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AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, JANUARY 8, 2007
5:15 P.M.
DIBOLL CITY HALL

1. Call to order.

2. Invocation.

3. Approve previous council minutes.

4. Review 2006 Police Department Racial Profiling Report.

5. Discuss and possibly approve sewer outside city limits for Mr. & Mrs. Thurman Goodwin on Farm Road 1818.

6. Discuss and approve Axley & Rode CPA Firm a two year contract for annual city audit.

7. EXECUTIVE SESSION:
   Under the authority of Texas Open Meeting 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:
   - 551.074 Discussing personnel or to hear complaints against personnel.
     1. Discuss personnel issues.
   - 551.071 Private consultation with the City Attorney.
     1. Discuss real estate issue.
     2. Discuss water issues.

8. Public Forum.

9. Council Comments.

10. City Manager Comments.

11. Adjourn.

Late Agenda Item #6 add on Thursday, January 04, 2007 at 3:20 p.m.

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Minutes of the regular City Council Meeting Monday, January 8, 2007 at 5:15 p.m. at Diboll Council Chambers.

Present

James P. Simms	Mayor
Gandy Stubblefield	Councilman
Bill Brown	Councilman
Don Hendrick	Councilman
Ricky Conner	Councilman
Jan Wilkerson	Councilwoman
Jimmy Cassels	City Attorney
Kenneth Williams	City Manager
Tina Cavazos	City Secretary
Elvia Garza	Finance Director

Also Present

Kent Havard	Police Chief
Robbie Roberts	Water Superintendent
Gary Jones	Fire Chief
Morris Tate	Planning & Zoning Board Member
Jeff Stull	Methodist Pastor
Mrs. & Mrs.	Thurman Goodwin

1. **Mayor Simms called meeting to order.**

2. **Pastor Jeff Stull gave the invocation.**

3. **Approval of Minutes**

   Motion was made to approve the minutes of the regular meeting of December 11, 2006 by Jan Wilkerson and seconded by Don Hendrick with a unanimous affirmative vote being recorded.

4. **Review 2006 Police Department Racial Profiling Report.**

   Kent Havard presented the annual report to the council. Mr. Havard stated that this report will go to the state. Mr. Havard said this report will show arrest detained or warnings by race.

5. **Discuss and possibly approve sewer outside city limits for Mr. & Mrs. Thurman Goodwin on Farm Road 1818.**

   Mrs. Thurman Goodwin said she is requesting sewer to her property. Mrs. Goodwin noted that her property is close to the city sewer line. Mrs. Goodwin stated that she willing to pay for pump line which would cost approximately $1000.00. Mayor Simms said from what he understands it would not be a

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problem to connect Mrs. Goodwin to the City sewer line. Mr. Jimmy Cassels said in the past we have denied others requesting to have sewer that lived outside city limits. Mr. Cassels stated that if we start allowing residents outside city limits to have sewer we would have to do it for all the other residents that have requested. Mr. Cassels suggested that the best thing to do for Mrs. Goodwin would be to annex her property. Mr. Simms asked the Goodwin's if they understood that if they decide to annex their property they would not have double rate on water and sewer and they would start paying city, school and college taxes. Mr. & Mrs. Thurman Goodwin said that they would like to annex their property if that would allow them to have city sewer. Gandy Stubblefield made the motion to approve annexation for the 15 areas of Mr. & Mrs. Thurman Goodwin on farm road 1818 and Don Hendrick seconded. Jan Wilkerson abstains because of conflict of interest.

6. **Discuss and approve Axley & Rode CPA Firm for annual city audit.**

Mr. Kenneth Williams said we have use Axley and Rode for several years and with the turnover in administration/finance personnel it would be good to consider a two year contract with this firm who is familiar with our finances. Mr. Williams said we have gotten a quote of $17,000-$19,000 from them per year to do the audit. Gandy Stubblefield made the motion to approve Axley and Rode for annual city audit for several years and Ricky Conner seconded. All in Favor.

7. **Executive Session**:

None.

8. **Public Forum.**

Mr. Morris Tate asked the council to check into several lots around town that need to be cleaned off. Mr. Tate stated that Spencer Knutson and Manuel Martinez lots need some attention. Mr. Tate explained that Mr. Knutson lot needs to be mowed and Mr. Martinez has washing machine, furniture and all other item all over his front yard. Mr. Tate said I have talk to Lanny Parish many times and nothing seems to be done. Mr. Jimmy Cassels explain to the council the procedure that has to be done. Mr. Kenneth Williams said that he would take care of these lots.

Mrs. Cynthia Nash said she had heard the Walter Allen Pool was going to be close and she had already started a petition not to have it destroy and that they do not want to see a splash pad put in its place. The Mayor and Council said that they would have a special meeting with the Parks Board and City Council to discuss the Walter Allen pool.

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9. Council Comments.

None.

10. City Manager Comments.

Mr. Williams presented Mrs. Karen Hadnot to the Council and said she was our new employee and has worked for the City of Lufkin for 10 years in the Planning and Zoning department and also worked in Human Resources. Mayor and Council welcome Mrs. Hadnot to the City of Diboll.

Mr. Williams said if everyone is in favor for January 29, 2007 for a joint workshop with City Council and Parks Board to talk about Scouts House, Walter Allen Pool and Baseball fields.

11. Meeting Adjourned at 6:30.

James P. Simms, Mayor

ATTEST:

Tina Cavazos, City Secretary

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2-12-07

Sign In Sheet

Margie Warren

Tony Moline

Gary Jones

Clayston Simmons @ Family

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AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, FEBRUARY 12, 2007
5:15 P.M.
DIBOLL CITY HALL

1. Call to order.

2. Invocation.

3. Approve previous council minutes.

4. Consider Planning and Zoning Board recommendation to change the zoning from current classification "A-Agriculture District" to "Single Family Dwelling District-1" on approximately 18.444 acres described as A. Chavano Survey-(0009) tract 139 and located on Maynard Street and take action.

5. Action to approve a resolution appointing the Mayor, City Manager and City Secretary as signatories for the 2006 Texas Community Development Program Hurricane Rita Disaster Recovery Project grant.

6. Authorization to open a non-interest bearing checking account for 2006 Texas Development Program Hurricane Rita Disaster Recovery Project to be use for direct deposit to receive state funds.

7. Discuss and possibly approve an agreement for Street Lighting service between the City of Diboll and TXU Electric.

8. Discuss and possibly approve audit by Tri·Stem of City of Diboll utility bills, including street and highway lighting.

9. Activity Report on Delinquent Tax Collections by John Manuel Attorney for Linebarger,Goggan,Blair & Sampson, LLP.

10. Consider Resolution in consideration of additional delinquent fee increase pursuant to the Texas Property Tax Code.

11. Discuss and possibly approve plans for Walter Allen Pool.

12. Update on the T.LL. Temple Memorial Library Expansion Project.

13. Discuss and possibly approve a one dollar donation on water bills to be used for the Beautification of Diboll by Angelina Beautiful Clean.

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14. Authorize order by Mayor to call city election on May 12, 2007 for two city council seats and office of Mayor.

15. Consider Civic Center Board recommendation on an increase in the deposit fee for the use of the Civic Center and take action.

16. Consider Civic Center Board recommendation on banning the use of alcohol on events held in the Civic Center that honor a minor and take action.

17. EXECUTIVE SESSION:
    Under the authority of Texas Open Meeting 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:
    - 551.074 Discussing personnel or to hear complaints against personnel.
        1. Discuss personnel issues.
    - 551.071 Private consultation with the City Attorney.
        1. Discuss water issues.
        2. Police Reserve Applicants.

18. Discuss and take action concerning police reserve applicants.

19. Public Forum.

20. Council Comments.

21. City Manager Comments.

22. Adjourn.

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Minutes of the regular City Council Meeting Monday, February 12, 2007 at 5:15 p.m. at Diboll Council Chambers.

Present		Absent
James P. Simms	Mayor	Gandy Stubblefield Councilman
Bill Brown	Councilman	
Don Hendrick	Councilman	
Ricky Conner	Councilman	
Jan Wilkerson	Councilman	
Jimmy Cassels	City Attorney	
Kenneth Williams	City Manager	
Tina Cavazos	City Secretary	

Also Present	
Kent Havard	Police Chief
Sylvester Cauley	
Brenda Russell	
Kathy Sample	
John Manuel	Attorney Linebarger, Goggan, Blair & Sampson
Margie Harrell	Housing Authority
Joe Wyatt	Tri-Stem
Larry Bowman	Civic Center Manager
Malcom McKinley	

1. **Mayor James P. Simms called meeting to order.**

2. **Bill Brown opened meeting with prayer.**

3. **Approval of Minutes.**

   Motion was made to approve the minutes of the regular meeting of January 8, 2007 by Jan Wilkerson and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

4. **Consider Planning and Zoning Board recommendation to change the zoning from current classification "A- Agriculture District" to "single Family Dwelling District-1" on approximately 18.44 acres described as A. Chavano Survey-(009) tract 139 and located on Maynard Street and take action.**

   Mr. Williams stated Sylvester Cauley is planning to develop this property into a subdivision. Motion was made to approve the zone change from the current classification "A- Agriculture District" to "Single Family Dwelling District-1" on A. Chavano Survey (0009) tract 139 and located on Maynard Street by Don Hendricks and seconded by Jan Wilkerson with a unanimous affirmative vote being recorded.

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5. **Action to approve a resolution appointing the Mayor, City Manager and City Secretary as signatories for the 2006 Texas Community Development Program Hurricane Rita Disaster Recovery Project grant.**

Mr. Williams explained this grant is for the generator for Water Well # 5. Ricky Conner made the motion to approve resolution appointing the Mayor, City Manager and City Secretary as signatories for the 2006 Texas Community Development Program Hurricane Rita Disaster Recovery Project grant and Don Hendrick seconded with unanimous affirmative vote being recorded.

