page 2	Revenue Section
General Fund Expenditures on page27	Expenditure Section
Utility Revenue page 4	Revenue Section
Utility Expenditures page 33	Expenditure Section
General Fund Debt Service page 41	

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Bids on Health Insurance

COMPANY	HEALTH	DENTAL	LIFE	TOTAL
Texas Municipal League	$166,467.60	$11,341.20	$5,508.00	$183,316.80
Benefit Trust Life	168,901.20	5,280.60	4,590.00	178,771.80
Blue Cross Blue Shield	145,977.00	10,530.00	5,967.00	162,474.00

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Minutes of a regular City Council Meeting, Monday, August 23, 1993, 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
R.W. Ingram	Councilman	
Julie Horton	Councilman	
Kent Havard	Councilman	
Dick Albrecht	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Earl Carr	Public Works Director
John Strain	Blue Cross Agent
Jim Gray	Free Press
Danny Ray	Chief of Police
Eddie Horton	Constable

Item 1 & 2 Mayor James P. Simms called the meeting to order and asked Vernon Cupit, City Manager to give the invocation.

Item 3 City Manager explained the bids received and reviewed for health and life insurance and that Blue Cross Blue Shield was the low bidder with $ 162,474.00. Dick albrecht made a motion to accept the low bid from Blue Cross Blue Shield of $ 162,474.00 and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Julie Horton	
Kent Havard	
Dick Albrecht	
R.W. Ingram	

Motion Carried.

Item 4 Budget workshop was conducted.

There being no further business, R.W. Ingram made a motion to adjourn and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Julie Horton	
Kent Havard	
Dick Albrecht	
R.W. Ingram	

Motion Carried.

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Meeting adjourned at 6:05 P.M.

City Council Meeting
August 23, 1993

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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Minutes of Public Hearing on Tax Increase, August 26, 1993, 5:15 P.M. at Diboll City Hall.

Mayor James P. Simms opened the Public Hearing at 5:15 P.M. and asked Vernon Cupit to give invocation.
Minutes taken by Lanny Parish, City Secretary, August 26, 1993.

Present

James P. Simms	Mayor
Don Hendrick	Councilman
Dick Albrecht	Councilman
Julie Horton	Councilman
Kent Havard	Councilman
Vernon Cupit	City Manager
Lanny Parish	City Secretary
Nick Ashworth	Parks Superintendent
Levy Ellison	
Gary Jones	Fire Chief
Lane Bass	Street Superintendent
Charles Maclin	Water Superintendent
Earl Carr	Public Works Director
Guy Anthony	Police Officer
Danny Ray	Chief of Police
Dewey Wolf	Golf Course
Jimmy Mettlen	Pro Shop Superintendent
Kevin Whiteley	Golf Course
Gary Wilmon	

Levy Ellison made complimentary remarks and commented on condition of streets and said didn't object to tax rate increase.

Mayor Simms closed the public hearing.

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NOTICE OF PUBLIC HEARING ON TAX INCREASE

The CITY OF DIBOLL will hold a public hearing on a proposal to increase total tax revenues from properties on the tax roll in 1992 by 8.80913 percent. Your individual taxes may increase at a greater or lesser rate or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property.

The public hearing will be held on 08/26/93 at 05:15 PM at Diboll City Hall.

FOR the proposal:	R.W. Ingram	Julie Horton
	Don Hendrick	Kent Havard
	Dick Albrecht	
AGAINST the proposal:	NONE	
PRESENT and not voting:	NONE	
ABSENT:	NONE	

The statement above shows the percentage increase the proposed rate represents over the EFFECTIVE tax rate that the unit published on 08/12/93. The following table compares taxes on an average home in this taxing unit last year to taxes proposed on the average home this year. Again, your individual taxes may be higher or lower, depending on the taxable value of your property.

Average home value	Last Year	This year
	$25,080.00	$26,530.00
General exemptions available (amount available on the average home, not including senior citizen's or disabled person's exemptions)	$.	$.
Average taxable value	$25,080.00	$26,530.00
Tax rate	0.32780 /$100	0.36228 /$100
Tax	$82.21	$96.11

Under this proposal taxes on the average home would INCREASE by $13.90 or 16.90824 percent compared with last year's taxes. Comparing tax rates without adjusting for changes in property value, the tax rate would INCREASE by 0.03448 per $100 taxable value or 10.51860 percent compared to last year's tax rate. These tax rate figures are not adjusted for changes in the taxable value of property.

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General Discussion of Budget:

Dick Albrecht didn't feel like should have 4& increase in wages.
Julie Horton asked about balancing budget with utility increase and other donation and revenues.
Don Hendrick asked how long been since last raise.
Kent Havard siad thought should give some type of raise (2%) and some line items could be cut.
Mayor Simms commented concerning wage increase.
Julie Horton questioned fire department about suburban useage. Don Hendrick made comment.
City Manager explained revenue and expenses to balance budget.
Dick Albrecht asked about golf course.
City Manager suggested any savings be put into street repairs.
Don Hendrick made motion to adjourn and Dick Albrecht seconded.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
Don Hendrick	
R.W. Ingram	

Meeting adjourned at 6:30 P.M.

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AGENDA
CALLED CITY COUNCIL MEETING
THURSDAY, SEPTEMBER 9, 1993
5:15 P. M.
DIBOLL CITY HALL

1. Call to Order

2. Invocation

3. Consider approving resolution disapproving 1994 Central Appraisal District Budget

4. Consider accepting Planning & Zoning Board Recommendation to accept Deer Trace III

5. Consider appointing Member to Board of Directors of the Angelina County Appraisal District

6. Discuss Cable TV Rate Regulations

7. Approve Ordinance increase in Water Rates

8. Approve Ordinance adopting 1993-94 Budget M & O and I & S

9. Approve Ordinance adopting Advalorem Tax Rate

Posted on Bulletin Board at Diboll City Hall, Friday, September 3, 1993 at 11:10 A.M.

City of Diboll
Copies held at The History Center, Diboll, Texas. www.TheHistoryCenterOnline.com 1999:077

OFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Vernon Cupit Vernon Cupit

JBJECT: Agenda Comments

DATE: September 7, 1993 **RE:**

Items 1, 2, & 3 are routine.

Item #3 This is the suggested resolution form Mr. Ward concerning the appraisal district budget.

Item #4 The Planning and Zoning Board met and considered the request of Sabine Investment for acceptance of Section III of the Deer Trace Subdivision. The board recommends acceptance.

Item #5 The term of office of our appraisal board member expires in December. We need to nominate a new member or re-appoint Mr. Ellison.
I will visit with Mr. Ellison and Mr. Ward prior to the meeting.

Item #6 We need to discuss the new cable TV rate system. I have attached a TML letter giving some dates we must meet. The letter also lists a law firm that will submit our application for $450.00. I discussed this with Mr. Cassels and he is of the opinion we probably should use the firm who is up to date on this matter.
There are some TML sponsored meetings concerning the new law coming later this month which I plan to attend.

Item #7 We have re-calculated the water rates after our last meeting and are making the recommendation to change the rates as listed in the attached proposed ordinance.

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This change is a 50¢ increase in the minimum and about a one dollar for others over the rate we presented last meeting.

Item #8 We will have new budget listings for you Thursday. The changes in the Water & Sewer budget are in revenue only. With the proposed rate change and the transfer of funds and donations from Temple Inland we present a balanced budget.

UTILITY FUND

Estimated beginning balance	$113,000.00
Estimated revenue from W&S	641,828.00
Transfer from other funds	22,148.67
Donation from Temple Inland	20,000.00
Total	$796,976.67
Estimated Expenditures	796,976.67
Estimated Ending Balance	-0-

GENERAL FUND

Estimated Revenue	$2,538,825.71
Proposed Expenditures	2,538,825.71
Estimated Ending Balance	-0-

GENERAL FUND

We made one line item adjustment to the general fund. The $6,176.50 that was listed as a balance was transferred to administrative salaries. The transfer was made so that we could participate with the school in their vocational program that will allow a student to work here at city hall three to four hours per day. This person will be assisting in utility billing, accounts payable, court clerk, and other general administrative duties.

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We did the calculations on salaries as you suggested. The cost of giving an across the board cost of living adjustment of 4% is $43,655.80.
A 2% adjustment would be $21,849.38
A 4% adjustment for those making less than $25,000 and a 2% adjustment for those making over 25,000, makes a difference of $4,125.46.

Item #9 We need to adopt the ordinance setting the tax rate.

Additional Comments:

Mr. Perez, our mechanic has filed another charge against the city with the EEOC. I am currently investigating his complaint.

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Property Tax Form 50-198

50-198
(1/92)

Notice
of Vote on Tax Rate

The CITY OF DIBOLL

conducted a public hearing
on a proposal
to increase your property taxes
by 10.51860 percent
on AUGUST 26, 1993 @ 5:15 p.m.

The CITY OF DIBOLL

is scheduled to vote
on the tax rate at a
public meeting to be held
on SEPTEMBER 9, 1993 @ 5:15 p.m.
at DIBOLL CITY HALL.

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RESOLUTION

BE IT RESOLVED that the City Council of the City of Diboll voted to disapprove the 1993-1994 adopted budget of the Angelina County Appraisal District at a called meeting on September 9, 1993.

IT IS THE RECOMMENDATION of the City Council of the City of Diboll that $100,000 of the Appraisal District fund balance be used to fund their adopted budget of approximately $650,000. This would reduce the amount to be paid by supporting entities by approximately 15% and leave the Appraisal District with approximately $240,000 in fund balance. A fund balance of $240,000 represents 36% or four and one half months of operating expense for the Angelina County Appraisal District.

IT IS ALSO RECOMMENDED that the Board closely review the $649,100 budget for further reductions that would result in additional savings to the entities served by the Angelina County Appraisal District.

PASSED AND APPROVED ON THIS 9th day of September, 1993.

James P. Simms, Mayor

ATTEST:

Lanny Parish, City Secretary

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Sec. 21-17. Rates.

The following schedule of monthly rates or charges for services furnished by the city's waterworks system is adopted:

(1) Six dollars and fifty cents ($6.50) minimum, for which three thousand (3,000) gallons are allowed.

(2) One dollar and forty-five cents ($1.45) per thousand (1,000) for the next seventeen thousand (17,000) gallons.

(3) One dollar and twenty-five cents ($1.25) per thousand (1,000) for the next eighty thousand (80,000) gallons.

(4) One dollar ($1.00) per thousand (1,000) gallons for all over one hundred thousand (100,000) gallons.

The rates charged for water delivered to nonresidents of the city shall be double the above specified rates.
(Code 1973, § 5-11001; Ord. of 11-20-78, § 1; Ord. of 9-21-81, § 1; Ord. No. 83-9, 9-19-83)

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Minutes of a Called City Council Meeting, Thursday, September 9, 1993, 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Julie Horton	Councilman	
Dick Albrecht	Councilman	
R. W. Ingram	Councilman	
Don Hendrick	Councilman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Jim Gray	Editor Free Press
Betty Capps	Court Clerk
Tina Cavazos	Account Payable Clerk
Sue Roberts	Utility Clerk
Dewey Wolf	Golf Course
Danny Ray	Chief of Police
Sandy Ray	
Levy Ellison	
Lane Bass	Street Superintendent
Derrick Barnes	City of Diboll
Eddie Horton	Constable
Jose Perez	Mechanic
Jimmy Mettlen	Pro Shop Superintendent
Charles Maclin	Water Superintendent
Theron Grigg	Meter Reader
Nathan Cayton	Meter Reader
J. B. McConnico	Judge
Gary Jones	Fire Chief
Earl Carr	Public Works Director
Ray Lenderman	Sewer Plant Superintendent
Charlie Harris	Sargent
Javier Guajardo	Golf Course
James McGuire	Police Officer

Item 1 & 2 Mayor James P. Simms called the meeting to order and asked Vernon Cupit to give the invocation.

Item 3 Dick Albrecht made a motion to approve the Resolution disapproving the 1994 Central Appraisal District Budget and Julie Horton seconded.

Voting For	Voting Against
Julie Horton	None
Dick Albrecht	
R.W. Ingram	
Don Hendrick	
Kent Havard	

Motion Carried Unanimously.

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Item 4 After discussion by City Manager, R. W. Ingram made a motion to accept the Planning and Zoning Board's recommendation to accept Section III of Deer Trace Subdivision and Don Hendrick seconded.

Voting For	Voting Against
Julie Horton	None
Dick Albrecht	
R. W. Ingram	
Don Hendrick	
Kent Havard	

Motion Carried.

Item 5 After discussion Don Hendrick made a motion to re-appoint Levy Ellison to the Board of Directors of the angelina County Appraisal District and Kent Havard seconded.

Voting For	Voting Against
Julie Horton	None
Dick Albrecht	
R. W. Ingram	
Don Hendrick	
Kent Havard	

Motion Carried.

Item 6 Cable TV Rate Regulations
City Manager discussed Cable TV regulations and the possibility of using a law firm available to TMC member cities for a flat fee. Voiced concern for future owners of cable and relationship with city. Mayor Simms voiced concern at future expansion of cable companies. Jim Gray, Free Press Editor stated he thought should have represented regulatory authority. R.W. Ingram made motion to authorize City Manager to employ law firm. Julie seconded.

Voting For	Voting Against
Julie Horton	None
Dick Albrecht	
R. W. Ingram	
Don Hendrick	
Kent Havard	

Motion Carried.

Item 7 After discussion by City Manager Julie Horton made a motion to approve the Ordinance increasing the water rates to $6.50 for first 3,000 gallons; next 17,000 $1.45/M; next 80,000 $1.25/M; all over 100,000 gallons $1.00/M and Don Hendrick seconded.

Voting For	Voting Against
Julie Horton	None
Dick Albrecht	
R.W. Ingram	
Don Hendrick	
Kent Havard	

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Motion Carried.

Item 8 After discussion by City Manager Dick Albrecht made a motion to approve the Ordinance adopting the 1993-94 Budget M & O and I & S and R. W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	Kent Havard
Dick Albrecht	
R.W Ingram	
Julie Horton	

Motion Carried.

Item 9 After discussion Dick Albrecht made a motion to approve the Ordinance adopting the 1993 Advalorem tax rate at .36228 and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion Carried.

There being no other business, Don Hendrick made a motion to adjourn and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion Carried

Meeting adjourned at 5:50 P.M.

Called City Council Meeting
September 9, 1993

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA

CITY COUNCIL MEETING
MONDAY, SEPTEMBER 20, 1993
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Consider awarding Bids on Old Orchard Restrooms
5. Public Hearing TCDP Grant
6. Consider awarding Bids on Telemetry System

Posted on Bulletin Board at Diboll City Hall, Tuesday, September 14, 1993 at 9:30 A.M.

LATE ITEM: 1. Consider approving change order to Water Well Contract
2. Open and tabulate Bids for Well Casing and Stems

Posted on Bulletin Board at Diboll City Hall, Thursday, September 16, 1993 at 8:45 A. M.

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The money for the project was included in the original total project cost. (Bond issue).

Other Comments

I submitted the attached reply to EEOC and as of today I have not heard anything from them.

Some of you may have heard from Larry Cook concerning locating a mobile home in Diboll for his son.

What Mr. Cook needs to do is submit an application for a specific use permit to the Planning and Zoning Board. (Jason did pick up an application). After P&Z meets and considers this request they will make a recommendation to you. Larry and Jason each should know the procedure and time required since they did this a couple of years ago.

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Minutes of a regular City Council Meeting, Monday, September 20, 1993, 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	MAYOR	None
R.W. Ingram	Councilman	
Dick Albrecht	Councilman	
Julie Horton	Councilman	
Kent Havard	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Raymond Vann	Raymond K. Vann & Assoc.
Charles Maclin	Water Superintendent
Danny Ray	Chief of Police
Jim Gray	Editor-Free Press
Billy Sims	KSA Engineer

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon Cupit to give the invocation.

Item 3 Kent Havard made a motion to approve the minutes of all the previous meetings and Don Hendrick seconded.

Voting For	Voting Against
R.W. Ingram	None
Dick Albrecht	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion Carried.

Item 4 After discussion and recommendation by City Manager, Don Hendrick made a motion to reject bid submitted and to readvertise for bids on Old Orchard restrooms by total and by component parts and R. W. Ingram seconded.

Voting For	Voting Against
R.W. Ingram	None
Dick Albrecht	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion Carried.

Item 5 Mayor Simms opened Public Hearing on TCDP Grant and asked for comments from audience and then closed Public Hearing. Mr. Raymond Vann made comments concerning public hearing.
Mayor closed Public Hearing.

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Item 6 After discussion by Billy Sims, KSA Engineers, R.W. Ingram made a motion to accept the low bid of $30,000.00 from Rancom for the telemetry system and Don Hendrick seconded.

Voting For	Voting Against
R.W. Ingram	None
Dick Albrecht	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion Carried.

Late Item 1 After discussion Julie Horton made a motion to approve the change order to the water well contract and Kent Gavard seconded.

Voting For	Voting Against
R.W. Ingram	None
Dick Albrecht	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion Carried.

Late Item 2 After discussion by City Manager, R.W. Ingram made motion to reject bids and readvertise and rebid and Dick Albrecht seconded.

Voting For	Voting Against
R.W. Ingram	None
Dick Albrecht	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion Carried.

There being no further business Kent Havard made a motion to adjourn and Julie Horton seconded.

Voting For	Voting Against
R.W. Ingram	None
Dick Albrecht	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion Carried

Meeting Adjourned at 6:42 P.M.

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JAMES P. SIMMS, MAYOR

ATTEST:

LANNY PARISH, CITY SECRETARY

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Minutes of a Planning and Zoning Commission Meeting held on Tuesday, October 5, 1993 at 4:00 P.M. at the Diboll City Hall.