6. **Authorization to open a non-interest bearing checking account for 2006 Texas Development Program Hurricane Rita Disaster Recovery Project to be use for direct deposit to receive state funds.**

Motion was made to authorization to open a non-interest bearing checking account for 2006 project to be use for direct deposit to receive state funds by Jan Wilkerson and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

7. **Discuss and possibly approve an agreement for street lighting service between the City of Diboll and TXU Electric.**

Jimmy Cassels stated that the agreement is for ten years and he would like the agreement to be for one year. The Mayor and Council also had concerns about the number of year's for the agreement. The Council asked David Collier (TXU) to see if the agreement could be written for one year instead of ten years. Bill Brown made the motion to approve an agreement for street lighting service between the City of Diboll and TXU Electric for one year and Don Hendrick seconded with a unanimous affirmative vote being recorded.

8. **Discuss and possibly approve audit by Tri-Stem of City of Diboll utility bills, including street and highway lighting.**

Mr. Joe Wyatt stated he came out to check to see if the City receiving what's on the contract and that the street lights are being serviced with the correct bulbs and watts. Mr. Wyatt stated that he usually don't do small town but Diboll being so close to Lufkin that he is able to do both cities. Mr. Wyatt said that he has been in this business for 27 years. Mr. Wyatt stated that he has save some cities up to $6,000 a year. Ricky Conner made the motion to approve audit by Tri-Stem and Jan Wilkerson seconded with a unanimous affirmative vote being recorded.

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9. Activity Report on Delinquent Tax Collections by John Manuel Attorney for Linebarger, Goggan, Blair & Sampson, LLP.

Mr. John Manuel presented the report to the Council. Mr. Manuel went over the activity reports and stated that the City of Diboll has been good on paying taxes and many delinquent accounts are paid before they make it to a law suit.

10. Consider Resolution in consideration of additional delinquent fee increase pursuant to the Texas Property Tax Code.

Mr. John Manuel said it has been over 26 years since a increase has passed on cost of living and I would like to go from 5% to 15% to 20% meaning if a property owners has not paid there taxes by January 31 a 15% increase on delinquent taxes and after June 31 delinquent taxes will be 20% increase. Mr. Manuel said this is no cost to the city only to the delinquent tax payer. Bill Brown made the motion for resolution in consideration of additional delinquent fee increase pursuant to the Texas Property Tax Code and Ricky Conner seconded with a unanimous affirmative vote being recorded.

11. Discuss and possibly approve plans for Walter Allen Pool.

Mr. Williams said that Margie Harrell from the Housing Authority stated that they would tear the Pool House down and rebuilt a new one and take care of new wiring. Mr. Williams said Jack Sweeney donation of $30,000.00 would help out with the maintenance for the pool. Eddie Concha (Park Superintendent) stated that the pool would be checked for leaks. Mr. Concha also noted that the water has been tested and it has chlorine. Mr. Concha said that a new pool would cost around $127,000.00. Mrs. Harrell stated that the Housing Authority will be responsible for flowers around the pool. Mr. Williams said Bill Fulmer had suggested that Eddie Concha get with Jerry Weisinger for assistance for the pool. Eddie Concha said he could get the pump and other maintenance ready for opening of the pool for this summer. Jan Wilkerson made the motion to approve plans for Walter Allen Pool and Don Hendrick second with a unanimous affirmative vote being recorded.

12. Update on the T.L.L. Temple Memorial Library Expansion Project

Mr. Malcolm McKinley went over the plans with the Council and his main concern was the portion of Park Street being close. Mr. McKinley stated he would like to see the street closure so the library could go ahead with the expansion. Kathy Sample said they had already had public hearing with the property owners in the area. Jimmy Cassels(City Attorney) told Mr. Malcolm McKinley to give him two days to look up procedures for

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street closure. Mr. McKinley said they would like to have ground breaking at the end of April.

13. **Discuss and possibly approve a one dollar donation on water bills to be used for the Beautification of Diboll by Angelina Beautiful Clean.**

Mr. Williams stated that this donation could be done manual on the water bill and it will be strictly volunteer donation if the customer wants. The money is use on project that will help improve Diboll through out the city. Jan Wilkerson said we have not done anything since 1993. Bill Brown made the motion to approve a one dollar donation on water bills to be used for the Beautification of Diboll by Angelina Beautiful Clean and Jan Wilkerson seconded with a unanimous affirmative vote being recorded.

14. **Authorize order by Mayor to call city election on May 12, 2007 for two City Council seats and office of Mayor.**

Mayor said this is routine every year that the Mayor calls the city election and I am officially announcing that I will not be running for office I have served 21 years and I have decide not to run anymore. Don Hendrick made the motion to call city election on May 12, 2007 for two city council seats and office of Mayor and Ricky Conner seconded with a unanimous affirmative vote being recorded.

15. **Consider Civic Center Board recommendation on an increase in the deposit fee for the use of the Civic Center and take action.**

Bill Brown made the motion to increase the deposit fee from one hundred to two hundred dollars and Ricky Conner seconded with a unanimous affirmative vote being recorded.

16. **Consider Civic Center Board recommendation on banning the use of alcohol on events held in the Civic Center that honor a minor and take action.**

Don Hendrick made the motion to approve banning the use of alcohol on events held in the Civic Center that honor minors and Bill Brown seconded with a unanimous affirmative vote being recorded.

17. **Executive Session:**

Mayor Simms called the council into executive session at this time to discuss personnel issues.

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Mayor Simms called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

18. Discuss and take action concerning police reserve applicants.

Jan Wilkerson made the motion to accept reserve applicants and Ricky Conner seconded with a unanimous affirmative vote being recorded.

19. Public Forum

There being none

20. Council Comments.

There being none.

21. City Manager Comments.

There being none.

22. There being no further business Bill Brown made the motion to adjourn and Don Hendrick seconded with a unanimous affirmative vote being recorded the meeting adjourned at 7:40 p.m.

James P. Simms, Mayor

Attest:

Tina Cavazos, City Secretary

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AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, MARCH 19, 2007
5:15 P.M.
DIBOLL CITY HALL

1. Call to order.

2. Invocation.

3. Approve previous council minutes.

4. Presentation on City of Diboll web site.

5. Axley and Rode CPA Firm to present annual city audit and council take action to approve.

6. Temporarily adjourn meeting and conduct public hearing concerning the closing of the southern portion of Park Street in Diboll, Texas.

7. Close public hearing and enter back into regular meeting.

8. Consider and possibly approve the closing of the southern portion of Park Street in Diboll, Texas. This partial closing involves 0.258 acres in the J.A. Prado Survey A-38 and is more particularly described by actual field notes on file at the Diboll City Hall.

9. Discuss and take action to appoint two new Commissioners for the Housing Authority Board of the City of Diboll.

10. Discuss and take action on amendment to municipal maintenance agreement for the furnishing, installing, operation and maintenance of cameras on state highway rights-of way to monitor compliance with traffic-control signals.

11. Discuss and take action to appoint election officials for Election Day Judge Ana Castillo and clerk Juanie Vasquez.

12. Discuss and possibly approve bids receive on Pro-Patch Truck.

13. Executive Session:
Under the authority of Texas Open Meeting 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:

551.074 Discussing personnel or to hear complaints against personnel.

1. Discuss personnel issues.

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551.071 Private consultation with the City Attorney.

1. Discuss water issue.
2. Discuss Dogwood Ridge.

14. Public Forum.

15. City Manager Comments.

16. City Council Comments.

17. Adjourn.

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Minutes of the regular city council meeting Monday, March 19, 2007 at 5:15 p.m. at Diboll Council Chambers.

Present		Absent
James P. Simms	Mayor	Gandy Stubblefield
Don Hendrick	Councilman	Jan Wilkerson
Ricky Conner	Councilman	
Bill Brown	Councilman	
Kenneth Williams	City Manager	
Jimmy Cassels	City Attorney	
Tina Cavazos	City Secretary	
Elvia Garza	Finance Director	
Doug McCoy	Public Works Director	

Also Present	
Kent Havard	Police Chief
Eric Carver	Axley & Rode
Kathy Sample	
Brenda Russell	Library
JoNell Placker	
Malcom McKinley	

1. **Mayor James P. Simms called meeting to order.**

2. **Kenneth Williams opened meeting with prayer and introduces Doug McCoy new Public Works Director.**

3. **Approval of Minutes.**
   Motion was made to approve the minutes of the regular meeting of February 12, 2007 by Don Hendrick and seconded by Bill Brown with unanimous affirmative vote being recorded.

4. **Presentation on City of Diboll web site.**

   Mr. Williams presented the cities web site to Mayor and Councilmember's. Mr. Williams explained that citizen can now request a building permit or report problems.

5. **Axley and Rode CPA Firm to present annual city audit and council take action to approve.**
   Eric Carver presented to the Council copies of the audit. Mr. Carver explained the areas that have been changed. Eric Carver noted that there are some areas that needed to change for example the Civic Center should bring all funds to City Hall and the inventory at Golf Course should be done by someone other than a pro shop employee. Mr. Carver also noted that when opening or closing any bank

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account it should be submitted to the Council. Mr. Carver stated that overall the city of Diboll is in very good shape.

Motion was made to approve the audit by Bill Brown and seconded by Don Hendrick with a unanimous affirmative vote being recorded.

6. **Temporarily adjourn meeting and conduct public hearing concerning the closing of the southern portion of Park Street in Diboll, Texas.**
Jo Nell Placker said she was in favor of closing portion of Parks Street. Mayor Simms stated he visited with the Wilson family and they are also in favor of the closure. Mr. Simms noted that this closure will add sidewalks for wheeler chairs and scooters.

7. **Close public hearing and enter back into regular meeting.**

8. **Consider and possibly approve the closing of the southern portion of Park Street in Diboll, Texas. This partial closing involves 0.258 acres in the J.A. Prado Survey A-38 and is more particularly described by actual field notes on file at the Diboll City Hall.**
Motion was made to approve the closing of the southern portion of Park Street in Diboll, Texas by Ricky Conner and seconded Bill Brown with a unanimous affirmative vote being recorded.