Members Present:	Marvin Wright Jack Beaty Jimmy Moye Stacey Cooke
Members Absent:	None
Also Present:	Vernon Cupit Betty Capps Jason Cook & Wife Marvana Cook Larry Cook Linda Bowman Bernice Weisinger

The meeting was called to order by Chairman Wright. The item of business was an application for a specific Use Permit for placement of a mobile home on property located on Ryan Chapel. The application was submitted by Jason Cook.

Discussion on what hardship reason they had for wanting to put the trailer on this property. Mr. Cook stated that his wife had medical problems and his mother had to look after her and the baby. A letter is to be given from doctor.

Larry Cook suggested changing the ordinance to allow mobile homes to be placed in the city.

A motion was made by Jack Beaty to grant the application for a six month period. Second by Jimmy Moye. All voted yes. This recommendation will be presented to the City Council at their meeting on Monday, October 18.

There being no further business, the meeting was adjourned.

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RUN AS A ONE COLUMN ADVERTISEMENT ON SEPTEMBER 16, 1993, ONLY

PUBLIC NOTICE
CITY OF DIBOLL
TEXAS COMMUNITY DEVELOPMENT PROGRAM

The City of Diboll will hold a second public hearing at 5:15 p.m. on September 20, 1993, at the Diboll City Hall in regard to the submission of an application to the Texas Department of Housing and Community Affairs for a Texas Community Development Program (TCDP) grant. Topics to be discussed will include the application for a water and sewer system improvements project that will serve the Pine Valley neighborhood. The amount of TCDP funds to be requested will be a maximum $250,000 with a local match required. Information will be provided during the hearing concerning the estimated amount of funds proposed for activities that will benefit low and moderate income persons. The application will be available at City Hall during regular business hours. City Hall is accessible to the handicapped.

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NOTICE TO BIDDERS FOR THE INTENTION OF THE CITY OF DIBOLL TO LET CONTRACT FOR CONSTRUCTION OF WATER SYSTEM IMPROVEMENTS – TELEMETRY SYSTEM

SEALED PROPOSALS addressed to the City of Diboll, Texas, P.O. Drawer E, Diboll, Texas 75941, will be received until Friday, August 17, 1993 at 11:00 a.m., for furnishing all labor, equipment, materials, supplies, and supervision necessary for construction of Water System Improvements – Telemetry System in accordance with the plans and specifications on file at the City of Diboll, Texas. At the time stated, bids will be opened and publicly read at the City Hall, Diboll, Texas.

PLANS AND SPECIFICATIONS may be examined without charge at the City of Diboll. Proposal forms, specifications, plans, and contract documents may be examined or obtained at the office of KSA Engineers, Inc., 131 South John Redditt, P.O. Box 151508, Lufkin, Texas 75915-1508. One copy of each set of documents may be obtained from KSA, Inc., for the purchase price of $25.00. No refunds will be made.

A CERTIFIED OR CASHIER'S CHECK, or an acceptable bid bond in an amount not less than five percent (5%) of the total bid shall accompany each bid as a guaranty that, if awarded the contract, the bidder will promptly enter into contract with the City of Diboll, Texas and furnish bonds on the forms provided.

THE SUCCESSFUL BIDDER OR BIDDERS will be required to furnish a Performance Bond and a Payment Bond, each in the amount of the contract, written by a responsible surety company authorized to do business in the State of Texas, and satisfactory to the Owner as required by Article 5160, V.A.T.C.S.

BIDDERS ARE expected to inspect the site of the work and to inform themselves of all local conditions. Time of completion shall be 120 calendar days including Saturdays, Sundays, and legal holidays.

ATTENTION TO BIDDERS is directed to the provisions of House Bill No. 54, Chapter 45, passed by the Forty-Third Legislature, at its Regular Session, requiring that not less than the general prevailing rates of per diem wages for work of similar character in the locality where the work is performed shall be paid all laborers, workmen and mechanics employed in the construction of public works.

BIDDERS WILL be allowed to modify or withdraw bids prior to the scheduled closing time for receipt of bids.

NO BID received after the scheduled closing time for receipt of bids will be accepted or opened.

NO BID may be withdrawn after the scheduled closing time for receipt of bids for at least 9 calendar days.

IN CASE of ambiguity or lack of clearness stating the price in the bids, the City of Diboll, Texas reserves the right to consider the most advantageous construction thereof, or to reject the bid.

THE AWARD will be made on the basis of the lowest responsible responsive bid obtained.

EQUAL OPPORTUNITY IN EMPLOYMENT: All qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin. Bidders on this work will be required to comply with the President's Executive Order No. 11246, as amended. The requirements for bidders and contractors under this order are explained in the specifications.

Vernon Cupit, City Manager
City of Diboll

KOA 9/9/1993

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KSA ENGINEERS, INC.

1313 S. JOHN REDDITT
P.O. BOX 151508
LUFKIN, TX 75915-1508
(409) 637-6061 or (409) 637-6969
FAX (409) 637-6239

Mr. Vernon Cupit, City Manager
City of Diboll
P.O. Drawer "E"
Diboll, Texas 75941

Re: Water System Improvements
City of Diboll

Dear Mr. Cupit:

On Friday, September 17, 1993, the City opened bids on the remaining contract related to the Water System Improvements. This contract is for the telemetry system which is essential to control which pumps are needed to meet the current demands. Two bids were received.

They are:

RANCOM	$30,000
Plant Systems, Inc.	$81,111

We have done two projects with RANCOM and are pleased with their product and their services.

Also, attached is Change Order No. one to the City's contract with Oscar Crawford Construction Company for adding a control valve at the old elevated tank on Pine Valley Road. This valve is necessary for the functioning of the control system. The amount of the Change Order is $13,600.

The combined cost of the telemetry system and the control valve is $43,600. The budget was $50,000.

The following is a summary of funds committed or expended for the project.

Water Well and Treatment Facilities	$260,000
12" Water Line and 6" Supply Main	151,739
Engineering and Surveying	59,900
Committed to Date	471,639
Telemetry System	30,000
Control Valve	13,600
TOTAL	$515,239

563,500

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The total estimate project cost is $563,500. Therefore if this contract on the telemetry system is awarded and the change order for the control valve approved the project is still well within the estimate.

We recommend that the City award the Telemetry System Contract to RANCOM in the amount of $30,000.

We also recommend that the City approve Change Order No. One for the Control Valve in the amount of $13,600.

Sincerely,

KSA ENGINEERS, INC.

Billy D. Sims

Billy D. Sims, P.E.
Branch Manager

BDS/lrs

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KSA ENGINEERS, INC.
P. O. Box 151508
Lufkin, Texas 75915-1508

CONTRACT CHANGE ORDER

Date: September 20, 1993

Project No.: Water System Improvements

Location: Diboll, Texas

Job Description: 6" Supply Main & 12" Distribution Main

Change Order No.: One (1)

Total Contract Price: $151,739.00

(Contractor)
Oscar Crawford Construction
P. O. Box 150707
Lufkin, TX 75915

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No. (1)	Description of changes - quantities, units, unit price, change in completion schedule, etc. (2)	Decrease in contract price (3)	Increase in contract price (4)
1	Addition of one (1) dual solenoid actuated 10" control valve, two (2) 10" gate valves, two (2) 10" x 8" teex, two (2) 8" 90 bends, one (1) 8" gate valve, associated piping, one 5' diameter valve vault with solid over lapping top with access manway at the existing elevated water storage tank, complete and in place, for the lump sum price of		13,600.00
	Change in contract price due to this Change Order:		
	Total Decrease	$0.00	
	Total Increase		$13,600.00
	Difference between Col. (3) and (4)	XXXXXXXXXXXXXXXXXX	$13,600.00
	Net (increase) ~~(decrease)~~ in contract price	XXXXXXXXXXXXXXXXXX	$13,600.00

The sum of $ $13,600.00 is hereby added to the total contract price, and the total adjusted contract price to date thereby is $ $165,339.00 .

The time provided for completion in the contract is (unchanged) ~~(increased by)~~ ~~(decreased by)~~ -0- calendar days. The revised completion date is 12/20/93. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Recommended by (Engineer): Billy D Sims — KSA Engineers, Inc. — Date: 9/16/93

Accepted by (Contractor): Oscar C — Oscar Crawford Construction — Date: 9-20-93

Approved by (Owner): City of Diboll — Date:

(NOTE: Fill out form in quadruplicate. One for Contractor; one for Field Engineer; one for Office; one for Owner.)

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AGENDA
CITY COUNCIL MEETING
OCTOBER 18, 1993
5:15 P. M.
DIBOLL CITY HALL

1. Call To Order

2. Invocation

3. Approval of Minutes

4. Consider recommendation of Planning & Zoning of locating a mobile home in the City.

5. Open and tabulate bids on the sale of pipe.

6. Open and tabulate bids on sale of fire truck.

7. Authorize asking for bids on 2 police cars.

8. Discuss & Consider Street Improvement Project.

9. Discuss & Consider repairs and repainting of City Hall and Police Department buildings.

10. Consider contract with Brazos Transit System for Bus Service.

11. Consider appointing one member to Planning and Zoning Board to replace Mr. Henson

12. Consider ordinance on cable rate deal.

13. Authorize asking for bids on a utility work vehicle for the Golf Course.

14. Authorize asking for bids on rough mower for Golf Course.

15. Discuss property lines at White Oak Creek South Park

16. Discuss writing ordinance requiring visual address numbers on all structures.

17. Consider appointment to Police Reserve. (After Executive Session).

EXECUTIVE SESSION:

1. Discuss Reserve Police Personnel Appointment.

Posted on Bulletin Board at Diboll City Hall Tuesday, October 12, 1993 at 11:10 A.M.

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor & City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: October 13, 1993 **RE:**

Items 1, 2 &3 are routine.

Item #4 Consider recommendations of the Planning and Zoning Board.

The Planning and Zoning Board met October 5 to consider the request of Jason Cook for a specific use permit to locate a mobile home inside the city. The board recommends approval of the request based on verbal details of a hardship condition that exists with Mrs. Cook. Minutes attached. A letter explaining the existing hardship is also attached.

I think most of you have been contacted by Jason's dad Larry, concerning this request.

Item #5 Open and Tabulate Bids on Pipe

The pipe we are offering to sell is the pipe removed from the golf course well. We advertised in the Lufkin paper, therefore, we should get a couple of good bids.

Item #6 Open and Tabulate Bids on Fire Truck

This is the fire truck we have been trying to sell. We previously ran ads in state magazines with no offers. Hopefully we will get a bid.

Item #7 Authorize asking for bids on 2 Police Cars.

We need to replace two of our existing patrol cars. Specifications attached. This is a budgeted expenditure.

Item #8 Discuss and Consider Street Improvement Project

Hopefully you have had time to look over the priority list of street repairs. We may want to change the priority of some

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of the streets or we may want to add or delete some, at any rate we have a good cost estimate per street.

We asked Ed Moore to give us an estimate of what 1.5 million would do to our overall debt cost. His letter is attached. Also, Lanny has attached our total bond summary.

Item #9 Discuss repairs and repainting of city hall and police station.

During the process of taking proposals for painting of these buildings, it came to our attention that some fairly major repairs were needed and that we may want to do something with the ends of the building which are a material that may not be easily painted. I am doing more checking on what may be done with this situation. I asked Mrs. Louise Maxwell to give us some ideas on colors, etc.

Item #10 Consider contract agreement with Brazos Transit for bus service.

. Our contract expired with BTS the 1st of October. Attached is a copy of the proposed two year contract. Mr. Cassels has reviewed the contract and finds it O.K. The TLL Foundation continues to fund the project. I think as long as they fund the project and the people use the service, we should continue with them.

Item #11 Consider appointing a replacement for Mr. Henson on P&Z Board.

Mr. Kay Henson who has served on our Planning and Zoning Board for a number of years tendered his resignation because of poor health. We need to appoint someone to replace him. I asked the other board members for suggested appointees or you may have someone you want to serve. Billy Sims said that if appointed he would serve.

Renewal of other board members will be up for consideration next month.

Item #12 Consider ordinance on Cable T.V. rate.

We entered in agreement with the Austin law firm to prepare our ordinance and other documents needed for cable rate setting authority. The ordinance should be here before the council meeting.

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Item #13 Authorize asking for bids on utility truck for Golf Course.

This work truck will replace one of the Mules currently in use. Specifications are attached. This vehicle is smaller and more diverse than a regular small pickup. Equipment will be paid from equipment fund.

Item #14 Authorize asking for bids on rough mower.

This mowing machine is another piece of equipment to replace an existing mower that is worn out. It will be paid from the equipment fund. Specifications attached.

Item #15 Discuss property lines at White Oak Creek.

As a result of the creek being re-channeled behind the South Meadows area the city ended up owning land on the residential (West) side of the creek. The small pie shaped area will be a maintenance problem because of accessibility. I have attached a map outlining the area, but if you want to see the property it is the area of the old creek bed behind the white two story house at the corner of Shady Lane and South Meadows. We will discuss the possibility of quick claiming the property after having it surveyed, to the two adjoining property owners. The property is part of the thirty four acre tract given to the city by Mr. Temple.

Item #16 Discuss writing ordinance requiring everyone to have visual address numbers.

Mrs. Horton discussed the need for addresses to be displayed on each structure and wants to discuss an ordinance requiring such numbers.

Item #17 Consider appointing a reserve policeman.

Chief Ray stated that he had a man ready to be appointed as a reserve officer. I don't know any other details on this matter.

The details will be discussed in executive session with recommendations and action to be taken in open session.

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Other Comments:

The bathroom project will be ready for next month.

Mason Alfred, one of the men that works on the garbage truck received a serious eye injury last week which required at least two surgeries. There is some question about how much vision he may lose in that eye. He is out of the hospital but unable to return to work for a few more days.

The water well project is progressing very well.

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The City of Diboll will be accepting bids until October 18, 1993, 5:15 P.M. for the sale of 430 feet of 6 inch well casing with shaft and stem; assorted brass and copper included. Can be seen at Neches Pines Golf Course, 900 E. Harris, Diboll, Texas.

Also, the City of Diboll is accepting bids until October 18, 1993, 5:15 P.M., for the sale of one (1) 1978 Pierce Quick Attack Pumper, 1½ ton chassis, 300 GPM PTO pump, 750 gallon tank, automatic transmission, 427 Chevrolet engine. Good working condition. Can be seen at Diboll Fire Department, 302 N. Temple, Diboll, Texas.

Bids may be delivered to Diboll City Hall, 400 Kenley or mailed to P.O. Box 430, Diboll, Texas 75901.

POSTED ON BULLETING BOARD AT CITY HALL, OCTOBER 6, 1993.

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NOTICE

There will be a meeting of the City Council of the City of Diboll on Monday, October 18, 1993 to consider recommendations from the Planning and Commission on an application for a Specific Use Permit for placement of a mobile home on Ryan Chapel.

The meeting will be held at 5:15 P.M. at the Diboll City Hall. Anyone interested in the above is invited to attend this meeting.

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October 18, 1993

Dear City Council Members,

On our original application we did not state that we had a hardship for the permit of our mobile home, but we do. In April '92, I had to have a total hip replacement on my left hip and a second surgery on my right hip is a possible upcoming. Since my surgery my mother-in-law, Marvana, has had to help me every day. She helps me with my daughter, Jacie, and also helps me do some things around the house that I can't do such as sweeping. Jason was released from the United States Army with an honorable hardship discharge because he was needed here at home to help take care of me and Jacie. I feel like this harship should be considered in the case of our mobile home. There is a Dr.'s note attached stating that I do need help from Jason to help care for Jacie.

Thank You,

Pam Cook

Pam Cook

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CITY OF DIBOLL

Mr. Doug Woods, Chief
Colmesneil Fire Department
P.O. Box 21
Colmesneil, Texas 75938

October 19, 1993

Dear Mr. Woods:

This letter is to inform you that your bid in the amount of five-thousand-fifty-five dollars and no cents ($5,055.00) for the 1978 Pierce Quick Attack Pumper was the high bid and was accepted by the City of Diboll.

As soon as your remittance is received, title will be transferred to you and possession may be taken.

Thank you for your interest and successful bid.

Cordially,

Lanny Parish

Lanny Parish, City Secretary/Finance Director

LP/mgt

P.O. DRAWER E • DIBOLL, TEXAS 75941 • (409) 829-4757

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409

837-2445

Colmesneil Fire Dep.

Richard Austin

Bid # 5,055.00

P.O. Box 21

Colmesneil TX

Doug Woods, Fire Chief

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510

COLMESNEIL FIRE DEPARTMENT
P.O. BOX 21
COLMESNEIL, TEXAS 75938

10-22 19 93 88-1033/1131

PAY TO THE ORDER OF City of Diboll $ 5,055.00

Five thousand fifty five dollars & 00/100 DOLLARS

FIRST STATE BANK
COLMESNEIL, TEXAS 75938

Debbie D. Austin

MEMO 1978 Pierce Fire Truck

⑈113110337⑈ 0510⑈100⑉288⑉0⑈

SAFETY PAPER

CASH RECEIPT 11699

Date OCT. 22 19 93

Received From COLMESNEIL FIRE DEPT.

Address P.O. BOX 21 COLMESNEIL, TEXAS 75938

FIVE-THOUSAND-FIFTY-FIVE AND NO/100 Dollars $ 5,055.00

For 1978 Pierce FIRE TRUCK CK# 510

CITY OF DIBOLL
P.O. Drawer E
DIBOLL, TEXAS 75941
Miscellaneous

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	5055	00	CASH		
AMT. PAID	5055	00	CHECK	5055	00
BALANCE DUE	-0-		MONEY ORDER		

By Bonnie Brink

Perryman Printing - Lufkin, Texas

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Minutes of a Regular City Council Meeting at Diboll City Hall, October 18, 1993, at 5:15 P.M.

Present		Absent
James Simms	Mayor	None
Don Hendrick	Councilman	
Dick Albrecht	Councilman	
Woody Ingram	Councilman	
Julie Horton	Councilman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Earl Carr	Public Works Director
Jim Gray	Free Press- Editor
Charlie Harris	Sgt-Police Department
Lane Bass	Street Superintendent
Jason Cook & Wife	
Larry Cook	

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon to give the invocation.

Item 3 Kent Havard made a motion to approve the minutes of the previous council meeting and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 4 After discussion Dick Albrecht made a motion to accept the recommendation of the P & Z board to locate a mobile home on Ryan Chapel Road and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 5 No bids received will readvertise.

Voting For	Voting Against
Don Hendrick	None

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Dick Albrecht
Woody Ingram
Julie Horton
Kent Havard

Item 6 Jimmy Cassels, City Attorney opened and tabulated bids received for the sale of 1978 Pierce Quick Attack Pumper as follows:

Don Hendrick made a motion to accept the highest bid of $5,055.00 from Colmesneil Fire Department and Woody Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 7 After discussion by City Manager, Kent Havard made a motion to authorize asking for bids to purchase 2 police cars and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 8 Street Improvement Project
City Manager discussed method of streets priority by KSA Engineers and cost. Kent Havard made motion to authorize and proceed to call for bond election after publishing list of priorities with cost and seconded by Dick Albrecht. Motion withdrawn by Councilman Havard and seconded withdrawn by Councilman Albrecht and consider to put item on November Agenda.

November Agenda consider authorizing calling bond election for street improvement.

Item 9 Repairs & Painting City Hall & P.D.
City Manager discussed needs for repairs and painting City Hall and P.D. Need to get architect or engineer to provide estimates. Don Hendrick made motion to allow City Manager to get estimates from architect or engineer and Woody seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried

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Item 10 After discussion by City Manager, Julie Horton made a motion to approve the contract with Brazos Transit System for Bus service contingent upon funding from TLL Foundation and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 11 After discussion by City Manager item tabled until November meeting.

Item 12 After discussion Dick Albrecht made a motion to approve the ordinance concerning TV cable rates and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried

Item 13 After discussion by City Manager, Woody Ingram made a motion to authorize asking for bids to purchase a utility work vehicle for the Golf Course and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried

Item 14 After discussion by City Manager, Kent Havard made a motion to authorize asking for bids on a rough mower for the Golf Course and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried

Item 15 PROPERTY LINES AT WHITE OAK CREEK
After discussion by City Manager, and City Attorney, Jimmy Cassels it was

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suggested that surveyor give City field notes and City can quit claim to property owner and new boundary lines can be established. Don Hendrick made motion to accept and Julie Horton seconded.

Voting For	Abstained	Voting Against
Don Hendrick	Woody Ingram	None
Dick Albrecht		
Julie Horton		
Kent Havard		

Motion carried

Item 16 ORDINANCE REQUIRING VISUAL ADDRESS NUMBERS
After discussion by City Manager and Councilman and remarks by Charlie Harris and Mayor, Julie Horton made a motion to authorize City Attorney to draft an ordinance requiring visual address numbers on all structures within the city limits and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried

Item 17 After discussion and recommendation by Charlie Harris, Sgt. Diboll Police Department motion to appoint Gary White as a Police Reserve Officer and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried

ITEM EXECUTIVE SESSION
Mayor called council into executive session.
No votes were taken and no decisions were made in executive session.
Mayor called council back in open session.

There being no further business Don Hendrick made a motion to adjourn and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

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Motion carried

Meeting adjourned at 6:23 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA

CITY COUNCIL MEETING
NOVEMBER 15, 1993
5:15 P. M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Approve Ordinance Requiring Identifying Numbers
5. Consider repairs & repainting City Hall & Police Department
6. Consider appointing member to P & Z Board
7. Consider re-appointing member of Cemetary Board
8. Bond Election - Call Election Saturday, January 8, 1994 at Primary School Cafeteria
9. Consider adopting Section 504 Grievance Procedures of TDHCA
10. Consider authorizing for sale of (2) used Decatur Radars
11. Consider authorizing for sale of (1) used Dictaphone playback and tapes
12. Consider authorizing for sale of (1) used camper shell to fit a short wheel base pickup
13. Consider awarding bid for construction of restrooms in Old Orchard Park
14. Open and tabulate bids for 2 wheel drive utility vehicle for Golf Course
15. Open and tabulate bids for mowing machine for Golf Course
16. Open and tabulate bids for two 1994 four door sedan police cars
17. Open and tabulate bids received on two 1990 Ford 4-door sedan police cars

Posted on Bulletin Board at Diboll City Hall November 9, 1993 at 10:20 A.M.

LATE ITEM: Approve an Ordinance providing approval of agreement between the State and City for highway lighting.

Posted on Bulletin Board at Diboll City Hall November 10, 1993 at 9:00 A.M.

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STATE OF TEXAS
DEPARTMENT OF COMMERCE
MEMORANDUM

TO: Non-entitlement Cities and Counties
Texas Capital Fund Consultants
Regional Councils of Government

FROM: Armando Ruiz, Program Manager

DATE: November 30, 1993

RE: Texas Capital Fund

On behalf of the Texas Department of Commerce and the Texas Department of Housing and Community Affairs, I regret to inform you that effective November 22, 1993, no additional Texas Capital Fund (TCF) pre-applications for the 1993 program year will be accepted until further notice. This decision was necessary due to the extraordinary demand of the program and the limited allocation amount.

Please keep in mind that the Texas Capital Fund program has been very successful in the last two years in providing you with economic development resources for your projects. In just two years, the fund has provided over $18.8 million in CDBG funds and leveraged over $140 million in verifiable private investment. This is a ratio of 7.4 to 1.0 in leveraging private investment. The increase in demand for the program and the lack of funds to meet this demand may require a shift in future priorities on behalf of the state to meet the needs of our non-entitlement communities.

Each applicant that has submitted a TCF pre-application prior to November 22, 1993 is hereby notified that funds may not be available to cover all pre-applications received. Projects that progress through the formal application stage and are recommended for funding by the Texas Capital Fund Advisory Committee shall be considered until all available funds are depleted. After all available funds are depleted, applicants that submitted a

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TCF pre-application prior to November 22, 1993 and do not receive a contract award will be notified in writing.

While this notice may not seem like good news and we apologize for any inconvenience this decision may cause, we applaud your efforts and your continued support in promoting economic development throughout Texas with Community Development Block Grant funds. Please feel free to call my office at 512-320-9649 to answer any questions regarding the status of your project or the status of the program.

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Minutes of a Regular City Council Meeting at Diboll City Hall, November 15, 1993, at 5:15 P.M.

Present		Absent
James Simms	Mayor	None
Don Hendrick	Councilman	
Dick Albrecht	Councilman	
Julie Horton	Councilwoman	
Woody Ingram	Councilman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Earl Carr	Public Works Director
Jim Gray	Free Press Editor
Danny Ray	Chief of Police
Charles Maclin	Water & Sewer Superintendent
Raymond Vann	Raymond K. Vann & Assoc.

Item 1 & 2 Mayor called the meeting to order and asked Vernon Cupit, City Manager to give the invocation.

Item 3 Dick Albrecht made a motion to approve the minutes of the last council meeting and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 4 Julie Horton made a motion to approve an Ordinance requiring identifying numbers for commercial buildings, lodging units and residential units within the City of Diboll and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 5 Repair & Repainting City Hall & Police Department
After discussion by City Manager and engineers from KSA Engineers, Woody made a motion to authorize going out for bids for repairing and repainting City Hall and Police Department with bids to be opened at March 1994 council meeting and Don Hendrick seconded.

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Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 6 After discussion Kent Havard made a motion to appoint Jay Wyatt as a member of the P & Z Board and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 7 Dick Albrecht made a motion to appoint Nan Miller, Albert Delco and Joe Sosa for two year terms and Roy G. Smith and John McClain for a one-year term as members of the Cemetary Board and all terms shall be for two years from henceforth and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 8 Dick Albrecht made a motion to call a bond election for street improvements for Saturday, January 8, 1994 at the Primary School Cafeteria and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 9 After discussion Julie Horton made a motion to adopt Section 504 Grievance Procedures of Texas Department of Housing and Community Affairs in conjunction with a grant application and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None

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Dick Albrecht
Julie Horton
Woody Ingram
Kent Havard

Motion carried.

Item 10 Woody made a motion to authorize advertising for sale and take bids on two used Decatur Radars from the Police Department and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 11 Kent Havard made a motion to authorize advertising for sale and take bids on one used Dictaphone playback and tapes and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 12 Julie Horton made a motion to authorize advertising for sale from the police department, one used camper shell to fit a short wheel base pickup and Woody seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 13 After discussion and recapping bids Woody made a motion to approve the low bid of $49,393.00 for B & J Esvating contingent upon Booster Club providing funds for the project and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 14 Jimmy Cassels, City Attorney opened and tabulated bids received to purchase a two-wheel drive utility vehicle for the Golf Course as follows:

Woody made a motion to accept the bid of $9,975.00 from Goldthwaites upon review of specification and approval of staff and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 15 Jimmy Cassels, City Attorney opened and tabulated bids received to purchase a mowing machine for the Golf Course as follows:

Dick Albrecht made a motion to accept the bid of $7,290.00 from Watson Dist. upon review pf specification and approval of staff and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 16 Jimmy Cassels, City Attorney opened and tabulated bids received to purchase two 1994 four door sedan police cars as follows:

Woody made a motion to accept the bid of $22,000.00 from Beaver Cheverolet upon review of specifications and approval by staff Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Woody Ingram	
Kent Havard	

Motion carried.

Item 17 No Bids Received

LATE ITEM After discussion Woody made a motion to approve an Ordinance providing agreement between the State Highway Department and City for highway lighting and Julie Horton seconded.

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Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

There being no further business Kent made a motion to adjourn and Julie seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried and meeting adjourned at 6:48 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
DECEMBER 13, 1993
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Discuss sewer line problems on Ryan Chapel
5. Adopt Resolution calling for street improvement Bond Election in the amount of $1,500,000 for January 8, 1994 with Absentee Voting being December 20, 1993 and January 4, 1994.
6. Open and tabulate bids received on (2) used Decatur Radars for sale.
7. Open and tabulate bids received on (1) used Dictaphone playback and tapes.
8. Open and tabulate bids received on (1) used camper shell.

Posted on Bulletin Board at Diboll City Hall December 7, 1993 at 12:00 Noon.

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Minutes of a Regular City Council Meeting, December 13, 1993, at 5:15 P.M. at Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Dick Albrecht	Councilman	
Julie Horton	Councilwoman	
Kent Havard	Councilman	
Don Hendrick	Councilman	
Woody Ingram	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Mr. & Mrs. John McGilvra	
Maxine Shaw	
Royce Shaw	
Danny Ray	Chief of Police
Earl Carr	Public Works Director
Charles Maclin	Water & Sewer Superintendent

Item 1 & 2 Mayor called the meeting to order and asked Vernon to give the invocation.

Item 3 Julie Horton made motion to approve the minutes of the previous council meeting and Dick albrecht seconded.

Voting For	Voting Against
Woody Ingram	None
Don Hendrick	
Kent Havard	
Julie Horton	
Dick Albrecht	

Motion carried.

Item 4 City Manager discussed sewer problems on Ryan Chapel Road and frequency process of maintenance on the lines. Comments from Mr. & Mrs. McGilvra and Mrs. Shaw were made. Mayor suggested we dig up and replace sewer lines between manhiles under question. It was concesses of council to proceed with Mayor's suggestion.

Item 5 Dick Albrecht made a motion to adopt a Resolution calling for street improvement Bond Election in the amount of $1,500,000 for January 8, 1994 with absentee voting being December 20, 1993 through January 4, 1994, and Woody seconded.

Voting For	Voting Against
Dick Albrecht	None
Don Hendrick	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

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Item 6 Jimmy Cassels, City Attorney opened and tabulated bids received for sale of two used Decatur Radars as follows:
Eddie Horton $300.00
Woody made a motion to accept the high bid of $300.00 submitted by Eddie Horton and Dick Albrecht seconded.

Voting For	Voting Against	Abstain
Don Hendrick	None	Julie Horton
Dick Albrecht		Kent Havard
Woody Ingram		

Motion carried.

Item 7 Dictaphone playback and tapes: No Bids

Item 8 Jimmy Cassels, City Attorney opened and tabulated bids received for sale of one used camper shell for short wheel base pick up as follows:
Rodolfo Zarzoza $125.00
Woody made a motion to accept the high bid of $125.00 from Rodolfo Zarzoza and Don Hendrick seconded.

Voting For	Voting Against
Woody Ingram	None
Don Hendrick	
Kent Havard	
Julie Horton	
Dick Albrecht	

Motion carried.

There being no further business Don Hendrick made a motion to adjourn and Kent Havard seconded.

Voting For	Voting Against
Woody Ingram	None
Don Hendrick	
Kent Havard	
Julie Horton	
Dick Albrecht	

Motion carried and meeting adjourned at 6:03 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA

CALLED CITY COUNCIL MEETING
JANUARY 10, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call Meeting to Order

2. Invocation

3. Canvase Votes of Bond Election

4. Approve a Resolution Canvassing the returns and declaring the results of the Bond Election held January 8, 1994.

EXECUTIVE SESSION:

1. Discuss Personnel Policy on Use of City Vehicles

Posted on Bulletin board at Diboll City Hall January 4, 1994 at 10:45 A.M.

Copies held at The History Center, Diboll, Texas. www.TheHistoryCenterOnline.com 1999.077

Minutes of a Called City Council Meeting, January 10, 1994, 5:15 P.M. Diboll City Hall.

Present		Absent	
James Simms	Mayor	Dick Albrecht	Councilman
Kent Havard	Councilman	Don Hendrick	Councilman
Julie Horton	Councilwoman		
Woody Ingram	Councilman		

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Lane Bass	Street Superintendent
Jim Gray	Free Press Editor
Charles Maclin	Water & Sewer Superintendent
Earl Carr	Public Works Director
Danny Ray	Chief of Police
Guy Anthony	Police Officer
Derick Barnes	Water Department

Item 1 & 2 Mayor called the meeting to order and asked Vernon to give the invocation.

Item 3 The votes were canvassed and the tally of 52 For and 34 Against the $1,500,00 Bond Election was accepted by the Council.

Item 4 Kent Havard made a motion to approve a Resolution Canvassing the returns and declaring the results of the Bond Election held January 8, 1994 and Woody seconded.

Voting For	Voting Against
Woody Ingram	None
Kent Havard	
Julie Horton	

Motion Carried.

Jimmy Cassels, City Attorney recommended that Executive Session be postphoned until January 24, 1994 Council Meeting because of wording of item.

There being no other business Woody Ingram made amotion to adjourn and Kent Havard seconded.

Voting For	Voting Against
Woody Ingram	None
Kent Havard	
Julie Horton	

Motion Carried. Meeting adjourned at 5:24 P.M.

ATTEST:

James P. Simms, MAYOR

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
JANUARY 24, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Hear Auditor Report
5. Consider entering into contract with KSA on Street Improvement
6. Authorize asking for bids on 10 Golf Carts
7. Authorize asking for bids on Garbage Bags
8. Consider authorizing Golf Course equipment for sale
9. Councilman comments
10. Open and tabulate bids on old pipe at Golf Course

Executive Session

1. Section 551-071 Texas Open Meeting Act, Texas Government Code
   Private Consulation with City Attorney
2. Section 551.074 Texas Open Meeting Act, Texas Government Code,
   Discussing personnel or to hear complaints against personnel

Posted on Bullentin Board at Diboll City Hall Tuesday, January 18, 1994 at 11:50 A.M.

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Vernon Cupit

SUBJECT: Agenda Comments

DATE: January 19, 1994 **RE:**

Items 1, 2, & 3 are Routine

Item #4 Hear Audit Report

Mr. Montes has finished the audit and has prepared the report. He or someone in his staff will be here to present the report. Copy attached.

Item #5 Consider entering into contract with KSA on Street Improvement

We need to enter a formal contract with KSA for our street improvement project. Billy Sims should be present to present the contract and answer any questions.

Our plans for scheduling is to have bonds sold in May or June, specs and bids complete and out ready to begin work in late June or July.

Item #6 Authorize asking for bids on 10 Golf Carts.

We discussed the need for replacing twenty golf carts during the budget process and made plans for that, however, experience shows that we only need a total of 50 carts, therefore we will only replace ten, offering ten for trade and asking to sell ten additional carts. We originally had sixty carts.

Item #7 Authorize asking for bids on Garbage Bags

It is the time we need to ask for bids on garbage bags. Budgeted item.

Q4

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Item #8 Consider authorizing Golf Course equipment for sale

Kevin has prepared a list of old equipment no longer needed or worn out at the golf course. Some of the equipment was bought and used during the construction and grow in period and not needed any longer. List attached.

Item #9 Councilman Comments

This item has been added so that you may discuss items not otherwise listed. No vote may be taken on discussed items.

Item #10 Open and tabulate bids on old pipe at Golf Course

We re-advertised for the sale of the pipe at the golf well. Should have a couple of bids.

Executive Session:

Item #1 Section 551-071 Texas Open Meeting Act, Texas Government Code Private Consultation with City Attorney

#1 is a result of having an executive session. Legal discussion about executive sessions.

Item #2 Section 551-074 Texas Open Meeting Act, Texas Government Code, discussing personnel or to hear complaints against personnel.

#2 Discuss personnel matters relating to the incident with a vehicle prior to Christmas

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Minutes of a regular council meeting at Diboll City Hall, January 24, 1994 at 5:15 P.M.