9. **Discuss and take action to appoint Commissioners for the Housing Authority Board of the City of Diboll.**
Motion was made to approve Roy Hall, Stacy Cooke and James Rhone for Commissioners for the Housing Authority Board of the City of Diboll by Don Hendrick and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

10. **Discuss and take action on amendment to municipal maintenance agreement for the furnishing, installing, operation and maintenance of cameras on state highway rights-of-way to monitor compliance with traffic-control signals.**
Mr. Williams stated that TxDot requested the City to agree to a maintenance agreement in order to install the cameras on state highway. Kent Havard stated that it was considered not to put cameras on Lumberjack Drive but after further discussion it was determine that Lumberjack Drive and Hwy 59 is the cities busiest intersection and most accident have been on Lumberjack and 59.

Motion was made to amend the municipal maintenance agreement for the furnishing, installing, operation and maintenance of cameras on state highway rights-of- way to monitor compliance with traffic-control signals by Bill Brown and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

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11. **Discuss and take action to appoint election officials for Election Day Judge Ana Castillo and clerk Juanie Vasquez.**

    Motion was made by Ricky Conner and seconded by Don Hendrick with a unanimous affirmative vote being recorded.

12. **Discuss and possibly approve bids receive on Pro-Patch Truck.**
    Bill Brown made the motion to accept the lowest bid from Philipott of Nederland, Texas and Don Hendrick seconded the motion with a unanimous affirmative vote being recorded.

13. **Executive Session:**
    Mayor Simms called the council into executive session at this time to discuss personnel issues, water issue, and Dogwood Ridge.

    Mayor Simms called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

14. **Public Forum.**
    There being none.

15. **City Manager Comments.**
    We would like to schedule the next city council meeting for April 2, 2007.

16. **City Council Comments.**

    Don Hendrick asked to check on the weeded lot on Nelson Street. Mr. Williams said he would get it done.

17. **There being no further business Bill Brown made the motion to adjourned and Ricky Conner seconded with a unanimous affirmative vote being recorded the meeting adjourned at 6:53 p.m.**

James P. Simms, Mayor

Attest:

Tina Cavazos, City Secretary

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AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, APRIL 2, 2007
5:15 P.M.
DIBOLL CITY HALL

1. Call to order.
2. Invocation.
3. Approve previous council minutes.
4. Discuss and possibly approve purchasing policy.
5. Discuss and approve amending Budget.
6. Discuss and approve (2) two 12 twelve hours days for early voting.
7. Discuss and approve membership dues for Athletic Club.
8. Executive Session:
   Under the authority of Texas Open Meeting 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 Attorney.
   1. Discuss water issue.

   Late Item:
9. Discuss and possibly approve repairs on Water Well # 3.
10. Public Forum.
11. City Manager Comments.
12. City Council Comments.
13. Adjourn.

Posted on the City of Diboll bulletin board on Thursday 11:30 a.m., March 29, 2007.

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Minutes of the regular city council meeting Monday, April 2, 2007 at 5:15 p.m. at Diboll Council Chambers.

Present		Absent
James P. Simms	Mayor	Ricky Conner
Don Hendrick	Councilman	Gandy Stubblefield
Bill Brown	Councilman	
Jan Wilkerson	Councilwoman	
Jimmy Cassels	City Attorney	
Kenneth Williams	City Manager	
Tina Cavazos	City Secretary	
Elvia Garza	Finance Director	
Doug McCoy	Public Works Director	

Also Present	
Robby Roberts	Water Superintendent
Brandon Lovell	Police Officer
Shayla Williams	Guest

1. **Mayor James P. Simms called meeting to order.**

2. **Kenneth Williams opened meeting with prayer.**

3. **Approval of Minutes.**
   Mayor would like to make a correction on line item number 6 to change the wording from "phone" to "visit" with the Wilson's family. Bill Brown made the motion to approve the minutes and Don Hendrick seconded with unanimous affirmative vote being recorded.

4. **Discuss and possibly approve purchasing policy.**
   Mr. Williams stated that the City does not have a policy for employees to follow in making purchases, and that written guidelines are needed to follow and to stay in compliance. Jan Wilkerson made the motion to approve purchasing policy and Don Hendrick seconded with unanimous affirmative vote being recorded.

5. **Discuss and approve amending Budget.**
   Mr. Williams said the budget should be amended to more appropriately reflect planned and actual expenditures. City Staff reclassed various budget items to more appropriately reflect the nature of planned and actual expenses. Motor vehicles supplies as a result of our contracted fuel prices, the City has experienced significant savings and in several other items. Overall, budgeted expenditures have been reduced by approximately $314,000 in the General Fund and $90,000

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in the Utilities Fund. Don Hendrick made the motion to approve amending budget and Jan Wilkerson seconded with unanimous affirmative vote being recorded.

6. **Discuss and approve (2) two 12 twelve hours days for early voting.**
   The council agreed to the two last days of early voting being Monday, May 7 and Tuesday May 8, 2007. Bill Brown made the motion to approve the (2) two 12 hours days for early voting on May 7 and 8. Jan Wilkerson seconded with unanimous affirmative vote being recorded.

7. **Discuss and approve membership dues for Athletic Club.**
   Mr. Williams said we are trying to provide a health incentive to employees by supplying a reduced rate and payroll deduction for membership of employees at Livewell Athletic Club. Mr. Williams stated that the City will pay a one time initiation fee of $37.00 for employees who join. Mr. Williams stated that about 20 employees are looking to join. Mr. Williams stated that by having healthy employees it is possible to lower insurance rates in the future. Jan Wilkerson made the motion to approve membership dues for Athletic Club and Don Hendrick seconded with unanimous vote being recorded.

8. **Executive Session**:
   None.

9. **Discuss and possibly approve repairs to Water Well #3.**
   Doug McCoy said Well # 3 was found to have failed and no longer able to supply water and this problem is compounded due to a current TCEQ deficiency regarding the City's inadequate volume. Doug McCoy strongly expressed that with summer fast approaching; we do not have time to go out for bids. Repairs to Well #3 need to be made as soon as possible. The bid process at best would be completed in 6 weeks and that does not include any additional delays resulting for contractors scheduling. Mr. Williams said the total amount of this project exceeds the stipulated $25,000.00 limit requiring bidding as per state law. Jimmy Cassels said that it being a time frame emergency and water is important the city should choose the most expedient manner in resolving this crisis. Doug McCoy said that Layne-Texas could begin work within one week and the project itself would take approximately 1 ½ weeks to complete. Don Hendrick made the motion to have Well # 3 repairs by Layne-Texas and Jan Wilkerson seconded with unanimous vote being recorded.

10. **Public Forum**
    None

11. **City Manager Comments.**
    Mr. Williams remind the council that the ground breaking for the Library would be April 25, 2007 at 5:00 p.m. Mr. Williams said he will be out of the office from

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April 21 through 25 and will be back in time for the ground breaking.

12. City Council Comments.

There being none.

13. There being no further business Bill Brown made the motion to adjourn and Don Hendricks seconded the motion with a unanimous affirmative vote being recorded.

James P. Simms, Mayor

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the regular city council meeting Tuesday, May 15, 2007 at 5:15 p.m. at Diboll City Hall.

Present
James P. Simms
Bill Brown
Don Hendrick
Ricky Conner
Gandy Stubblefield

Absent
Jan Wilkerson

Also Present
Kenneth Williams
Tina Cavazos
Gary Jones
Kent Havard
Fred Mitchell
See sign in Sheet

1. **Call to order.**
   Mayor James P. Simms called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Approve minutes of previous meeting.**
   Gandy Stubblefield made the motion to approve the minutes and Ricky Conner seconded with unanimous affirmative vote being recorded.

4. **Canvass city election votes and take action to approve.**
   Bill Brown made the motion to approve the canvass city election votes and Don Hendrick seconded with unanimous affirmative vote being recorded.

5. **Presentation by the Coalition Drug Free All Stars for possible adoption of proclamation designating April as Alcohol Awareness Month.**
   Yesenia Herrera presented and read the proclamation to the Mayor and council. Mayor Simms thank's them and said you can just go on line and look up how many people get tickets for D.W.I. and under age.

6. **Consider and possibly approve Diboll Police Department Seized Fund Budget 2007.**
   Kent Havard said that they have $58,160.92 in the seized fund account from different cases. Mr. Havard also noted that they still have a couple of thousand dollars that would be coming in. Chief Havard stated that when he started with the Police Department the seized fund account did not have much.
   Mr. Havard exampled some of the things he would like to purchase with the seized fund account (Dodge car for traffic and replace some rifles).

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Councilmember Ricky Conner asked how much would the rifles cost. Chief Havard stated that after trade-in around $14,000 a piece.

Don Hendrick made the motion to approve the Diboll Police Department Seized Fund Budget 2007 and Gandy Stubblefield seconded with unanimous affirmative voted being recorded.

7. **Possibly discuss, review and approve water lease agreement.**
   Mr. Williams said we have not received a copy of the new agreement. Gandy Stubblefield made the motion to table it until the next meeting and Don Hendrick seconded with unanimous affirmative votes being recorded.

8. **Executive Session:**
   None.

9. **Public Forum.**
   Rhonda Emerson asked for permission to sell snow cones in the park for the Primary school on field day Thursday and Friday. Mayor and council said city ordinance does not allow anyone to set a camper of any kind and have uses of the electricity.

10. **City Manager Comments.**
    None.

11. **City Council Comments.**
    None.

12. **Adjourn.**
    There being no further business Bill Brown made the motion to adjourn and Ricky Conner seconded the motion with a unanimous affirmative vote being recorded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the called council meeting Monday, May 21, 2007 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Mayor	Bill Brown	None
Councilman	Ricky Conner	
Councilman	Don Hendrick	
Councilman	Gandy Stubblefield	
Councilman	Gary Jones	

Also Present
James P. Simms
Jimmy Cassels
Tina Cavazos
Kenneth Williams
Elvia Garza
Kent Havard
Billy Simms
Fred Mitchell
Pastor Mitchell and Wife

1. **Mayor James P. Simms called the meeting to order.**

2. **Bill Brown opened meeting with prayer**.

3. **Administer the Oath of Office.**
   Mayor Simms administered the oath of office to the new councilmember's Gary Jones and Ricky Conner. Mayor Simms administered the oath of office to the new elected Mayor Bill Brown.

4. **Discuss and approve appointment of person to fill vacancy on city council.**
   Jimmy Cassels stated that this appointment could be handled several ways. The Council could appoint someone, call a special election or leave the seat vacant.

   Mayor Bill Brown stated that several people have approached him about filling the vacancy. Mr. Brown stated he thinks it's fair to appoint someone that took the time to run for the position. Mayor Brown stated that in all fairness the people appoint Fred Mitchell to fill the vacant council position.

   James Simms stated he feels the same as Mayor Brown and we should put someone in the position that took time out to run for office.

   Gandy Stubblefield made the motion to appoint Fred Mitchell to fill vacancy and Don Hendrick seconded with unanimous affirmative vote being recorded.

   Oath of Office was administered to Fred Mitchell by Mayor James P. Simms.

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5. **Appoint Mayor Pro-Tem.**
   Gandy Stubblefield made the motion to appoint Ricky Conner as Mayor Pro-Tem and Don Hendrick seconded with unanimous affirmative vote being recorded.

6. **Consider and possibly approve a request for an extension of the Texas Water Board loan commitment for an additional 18 month.**
   Mr. Williams said our water project loan expires in August 2007 and time is running out. Mr. Williams said we need an additional month. Billy Simms has suggested that we request an extension. Mr. Williams said Mr. Ed Moore; our bond counsel will send this request to the Texas Water Development Board in our behalf. Ricky Conner made the motion to request an extension to the Texas Water Development Board for a loan extension for an additional 18 months and Don Hendrick seconded with unanimous affirmative vote being recorded.

7. **Possibly adopt a proclamation designating May 15, 2007 through June 15, 2007 as Tourette syndrome awareness month.**
   Mr. Williams said this proclamation is in support of bringing attention to this debilitating disease which is affecting many citizens of our country. Gandy Stubblefield made the motion to adopt the proclamation and Don Hendrick seconded with unanimous affirmative vote being recorded.

8. **Discuss and approve appointment to the Angelina County Appraisal District Review Board.**
   Charles Havard said he could not serve so at this time we needed to table this item and bring some names at our next meeting. Gary Jones made the motion to table it until the next regular meeting and Don Hendrick seconded.

9. **Update council on Red Light Cameras.**
   NONE:

10. **Executive Session:**
    None

11. **Public Forum.**
    Mrs. Mitchell told the council that she would like to be considered for the Angelina County Appraisal District Review Board. Gary Jones said I am not trying to discourage you but this board sometimes meets everyday for a full week. Mrs. Mitchell commented that she has the time to serve.

12. **City Manager Comments.**
    Mr. Williams said he would like to welcome the new council members and would like to schedule some time soon to meeting with each one to bring them up to date on different items. He would also like to hear from them on some idea.

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13. City Council Comments.

Mayor Simms said I think in all the years as serving on council and as Mayor we have never had a council 100 % born here and raise here. Mayor Simms said and that says a lot. Mayor Simms said the council does not run the city, we the council pays someone to run the city.

Bill Brown stood up and said on behalf of the council we would like to thank Mayor James P. Simms with a gift certificate of $600.00 to Poulands Store.

14. Adjourn.

There being no further business Gandy Stubblefield made the motion to adjourn and Ricky Conner seconded the motion with a unanimous affirmative vote being recorded at 5:48 p.m.

Bill Brown, Mayor

Attest:

Tina Cavazos, City Secretary

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Minutes of the regular city council meeting Monday, June 11, 2007 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	None
Gary Jones	Councilman	
Don Hendrick	Councilman	
Gandy Stubblefield	Councilman	
Fred Mitchell	Councilman	
Ricky Conner	Councilman	

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Pastor Bruce Frazier from the First Assembly of God gave the invocation.

3. **Approve minutes of previous meeting.**
   Ricky Conner made the motion to approve the minutes and Gandy Stubblefield seconded with unanimous affirmative vote being recorded.

4. **Discuss and approve appointment to the Angelina County Appraisal District Review Board.**
   Mr. Williams said we have two candidates that wish to serve on this board Mr. Lewis Ivey and Mrs. B. Mitchell. Mr. Williams said that the county pays $75.00 dollars a day and the first cases our coming up in July.
   Gandy Stubblefield made the motion to approve Lewis Ivey and seconded by Don Hendricks. Mr. Fred Mitchell abstains.

5. **Discuss and approve appointment to the D.E.T.C.O.G. Board.**
   Mr. Williams said that mayor or a councilman can only serve on this Board. Gandy Stubblefield is willing to serve on the D.E.T.C.O.G. Ricky Conner made the motion to appoint Gandy Stubblefield on the D.E.T.C.O.G Board and Gary Jones seconded with unanimous affirmative vote being recorded.

6. **Review the Quarterly Investment report by Investment Officer.**
   Elvia Garza presented the council an overview of the revenue, expenditure and CD that are fixing to mature. Gary Jones asked on the Endowments funds the city can only spend the interest. Mrs. Garza answer correct. Mrs. Garza also express that the Golf Course was getting closer to breaking even. Mrs. Garza said that sale taxes are down at this time and our franchise tax start coming in July.

7. **Discuss and possibly authorize City Staff to seek bids for Health Insurance.**
   Mr. Williams said the city goes out for bids every year and it is that time again to send out bid packages.

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Don Hendrick made the motion to authorize City Staff to seek bids for Health Insurance and Ricky Conner seconded with unanimous affirmative vote being recorded.

8. **Discuss and possibly authorize City Staff to seek bids for service of collection, disposal, and recycling of solid waste.**
   Mr. Williams said in September our 5 year contract is up and we will need to go out for bids. Mr. Williams said that Pineywoods would like to give us a bid and they have given good service to the city. Don Hendrick said lets compare prices by contracting and by buying garbage truck with hiring employees to run it.
   Don Hendrick made the motion to authorize City Staff to seek bids for service of collection, disposal, and recycling of solid waste and Gary Jones seconded with unanimous affirmative vote being recorded.

9. **Executive Session:**
   No Action.

10. **Discuss and approve police reserve applicant.**
    Ricky Conner made the motion to accept applicant Bailey for police reserve and Gary Jones seconded with unanimous affirmative vote being recorded.

11. **Public Forum.**
    None.

12. **City Manger Comments.**
    Mr. Williams introduce Lance Moore new Civic Center Director he is local has good experience and has brought a lot of good idea.

13. **City Council Comments.**
    Gandy Stubblefield asked about the bathroom by the splash pad and Mr. Williams said that someone had gone during the weekend and push the coke machine over and made a mess of the bathrooms.

14. **Adjourn.**
    There being no further business Don Hendrick made the motion to adjourn and Gandy Stubblefield seconded the motion with a unanimous vote being recorded at 7:10 p.m.

Bill Brown, Mayor

ATTEST:

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Minutes of the City Planning Workshop Thursday, June 28, 2007 at 4:00 p.m. at the Red Barn in Lufkin.

Present		Present	
Bill Brown	Mayor	Kenneth Williams	City Manager
Don Hendrick	Councilman	Tina Cavazos	City Secretary
Ricky Conner	Councilman	Lance Moore	Civic Director
Gandy Stubblefield	Councilman	Kent Havard	Police Chief
Fred Mitchell	Councilman	Jimmy Mettlen	Golf Manager
Gary Jones	Councilman	Elvia Garza	Finance Director
Jimmy Cassels	City Attorney	Lane Bass	Superintendent
Charlie Mann	Fire Chief	Eddie Concha	Superintendent
Dee Scarborough	Superintendent	Robby Roberts	Superintendent

1. **Call to order.**
   Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Overview of Workshop.**
   Mr. Williams went over what he hopes to accomplish with the workshop like planning for the future and what is best for the city.

4. **Financial Report.**
   Mrs. Elvia Garza went over the budget revise analysis. Elvia Garza noted that when she started as Finance Director the budget was already in place. Mrs. Garza stated that she can take some of the responsibility. Mrs. Garza explains how the city ran the cash flow for the month that revenue is low until franchise taxes start coming in. Councilman asked about donation and Elvia said it has to be put in revenue. Gary Jones asked if the fire department receive a donation should it not go into that department. Mr. Garza said it has to go into revenue first. Jimmy Cassels said for the next meeting draw a pie shape of the revenue of the expense so that the councilman can see. Mrs. Garza said the city has received several grants due to Mr. Williams like the Emergency Management grant that help paid for the security doors at city hall and a big screen TV for emergency.

5. **City Council goals and objectives.**
   Jimmy Cassels said I would like to see a project put in places for street repairs. Mr. Cassels stated he would like to bring more business to Diboll and look into annexation plan for the future. Mr. Cassels stated we have talked about raising taxes every year but we never do. Mr. Cassels said if we do not raise taxes the city is going to stay behind and the only other source is water and sewer as revenue. Mr. Cassels said just like the parking lot at the golf course needing replaces, if we would have planned by have a piggy bank aside we would not be looking for the money today. Mr. Cassels said projects that we know sooner or

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later will need replacing need to have piggy banks for those projects. We need to stick together and be aggressive said Mr. Cassels.

Ricky Conner would like to see another Hotel in Diboll and other business. Mr. Conner said he agree we need to raise taxes. Mr. Conner also noted that the city should set aside a fund for maintenance of water wells.

Fred Mitchell said I would like to see street repair in all the areas of Diboll not just one side of town. Mr. Mitchell also stated that he would like to see the Police Department in all areas patrol more. Would like to see more business come in to Diboll. Would like to see the Golf Course parking lot repair that is what they see first when they drive up. Mr. Williams told Mr. Mitchell that they had put together a project on street repairs.