Present		Absent
James Simms	Mayor	None
Don Hendrick	Councilman	
Dick Albrecht	Councilman	
Woody Ingram	Councilman	
Julie Horton	Councilwoman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Levy Ellison	
Charles Maclin	Water & Sewer Superintendent
Earl Carr	Public Works Director
Lynn Montes	Auditor Axley & Rode
Danny Ray	Chief of Police
Buster Grigg	Pastor First Baptist Church
Billy Sims	KSA Engineers
Kent White	Arkla Taylor

Item 1 & 2 Mayor called the meeting to order and asked Buster Grigg to give the invocation.

Item 3 Julie Horton made a motion to approve the minutes of the previous council meetings and Woody seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 4 Lynn Montes of Axley & Rode, CPA's presented the annual audit report. Issued a clean opinion.

Item 5 After discussion by Billy Sims, KSA Engineer's, Woody made a motion to enter into a contract with KSA Engineers in reference to Street Improvements and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

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Item 6 After discussion Don Hendrick made a motion to authorize asking for bids on 10 golf carts and trade 10 golf carts and sell 10 golf carts and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 7 After discussion Dick Albrecht made a motion to authorize asking for bids for Garbage Bags and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 8 After discussion Julie Horton made a motion to authorize accepting bids on Golf Course Equipment for sale and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 9 Councilman Comments
City Manager commented Texas Capt. Funds are not available now and need to look somewhere else for W & S and new jail.

There being no further business Woody made a motion to adjourn and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried

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Item 10 City Attorney, Jimmy Cassels opened and tabulated bids received on old pipe at Golf Course for sale as follows:
Don Hendrick made a motion to accept the high bid of $365.00 from Melvin Durham and Woody Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried.

At this point, Mayor Simms 6:25 P.M. called the council into executive session to discuss agenda items as posted under Section 551.071 and Section 551.074 of the Texas Meeting Act.

Mayor Simms reconvened the council at 7:10 P.M. in open session. No votes were taken and no decisions were made in executive session and a Certified Agenda is retained in a lock box in the city's vault.

There being no further business Woody Ingram made a motion to adjourn and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Woody Ingram	
Julie Horton	
Kent Havard	

Motion carried and meeting adjourned at 7:10 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, City Secretary

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AGENDA
CITY COUNCIL MEETING
FEBRUARY 21, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Approve Resolution for State for Highway Beautification
5. Open bids on Garbage Bags
6. Open bids on Golf Carts
7. Open bids on Golf Course Equipment for Sale
8. Presentation of MWPP Enviromental Audit Report
9. Approve MWPP Resolution
10. Authorize asking for bids to purchase 1 Pickup for Water & Sewer Department
11. Consider awarding bids on City Hall and Police Department repairs
12. Authorize asking for bids to purchase 1994 Suburban for Fire Dept.
13. Discuss & Consider Participation in Deep East Texas Task Force
14. Order Election for May 7, 1994
15. Public Forum
16. Council Comments

EXECUTIVE SESSION:

1. Discuss Reserve Police Personnel Appointment

   Section 551.074 Discussing personnel or to hear complaints against personnel.

Posted on Bullentin Board at Diboll City Hall, Tuesday, February 15, 1994 at 8:35 A.M.

Copies held at The History Center, Diboll, Texas. www.TheHistoryCenterOnline.com 1999:077

Minutes of a regular Council Meeting, February 21, 1994, 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Dick Albrecht	Councilman	
R.W. Ingram	Councilman	
Julie Horton	Councilwoman	
Kent Havard	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
James Leftwich	
Mike Smith	
Bill Brown	
Buster Grigg	Paster, First Baptist
Ray Lenderman	Sewer Superintendent
Kent White	
Earl Carr	Public Works Director
Levy Ellison	
Charles Maclin	Water Superintendent
Buddy Standeland	Task Force
Ernest Grossman	KSA
Edwin Quarrels	Free Press
Doby Dear	
Kevin Whiteley	Golf Course
Steve Baker	Police Officer
Jason Burrous	Police Officer
Jimmy Lenderman	Police Officer
Danny Ray	Chief of Police
Charlie Harris	Sgt.
Gary Jones	Fire Chief
Jimmy Mettlen	Golf Course
Malcomb Still	

Item 1 & 2 Mayor Simms called the meeting to order and asked Buster Grigg to give the invocation.

Item 3 Julie Horton made a motion to approve the minutes of the previous council meeting and R.W. Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 4 No resolution was required at this time for the State for highway beautification was explained by the City Manager but will be required later. Bids should be let in July for the $500,000 project.

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RESOLUTION

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS APPROVING THE SUBMISSION OF A LANDSCAPING COST SHARING PROGRAM GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION.

Whereas, the Mayor & City Council of the City of Diboll recognizes the importance of the aesthetic quality of public thoroughfares in the City; and

Whereas, the Comprehensive City Improvement Bond program approved February 25, 1992 provides funds for beautification; and

Whereas, the City of Diboll can make additional beautification improvements with grant monies from the State of Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS:

That the enclosed application for the Texas Department of Transportation Landscaping Cost Sharing Program is approved for submission, and the City Manager is hereby authorized to act as the City's Authorized Representative in all matters pertaining to the grant.

INTRODUCED, READ AND PASSED BY AFFIRMATIVE VOTE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIBOLL, TEXAS, on this the 21 Day of Feb., 1994.

James P. Simms, Mayor

ATTEST:

Lanny Parish, City Secretary

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R. W. Ingram made a motion for Mayor to sign resolution when ready and Julie Horton seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Jimmy Cassel, City attorney opened and tabulated bids received for the purchase of garbage bags as follows:

BEMIS	2,500 - $4,532.50	(1.81)
	5,000 - $8,965.00	(1.793)
COATING & LAMINATING	2,500 - $5,272.50	
	5,000 - $9,990.00	
ARROW IND	2,500 - $4975.00	(1.99)
	5,000 - $9950.00	(1.99)

Kent Havard made a motion to accept the low bid of $8,965.00 from BEMIS and Julie Horton seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 6 Jimmy Cassels, City Attorney opened and tabulated bids received for the purchase of 10 golf carts by the city as follows:

E-Z GO	$27,990.00 -6,520.00 Trade-In $21,470.00	
WATSON (Club Car)	$27,900.00 -2,700.00 Trade-In $25,200.00	
YAMAHA (G9E)	$25,940.00 -6,000.00 Trade-In $19,940.00	DOES NOT MEET SPECIFICATIONS
YAMAHA (G8E)	$27,880.00 -6000.00 Trade-In $21,880.00	

Dick Albrecht made a motion to table until next meeting and Don Hendrick seconded.

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NOTICE

The City of Diboll will receive sealed bids until 5:00 P.M., Monday, February 21, 1994 for Garbage Bags for the Sanitation Dept.

Bids will be opened and tabulated at the City Council meeting on Monday, February 21, 1994 at 5:15 P.M.

Bid forms may be obtained at the Diboll City Hall or by mail to the City of Diboll, P.O. Box 340, Diboll, Texas 75941.

Vernon Cupit
City Manager

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NOTICE

The City of Diboll will receive sealed bids until 5:00 P.M., Monday, February 21, 1994 for 10 golf carts for the Neches Pines Golf Course. Specificiations may be obtained at the Diboll City Hall, 400 Kenley, Diboll, Texas, 75941.

Bids will be opened and tabulated at a City Council meeting on February 21, 1994 at 5:15 P.M. in the Council Chambers at the Diboll City Hall.

Vernon Cupit
City Manager

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EQUIPMENT FOR SALE

The City of Diboll will be accepting bids on the sale of the following Golf Course Equipment. Bids will be accepted until 5:00 P.M. Monday, February 21, 1994. Bids will be opened and tabulated at the City Council Meeting at 5:15 P.M..

Please mark your envelopes "Bid on Golf Course Equipment".

1. 4-Wheel Kawasaki 1000 Utility Vehicle
2. Snapper Mower
3. Browler Roller
4. Sod Cutter
5. Smithco Sand Rake
6. Pick-up Truck Tool Box
7. Woods Dixie Bush Hog
8. Green Bush Hog
9. Cushman Sprayer
10. Brown Trailer
11. Old Coke Machine
12. 3 Doors (1) 6'71/2" Width 2'8" (1) 6.8" Width 3' (1) 7' Width 3'
13. Cushman Topdresser
14. Ryan Topdresser
15. Cushman Aerifier
16. 6 Aqua-Dial Control Boxes
17. 2 Golf Carts
18. Yellow Box Blade
19. Old Pipe from Old Well
20. Steam Cleaner
21. Fairway Aerifier
22. Trailer Hitch
23. 2 Windows
24. Trailer

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City of Diboll

OFFICE MEMORANDUM

TO: Chief Ray

FROM: Officer Lenderman

SUBJECT: Reserve Candidates

DATE: 02/11/94 RE:

Having passed background investigation and meeting the requirements for Auxilary Police Officers I would like to recommend the following candidates for approval at the next city councile meeting.

1. John R. Richards
2. Billy Jack Russell

Respectfully,
Jim Lenderman, Auxillary Coordinator

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ATTACHED SHEET

Golf Course Equipment to Consider asking Bids on

1.	Mule	4-Wheel Kawasaki 1000 Utility Vehicle
2.	Snapper Mower	38" cut 16 H.P.
3.	Browler Roller	Engine 5 H.P. Honda Transmission clutchless, single lever shift Dimensions: Lenght 60" Height 46 1/4" width 32" Weight: Empty 495 lbs Full 1,107 lbs
4.	Sod Cutter:	7 H.P. 12" cut
5.	Smithco Sand Rake	3-Wheel 8 H.P.
6.	Pick-Up Truck Tool Box	Fits fleet sizes
7.	Woods Dixie Bush Hog	60" cut
8.	Green Bush Hog	78" cut
9.	Cushman Sprayer	100 gallons
10.	Brown Trailor	Width 5'10" Length 7'10"
11.	Old Coke Machine	
12.	3 Doors	A. Door Length 6'71/2" Width 2'8" B. Door Length 6'8" Width 3' C. Door Length 7' Width 3'
13.	Cushman Topdresser	Capacity 9.5 cubic ft (approx. 1000 lbs) Swath width 31 1/2" Dimensions: Length 51" Width 44 1/2" Height 29"
14.	Ryan Topdresser	Swath width 31 1/2"
15.	Cushman Aerifier	Drum type Drum 23" 4.8 cubic ft 112 tines Aerating width 22 3/4" Aerating speed 6 MPH
16.	6 Aqua-Dial Control Boxes	Came off old back none pumphouse
17.	2 Golf Carts	Electric Melex 3 wheelers
18.	Yellow Box Blade	5'1"
19.	Old Pipe from Old Well	
20	Steam Cleaner	Clarke 700 H Pressure Washer
21.	Fairway Aerifier	6'3" wide aerifier
22.	Trailor Hitch	Universal
23.	2 Windows	2' X 6'
24.	Trailor	10' X 6'

0 = SOLD

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Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Jimmy Cassels, City Attorney opened and tabulated bids received for the sale of 10 golf carts as follows:

James Baker	$255.00	#13,12,14,3,11
Bill Mead	$300.00	#19,20, 14 or 17
Malcomb Still	$350.00	#19
Malcomb Still	$300.00	#12
Carl Ballard	$200.00	#13
Sam Martin	$305.00	#12,13,19,20
Bill Brown	$151.00	#3,9,4
Bill Brown	$301.00	#20,14
Bill Brown	$351.00	#19
Bill Brown	$401.00	#5,13,12
Paul Luna	$3,500.00	For all 10

Dick Albrecht made a motion to accept bid of $3,500.00 for lot of all 10 from Paul Luna and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 7 Jimmy Cassels, City Attorney opened and tabulated bids received for the sale of golf course equipment as follows:

Levy Ellison	$325.00	#8	$35.00	#7	$200.00	#18		
Melvin Durham	$27.50	#15	$17.00	#21	$22.50	#9	$150.00	#1
	$20.00	#20						
Brad Colwell	$15.50	#10	$20.50	#24				
Kent White	$400.00	#20	$300.00	#8	$150.00	#7	$151.00	#18
	$75.00	#24	$75.00	#10	$25.00	#21	$10.00	#22
	$25.00	#9	$12.50	#13	$12.50	#14		
Paul Luna	$1000.00 case lot							
Andrew B. Jordan	$1200.00	#1						

See attached sheet for Item #

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Kent Havard made a motion to accept high bids and Julie Horton seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 8 Earl Carr presented the MWPP Environmental Audit Report, Dr. Ingram complimented Ray and Jon for the efficency of the plant.

Item 9 Dick albrecht made a motion to approve the MWPP Resolution and R.W. Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 10 Kent Havard made a motion to authorize asking for bids to purchase (1) pickup for the Water & Sewer Department and R.W. Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 11 Moved to Item # 8
Mr. Grossman, KSA had previously opened and tabulated bids receoved for repairing City Hall and Police Dept. as follows:

Moore Bros. Construction	$30,735.00
Jim Wells Painting Co.	$26,784.00
L. Richardson & Sons	$29,380.00

Don Hendrick made a motion to accept the low bid of $26,784.00 from Jim Wells Painting and Dick Albrecht seconded the motion.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

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Motion carried.

Item 12 Dick Albrecht made a motion to authorize asking for bids to purchase (1) 1994 Suburban for the Fire Dept. and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 13 Discuss & Consider Participation in Deep East Texas Task Force City Manager & Buddy Standland with Task Force discussed participation with Task Force. Danny Ray made comments. Dr. Ingram and Julie Horton made comments and Dick Albrecht, Kent Havard and Don Hendrick also made comments. Kent Havard made a motion to table until March 7, Called Meeting and Julie Horton seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 14 Julie Horton made a motion as order the election for councilmen for May 7, 1994 at the Primary school cafeteria and R.W. Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 15 Public Forum
City Manager discussed FHA Grant for weatherization and remodeling for 10 homes. Bids on bathrooms discussed and Booster Club to decide.

Item 16 Council Comments
No additional comments.

EXECUTIVE SESSION
Mayor called council into executive session. Items on agenda were discussed. No decisions were made and no votes were taken. A certified agenda was kept and is in the City's vault locked in a lock box.

Mayor reconvened council in open session.

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Dick Albrecht made motion to approve John Richards a Reserve Officer and R.W. Ingram seconded.

Voting For		Voting Against
Dick Albrecht	UNANIMOUSLY	None
R.W. Ingram		
Julie Horton		
Kent Havard		
Don Hendrick		

Motion carried unamiously.

There being no further business Don Hendrick made a motion to adjourn and Julie Horton seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried and meeting adjourned at 7:48 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CALLED CITY COUNCIL MEETING
MARCH 7, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Hear Reports concerning Task Force Participation
4. Award bid to purchase Golf Carts
5. Ask permission to purchase computer system for Police Department
6. Ask permission to purchase computer system for Golf Course

Posted on Bullentin Board at Diboll City Hall, Monday, February 28, 1994 at 3:10 P.M.

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor & City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: March 3, 1994 **RE:** City Council Meeting Monday, March 7, 1994

Items 1 & 2 are Routine

Item #3 Hear Reports Concerning Task Force Participation

Chief Ray, Mrs. Horton and Mr. Havard met earlier this week and discussed the operations of the Police Department and it's drug enforcement practices.

I don't know the details of the meeting but you will be briefed on their recommendations at the meeting.

Funds are available to pay the membership fee.

Item #4 Award Bid to Purchase Golf Carts

You recall there were several exceptions to the specifications in the apparent low bid by Yamaha. After reviewing that bid with its exceptions, we determined Yamaha had bid a smaller car (G9-E) than we had specified (there were other important exceptions also.)

However, we discovered that Yamaha had in fact submitted two bids. The second bid was for a car more closely meeting specifications.

Their bid for the second car a (G8-E) was $27,880.00 with a $6,000.00 trade-in for a net bid of $21,880.00. The EZ GO bid was $27,990.00 with trade-in of $6,520.00 for a net bid of $21,470.00, which is the low bid. We recommend the EZ GO bid be accepted as low bid.

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Item #5 Ask for Authorization to Purchase a Computer System for the Police Department

We applied for and received a grant from the T.L.L. Temple Foundation to purchase a computer system for the Police Department. The Chief has taken proposals and has identified the system that will do what they need. We need your permission to make the purchase. Specialized electric equipment is exempt from the bid process (proposals are required).

Item #6 Ask Permission to Purchase Computer System for Golf Course

We have been considering a computer system for the golf course that will assist in a multitude of ways, inventory, cash register, customer receipts, etc. A system such as this will assist in our audit in sales accounting.

Again we have taken proposals and compared prices.

The difference in this system and the Police Department item is that this system will be paid for out of golf course operations.

We feel this system will be money well spent for records and accounting value.

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Minutes of a Called City Council Meeting, March 7, 1994, 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Don Hendrick	Councilman	
Dick Albrecht	Councilman	
R.W. Ingram	Councilman	
Julie Horton	Councilwoman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Danny Ray	Chief of Police
Earl Carr	Public Works Director
Jim Gray	Free Press Editor
Charlie Harris	Sgt.
Doby Dear	Golf Course
Edwin Quarrels	Free Press
Bill Brown	
Buster Grigg	Pastor, First Baptist
Arthur Temple	
Levy Ellison	
Jimmy Mettlen	Golf Course

Item 1 & 2 Mayor Simms called the meeting to order and asked Buster Grigg to give the invocation.