Gary Jones said he would like to see more businesses come in to Diboll. Mr. Jones would also like to see the donation put in the department that it was donated to. Like to see more streets fix around town. Would like to see that our water wells in good shape and have maintenance done often.

Gandy Stubblefield would like to see new business come in. Would like to see an area we could work with to have more housings. Mr. Stubblefield said people are looking for places to retire and we have a lot to offer for such a small town. Mr. Stubblefield stated that he would also like us to look into more parking spaces for the baseball league. Mr. Stubblefield said the water park would be a good idea. Mr. Williams said we are working with the school for more options on new fields and we have talk about the tennis court area for parking space. Mr. Williams said the City is applying for a grant with Texas Parks & Wildlife. Mr. Stubblefield stated that he would also like to see the Golf Course parking replace.

Don Hendrick said I would like to see some fund secure for water and sewer for a long time plan. Mr. Hendrick said being on the council I would like to see better communication with city council. I would like to see some Civic Center improvements. I would like to see each department work with city manager. I want the city to be promoted anyway we can. I would like to see employee be better qualified more training in there fields.

Bill Brown said I would like to have the water issue done. I would like to see water; sewer and garbage rates look into on residential and commercial. I would like to look for more land to have a better baseball complex and hope to start having tournaments. I would also like to see Diboll be promoted as much as we can. Mr. Williams said we can put on Channel 15 a little or a lot about Diboll. Mr. Williams said we already have about Diboll on the internet.

6. **Break.**
   The council and superintendents took a 20 minute break at this time.

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7. **Golf Course upgrades.**
   Jimmy Mettlen said first impression is a lasting impression and the first thing people see when they drive up to the golf course is the parking lot. Mr. Mettlen said the parking lot is 17 years old and I have asked from different companies quotes for replace the parking lot. I have talk to John McClain and he said he would help us go through the proper channel to apply for a grant to the T.L.L. Temple foundation. Gandy Stubblefield said you need to go ahead an apply for enough money to replace carpet and painting the outside of the Pro Shop. Mr. Mettlen said he was going to fix some more of the cart path.

8. **Solid Waste disposal options.**
   Mr. Williams told the council that Pineywoods has done a good job for us and is planning to put in a bid for collection on garbage. Mr. Williams said with Waste management out of Kingwood we collect for their garbage from the customer on our water bills and whether they pay the city or not Waste management still get pay. Mr. Williams said he plans to call the Landfill and see if prices our planning to go up.

9. **Annexation policy.**
   Mr. Williams said we need to take a hard look for the future planning and if we plan to get ahead we need to think about some annexation. Mr. Williams said if we do decide to look into annexation we need to put a policy in place we do not have one. Mr. Williams said we might look into change from General Law City to a Home Rule City. We also need to every five years updating Flood Zone.

10. **Inspection/permits policy and procedures.**
    Doug McCoy said we had a meeting with contractors at city hall to go over the codes and showing why we need to enforce them. Mr. McCoy said we have not been doing a lot of things in the past and if we have codes we need to enforce them and the City needs to update on charges. Mr. McCoy explained that it was nothing new these codes have be in place for years but have not been enforced.

11. **Civic Center goals and directions.**
    Mr. Lance Moore went over several things the civic center need to be repair lights system some just need new bulbs others balts. Mr. Moore said the sound system is wonderful just need someone to show us what all the buttons are for and I have spoke to Sound Tech and they will be down to show us.
    Mr. Moore presented a power point to the council where he hopes to plant wild flowers to make the entrances more colorful. Mr. Moore presented some ideas of how he plans to promote the civic center with some activities and festival.

12. **Water Services.**
    John Stover did not show up.

13. Executive Session:
    Minutes of the executive session are locked up in the city vault.

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14. City Manager Comments.
Mr. Williams said Wes Suiter had called and wants the City of Diboll to pay a percentage of the ambulance services. Gary Jones said we might need to look into ambulance services else where.

15. City Council Comments.
None.

16. Adjourn.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the regular city council meeting Monday, July 9, 2007 at 5:15 P.M. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	None
Don Hendrick	Councilman	
Ricky Conner	Councilman	
Gandy Stubblefield	Councilman	
Fred Mitchell	Councilman	
Gary Jones	Councilman	

Also Present	
Jimmy Cassels	City Attorney
Kenneth Williams	City Manager
Tina Cavazos	City Secretary
Billy Sims	KSA Engineers
Kent Havard	Police Chief
Sylvester Cauley	
Elvia Garza	Finance Director
Doug McCoy	Public Work Director
James Flourney	
John Stover	
Levy Ellison	

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Minister Becky Henson of the First United Methodist Church gave the invocation.

3. **Approve the previous council minutes meeting**.
   Motion was made to approve the minutes of the regular meeting of June 28, 2007 by Don Hendrick and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

4. **Consider and possibly approve City of Diboll Annexation Plan.**
   Kenneth Williams said the city is required by Local Government Code to prepare an Annexation Plan that identifies annexation areas that may occur within three years out from adoption of a plan. Mr. Williams said adopting this resolution just puts us in line with state law, actual annexation require much more thought, effort and input from the public, city council and staff. Gary Jones made the motion to approve City of Diboll Annexation Plan and Fred Mitchell seconded with a unanimous affirmative vote being recorded.

5. **Consider and possible approve amending the Personnel Policy.**

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Mr. Williams said currently employee's policy state that they will be reimbursed for actual cost on meals, however what is reasonable to one person is not reasonable to another. Mr. Williams said the staff recommends the implementation of state of Texas per diem rates which are pre established, for breakfast, lunch and dinner as a guideline for our personnel policy as to establish consistency in our travel food reimbursement expense policy. Ricky Conner made the motion to approve amending the Personnel Policy on implementation of state of Texas per diem rates and Gary Jones seconded with a unanimous affirmative vote being recorded.

6. **Discuss and possibly approve resolution supporting grant application for Texas, Park and Wildlife Grant.**
   Mr. Williams said in order to apply for the grant the city has to adopt a resolution. The Texas Parks and Wildlife Grant requires a 50% match. We have scheduled a meeting with Jack Sweeny to discuss them providing the match. Mr. Williams stated that this is for improvements of Old Orchard Park and for a sports complex adjacent to Lumberjack Stadium. Don Hendrick made the motion to approve resolution supporting grant application for Texas Park and Wildlife grant and Gary Jones seconded with a unanimous affirmative vote being recorded.

7. **Review and possibly approve Investment Policy.**
   Elvia Garza presented an annual review of the city of Diboll's investment policy to the Mayor and Council. Mrs. Garza said that this review is required by ordinance. Ricky Conner made the motion to approve the Investment Policy and Don Hendrick seconded with a unanimous affirmative vote being recorded.

8. **Discuss and possibly approve street name change.**
   Don Hendrick made the motion to table this item to the next regular meeting and Gary Jones seconded with a unanimous affirmative vote being recorded.

9. **Consider and possible approve the request from Sylvester Cauley to change The zoning from the current classification "Single Family Dwelling District-1" to "Single Family Dwelling District-2" on approximately 18.444 acres described as A. Chavano Survey-(009) tract 139 and located on Maynard Street.**
   Mr. Cauley presented his zone change for his subdivision to the Mayor and Council.
   After review of the subdivision Gary Jones asked Mr. Cauley if he had any restriction on size of houses that can get built on these lots. Having none the council asked Mr. Cauley to write up a deed restriction to his subdivision and come back on the next regular meeting and present the deed restriction. Gary Jones made the motion to table it until the next regular meeting and Gandy Stubblefield seconded with a unanimous affirmative vote being recorded.

10. **Executive Session:**

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Mayor Bill Brown called the council into executive session at this time to discuss Eason Lake Water Well project with John Stover.

Mayor Brown called the council back into open session, no decision was made and no votes were casts. Minutes of the executive session meeting are kept in a lock box in the city's vault.

11. Public Forum.
None.

12. City Manager Comments.
Mr. Williams asked the council if July 30, 2007 at 3:15 p.m. would be good for a budget workshop and if needed July 31, 2007 at 3:15 p.m. The council all agreed for July 30, 2007 at 3:15 p.m.

13. City Council Comments.
The council would like to see the bushes cut down on the corner of Chandler and Church Street.

14. Adjourn.
There being no further business Don Hendrick made the motion to adjourn and Fred Mitchell seconded the motion with a unanimous affirmative vote being recorded at 6:55 p.m.

Bill Brown, Mayor

Attest:

Tina Cavazos, City Secretary

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Minutes of the called city council meeting Monday, July 30, 2007 at 3:15 p.m. at Diboll City Hall.

Present		**Absent**
Bill Brown	Mayor	None
Don Hendrick	Council	
Gandy Stubblefield	Council	
Fred Mitchell	Council	
Ricky Conner	Council	
Gary Jones	Council	

Also Present

Jimmy CasselsCity	Attorney
Kenneth Williams	City Manager
Tina Cavazos	City Secretary
Elvia Garza	Finance Director
Jimmy Mettlen	Golf Manager
Lane Moore	Civic Center Manager
Dee Scarborough	Wastewater Superintendent
Robby Roberts	Water Superintendent
Eddie Concha	Park Superintendent
Charles Mann	Fire Chief
Kent Havard	Police Chief
Gerardo Rojas	Street Foreman

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Approve July 28, 2007 council workshop minutes**.
   Ricky Conner made the motion to approve June 28, 2007 council workshop minutes and Gandy Stubblefield seconded with a unanimous affirmative votes being recorded.

4. **Consider and possibly accept resignation of Gary Jones as City Councilman of the City Of Diboll.**
   Gary Jones said he has enjoyed the months he has served on the council. Mr. Cassels asked when you plan to make this an effective date. Gandy Stubblefield made the motion to accept resignation of Gary Jones with the contingency of Gary Jones being chosen and accepting the job with the City of Diboll and Ricky Conner seconded with a unanimous affirmative votes being recorded.

5. **Discuss and possible approve the filling of vacant City Council seat.**
   Tabled until next regular council meeting.

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6. Conduct budget workshop for 2007-2008.

REVENUES:

Elvia Garza said that the proposed budget reflects an increase from the current year budget of approximately $215,000 due to the following

- Assessed property values increased by $16M, for a $67K increase
- Budget assumes a 1 cent property tax increase which increased revenues another $18.8K.
- A 5% increase in garbage fees for an increase of $61.7k.
- A 25k increase in franchise fees.
- A $13k increase in permits due to increased enforcement.
- A $60K increase in municipal court due to possible increase in traffic fines and increased activity due to traffic cameras.
- A $22k increase in civic center due to increase in weekday bookings.
- Donations and grants decrease by $54k.

Mrs. Garza said the proposed budget is less than projected 2006-2007 actual by approximately $76,000 primarily due to non-recurring items.
Mayor Brown said he was very pleased with the way the budget was put together and with good information.

ADMINISTRATION:

Mrs. Garza said the current budget (2006-07) is $227,261 and proposed budget (2007-08) is $211,497 which proposed budget reflects a decrease from the current year of approximately $16,000. Mrs. Garza said this decrease is primarily due to a shift in personnel.

GENERAL GOVERNMENT:

Mrs. Garza said the current budget (2006-07) is $830,975 and proposed budget (2007-08) is $875,590 an increase from the current year budget of approximately $45,000. This increase is primarily due to the following.

- The current budget has a shortfall in the Garbage Service Contracts line item of approximately $38,000.
- An expected 5% increase in the garbage service contract from projected totaling approximately $26,000.
- A decrease of approximately $13,000 in workers compensation based on premium.
- A decrease in the buildings & land line item of $8,000.

Jimmy Cassels asked if we had decided to go with waste management contract and Mr. Williams answerd after research it would cost the city $55,000 more to have our own services after buying new garbage trucks and hiring employee for the service.

GOLF:

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Mr. Jimmy Mettlen said the proposed budget reflects an increase from the current year budget of approximately $9,500. This increase is primarily due to the capital purchase of a rough mower totaling $13,050.

- A $3,500 decrease in unemployment based on a favorable unemployment rate.
- A decrease in Botanical Supplies of $8,000.
- An increase in Merchandise Purchased for Resale of $10,000 based on 2006-2007 projections.
- A decrease in Sidewalks and Curbs of $8,000. City staff have submitted a grant proposal
- To improve the parking lots, golf club and golf paths.
- A decrease in Plants, Towers, Wells & Reservoirs of $4,000 based on 2006-2007 projections.
- An increase in Machinery, Tools & Equipment of $2,900 based on 2006-2007 projections.
- A decrease in irrigation of $3,000. Several sprinkler heads and controllors were replaced in the current fiscal year.
- A decrease in advertising/promotions of $2,000. The city plans to fund a portion of the golf course's advertising in the Hotel/Motel fund.

CIVIC CENTER:

Mr. Lance Moore said the proposed budget reflects an increase from the current year budget of approximately $12,800. this increase is primarily due to the following.

- An increase in salaries of approximately $8,000, which includes a 3% increment
- A reduction in overtime of $3,600.
- A decrease in Janitorial Supplies of $1,000. There is a current inventory of these supplies.
- An increase in Merchandise Purchased for Resale for increase concession activity.
- A decrease in Power & Light of $3,500 based on 2006-2007 projections.
- An increase in buildings & land of $2,000 to include some necessary electrical work...
- A decrease in Furniture, Fixtures, Computers of $1,000.

Mayor Brown said the kitchen at the Civic Center looked very nice. Mr. Moore stated he would like to give thanks to the prisoners.

STREET:

Mr. Gerardo Rojas said the proposed budget reflects a decrease in the proposed budget from the current year budget of approximately $87,000. This decrease is primarily due to the following:

- The street department purchased a propatch truck in the current fiscal year which was budgeted at $113,000.
- Street lighting increased by approximately $14,000 based on current year projections.

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- Salaries and benefits increased by approximately $11,000 for the salary increases and assuming a fully staffed street department.

Parks:
Mr. Eddie Concha said the proposed budget reflects an increase in the proposed budget from the current year budget of approximately $29,000. The city staff is working on the Texas Park and Wildlife grant proposal. Mr. Williams said we have met with Brent Hawkins DISD, James Flourney of Klotz Associates, Gary Smith and Jack Sweeny about the new complex. Mr. Williams stated that the school has decided to put this project on hold for now. Gandy Stubblefield asked why the school is waiting. Mr. Williams said I am not sure if there was a miss communication between Coach and Superintendent. Mr. Williams said we still have plans for the grant on Old Orchard Park to get more parking spaces and fence work is planned in the current fiscal year. Gandy Stubblefield said the best place for more parking spaces is where we have the splash pad. Mr. Williams said we have looked over by the tennis court and other options.

Mr. Concha said that he plans to obtain his certifications in the handling of pesticides and herbicides.

Gary Jones said back in 1980 we had someone come in from Texas AM and looked at our Pecan Trees. Mr. Jones said I would like to see that again before we lost a lot of our Pecan Trees.

Gandy Stubblefield told Eddie Concha that he and his whole department had done a great job with the baseball parks.

Swimming Pool:
Mr. Concha said the proposed budget reflects a decrease in the proposed budget from the current year budget of approximately $26,000. This decrease is primarily due to a reduction in Building & Land. Mr. Concha said improvements were made in the current fiscal year which is non-recurring.

Police:
Mr. Kent Havard said the proposed budget reflects an increase in the proposed budget from the current year budget of approximately $24,000. Mr. Havard said with a $14,000 increase in building & land. Mr. Havard said the building has needed repairs for a while. Mr. Havard said that the department plans to purchase one new vehicle from the seized fund. Gary Jones asked if the police department was still planning to buy a Dodge. Mr. Havard answered yes.
Mr. Havard said we also had a decrease in other wearing apparel if the department requires any purchases; they will be made from the seized fund.

Fire:
Mr. Charlie Mann said the proposed budget reflects an increase in the proposed budget from the current year budget of approximately $17,000. This increase in primarily due to the following:

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- In heating/cooling system of $3,500 the department proposes to replace one air condition unit at the substation.
- In motor vehicle repairs we need some body work on two vehicles.
- An increase in AD&D insurance of $7,500. This insurance is purchased for the department and provides death and impairment benefits, income protection and family benefits for the volunteers.

Municipal Court:
Judge Bowers said the proposed budget reflects an increase in the proposed budget from the current year budget of approximately $18,000. This increase is primarily due to an increase in staff. Judge Bowers said 10 years ago I said I would make you some money and have I told you wrong. Judge Bowers said one girl can not handle it and I do not know of anywhere one person can handle this department with one girl. Mayor Brown asked if he was ok with one of the girls up front, Judge answered he would give it a try.

WATER & SEWER FUND:
Mrs. Garza the proposed budget reflects an increase in the proposed budget from the current year budget of approximately $35,000. This increase is primarily due to the following:

- Project water and sewer revenues are under budget by approximately $72,000.
- The budget assumes a 10% increase in commercial water and sewer for a dollar increase of $90,000, making the net increase to water and sewer revenues $18,000. We are not selling water because of all the rain.
- Penalties and Reconnect fees were increased by a $6,100 based on 2006-2007.

WATER:
Mr. Robby Roberts said the proposed budget reflects an increase in the proposed budget from the current year budget of approximately $125,000. This increase is primarily due to the following:

- An increase in sanitary sewer of $40,000, this increase is for a sewer grant match requirement.
- An increase in water mains of $32,000, which includes a large project of a 6 inch water line for fire protection on Hines and Hendrix.
- An increase in Plants, Towers, Wells & Reservoirs of $16,000. Two wells have not been serviced in several years.
- An increase in Capital Replacement of $62,000, the purchase of a Scada system and a sewer camera.

SEWER:
Mr. Dee Scarborough the proposed budget reflects an increase in the proposed budget from the current year budget of approximately $8,000. This increase is primarily due to the following:

- An increase in overtime of $25,000 based on projected actual.
- An increase in salaries and benefits of approximately $3,500 which includes a 3% increment.

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- An increase in Motor Vehicles-Gas of $1,800 based on projected actual.
- An increase in Lab Testing. Quarterly tests will have to be performed in the proposed budget year.
- An increase in Plants Towers, Well & Reservoirs of $2,700 based on projected actual, which include some non-recurring expenses.
- An increase in Inspection Fees of $1,000 based on budget year requirements.

HOTEL/MOTEL FUND:
Mrs. Garza said Mr. Williams requested that we put it in it's own fund so we could keep better track of spending; it used to be in the General fund.
The proposed purchases for 2007-2008 include a transfer of $5,000 to the General Fund for the general operation of the Civic Center and $12,000 for the advertising and promotion of the Civic Center, Golf Course and other city events.
Mrs. Garza said the fund can only be used to attract tourist or to put people in hotel beds

Equipment Fund:
Mrs. Garza said this fund is used as "piggy bank" for capital purchases. To grow the fund, the General and the Water & Sewer Fund would need to increase their expenses.
The proposed budget will always increase by any interest earned on the funds.
The only earn interest we have is coming from the $135,000.

Security Fund:
Mrs. Garza said the security fund revenues are generated from a $3 fee on all citations. The funds should be used to improve the security of the court. Proposed purchases for 2007-2008 include a security buzzer and half doors to decrease traffic into the court office and finance offices.

Technology Fund:
Mrs. Garza said the technology fund revenues are generated from a $4 fee on all citation. The funds should be used towards the purchase of technology. Proposed purchases for 2007-2008 include sound equipment for the council chambers/courtroom and a transcriber.

7.Public Forum.
None.

8.City Manager Comments.
Mr. Williams said the next council meeting is schedule for August 13, 2007 and may need two public hearings.