Item 3 Task Force Reports
Kent Havard summerized meeting between Danny Ray, Police Chief, Julie Horton and himself. Commented meeting was good and ideas exchanged were good. Julie Horton also concurred that concern was that our money was well spent. Voiced concern about resolution and asked Jimmy Cassels to comment on contract.
R.W. Ingram remarked he was for Task Force. Dick Albrecht also voiced support for Task Force. Don Hendrick stated the $13,900. city would spend be economical and supported Task Force. Danny Ray explained some of his ideas. Arthur Temple supported the Task Force with his remarks.
Mayor Simms clarified statements from last meeting that council members not necessarily against Task Force. After discussion Dick Albrecht made a motion for the city to participate in the Task Force and R.W. Ingram seconded upon City Attorney correcting contract.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried unanimously.

Item 4 After discussion R.W. Ingram made a motion to award the bid to purchase

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ten golf carts to E-Z Go for the low bid of $21,470.00 and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried unanimously.

Item 5 After discussion by R.W. Ingram and Charlie Harris, made a motion to approve the purchase of a computer system for the police department and Kent Havard seconded. A grant was received from Temple Foundation to purchase this equipment subject to City Attorney reviewing and if has to be bid, item will be put on March 21, 1994 agenda.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 6 After discussion by Vernon Cupit and council, Kent Havard made a motion to approve purchasing a computer system for the golf course and Julie Horton seconded. Subject to City Attorney reviewing and if has to be bid item will be put on March 21, 1994 agenda.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

There being no further business, Dick Albrecht made a motion to adjourn and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

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Motion carried.

Meeting adjourned at 5:53 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
MARCH 21, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Authorize going out for bids to replace and repair roof of P.D. building
5. Consider discussing Tax Abatement for Housing Preservation Grant
6. Appoint Election Judges
7. Open and Tabulate bids on pickup for Water & Sewer Department
8. Open and Tabulate bids on 1994 Suburban for Fire Department
9. Public forum
10. Councilman Comments

Posted on Bullentin Board at Diboll City Hall, Tuesday, March 15, 1994 at 8:30 A.M.

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NOTICE TO BIDDERS

The City of Diboll is accepting sealed bids for one (1) Half Ton Pickup per specifications.

Bids will be accepted at the regular city council meeting until 5:00 P.M., Monday March 21, 1994 or by mail to P.O. Box 340, Diboll, Texas 75941.

The City is offering for trade-in: (1) 1985 Chevrolet Pick-up. Said vehicle will be available for inspection at the City of Diboll Service Center.

The City reserves the right to reject any or all bids.

Please mark your envelope "BID PROPOSAL - PICKUP TRUCK".

Bidders are notified of City Exemption from otherwise applicable sales and excise taxes.

LANNY PARISH
City Secretary

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NOTICE TO BIDDERS

The City of Diboll is accepting sealed bids for one (1) Nine Passenger Utility Vehicle for the Fire Department.

Bids will be accepted at the regular city council meeting until 5:00 P.M., Monday, March 21, 1994 or by mail to P.O. Box 340, Diboll, Texas 75941.

The City reserves the right to reject any or all bids.

Please mark your envelope "BID PROPOSAL - 9 PASSENGER UTILITY VEHICLE".

Bidders are notified of City Exemption from otherwise applicable sales and excise taxes.

Lanny Parish
City Secretary

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Minutes of a regular City Council Meeting, Monday, March 21, 1994 at 5:15 P.M., at Diboll City Hall.

Present		Absent
James Simms	Mayor	None
R.W. Ingram	Councilman	
Julie Horton	Councilwoman	
Dick Albrecht	Councilman	
Kent Havard	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Jim Gray	Editor Free Press
Levy Ellison	
Gary Jones	Fire Chief
Charles Maclin	Water & Sewer Superintendent
Buster Grigg	Pastor First Baptist
Earl Carr	Public Works Director
Danny Ray	Chief of Police
Marty Roberts	
Bill Brown	

Item 1 & 2 Mayor Simms called the meeting to order and asked Buster Grigg to give the invocation.

Item 3 Julie Horton made a motion to approve the minutes of the previous council meeting and Dick Albrecht seconded.

Voting For	Voting Against
R.W. Ingram	None
Julie Horton	
Dick Albrecht	
Kent Havard	
Don Hendrick	

Motion carried.

Item 4 After discussion, Don Hendrick made a motion to authorize accepting bids to replace and repair roof at P.D. and with possibly looking at metal roof and option. R.W. Ingram seconded.

Voting For	Voting Against
R.W. Ingram	None
Julie Horton	
Dick Albrecht	
Kent Havard	
Don Hendrick	

Motion carried.

Item 5 TAX ABATEMENT

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City Manager discussed withdrawl of tax abatement and explained other options to accomplish same goals.

Item 6 Julie Horton made a motion to appoint Mr. Robert Ramsey as election Judge and Mrs. Deveraux Alternate Judge for the May 7, 1994 election of City Councilman and Dick Albrecht seconded.

Voting For	Voting Against
R.W. Ingram	None
Julie Horton	
Dick Albrecht	
Kent Havard	
Don Hendrick	

Motion carried.

Item 7 Jimmy Cassels, City Attorney opened and tabulated bids received for the purchase of a 1994 pickup for the W & S Department as follows: See attached sheet. Julie Horton made a motion to accept the low bid of $11,830.00 from Al Myer upon review specification by staff and R.W. Ingram seconded.

Voting For	Voting Against
R.W. Ingram	None
Julie Horton	
Dick Albrecht	
Kent Havard	
Don Hendrick	

Motion carried unamiously.

Item 8 Jimmy Cassels, City Attorney opened and tabulated bid received for the purchase of a 1994 vehicle for the Fire Department as follows: See attached sheet. Dick Albrecht made a motion to accept the low bid of $27,282.49 from Beaver Chev. upon review of specifications by staff and Don Hendrick seconded.

Voting For	Voting Against	Abstaining
Don Hendrick	None	Kent Havard
Dick Albrecht		
Julie Horton		
R.W. Ingram		

Motion carried.

Item 9 Public Forum

Item 10 Coucnilman Comments
No additional comments were made.

There being no further business Dick Albrecht made a motion to adjourn and Don Hendrick seconded.

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Voting For	Voting Against
R.W. Ingram	None
Julie Horton	
Dick Albrecht	
Kent Havard	
Don Hendrick	

Motion carried.

Meeting adjourned at 5:38 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, City Secretary

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AGENDA
CITY COUNCIL MEETING
APRIL 18, 1994
5:15 P.M.
DIBOLL CITY HALL

1. **Call to Order**
2. **Invocation**
3. **Approval of Minutes**
4. **Public Hearing on Annexation of 100.00 acres (New Prison Site) to the City**
5. **Grant the Petetion and approve the Ordiance for Annexation of 100.00 acres (New Prison Site) to the City**
6. **Open and tabulate bids to repair and replace roof at P.D.**
7. **Discuss possible closing of railroad crossing at Harris Street**

Executive Session:

1. **Section 5551.074 Texas Open Meeting Act, Texas Government Code, Discussing Personnel or to hear Complaints against Personnel.**

Posted on Bullentin Board at Diboll City Hall, Tuesday, April 12, 1994 at 8:45 A.M.

LATE ITEM: Water Awarness Week Proclamation

Posted on Bullentin Baord at Diboll City Hall, Wednesday, April 13, 1994 at 4:30 P.M.

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Minutes of a regular City Council Meeting, Monday, April 18, 1994 at 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Julie Horton	Councilwoman	
R.W. Ingram	Councilman	
Don Hendrick	Councilman	
Kent Havard	Councilman	
Dick Albrecht	Councilman	

Also Present

Vernon Cupit	City Manager
Betty Capps	Court Clerk
Earl Carr	Public Works Director
Charles Maclin	Water & Sewer Superintendent
Jim Gray	Free Press Editor
Jimmy Cassels	City Attorney
Burl Richardson	KSA Engineer
Sam Glass	
Charlie Harris	Sgt.
Buster Grigg	Pastor First Baptist Church

Item 1 & 2 Mayor Simms called the meeting to order and Vernon Cupit gave the invocation.

Item 3 Don Hendrick made a motion to approve the minutes of the previous council meeting and Julie Horton seconded.

Voting For	Voting Against
Julie Horton	None
R.W. Ingram	
Don Hendrick	
Kent Havard	
Dick Albrecht	

Motion carried

Item 4 Public Hearing Opened by Mayor Simms.
No comments
Hearing closed

Item 5 Water & Street problems at prison discussed. Dick Albrecht motioned and seconded by Don Hendrick to accept annexation.

Voting For	Voting Against
Julie Horton	None
R.W. Ingram	
Don Hendrick	
Kent Havard	
Dick Albrecht	

Motion carried unamiously.

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Item 6 Problems with bids from one of the bidders. Bids were opened on April 12, 1994. A motion was made by R.W. Ingram to reject all bids and seconded by Don Hendrick to go out for new bids.

Voting For	Voting Against
Julie Horton	None
R.W. Ingram	
Don Hendrick	
Kent Havard	
Dick Albrecht	

Motion carried

Item 7 Discussion item only. Southern Pacific will close 25 % of its crossing. For crossing signals it will cost the city $200,000. Sam Glass reminded the Council that when they closed Pine Valley St. crossing Southern Pacific agreed to pay the City's part of the signal on Harris St. To check agreement.

Late Item

Water Awareness Week Proclamation discussed. Water Department will have displays and open house. Mayor Simms read Proclamation. Motion made by R.W. Ingram and seconded by Don Hendrick to approve Proclamation.

Voting For	Voting Against
Julie Horton	None
R.W. Ingram	
Don Hendrick	
Kent Havard	
Dick Albrecht	

Motion carried.

Adjourned to Executive Session at 5:45 P.M.

Re-Convened in regular session at 6:32 P.M. No action taken in Executive Session.

Motion made by Julie Horton and seconded by Don Hendrick to adjourn.

Voting For	Voting Against
R.W. Ingram	None
Julie Horton	
Dick Albrecht	
Kent Havard	
Don Hendrick	

Motion carried.

Meeting adjourned at 6:35 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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Agenda
Called City Council Meeting
May 9, 1994
5:15 P.M.
Diboll City Hall

1. Call to Order
2. Invocation
3. Canvass Votes from May 7, 1994 Election

Posted on Bullentin Board at Diboll City Hall, Monday, May 2, 1994 at 9:10 A.M.

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Minutes of a Called City Council Meeting, Monday, May 9, 1994. 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Don Hendrick	Councilman	
Dick Albrecht	Councilman	
R.W. Ingram	Councilman	
Julie Horton	Councilwoman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon to gove the invocation.

Item 3 Mayor Simms and City Council canvassed the votes cast in the May 7, 1994 election for City Councilman and R.W. Ingram made a motion to accept the canvass Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carreid.

There being no further business Dick Albrecht made a motion to adjourn and R.W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried and meeting adjourned at 5:27 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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Minutes of a regular City Council Meeting, Monday, May 16, 1994, 5:15 P.M., Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Don Hendrick	Councilman	
Dick Albrecht	Councilman	
R.W. Ingram	Councilman	
Julie Horton	Councilwoman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Ed Moore	Southwest Securties
Danny Ray	Chief of Police
Marty Roberts	
Mike Smith	
Earl Carr	Public Works Director
Jim Gray	Free Press
Sam Coleman	
Sandra Ray	
Chuck Ray	
Mr. & Mrs. Cook	
Tony Homan	
Beauford Chapman	
Jay Wyatt	
J.B. McConnico	Judge
Danny Havard	Policeman
Butch Parish	
Joe Parish	
Eddie Horton	Constable
Levy Ellison	
Nick Ashworth	Parks Superintendent
Gary Martz	
Mr. & Mrs. Langston	

Item 1 & 2 Dick Albrecht, Mayor Pro Tem called the meeting to order and asked Vernon to give the invocation.

Item 3 R.W. Ingram made a motion to approve the minutes of the last regular meeting and the called council meeting of May 9, 1994 and Julie seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 4 Jimmy Cassels, City Attorney swore in re-elected council, Don Hendrick, R.W. Ingram, and Dick Albrecht Sr.

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Item 5 R.W. Ingram made a motion to elect Julie Horton as Mayor Pro-Tem and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 6 Bids which were opened May 12, 1994 at a public bid opening for P.D. roof were tabulated as follows:

L. Richardson & Sons	$31,386.00
Bonner Roofing & Metal Inc.	$30,320.00

After discussions Don Hendrick made a motion to accept the low bid of $30,320.00 from Bonner Roofing & Metal, Inc. and Dick Albrecht seconded. (See attached sheet)

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 7 Fire Marshall on duty and could not be in attendance. City Manager made comments that fire marshall is working on reducing key rate.

Item 8 Section 23-300 of the Zoning Ordinance was discussed by City Manager concerning 6 month renewal permit. City Attorney made remarks concerning potential concerns and problems and answered questions and councilpersons made remarks. No changes in ordinance was recommended.

Item 9 After discussion of P & Z Board's recommendation. Dick Albrecht made a motion to accept Parks Board recommendations and renew permits and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 10 After discussion Julie Horton made a motion to appoint Charles Moses to the P & Z board to replace Jimmy Moye and to re-appoint Jack Beaty, Marvin Wright and Stacey Cooke and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None

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BID TABULATION
CITY OF DIBOLL - FIRE STATION RE-ROOF
Diboll, Angelina County, Texas
Bid Date: May 12, 1994 at 1:30 p.m.

Contractor	Base Bid	Days	Bid Bond	Addenda 1	2	3	4	5
L. Richardson & Sons 1210 S. Chestnut Lufkin, Texas 75901	$31,386.-	—	✓	X ✓	X ✓	X ✓		
Bonner Roofing & Metal, Inc. 509 Locke Lufkin, Texas 75901	$30,320.-	50% —	✓	X ✓	X ✓	X ✓		
Mac's Portable Bldg. P. O. Box 1412 Lufkin, Texas 75902				X	X	X		
A-Lert Roof Systems P. O. Box 346 Fairfield, Texas 75840				X	X	X		

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Dick Albrecht
R.W. Ingram
Julie Horton
Kent Havard

Motion carried.

Item 11 Ed Moore, Southwest Securities opened and tabulated bids received for sale of GO Bonds as follows: and recommended A.G. Edwards
R.W. Ingram made a motion to accept the low bid of 5.9898 from A.G. Edwards & Sons for $1,500,000 GO Bonds and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Late Item 1 Kent Havard made a motion to approve the ordinance authorizing issuance of $1,500,000 GO Bonds and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 12 Gary Jones gave reasons for needing 4-wheel drive vehicle and City Manager discussed specifications and Julie Horton made a motion to authorize re-bidding for purchase of a 9 passenger 4-wheel drive vehicle for the Fire Department and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 13 Danny Ray discussed operations of P.D. at Public Housing area and presented ideas and what has been done. Councilpersons commented and asked questions. Discussions are taking place with Housing Authority concerning options. Chief to pursue these options.
Constable Horton suggested consider hours of drinking alcoholic beverages in the city limits.

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Late Item 2 Mike Smith with youth baseball program discussed the program in general after remarks by mayor. Requested and suggested ways in which help could be acquired. Mayor commented that some of the concerns have already been addressed and others will be.
Kathy Sample said Booster Club has appointed a committee to serve as go-between to come up with list for city's responsibility and youth baseball's responsibility.
Mayor recommended full-time security from 6:30-10:00 P.M. Mayor appointed Kent Havard and Vernon as representatives for City.

Item 14 Public Forum
Constable Eddie Horton made comments.

Item 15 Council Comments
Dick Albrecht made comments concerning items of post events being brought to attention of councilpersons before the meeting.

There being no other business Don Hendrick made a motion to adjourn and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried and meeting adjourned at 7:02 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
JUNE 20, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Bob Brown with TU Electric to discuss filing of competitive rates
5. Lynwood Johnson to discuss road to personal residence
6. Open and tabulate bids received and award bids for purchase of one 1994 nine passenger 4-wheel drive utility vehicle for Fire Dept.
7. Award bids on Street Project
8. Hear report from Fire Marshall
9. Public Forum
10. Council Comments

Posted on Bulletin Board at Diboll City Hall, Monday, June 13, 1994 at 11:40 A.M.

LATE ITEM:

1. Margie Harrell with Housing Authority to discuss possibility of Police Department doing Security Patrol at the Housing Authority Complex.

Posted on Bulletin Board at Diboll City Hall, Tuesday, June 14, 1994 at 3:14 p.m.

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City of Diboll

OFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Vernon Cupit Vernon Cupit

SUBJECT: Agenda Comments

DATE: June 15, 1994 **RE:**

Items 1, 2 & 3 are routine.

Item #4 Bob Brown with TU Electric to discuss filing of competitive rates.

Mr. Brown asked to be heard concerning the rate change TU Electric submitted to the P.U.C.

Mr. Brown will be present to present the proposal. It has to do with a rate reduction for new or expanding industry.

Item #5 Lynwood Johnson to discuss road to personal residence.

Mr. Johnson wants to address the council requesting his driveway be paved. The driveway is a dead end dedicated road with one user. As you recall the topic of maintaining this drive has been discussed several times. The fact is we do maintain the drive, but cannot justify the cost of paving it.

Item #6 Open and tabulate bids received and award bids for purchase of one 1994 nine passenger 4-wheel drive utility vehicle for the Fire Department.

As you recall we had to re-bid the vehicle because G.M. stopped putting the diesel engine in them. We ask for a bid on a gasoline engine. Today G.M. called and said they were putting the diesel back in the Suburban. We may get bids for both.

Item #7 Award bids on Street Project

The street bid opening is scheduled for June 16th. I will enclose the results in your packet. The list I sent you earlier

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are the streets we will be considering at this time. We have allocated the greater sum of money for reconstruction of Maynard, Arrington and Borden Streets.

We may be able to resurface more streets after the reconstruction is bid which will be in a couple of months.

Item #8 Hear report from Fire Marshal

I have asked Mr. Harris to come and give his report. Monthly report is attached.

Item #9 Public Forum

Chief Ray should discuss the wrecker policy at this time.