9.Council Comments.
Mayor Brown said he want to thank the staff for the great work that they did on the budget. Gary Jones said he would like to see the guys that are on the bottom scale get a better increase on incentive pay.

10. Adjourn.

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Having no further comments Ricky Conner made the motion to adjourn and Gary Jones seconded with unanimous affirmative vote being recorded.

Meeting adjourned at 6:47 p.m.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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Signed 8-13-07

Gary Jones

Curt Hawn

Robbie Kent

Nicki Ashworth

Brenda + Benny - Dickens

Wanda Tate

Louise Rogers

Dick and Greta Hendrick

Ann Rainwater

Forester Conley

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Minutes of the regular city council meeting Monday, August 13, 2007 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Mayor	Bill Brown	None
Councilman	Gandy Stubblefield	
Councilman	Don Hendrick	
Councilman	Ricky Conner	
Councilman	Fred Mitchell	

Also Present
City Attorney Jimmy Cassels
City Manager Kenneth Williams
City Secretary Tina Cavazos
Police Chief Kent Havard
Finance Director Elvia Garza
Public Works Doug McCoy

See Sign In Sheet.

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Approval of previous city council meeting minutes of July 9, 2007 and July 30, 2007.**
   Motion was made to approve the minutes of the regular meeting of July 9, 2007 and called meeting of July 30, 2007 by Gandy Stubblefield and seconded by Don Hendricks with a unanimous affirmative vote being recorded.

4. **Discuss and possibly approve appointment of person to fill vacancy on City Council; possibly swear in appointed person.**
   Tabled until next called council meeting.

5. **Discuss and possibly approve declaration of deed restriction at St. Anthony Subdivision.**
   Sylvester Cauley presented a draft copy of his deed restrictions and after going over the deed, City Attorney Jimmy Cassels and Council members agreed to table it until Mr. Cauley could make some corrections and add more detail to the deed restriction.
   Gandy Stubblefield made the motion to table it and Don Hendrick seconded with a unanimous affirmative vote being recorded.

6. **Discuss and possibly consider request for variance from Diboll's Zoning**

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Ordinance in regards to existing parking that will give Dollar General's store a total of 30 parking spaces.
Doug McCoy said he has never seen that many customers at the Dollar General store all at once that it would not be necessary for them to have 38 parking spaces. Gandy Stubblefield made the motion to approve variance from Diboll' Zoning Ordinance in regards to existing parking that will give Dollar General's store a total of 30 parking spaces and Don Hendrick seconded with a unanimous affirmative vote being recorded.

7. **Discussion on the formation of Board of Adjustments and Appeals and possible Appointments to the Board.**
Doug McCoy said we do not have a Board of Appeals. City Attorney Jimmy Cassels said he would like to look into this matter and see if the council could serve as this board before trying to get other people to serve.
Tabled until the next regular council meeting.

8. **Discuss and possibly approve Parks Board recommendation of Mike Hopkins to fill vacancy on Parks Board.**
Mr. Williams said Bob Grimes had resigned for the Parks Board and the Parks Board had recommend Mr. Mike Hopkins to fill the vacancy. Don Hendrick made the motion to approve Mike Hopkins to the Parks Board and Ricky Conner seconded with a unanimous affirmative vote being recorded.

9. **Discuss and possibly consider new water and sewer tap rates.**
Doug McCoy presented a fee schedule of the surrounding cities and the City of Diboll was lower then any city. The council all agreed that we needed to go up on water and sewer taps to cover city cost. Don Hendrick made the motion to approve the recommended increase on water and sewer tap rates and Ricky Conner seconded with a unanimous affirmative vote being recorded.

10. **Public Hearing to discuss change of street name from Hendrix to Hendrick.**
After hearing from Robbie Ashworth council decided to have an additional hearing on the next regular council meeting.

11. **Discuss and possibly approve request to change street name from Hendrix to Hendrick.**
Tabled by Ricky Conner and seconded by Fred Mitchell until the next regular council meeting.

12. **Discuss and take action on tax rate and schedule any required public hearings.**
Elvia Garza gave the council a schedule reflecting the effective and rollback tax rates as well as the net effect on the General Fund Budget. Council all agreed to raise the tax rate by two cents and have the first public hearing on August 21, 2007 and the second hearing on August 30, 2007. Ricky Conner made the motion

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to raise the tax rate by two cents and Gandy Stubblefield seconded with a unanimous affirmative vote being recorded.

13. **Discuss and possibly accept a bid on installation of the generator for water Well # 5.**
Ricky Conner made the motion to accept the bid for installation of the generator for water well # 5 and Don Hendrick seconded with unanimous affirmative vote being recorded.

14. **Executive Session:**
Mayor Bill Brown called the council into executive session at this time to discuss Police Reserve application, Eason Lake Water Well Project and personnel evaluation.

Mayor Bill Brown called the council back into open session, no decision was made and no votes were casts. Minutes of the executive session meeting are kept in a lock box in the city's vault.

15. **Discuss and approve police reserve application.**
Gandy Stubblefield made the motion to accept applicant Grant Jones as police reserve and Ricky Conner seconded with unanimous affirmative votes being recorded.

16. **Public Forum.**
Jo Ann Rainwater said she would like to say how well the city is doing in cleaning up lots and junk vehicles. Mrs. Rainwater also said Dibollians have always been proud of the way the town looked.

17. **City Manager Comments.**
Mr. Williams said if any of the council plans to go to the TML meeting on September 16, 2007 please let Tina Cavazos know.

18. **Council Comments.**
Mr. Cassels asked if the city had received the information on the speed bumps and Gary Jones answered yes. Fred Mitchell said he would like to comment on the city working together and he is proud of everything that is being done.

Late Items:

1. **Consider and possible approve the request from Sylvester Cauley to change the zoning from the current classification" Single Family Dwelling District-1" to "Single Family Dwelling District-2" on approximately 18.444 acres described as A. Chavano Survey-(009) tract 139 and located on Maynard Street.**
Tabled until next council meeting.

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2. **Consider and possibly approval to go out for bids for repair or reconstruction of a portion of Hendrix Street.**
   Gary Jones said Hendrix Street is very bad from Borden all the way to 2497. Mr. Jones said we have to take it all up and come back with lime. Mr. Jones said he would like to go ½ a mile down and go just a little on Harris Street. Don Hendrick asked how much will it cost and Gary Jones answer around $151 Thousand. Jimmy Cassels asked how long this job will take to complete around 150 days from the day the contract get awarded.
   Gandy Stubblefield made the motion to approve to go out for bids for repairs or reconstruction of portion of Hendrix Street and Don Hendrick seconded with unanimous affirmative vote being recorded.

19. Adjourn.

Having no further comments Gandy Stubblefield made the motion to adjourn and Ricky Conner seconded with unanimous affirmative votes being recorded.

Meeting adjourned at 7:20 p.m.

Bill Brown, Mayor

Attest:

Tina Cavazos, City Secretary

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Minutes of the called meeting Tuesday, August 21, 2007 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Mayor	Bill Brown	None
Councilman	Ricky Conner	
Councilman	Gandy Stubblefield	
Councilman	Don Hendrick	
Councilman	Fred Mitchell	

Also Present	
City Manager	Kenneth Williams
City Secretary	Tina Cavazos
Police Chief	Kent Havard
Finance Director	Elvia Garza
Doug McCoy	Public Works Director
Gary Jones	Street Superintendent

1. **Call to order.**
   Mayor Bill called the meeting to order.

2. **Invocation.**
   Mayor Brown gave the invocation.

3. **Approval of previous called meeting minutes of August 13, 2007.**
   Motion was made to approve the previous called minutes by Gandy Stubblefield and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

4. **Discuss and possible appointment of person to fill vacancy on City Council; possibly swear in appointed person.**
   Mayor Bill Brown said that he had spoken to Bryan Wilson and indicated that he would serve out the term. Don Hendrick made the motion to appoint Bryan Wilson to fill vacancy on City Council and Gandy Stubblefield seconded with a unanimous affirmative vote being recorded.

5. **First Public Hearing on proposed property Tax increase to .4785 per hundred dollars valuation.**
   Mayor Brown open the floor for public comments having none, Mayor Brown said we will vote formally to adopt the taxes increase to .4785 per hundred dollars on September 10, 2007 at 5:15 p.m. at Diboll City Hall.

6. **Public Forum.**
   None.

7. **City Manager Comments.**
   Mr. Williams said the Texas Municipal League is hosting a Small Cities' Problem

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-Solving Clinic on Friday, September 21 at the Lottie and Arthur Temple Civic Center Mr. Williams also briefed the council on preparations the city made in the event Hurricane Dean made land fall in East Texas.

8. **City Council Comments.**
Don Hendrick asked what was being built on the corner of Hines and Hendricks. Doug McCoy answered a drive-thru Ice Machine. The council asked about the Red light Camera's. Police Chief Havard said he met with them and said they did not provide a specific date, but they were still working on it.

9. **Adjourn.**
Don Hendrick made the motion to adjourn at 5:28 p.m. and Ricky Conner seconded with unanimous votes being recorded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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AGENDA
CALLED CITY COUNCIL MEETING
THURSDAY, SEPTEMBER 6, 2007
5:15 P.M.
DIBOLL CITY HALL

1. Call to order.

2. Invocation.

3. Approval of previous city council meeting minutes of August 21, 2007.

4. Possibly swear in appointed person to fill vacancy on City Council.

5. Second Public Hearing on proposed property Tax increase to .4785 per hundred dollars valuation.

6. Discuss and possibly approve Water and Sewer commercial rate increase.

7. Discuss and possibly approve garbage rate increase.

8. Discuss and possibly approve cable Franchise Fees increase.

9. Executive Session:
   Under the authority of Texas Open Meeting 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 reason:
   551.074 Discussing personnel or to hear complaints against personnel.
   1. Discuss personnel.
   2. Discuss real estate.