Item #10 Council Comments

We may discuss the economical development program.

Late Item:

1. Margie Harrell with the Housing Authority to discuss possibility of Police Department doing Security Patrol at the Housing Authority Complex.

Margie Harrell will be here to discuss the security situation with the Police Dept. and Housing Authority.

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Minutes of a regular City Council Meeting, Monday, June 20, 1994, 5:15 P.M., Diboll City Hall.

Present		Absent
James P. Simms	Mayor	Don Hendrick
R.W. Ingram	Councilman	Dick Albrecht
Kent Havard	Councilman	
Julie Horton	Councilwoman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Bob Brown & Mrs Brown	TU Electric
Lynwood Johnson	
Earl Carr	Public Wroks Director
Wayne Harris	Fire Marshall
Lane Bass	Street Superintendent
Jim Gray	Editor Free Press
Charles Maclin	Water & Sewer Superintendent
Gary Jones	Fire Chief
J. B. McConnico	City Judge
Margie Harrell	Housing Authority
Stacey Cooke	
Danny Ray	Chief of Police
Billy Simms	
Roy G. Smith	
Levy Ellison	

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon to give the invocation.

Item 3 Julie Horton made a motion to approve the minutes of the May 16, 1994 Council Meeting and Kent Havard seconded with corrections being made to page two of minutes.

Voting For	Voting Against
R.W. Ingram	None
Kent Havard	
Julie Horton	

Motion carried.

Item 4 Bob Brown with TU Electric discussed the filing of competetive rates. Mayor Simms asked questions about making up difference if competitive rates given, Will individuals make up difference? Mr. Brown said would be for City of Diboll and allows TU Electric to decrease their rates. Mayor Simms said would have to put item for approving ordinance on next agenda.

Item 5 Mr. Lynwood Johnson discussed the condition of the road to his personal residence. Said 300'- 400' of road unattended by city. Wanted to know if city can asphalt road. Mayor Simms said council would take into consideration in budget for this year.

Item 6 Kent Havard made motion to reject all bids and rebid for 1994 diesel 9 passenger vehicle and Julie Horton seconded.

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Voting For	Voting Against
R. W. Ingram Kent Havard Julie Horton	None

Motion carried.

Item 7 After discussion R.W. Ingram made a motion to award the bid on the 1994 Bond Street Program project to Moore Brothers Construction Co. in the amount of $490,490.77 and Kent Havard seconded. (See attached sheet)

Voting For	Voting Against
R.W. Ingram Kent Havard Julie Horton	None

Motion carried.

Item 8 Wayne Harris, Fire Marshall gave a report of activites to the council. City Manager addressed report to council and Wayne Harris answered questions.

Late Item Mrs. Margie Harrell with the Housing Authority discussed the possibility of the Police Department doing security patrol at the Housing Authority complex. Also asked about closing Willie D. Jones and about Loittering Ordinance. Mayor Simms addressed different areas of need and availability of manpower. Mrs. Harrell suggested be tried on a trial basis. Mayor Simms asked what procedures are to be followed. Danny Ray stated his department ready to go. Mayor asked who would pay officers. Mrs. Harrell said Housing Authority would pay officers. Mayor suggested Danny Ray get with Mrs. Harrell and outline specifies and report back to council at next meeting.
Julie Horton made motion to authorize Mrs. Harrell and Danny Ray to proceed with special security patrol at Housing Authority and Kent Havard seconded.

Voting For	Voting Against
R.W. Ingram Kent Havard Julie Horton	None

Motion carried unanimously.

Item 9 Public Forum
Danny Ray commented concerning wrecker service and charges. To be item on next agenda.

Item 10 Council Comments
Julie Horton requested consider revision of reserve policy.
City Manager commented on Economic Development program. Kent Havard commented on repair of Old Diboll Hwy.

Kent Havard made motion to adjourn and Julie Horton seconded.
Meeting adjourned at 6:34 P.M.

Voting For	Voting Against
R. W. Ingram	None

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Kent Havard
Julie Horton

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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CITY OF DIBOLL
PHASE I
1994 BOND STREET PROGRAM

ITEM NO.	QTY	UNIT	DESCRIPTION	MOORE BROTHERS CONSTRUCTION CO.		MATHEWS CONSTRUCTION CO.		TIMBERLINE CONSTRUCTORS, INC.	
				Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1	9,302	Tons	1" HMAC Overlay	$43.09	$400,823.18	$45.00	$418,590.00	$52.38	$487,238.76
2	206	Tons	2" HMAC Overlay	$40.64	$8,371.84	$45.00	$9,270.00	$52.38	$10,790.28
3	683	Tons	4" HMAC Base Repair	$77.25	$52,761.75	$130.00	$88,790.00	$78.56	$53,656.48
4	1	Each	Curb Inlet	$1,500.00	$1,500.00	$1,700.00	$1,700.00	$1,275.00	$1,275.00
5	30	L.F.	Proposed Box Culvert	$285.00	$8,550.00	$146.00	$4,380.00	$335.20	$10,056.00
6	24	L.F.	36" RCP Class III	$80.00	$1,920.00	$70.00	$1,680.00	$209.50	$5,028.00
7	30	Ea.	Adjust Manhole to Grade	$300.00	$9,000.00	$220.00	$6,600.00	$157.13	$4,713.90
8	8	Ea.	Adjust Valve Boxes	$250.00	$2,000.00	$220.00	$1,760.00	$52.38	$419.04
9	11	S.Y.	Concrete Slope Protection	$100.00	$1,100.00	$55.00	$605.00	$26.19	$288.09
10	248	S.Y.	Concrete Pavement Removal	$18.00	$4,464.00	$18.00	$4,464.00	$31.43	$7,794.64
TOTAL AMOUNT OF BID:					$490,490.77		$537,839.00		$581,260.19

KSA Engineers, Inc.

Robert L. Thruber, P.E.
Vice President

STATE OF TEXAS
R. L. THURBER
44228
REGISTERED
PROFESSIONAL ENGINEER

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CITY OF DIBOLL
PHASE I
1994 BOND STREET PROGRAM

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CITY OF DIBOLL
PHASE I
1994 BOND STREET PROGRAM

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KSA Engineers, Inc.

Robert L. Thruber, P.E.
Vice President

STATE OF TEXAS
R. L. THURBER
44228
REGISTERED
PROFESSIONAL ENGINEER

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AGENDA
CITY COUNCIL MEETING
JULY 11, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Consider approving Ordinance on TU Electric rate changes
5. Consider approving Ordinance to close Willie D. Jones Street for certain hours
6. Consider revising policy for Reserve Police Officer
7. Consider updating ordinance on wrecker operation and charges
8. Open, tabulate and award bid for purchase of 1994 nine passenger vehicle for Fire Dept.
9. Authorize and empower City of Diboll Police Dept. to institute security patrol at Housing Authortiy Complex as police chief deems necessary and for Housing Authority to pay overtime wages to patrolmen and reimburse the City of Diboll for wages and other payroll items.
10. Appoint member to DETCOG Board
11. Discuss and consider participating in economic development program for Angelina County
12. Consider updating ordinance regulating basic Cable TV rates
13. Public Forum
14. Council Comments

POSTED ON BULLETIN BOARD AT DIBOLL CITY HALL, FRIDAY JULY 1, 1994 AT 8:45 A.M.

Copies held at The History Center, Diboll, Texas. www.TheHistoryCenterOnline.com 1999:077

Minutes of a regular City Council Meeting, July 11, 1994, 5:15 P.M., Diboll City Hall.

Present		Absent
James Simms	Mayor	None
Dick Albrecht	Councilman	
Julie Horton	Councilwoman	
Kent Havard	Councilman	
R.W. Ingram	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Gary Wilmon	Free Press
Charles Maclin	Water & Sewer Superintendent
Earl Carr	Public Works Director
Mrs. Margie Harrell	Diboll Housing Authority
Gary Jones	Fire Chief
Jimmy Lenderman	Police Officer
Bob Brown	TU Electric
Danny Ray	Chief of Police

Item 1 & 2 Mayor called the meeting to order and asked Vernon to give the invocation.

Item 3 Kent Havard made a motion to approve the minutes of June 20, 1994 City Council Meeting and Julie Horton seconded.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

Motion carried.

Item 4 R.W. Ingram made a motion to approve an ordinance approving TU Electric Company's proposed rider ED-Economic Development Service, Rate GC-General Service Competitive Pricing, Rate WPC-Wholesale Power Competitive Pricing, and rider ET-Environmental Technology Service Providing an effective date therefor, providing conditions under which such rate schedules and service regulations may be changed, modified, amended or withdrawn, finding and determining that the meeting at which this ordinance is passed is open to the public as required by law and declaring an emergency and Don Hendrick seconded, Bob Brown with TU Electric assured that individuals would not make up difference if competitive rates were given.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

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Motion carried unanimously.

Item 5 After discussion Julie Horton made a motion to table and Don Hendrick seconded. (Closing of Willie D. Jones Street)

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

Motion carried.

Item 6 After discussion by Officer Jimmy Lenderman and Danny Ray, Julie Horton made a motion to approve revising the policy changes as submitted for Reserve Police Officer and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

Motion carried.

Item 7 Kent Havard made a motion to approve updating current ordinance on wrecker operation and charges, Dick Albrecht seconded.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

Motion carried.

Item 8 Jimmy Cassels, City Attorney opened and tabulated bids received for purchase of 1994 nine passenger vehicle as follows:

Julie Horton made a motion to accept the only bid received of $27,282.49 from Beaver Chevrolet and Dick Albrecht seconded upon staff reviewing and approving specification per bid.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

Motion carried.

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Item 9 After discussion Julie Horton made a motion to authorize and empower the City of Diboll Police Department to institute a security patrol at the Housing Authority Complex as the police chief deems necessary and for the Housing Authority to pay overtime wages to patrolmen and reimburse the City of Diboll for wages and other payroll items and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

Motion carried.

Item 10 Dick Albrecht made a motion to appoint Mayor Simms to the board of the Deep East Texas Council of Government and Kent Havard seconded.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

Motion carried.

Item 11 Consensus of council was to indicate that City of Diboll is a strong maybe for participation in the economic development program for Angelina County and additional information pertaining to costs made available.

Item 12 After discussion by City Manager, Dick Albrecht made a motion to update ordinance regulating basic Cable TV rates and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

Motion carried.

Item 13 PUBLIC FORUM

City Manager commented TU Electric franchise fee increased over last year, R.W. Ingram asked about street bids if they came in within estimates and they did.

Item 14 COUNCIL COMMENTS

No additional comments by Council.

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There being no further business Julie Horton made a motion to adjourn and Kent Havard seconded.

Voting For	Voting Against
Dick Albrecht	None
Julie Horton	
Kent Havard	
R.W. Ingram	
Don Hendrick	

Motion carried and meeting adjourned at 6:40 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
MONDAY, AUGUST 1, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to order
2. Invocation
3. Budget workshop

POSTED ON BULLETIN BOARD AT DIBOLL CITY HALL, MONDAY, JULY 25, 1994 at 9:00 A.M.

Copies held at The History Center, Diboll, Texas. www.TheHistoryCenterOnline.com 1999:077

Minutes of a City Council Meeting, Monday, August 1, 1994, 5:15 P.M., Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Julie Horton	Councilwoman	
R.W. Ingram	Councilman	
Dick Albrecht	Councilman	
Don Hendrick	Councilman	
Kent Havard	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Earl Carr	Public Works Director
Lane Bass	Street Superintendent
Ray Lenderman	Sewer Operator
Nick Ashworth	Parks Superintendent
Charles Maclin	Water & Sewer Superintendent
Danny Ray	Chief of Police

Item 1 & 2 Mayor Simms called to meeting to order.

Item 3 Budget workshop was conducted

R.W. Ingram made a motion to adjourn and Kent Havard seconded.

Voting For	Voting Against
Julie Horton	None
R.W. Ingram	
Dick Albrecht	
Don Hendrick	
Kent Havard	

Motion carried and meeting adjourned at 8: 11 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
MONDAY, AUGUST 8, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Authorize advertising for bids to purchase health insurance for city employees
4. Budget workshop

Posted on Bulletin Board at Diboll City Hall Tuesday, August 2, 1994 at 9:45 A.M.

Copies held at The History Center, Diboll, Texas. www.TheHistoryCenterOnline.com 1999:077

Minutes of a Called City Council Meeting, Monday, August 8, 1994, at 5:15 P.M., Diboll City Hall.

Present		Absent
James P. Simms	Mayor	R. W. Ingram
Don Hendrick	Councilman	
Julie Horton	Councilwoman	
Kent Havard	Councilman	
Dick Albrecht	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Dewey Wolf	Golf Course
Jimmy Mettlen	Golf Course
Kevin Whitely	Golf Course
Charles Maclin	Water & Sewer Superintendent
Earl Carr	Public Works Director
Gary Jones	Fire Chief
Harvey Guarjardo	Golf Course

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon to give the invocation.

Item 3 Don Hendrick made a motion to authorize advertising for bids to purchase health insurance for city employees and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Julie Horton	
Kent Havard	
Dick Albrecht	

Motion carried.

Item 4 Budget workshop was conducted.

There being no further business Dick Albrecht made a motion to adjourn and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Julie Horton	
Kent Havard	
Dick Albrecht	

Motion carried and meeting adjourned at 7:03 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA

CITY COUNCIL MEETING
MONDAY, AUGUST 15, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Approve Ordinance Amending the Model Cable TV Rate Regulation Ordinance 93-8.
5. Consider Resolution Authorizing Submission of 1994 Texas Community Development Program Grant Application
6. Discuss Tax Rate and take record vote on increasing Tax Rate and schedule public hearing for Thursday, August 25, 1994.
7. Discuss annexation of Arrington Street area.
8. Consider request from Tommy Boles for utility services outside city limits.
9. Award Bid for Phase II Street Project
10. Public Forum
11. Council Comments
12. Budget Workshop

LATE ITEM: Consider entering health district agreement

Posted on Bullentin Board Tuesday, August 9, 1994 at 8:40 A.M., Diboll City Hall.

Copies held at The History Center, Diboll, Texas. www.TheHistoryCenterOnline.com 1999:077

Minutes of a City Council Meeting, Monday, August 15, 1994 at 5:15 P.M., Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Dick Albrecht	Councilman	
Kent Havard	Councilman	
R. W. Ingram	Councilman	
Don Hendrick	Councilman	
Julie Horton	Councilwoman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Billy Sims	KSA
Edwin Quarrels	Free Press
Suzanne Roberts	
Tina Cavazos	
Esteban Cavazos	
Cary Griffith	
Bobby Cook	
Lane Bass	Street Superintendent
David Moore	
Weldon Hunter	
Javier Guajado	
Charles Maclin	Water & Sewer Superintendent
Earl Carr	Public Works Director
Robert Capps	
Dewey Wolf	Golf Course
Doby Dear	
Kevin Whiteley	Golf Course
Arthur & Nelda Kilgore	
Darrell Roberts	
Andy Archer	

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon to give invocation.

Item 3 Don Hendrick made a motion to approve the minutes of the August 8, 1994 meeting, August 1, 1994 meeting and July 11, 1994 meeting and Dick Albrecht seconded with corrections to July 11, 1994 meeting being made. July 11, 1994 Item # 5 state what was tabled - closing of Willie D. Jones Street. (Correction made on July 11, 1994 minutes.)

Voting For	Voting Against
Kent Havard	None
Julie Horton	
R.W. Ingram	
Don Hendrick	
Dick Albrecht	

Motion carried.

Item 4 After discussion by City Manager, Dick Albrecht made a motion to approve the ordinance amending the Model Cable TV Rate Regulation

Ordinance 93-8 and Julie Horton seconded.

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Voting For	Voting Against
Kent Havard	None
Julie Horton	
R. W. Ingram	
Dick Albrecht	
Don Hendrick	

Motion carried.

Item 5 After discussion by City Manager and Billy Sims with KSA Engineers Kent Havard made a motion to approve the Resolution Authorizing Submission of 1994 Texas Community Development Program Grant Application and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R. W. Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 6 After discussion Julie Horton made a motion to increase the advalorem tax rate to .44958 and to schedule a public hearing for Thursday, August 25, 1994 at 5:15 P.M. at City Hall and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R. W. Ingram	
Kent Havard	
Julie Horton	

Motion carried unanimously.

Item 7 City Manager and City Attorney expounded upon power of annexation and obligation of City to annexed area and residents to provide services to the same. Said cannot just take the Arrington Street and area. Said should contact them and have public hearing so those affected can have say. Arthur Kilgore spoke against being annexed since he just built new home and put in aeration system and doesn't see the benefits. Darrell Roberts spoke against being annexed. Topic was abandoned.

Item 8 After discussion by City Manager, Dick Albrecht made a motion to deny request made by Tommy Boles for utility services outside the city limits and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R. W. Ingram	
Julie Horton	
Kent Havard	

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Motion carried.

Item 9 After discussion Don Hendrick made a motion to award bid for Phase II of the Street Project to Timberline Constructors, Inc. in the amount of $723,735.01 and Dick Albrecht seconded with notation that part of Arrington Street out of the city limits be excluded if can do so legally and foundation constitutes. (See attached sheet)

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R. W. Ingram	
Julie Horton	
Kent Havard	

Item 10 PUBLIC FORUM
No comments

Item 11 COUNCIL COMMENTS
Dick Albrecht asked about complaints from Mrs. Rich about trucks being repaired in their yard. City Manager, Chief of Police and City Attorney commented.

Item 12 BUDGET WORKSHOP
City Manager reviewed final estimates based on .44958 tax rate and commended employees for presence at council meeting and told council this was our recommendation for the 1994-95 budget.
Dick Albrecht made a motion to approve budget as submitted and R.W. Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
Don Hendrick	
Kent Havard	
Julie Horton	
R. W. Ingram	

Motion carried.

LATE ITEM After discussion by City Manager, Julie Horton made a motion to enter into the agreement with Angelina County and Cities Health District and R. W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
Kent Havard	
R. W. Ingram	

Motion carried unanimously.

There being no further business Dick Albrecht made a motion to adjourn and R. W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None

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Dick Albrecht
R.W. Ingram
Julie Horton
Kent Havard

Motion carried and meeting adjourned at 7:00 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
AUGUST 25, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Public Hearing on Tax Rate Increase
4. Set September 6, 1994, 5:15 P.M., Diboll City Hall to vote on tax rate

Posted on Bulletin Board August 16, 1994, 10:05 A.M. at Diboll City Hall

Copies held at The History Center, Diboll, Texas. www.TheHistoryCenterOnline.com 1999:077

A Called City Council Meeting, Thursday, August 25, 1994, 5:15 P.M., Diboll City Hall.

Present		Absent
James P. Simms	Mayor	Kent Havard
R.W. Ingram	Councilman	
Dick Albrecht	Councilman	
Don Hendrick	Councilman	
Julie Horton	Councilwoman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Gary Wilmon	Free Press

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon Cupit to give the invocation.

Item 3 Mayor Simms opened the public hearing on the 1994 tax rate increase to .44958. Mayor Simms closed the public hearing.

Item 4 Julie Horton made a motion to have a City Council Meeting Tuesday, September 6, 1994, 5:15 P.M. at Diboll City Hall to vote on the 1994 tax rate and R. W. Ingram seconded.

Voting For	Voting Against
Julie Horton	None
R. W. Ingram	
Dick Albrecht	
Don Hendrick	

Motion carried.

Julie Horton made a motion to adjourn and Dick Albrecht seconded.

Voting For	Voting Against
Julie Horton	None
R. W. Ingram	
Dick Albrecht	
Don Hendrick	

Motion carried and meeting adjourned at 5:19 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CALLED CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to order.
2. Invocation.
3. Adopt 1994-95 Budget.
4. Adopt M&O Component Tax Rate at .28006
5. Adopt I&S Component Tax Rate at .16952

Posted on Bulletin Board August 30, 1994 at 8:35 A.M. at Diboll City Hall.

LATE ITEM:

1. Discuss and approve reserve police applicants.

EXECUTIVE SESSION:
1. Discuss Reserve Police Personnel Appointments.
   Sec. 551.074 Discusssing personnel or to hear complaints against personnel.

Posted on Bulletin Board September 1, 1994 at 2:55 p.m. at Diboll Cith Hall.

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Minutes of a Called City Council Meeting, Tuesday, September 6, 1994, 5:15 P.M., at Diboll City Hall

Present		Absent
James P. Simms	Mayor	None
Julie Horton	Councilwoman	
Dick Albrecht	Councilman	
Kent Havard	Councilman	
Don Hendrick	Councilman	
R. W. Ingram	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Levy Ellison	
Gary Wilmon	Free Press
Danny Ray	Chief of Police
Jimmy Lenderman	Police Officer
Richard Thompson	Dispatcher

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon to give the invocation.

Item 3 Dick Albrecht made a motion to adopt the 1994-95 budget for the City at Diboll as presented and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
R. W. Ingram	
Kent Havard	

Motion carried unanimously.

Item 4 Kent Havard made a motion to adopt the M & O Component Tax Rate at .28006 for 1994 and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 5 Julie Horton made a motion to adopt the I & S Component Tax Rate at .16952 for 1994 and R.W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
R.W. Ingram	
Kent Havard	

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Motion carried unanimously.

At this time Mayor Simms called the Council into executive session to discuss Reserve Police Personnel Appointments. No decisions were made and no votes were taken in executive session.
Mayor Simms called council back into open session. Certified agenda of the executive session is on file in the City vault in a lock box.

LATE ITEM Kent Havard made a motion to approve Billy Russel and Richard Thompson as reserve policemen and R. W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
R.W. Ingram	
Kent Havard	

Motion carried unanimously.

There being no further business R.W. Ingram made a motion to adjourn and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
Julie Horton	
R.W. Ingram	
Kent Havard	

Motion carried and meeting adjourned at 5:29 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
SEPTEMBER 19, 1994
5:15 P. M.
DIBOLL CITY HALL

1. Call to Order

2. Invocation

3. Approval of Minutes

4. Consider increasing city rates for each of the following city services to wit: 1) garbage pickup 2) Penalties 3) Reconnect fees, and 4) Limb pick up

5. Approve accepting Road Easement from Diboll I.S.D.

6. Authorize going out for bids to lease purchase (3) three vehicles, one each for City Manager, Public Works Director and Police Chief

7. Authorize advertising for bids to sell police pick up, white car in P.D. and pick up in Parks Dept.

8. Authorize going out for bids on Mowing Machine for Golf Course and Street Dept.

9. Adopt Texas Municipal Retirement System Ordinance increasing the rate of deposit by the employees of the City of Diboll

10. Award Employee Medical Insurance Bid

11. Consider annexation of Arrington Street area

12. Public Forum

13. Council Comments

Posted on Bulletin Board September 13, 1994, 8:35 A.M. at Diboll City Hall.

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Minutes of a City Council Meeting, Monday, September 19, 1994, 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Dick Albrecht	Councilman	
R.W. Ingram	Councilman	
Julie Horton	Councilwoman	
Kent Havard	Councilman	
Don Hendrick	Councilman	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Edwin Quarrels	Free Press
John Strain	Blue Cross Blue Shield
Gip Friesen	Blue Cross Blue Shield
Danny Ray	Chief of Police
Earl Carr	Public Works Director
Marilyn Oates	TML
Charles Maclin	Water & Sewer Superintendent
Joe Gage	

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon Cupit to give the invocation.

Item 3 Julie Horton made a motion to approve the minutes of the previous Council Meetings and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried.

Item 4 After discussion Dick Albrecht made a motion to increase city rates for each of the following city services to be effective October 1, 1994 to the following rates: Residential garbage, $9.00 plus tax; Commercial garbage, $31.00; late fee on water bill if paid after 10th of month, $5.00; Reconnect fee if water turned off for non-payment of bill, $30.00; amd limb pick-up, $50.00 per hour after first 15 minutes and Kent Havard seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried unanimously.

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Item 5 After discussion Julie Horton made a motion to table the road easement from Diboll I.S.D. for portion of Arrington Street and Kent Havard seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried unanimously.

Item 6 After discussion Julie Horton said need information on lease. Don Hendrick said rules have changed. City Attorney reviewed lease and said there are some flaws and will address those if we decide on lease-purchase. R.W. Ingram made a motion to authorize going out for bids to lease-purchase three (3) vehicles: one each for City Manager, Public Works Director, and Police Chief and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried unanimously.

Item 7 After discussion Kent Havard made a motion to authorize advertising for bids to sell police department pick-up, white chevrolet car in police department and pickup in Parks department if lease-purchase is reached, and R. W. Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried unanimously.

Item 8 After discussion Julie Horton made a motion to authorize going out for bids to purchase one mowing machine for the Golf Course and Street Department and Dick Albrecht seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried unanimously.

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Item 9 After discussion Julie Horton made a motion to adopt Texas Municipal Retirement System Ordinance increasing the rate of deposit by the employees fof the City of Diboll to 7% contribution and Don Hendrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R. W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

Motion carried unanimously.

Item 10 After discussion and presentation with questions and answers by John L. Strain with Blue Cross Blue Shield and Marilynn Oates with TML. Don Henrick made a motion to table this item and Kent Havard seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Kent Havard	
Don Hendrick	

See attached sheet for quotes.

Motion carried unanimously.

Item 11 Jimmy Cassels, City Attorney addressed council and audience, stated city would have problem using tax money to pave street in unincorporated area. Have to obtain change order to skip unincorporated part. Can annex by law without consent but must give plan when will provide city services.
Mayor Simms offered audience's opportunity to respond.
Mr. Andy Archer wants to know why want to annex my property -- City Attorney answered that property must be adjacent contiguous. Why isn't all of my property being annexed. Mayor Simms commented would be benedicial to be annexed for city services. Mr. Archer wants all of his taken if taken any.
Jeff Bearden says waiting on city decision before fix sewer. No objection to annexation.
Granville & Ruby Smith would be for annexation.
Joe & Kay Gage Joe- No comment - would like new street Kay - traffic bad
Tommy Spain No problem for annexation
John & Tammy Tatum Need new road, hard on personal car School traffic bad For annexation
Ira Muckleroy Definitely for annexation
Darrell Roberts How going to provide me sewer services? Don't you just run sewer to property lines? Earl answered yes. is against annexation.
Arthur Kilgore just spent $3,200.00 for system. Are you going to re-do A.S. Davis? What about vehicles parked? Will I be required to get on sewer since I have aeration system.
R.W. Ingram commented didn't want to see anyone annexed that didn't want annexed but, wanted item back on agenda because street is needed to help with safety for children and keep buses off Hwy 59.

Item 12 PUBLIC FORUM
No comments made

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FRIESEN-STRAIN INSURANCE ASSOCIATES, INC.
5028 Champions
Lufkin, Texas 75901
(409) 637-3444
FAX (409) 632-9468

CITY OF DIBOLL

COUNCIL MEETING
September 19, 1994

RATE COMPARISON

BLUE CROSS & BLUE SHIELD (Managed Care)		T M L	
EMPLOYEE COVERAGE			
Health	$ 168.90	Health	$ 161.13
Dental	12.46	Dental	14.54
Life	7.63	Life	4.99
	$ 188.99		$ 180.66
Dependent Coverage			
Health	$ 248.64	Health	$287.36
Dental	22.36	Dental	21.87

$188.99 × 69 = 13,040.31 × 12 = $156,483.72

$180.66 × 69 = 12,465.54 × 12 = $149,586.48

13,040.31 BC/BS − 12,465.54 TML = 574.77 × 12 = $6,897.24

$156,483.72 BC/BS − 149,586.48 TML = $6,897.24

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NOTICE OF HEARING

The Diboll City Council will meet Monday, September 19, 1994 at 5:15 P.M. in the City Hall Council Chambers. This will be a public meeting. One of the items to be discussed will be to consider annexation of properties located in the Arrington Street and A.S. Davis Street areas.

You are invited to attend the meeting and your comments are welcome.

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CITY COUNCIL MEETING
OCTOBER 17, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Award health insurance bids
5. Open and tabulate bids received for lease/purchase vehicles
6. Open and tabulate and award bids received for sale of advertised vehicles
7. Authorize going out for bids to purchase two (2) police cars for P.D.
8. Accept ROW Easement from D.I.S.D.
9. Discuss and adopt promotion policy in Police Department
10. Authorize going out for bids to purchase backhoe for Water and Sewer Department

EXECUTIVE SESSION

1. Discuss Police Department Personnel, Texas Open Meeting Act, Texas Government Code, Sec. 551.074
   Discussing personnel or to hear complaints against personnel

Posted on Bulletin Board October 11, 1994, 8:40 A. M. at Diboll City Hall.

LATE ITEM:

1. Authorize asking for bids for sewer project to new jail.

Posted on Bulletin Board October 12, 1994, 10:20 A.M. at Diboll City Hall.

LATE ITEM:
1. Discuss and consider ammending Police Department Reserve Policy.

Posted on Bulletin Board October 12, 1994, 12:38 p.m. at Diboll City Hall.

LATE ITEM:
1. Ms. Gina Morgan, 1401 South First to discuss receiving cable to her personal residence.

Posted on Bulletin Board October 13, 1994, 2:35 p.m. at Diboll City Hall.

**AGENDA CONTINUED ON NEXT PAGE

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AGENDA
CITY COUNCIL MEETING
OCTOBER 17, 1994
5:15 P.M.
DIBOLL CITY HALL
(Continued from p.1)

LATE ITEM:

EXECUTIVE SESSION

1. Discuss Police Department Personnel, Texas Open Meeting Act, Texas Government Code, Sec. 551:074
   Discussing personnel or to hear complaints against personnel

   1. Discuss approving two new Reserve Police Officers.

Posted on Bulletin Board October 14, 1994, 11:30 a.m. at Diboll City Hall.

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Minutes of a regular City Council Meeting, Monday, October 17, 1994, 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Don Hendrick	Councilperson	
Dick Albrecht	Councilperson	
R.W. Ingram	Councilperson	
Julie Horton	Councilperson	
Kent Havard	Councilperson	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
John Strain	
Gip Frisen	
Gary Wilmon	Free Press
Wayne Neal	Cablecom
Guy Anthony	Police Officer
Ms. Gina Morgan	
Charles Maclin	Water & Sewer Superintendent
Gary Jones	Fire Chief
Earl Carr	Public Works Director
Theron Grigg	
Danny Ray	Chief of Police
Mrs. Sandra Ray	
Fred Blakemore	Police Officer
Steve Baker	Police Officer
Bill Brown	

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon to give the invocation.

Item 3 Don Hendrick made a motion to approve the minutes of the September 19, 1994 council meeting and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 4 After discussion by Dick Albrecht, commented some employees didn't want managed care. He had mixed emotions.
John Strain addressed the council on the difference and consequences of Bc/Bs and TML. Stated felt TML could be a real (ptential) liability. R.W. Ingram asked if had same coverage as we had before. Answer was yes but about 11% higher premiums. Also asked about physicians in group. Gip stated people who have managed care loves it. Said flat deductible when visit doctor. Can go to doctor of choice will be $200.00 deductible if you do. If referred to doctor not member of network and referred by network doctor will get discount. BC/BS negotiated 28% cheaper rate than we

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individually could. Mayor Simms asked if any employee in audience wanted to comment:
Guy Anthony - If put dependent on will it cost more? TML/$287.00 BC/BS $248.00
Mayor Simms asked Bill Brown his opinion. Cost important. Asked if Mr. Brown had any negative remarks. Said he liked it.
Earl Carr said managed care concept sounds good. Good experience with BC/BS claims.
Jimmy Cassesls- Item #3 in letter from John Strain. Each employee need to sign off if go with TML on coverage.
Dick Albrecht commented importance of staying with company.
Mayor Simms also concerned about last year's TML bid being considerable higher than this year.
Don Hendrick seems employee getting best benefits from BC/BS managed care.
Mayor Simms asked Jimmy Cassels if take higher bid what-said owe them a hearing if take higher bid.
Mr. Cassels recommended that we contact TML and afford them a hearing.

Dick Albrecht made a motion to award the employee health insurance bid to BC/BS managed care for the period October 1994 through September 1995 and Julie Horton seconded.

Voting For	Voting Against
Dick Albrecht	R.W. Ingram
Don Hendrick	Kent Havard
Julie Horton	

Motion carried.

Item 5 Jimmy Cassels, City Attorney opened and tabulated the bids received to lease/purchase vehicles to the city and R.W. Ingram made a motion to table the item until November meeting and have representatives of automobile dealers come and talk with council and Kent Havard seconded.

Voting For	Voting Against
Dick Albrecht	None
Don Hendrick	
Julie Horton	
R.W. Ingram	
Kent Havard	

Motion carried unanimously.

Item 6 Jimmy Cassels, City Attorney opened and tabulated bids received for vehicles for sale by the City as follows:
Julie Horton made a motion to accept the high bid for P.D. truck as follows: See attached sheet. Kent Havard seconded.
No bids on other trucks received.

Voting For	Voting Against
Dick Albrecht	None
Don Hendrick	
Julie Horton	
R.W. Ingram	
Kent Havard	

Motion carried.

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ATTACHED BID SHEET
1987 Ford Pickup

Joe Rich Jr.	$3925.00
Joe Denman	$3987.00
Bobby Cole	$4,026.52
Felton Burt	$4225.00
Webb Jenkins	$5051.00* Received bid

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Don Hendrick made a motion to table Chev. Caprice bid until get information on lease/purchase and Dick Albrecht seonded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 7 After discussion by City Manager, Dick Albrecht made a motion to authorize going out for bids to purchase two (2) police cars for the Police Department and R.W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

R.W. Ingram made a motion to keep the better of the 2 P.D. cars and not trade for new ones and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Item 8 R.W. Ingram made a motion to accept Right of Way Easement from the DibollIndependent School District for portion of Arrington Street and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unaimously.

Item 9 After discussion by Mayor and Councilman and questions by councilpersons Dick Albrecht made a motion to adopt the promotion policy for the Police Department and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None

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Dick Albrecht
R.W. Ingram
Julie Horton
Kent Havard

Motion carried unanimously.

Item 10 After discussion and comments by City Manager a motion to authorize going out for bids to purchase a backhoe for Water and Sewer Department and Julie Horton seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

LATE ITEM SEWER PROJECT TO NEW JAIL
After discussion by City Manager Don Hendrick made a motion to authorize asking for bids for sewer project to new jail and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

LATE ITEM POLICE DEPARTMENT RESERVE POLICY
City Manager discussed and Councilman Kent Havard addressed council concerning possiblity of amending policy so Police Department could approve applicant without coming to council. Mayor made reference to Code of Ordinance - Sec. 15. Jimmy Cassels, City Attorney said can do but loose contact of who is reserve and who isn't. Decided to leave policy as is.

LATE ITEM MS. GINA MORGAN - CABLE
Ms. Morgan left meeting before this item reached. Mr. Wayne Neal said had already talked with Ms. Morgan. Property was far off and was suggested she wait until new jail is completed. Said it would cost about $1,300.00 if add cable now instead of waiting. No action was taken on the item. Mayor said we can notify her and this should take care of cable question.

EXECUTIVE SESSION
At this time Mayor Simms called the council into executive session to discuss Police Department Personnel.
Mayor Simms convened the council back into open session. No decisions were made and no votes were cast in executive session.
Further action taken by council on item discussed in executive session - None.
Certified agenda kep in lock box in the city's vault.

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EXECUTIVE SESSION

Mayor Simms called council into executive session to discuss the second executive session item which was approving two new Reserve Police Officers. Mayor Simms reconvened council in open session. No decisions were made and no votes were cast.

Further action taken by council on item discussed in executive session:
Decide to take no action until information available.
Certified agenda kept in lock box in the city's vault.
There being no further business Dick Albrecht made a motion to adjourn and Don Hendrick seconded..

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried and meeting adjourned at 8:00 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
NOVEMBER 21, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order

2. Invocation

3. Approval of Minutes

4. Public Hearing - Cable Television Franchise (Calbecom)

5. Consider resolution authorizing submission of a 1994 Texas Community grant application under the Young vs. Cisneros Fund (Raymond Vann & Assoc.)

6. Mr. R. V. Wilkerson to present and discuss petition concerning bridge on Hwy 59 South. (Mr. Wilkerson)

7. Open, tabulate and award bids received for purchase of tractor for street/ water department (Staff)

8. Open, tabulate and award bids received for purchase of one backhoe (Staff)

9. Open, tabulate and award bids received for purchase of police cars for police department (Staff)

10. Discuss Lease/Purchase Vehicles (Staff)

11. Discuss disposition of white chevrolet in police department (Staff)

12. Review bids on New Detention Center Sewerage Facilities and authorize rebidding (Staff)

13. Approve contract for financial advisory services (Staff & Ed Moore)

14. Adopt resolution authorizing publication of Notice of Intent to issue Certificates of obligation (Staff & Ed Moore)

15. Public Forum

16. Councilman Comments

EXECUTIVE SESSION

1. Discuss Police Department Personnel, Texas Open Meeting Act, Texas Government Code, Sec. 551:074
Discussing personnel or to hear complaints against personnel

    1. Discuss approving two new Reserve Police Officers

osted on Bulletin Board November 15, 1994, 9:55 a.m. at Diboll City Hall.

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CITY OF DIBOLL

Notice is hereby given that on the 21st day of November, 1994, the Diboll City Council will hold a regular meeting at 5:15 o'clock p.m. in the City Council Chambers at the Diboll City Hall in Diboll, Texas. The subjects to be discussed are listed on the agenda which is attached to and made a part of this notice.

The Council reserves the right to adjourn this meeting and to reconvene on a day to day basis to continue debate when it cannot complete any particularly lengthy deliberation. When the adjourning of a meeting from day to day is used, written notice and other notice of the time and place of the reconvening of the meeting shall be given in accordance with City Council policy, whenever feasible.

Under the authority of Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., the Council, during the course of the meeting covered by this notice, may enter into closed or executive session for any of the following reasons:

551.071	Private consultation with the City's attorney.
551.072	Discussing purchase, exchange, lease, or value of real property.
551.073	Discussing negotiated contracts for prospective gifts or donations.
551.074	Discussing personnel or to hear complaints against personnel.
551.075	To confer with employees of the city to receive information or to ask questions.
551.076	Considering the deployment, specific occasions for, or implementation of, security personnel or devices.
551.084	Excluding witnesses from a hearing.

Should any final action, final decision, or final vote be required in the opinion of the City Council with regard to any matter considered in such closed or executive session, then the final action, final decision, or final vote shall either be:

(a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
(b) at a subsequent public meeting of the City Council upon notice thereof; as the City Council shall determine.

On this 15 day of November, 1994, this Notice was mailed to news media who had previously requested such Notice and was posted in compliance with the Open Meetings Law at 9.55 o'clock a.m. on said date.

Diboll City Council

BY: Lynn Rinks

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NOTICE TO BIDDERS

THE CITY OF DIBOLL WILL BE ACCEPTING SEALED BIDS UNTIL MONDAY, NOVEMBER 21, 1994 FOR THE PURCHASE OF A WHEEL LOADER/BACKHOE FOR THE WATER DEPARTMENT.

BIDS MUST BE RECEIVED BY 5:00 P.M., MONDAY, NOVEMBER 21, 1994 AT WHICH TIME THE BIDS WILL BE OPENED AND TABULATED AT A REGULAR CITY COUNCIL MEETING AT 5:15.

BIDDERS ARE NOTIFIED THAT THE CITY IS EXEMPT FROM ALL SALES AND EXCISE TAXES.

THE CITY HAS THE RIGHT TO REJECT ANY OR ALL BIDS AND WAIVE ANY AND/OR ALL FORMALITIES.

VERNON CUPIT
CITY MANAGER

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Minutes of a Regular City Council Meeting, Monday, November 21, 1994, 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
R.W. Ingram	Councilperson	
Julie Horton	Councilperson	
Don Hendrick	Councilperson	
Dick Albrecht	Councilperson	
Kent Havard	Councilperson	

Also Present

Wayne Neal	Cablecom
Ed Moore	Southwest Securities
Billy Sims	KSA
Royce Williams	Tipton Ford
James McGuire	Police Department
Richard Thompson	Police Department
Danny Ray	Police Chief
Earl Carr	Public Works Director
Charles Maclin	Water & Sewer Superintendent
R.V. Wilkerson	
Burlon Wilkerson	
Edwin Quarrles	Free Press
Levy Ellison	

Item 1 & 2 Mayor Simms called the meeting to order and asked Vernon to give the invocation.

Item 3 Don Hendrick made a motion to approve minutes of October 17, 1994 council meeting and Dick Albrecht seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 4 Mayor Simms opened Public Hearing and City Manager explained necessity on Cable Television Franchise (Cablecom) and invited comments from the audience. Mayor Simms then closed the public hearing. Mr. Wayne Neal was present to answer questions. Dr. Ingram asked about boxes. Mr. Neal stated that boxes will be inside TV or on outside of TV as box. Mayor complimented Mr. Neal and Cablecom service as job well done. James McGuire asked about costs of service increasing as result of congressional action. Said 3¢ increase in December to become effective. Looking to putting on 4 more channels and will cost additional if subscribe. Will be rate adjustment in January. Mayor Simms asked about small dish as competition. Mr. Neal said would be competition.

Item 5 After discussion by City Manager Dick Albrecht made a motion to authorize submitting a resolution for a 1994 Texas Community grant application under the Young vs. Cisneros Fund. Dick Albrecht asked about streets and Vernon stated

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streets be replaced in grant areas. City Manager stated city's part can be in kind. R.W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 6 PETITION CONCERNING BRIDGE ON HWY 59 SOUTH
Mr. R.V. Wilkerson asked that Burlon Wilkerson be permitted to address council. Mr. Wilkerson stated concern about White Oak Creek not being able to handle flow when excessive rains occurs. Wants channel under Hwy. 59 widened. Mr. Wilkerson said he had about 60 signatures. Would like for city to lend its support to have Department of Transportation consider the problem.
Mayor asked City Attorney concerning petition. City Attorney suggested that council send letter to Department of Transportation that council supports need for study. R.W. Ingram made a motion to send letter to Department of Transportation and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried

Item 7 City Attorney, Jimmy Cassels opened and tabulated bids received for the purchase of a tractor mower for the street/water department as follows:

Holman-Bennett- Philips	$35,481.00
Fish & Still	$36,490.00
Fish & Still	$36,990.00

Don Hendrick made a motion to accept the low bid of $36,490.00 from Fish & Still upon staff's review of specifications and approval and R.W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Hsvard	

Motion carried unanimously.

Item 8 City Attorney, Jimmy Cassels opened and tabulated the bids received for the purchase of one backhoe for the water department as follows:

East Texas Machinery	$31,704.00

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Mustang	$34,593.00
W.A. DuBose	$31,620.00

Julie Horton made a motion to accept the bid of $31,704.00 from East Texas Machinery (John Deere) upon review of specification and approval by staff and Don Hendrick seconded.

* Low bid was rejected because of deviations.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 9 City Attorney, Jimmy Cassels opened and tabulated the bids received for purchase of two (2) police cars for the police department as follows:

Beaver	$29,000.00
Tipton Ford	$29,900.00
Orange Ford	$28,516.00

Dick Albrecht made a motion to accept the low bid of $28,516.00 from Orange Ford upon review of specifications and approval of staff and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 10 DISCUSS LEASE/PURCHASE VEHICLES
City Attorney made comments concerning lease and Roger Williams of Tipton Ford explained lease in detail. R.W. Ingram made a motion to accept Tipton Ford lease purchase. Don Hendrick seconded.

Voting For	Voting Against
R.W. Ingram	Julie Horton
Don Hendrick	
Dick Albrecht	
Kent Havard	

Motion carried.

Item 11 DISPOSITION OF WHITE CHEVROLET IN P.D.
City Manager stated that vehicle from P.D. will return to adminstrative department. O.K. by council

Item 12 After review and discussion by City Manager and council of the bids received on the new detention center sewerage facilities. Julie

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Horton made a motion to reject bids received and authorize rebidding the project and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 13 After discussion by City Manager and Ed Moore of Southwest Securities concerning contract for financial advisory services with Mr. Moore and Southwest Securities and Ed Moore stated that a 15% discount will be included which is not in contract. Dick Albrecht made a motion to approve the contract and R.W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

Item 14 After discussion by City Manager and Ed Moore of Southwest Securities. Dick Albrecht made a motion to adopt the resolution authorizing publication of Notice of Intent to issue Certificiates of Obligation in the amount of one-hundred-ten-thousand dollars ($110,000.00) to be used for providing sewerage to the new detention center and Kent Havard seconded.

Voting For	Voting Against
Don Hendrick	
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unasnimously.

Item 15 PUBLIC FORUM
Levy Ellison commented.

Item 16 COUNCILMAN COMMENTS
City Manager requested to present bonus checks at Christmas party. Kent Havard asked about beautification grant.

EXECUTIVE SESSION
At this time Mayor Simms called the council into Executive Session.

Mayor Simms reconvened the council into open session. There were no decisions made and no votes taken in the executive session. Minutes of the executive session and the Certified Agenda are stored in a locked lock-box in the city's vault.

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R.W. Ingram made a motion to approve Mary Jane Ayo to be a Reserve Police Officer for the city and Don Hendrick seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried unanimously.

There being no further business Dick Albrecht made a motion to adjourn and R.W. Ingram seconded.

Voting For	Voting Against
Don Hendrick	None
Dick Albrecht	
R.W. Ingram	
Julie Horton	
Kent Havard	

Motion carried.

Meeting adjourned at 7:07 P.M.

December City Council Meeting will be Monday, December 12, 1994 at 5:15 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY

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AGENDA
CITY COUNCIL MEETING
DECEMBER 12, 1994
5:15 P.M.
DIBOLL CITY HALL

1. Call to Order

2. Invocation

3. Approval of Minutes

4. Fred Blakemore to Discuss Train Blocking crossings and Present Petition (Fred Blakemore)

5. Public Hearing to Renew Cable Franchise (Cablecom)

6. Consider and adopt ordinance authorizing the issuance of Certificates of Obligation in an amount not to exceed $110,000. (Staff & Ed Moore)

7. Discuss and consider application for funding through government program (COPS) - (Danny Ray)

8. Public Forum

9. Council Comments

EXECUTIVE SESSION:

1. Discuss status of EEOC Case

Sec. 551.071
Private consultation with the City's Attorney
Sec. 551.074
Discussing personnel or to hear complaints against personnel.
Texas Open Meetings Act
Texas Government Code Sections

Posted on Bulletin Board December 6, 1994, 9:40 a.m. at Diboll City Hall

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CITY OF DIBOLL

Notice is hereby given that on the 12th day of December, 1994, the Diboll City Council will hold a regular meeting at 5:15 o'clock p.m. in the City Council Chambers at the Diboll City Hall in Diboll, Texas. The subjects to be discussed are listed on the agenda which is attached to and made a part of this notice.

The Council reserves the right to adjourn this meeting and to reconvene on a day to day basis to continue debate when it cannot complete any particularly lengthy deliberation. When the adjourning of a meeting from day to day is used, written notice and other notice of the time and place of the reconvening of the meeting shall be given in accordance with City Council policy, whenever feasible.

Under the authority of Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., the Council, during the course of the meeting covered by this notice, may enter into closed or executive session for any of the following reasons:

551.071 Private consultation with the City's attorney.

551.072 Discussing purchase, exchange, lease, or value of real property.

551.073 Discussing negotiated contracts for prospective gifts or donations.

551.074 Discussing personnel or to hear complaints against personnel.

551.075 To confer with employees of the city to receive information or to ask questions.

551.076 Considering the deployment, specific occasions for, or implementation of, security personnel or devices.

551.084 Excluding witnesses from a hearing.

Should any final action, final decision, or final vote be required in the opinion of the City Council with regard to any matter considered in such closed or executive session, then the final action, final decision, or final vote shall either be:

(a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
(b) at a subsequent public meeting of the City Council upon notice thereof; as the City Council shall determine.

On this 6th day of December, 1994, this Notice was mailed to news media who had previously requested such Notice and was posted in compliance with the Open Meetings Law at 9:40 o'clock a.m. on said date.

Diboll City Council

BY: Lanny Parish
Lanny Parish, City Secretary

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Minutes of a Regular City Council Meeting, Monday, December 12, 1994 (moved up from December 19, 1994) 5:15 P.M. at Diboll City Hall.

Present		Absent
James P. Simms	Mayor	None
Dick Albrecht	Councilperson	
R.W. Ingram	Councilperson	
Julie Horton	Councilperson	
Don Hendrick	Councilperson	
Kent Havard	Councilperson	

Also Present

Vernon Cupit	City Manager
Lanny Parish	City Secretary
Jimmy Cassels	City Attorney
Edwin Quarrels	Free Press
Ed Moore	Southwest Securities
Wayne Neal	Cablecom
Sam Coleman	
Roy Smith	
Danny Ray	Chief of Police
Fred Blakemore	Police Officer
Steve Baker	Police Officer
Helen Cheshire	
Mr. Humphries	
Charles Maclin	Water & Sewer Superintendent
Jeff Taylor	Police Officer

Item 1 & 2 Mayor Simms called the meeting to order and asked Roy Smith to give the invocation.

Item 3 Julie Horton made a motion to approve the minutes of November 21, 1994 council meeting and Dick Albrecht seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Don Hendrick	
Kent Havard	

Motion carried unanimously.

Item 4 Police Officer Fred Blakemore discussed trains blocking crossings and presented a petition with signatures that something needs to be done to correct the situation. Petitioned council's help in obtaining some way to get across crossing while train on track. Mayor stated any effort by council would have to be coordinated effort. Danny Ray made comments concerning emergency stop by train. Mayor Simms suggested possibility of telling them when to break train, when and where. Mayor Simms said would invite Southern Pacific and DOT representative to next council meeting and meantime we will do what we can. R.W. Ingram commented that ordinance allowed 10-15 minutes to block crossing. Kent Havard mentioned topic had been considered before. Dick Albrecht asked if we could do project and was told would have to involve all concerned. Mayor Simms said we would see what can be done with those carriers involved. Instructed Vernon Cupit to contact DOT and Southern Pacific. Jimmy Phipps

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added others concerned about people and property in area under consideration. Sam Coleman added his support to solving problems. Roy Smith also concerned.

Item 5 Mayor Simms opened the second of two public hearing required to renew the Cablecom Cable Franchise. Mr. Wayne Neal with Cablecom was present to answer questions. Mr. Neal suggested we take the current model and conform it to Federal Laws.

Mayor Simms closed public hearing.

Item 6 After comments by City Manager and Mr. Ed Moore of Southwest Securities, Inc. Ed Moore talked with Jay Shands at First Bank & Trust and agreed upon 6.468 net effective interest rate.
Dick Albrecht made a motion to adopt the ordinace authorizing the issuance of City of Diboll, Texas, Tax amd Utility System Subordinate Lien Revenue Certificates of Obligation, Series 1995 and R.W. Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Don Hendrick	
Kent Havard	

Motioned carried unanimously.

Item 7 Police Chief Danny Ray explained and presented the application for funding through the government program - C O P S. F A S T. 75%-25% participation, government and city respectively. Chief Ray proposed four additional officers and would be trained in communuity police efforts. Dick Albrecht - how much more equipment needed? Right now can operate with what we have, police chief stated. R.W. Ingram thought should make application and know where money come from. City Manager said we have to budget the small amount needed. Kent Havard asked if apply for 4 and we can only provide for 2 what then? Chief stated would have to re-apply. R.W. Ingram made a motion to authorize proceding with the application for the C O P S - F A S T grant for 4 officers and Don Hnedrick seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Don Hendrick	
Kent Havard	

Motion carried unanimously.

Item 8 PUBLIC FORUM
Mayor Simms opened the meeting for Public Forum. No comments from public.

Item 9 COUNCIL COMMENTS
Borden Drive progress questioned, Earl Carr responded. Comments as to whether asphalt will hold up under the trucks. Said would with proper base.

EXECUTIVE SESSION

At this time Mayor Simms called the council into Executive Session to

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discuss Executive Session agenda item, status of EEOC case.

Mayor Simms reconvened the council in open session. No votes were taken in executive session and no decisions were made. The minutes and Certified Agenda of the executive session are filed in a locked lock box in the city's vault.
Dick Albrecht made a motion to accept EEOC agreement and R.W. Ingram seconded.

Voting For	Voting Against
Dick Albrecht	None
R.W. Ingram	
Julie Horton	
Don Hendrick	
Kent Havard	

Motion carried unanimously.

There being no further business Don Hendrick made a motion to adjourn and Dick Albrecht seconded.

Voting For	Voting Against
Dick albrecht	None
R.W. Ingram	
Julie Horton	
Don Hendrick	
Kent Havard	

Motion carried and meeting adjourned at 6:33 P.M.

James P. Simms, MAYOR

ATTEST:

Lanny Parish, CITY SECRETARY