10. Public Forum.

11. City Manager Comments.

12. City Council Comments.

13. Adjourn.

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Mayor, Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the called council meeting Thursday, September 6, 2007 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Mayor	Bill Brown	Gandy Stubblefield
Councilman	Bryan Wilson	
Councilman	Ricky Conner	
Councilman	Fred Mitchell	
Councilman	Don Hendrick	

Also Present	
City Manager	Kenneth Williams
City Secretary	Tina Cavazos
City Attorney	Jimmy Cassels
Police Chief	Kent Havard
Finance Director	Elvia Garza
Public Works Director	Doug McCoy

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Approval of previous city council meeting minutes of August 21, 2007.**
   Motion was made to approve the previously called minutes by Fred Mitchell and seconded by Don Hendrick with a unanimous affirmative vote being recorded.

4. **Possibly swear in appointed person to fill vacancy on City Council.**
   Mayor Bill Brown swears in Bryan Wilson for the vacancy on the City Council.

5. **Second Public Hearing on proposed property Tax increase to .4785 per hundred dollar valuation.**
   Mayor Brown opened the floor for public comments having none, Mayor Brown said we will vote formally to adopt the tax increase to .4785 per hundred dollars on September 10, 2007 at 5:15 p.m. at Diboll City Hall.

6. **Discuss and possibly approve Water and Sewer commercial rate increase.**
   Kenneth Williams said this proposal calls for a 10% increase in commercial water and sewer rates. Elvia Garza went over the commercial rates and asked the council if anyone had any questions. Bryan Wilson said this is 50% increase in sewer. Mrs. Garza stated it was high, but city water is low compared to other cities. Don Hendrick made the motion to approve Water and Sewer commercial rate for a 10 % increase and Ricky Conner seconded with a unanimous affirmative vote being recorded.

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7. **Discuss and possibly approve garbage rate increase.**
   Mrs. Garza went over the proposed 5 % overall increase in the City's garbage fee revenue based on anticipated rate increases from our garbage collection vendor. Mrs. Garza said we proposed rate increases for each type of commercial container ranging from 7-10%. Mr. Williams said we might have to adjust our collection rates again in the very near future based upon how the bids come in on September 17, 2007 . Bryan Wilson made the motion to increase 5% overall in the City's garbage fee and 7-10 % for commercial container and Don Hendrick seconded with a unanimous affirmative vote being recorded.

8. **Discuss and possibly approve cable Franchise Fees increase.**
   Jimmy Cassels said our current franchise fee with our cable TV provider pay is 3%. Due to regulations we can require up to a 5% fee. Jimmy Cassels said he was writing a letter to the cable company to request an increase to 5%.

9. **Executive Session.**
   Mayor Brown called the council into executive session at this time to discuss personnel issues and real estate.

   Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

10. **Public Forum.**
    There being none.

11. **City Manager Comments.**
    Mr. Williams made comments about the Huntington City Hall ribbon cutting. Stated that the city council's regular meeting will be Monday, September 10, 2007.

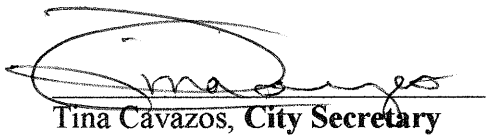
12. **City Council Comments.**
    None.

13. **Adjourn.**
    Ricky Conner made the motion to adjourn at 6:30 p.m. and Don Hendrick seconded with unanimous votes being recorded.

Bill Brown, **Mayor**

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ATTEST:



Tina Cavazos, **City Secretary**

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Minutes of the called council meeting Monday, September 10, 2007 at 5:15 p.m. at Diboll City Hall.

Present		**Absent**
Bill Brown	Mayor	None
Fred Mitchell	Councilman	
Ricky Conner	Councilman	
Bryan Wilson	Councilman	
Don Hendrick	Councilman	
Gandy Stubblefield	Councilman	

Also Present

Kent Havard	Police Chief
Kenneth Williams	City Manager
Jimmy Cassels	City Attorney
John & Karen	Freisen & Strain Insurance
Sam Glass	
Robert Ashworth	
Robbie Kent	

1. **Call to order.**
   Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Approval of previous city council meeting minutes of September 6, 2007.**
   Motion was made to approve the called city council meeting of September 6, 2007 by **Gandy Stubblefield** and seconded by **Ricky Conner** with a unanimous affirmative vote being recorded.

4. **Discuss and possibly approve changing the street name from Hendrix to Hendrick.**

   The council heard from the public mostly with positive reaction. Mrs. Sandra Fenley came in opposition of this request. Mrs. Fenley stated that she just started her business and with this change she has to change business cards. Mrs. Rainwater spoke on behalf of her Aunt and Uncle Dick Hendrick. Mrs. Rainwater said her uncle had been a volunteer fireman in Diboll and her Aunt had help in the community for many years and just would like to see the name spelled right like most streets where by families that helped build this community. Bryan Wilson made the motion to approve the name change from Hendrix to Hendrick and **Fred Mitchell** seconded with a unanimous affirmative vote being recorded.

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5. **Discussion and take action to select a management firm to provide administrative Services for Texas Community Development Program projects.**

   Mr. Williams said this item is to select and approve a management firm to administer the TCDP grant which will replace old sewer lines near the Housing Authority. **Gandy Stubblefield** made the motion approve Ray Vann and Associates firm to provide administrative services for Texas Community Development Program projects and **Don Hendrick** seconded with a unanimous affirmative vote being recorded.

6. **Discuss and action to select an engineering firm to provide engineering services for Texas Community Development Program projects.**
   After the council heard both Billy Sims of KSA Engineer and Jerold Morris of Everett Griffith & Associates on qualification and the projections they done. Mayor Brown moves for a motion. **Bryan Wilson** made the motion to accept Billy Sims of KSA Engineers and **Ricky Conner** seconded with a unanimous affirmative vote being recorded.

7. **Discuss and possibly approve declaration of deed restriction at St. Anthony Subdivision.**
   Mr. Jimmy Cassels said that more information needs to be put in the deed and more clearly on square footage. No action was taken at this time.

8. **Hear Presentation on retail recruitment strategy.**
   Joey Grisham presents himself to the council and said that his company was from Mississippi. Mr. Grisham told the council the City of Diboll is in need of more retail and he has helped other small communities with the same problem. Mr. Williams said that he would see if he could get the Economic Development Partnership to help with some of the cost and the rest could come from Hotel Motel fund. The Council asked Mr. Grisham to bring them some more information on towns he has already helped with retail.

9. **Discuss and possibly award health insurance bid for 2007-2008.**
   John Strain with Blue Cross Blue Shield received the health insurance bid for the up coming year. Staff explained that the employee will have a choice between the traditional plan and the HSA policy. After hearing John Strain explain the two proposals the council was pleased to hear the employee had a choice. Bryan Wilson made the motion to accepted Blue Cross Blue Shield plan with choices to the employee and **Don Hendrick** seconded with unanimous affirmative vote being recorded.

10. **Discuss and possibly approve Budget amendment for 2006-2007.**
    Elvia Garza presented to the council the last budget amendment for the 2006-2007 budgets and explains that cities are not to operate on deficit budgets. Mrs. Garza said this is an adjustment to more accurately reflect the year's activity.

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Gandy Stubblefield made the motion to approve Budget amendment for 2006-2007 and **Bryan Wilson** seconded with unanimous affirmative vote being recorded.

11. **Public Hearing on City of Diboll Budget for fiscal year 2007-2008.**
    No Comments

12. **Discuss and possibly adopt the City of Diboll Budget for fiscal year 2007-2008.**
    Elvia Garza said this requires two separate votes, one to ratify the property tax increase reflected in the budget and one to adopt the budget itself.
    Don Hendrick made the motion to ratify the property tax increase reflected in the budget and **Gandy Stubblefield** seconded with unanimous voted. **Bryan Wilson** made the motion to adopt the budget itself and **Gandy Stubblefield** seconded with unanimous affirmative vote being recorded.

13. **Discuss and possibly adopt the property tax rate of .4785 per hundred dollars valuation.**
    Mrs. Garza said the ordinance is required to state that the rate will raise more taxes for maintenance and operations than last year and that the rate will raise taxes for maintenance operations on a $100.000 home by approximately $20.
    Don Hendrick made the motion to adopt the property tax rate of .4785 per hundred dollars valuation and **Gandy Stubblefield** seconded with unanimous affirmative vote being recorded.

14. **EXECUTIVE SESSION:**
    NONE.

15. **Public Forum.**
    No Public Forum.

16. **City Manager Comments.**
    None.

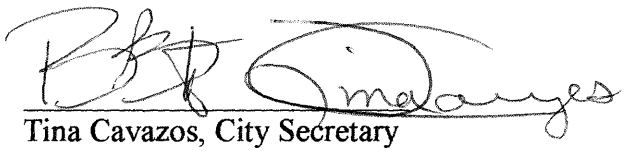
17. **City Council Comments.**
    Don Hendrick asked about Carter Drive and Doug McCoy said they have it on the list to fix. Mr. Williams also said the parking lot in front of City Hall is going to be taken care of.

18. **Adjourn.**
    Bryan Wilson made the motion to adjourn at 7:10 p.m. and Don Hendrick seconded with unanimous votes being recorded.

Bill Brown, Mayor

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ATTEST:



Tina Cavazos, City Secretary

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(9-10-07)

1. Richard Rainwater
2. Lynn Rainwater
3. Dick Hendrick
4. Oneta Hendrick
5. Joey Grisham
6. Karen Robinson
7. John L. Strain
8. Ray Yarn
9. Billy D. Sims
10. Robbie Kent
11. Lois Cooper
12. Robert Ashcroft
13. Darrell Pollock
14. JEROD L. MORRIS, P.E.
15. Gary Sorrell
16. Sandra L. Ferdy

936-8896

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AGENDA
REGULAR CITY COUNCIL MEETING
TUESDAY, OCTOBER 23, 2007
5:15 P.M.
DIBOLL CITY HALL

1. Call to order.

2. Invocation.

3. Approval of previous city council minutes of September 10, 2007.

4. Discuss and possibly approve declaration of deed restriction for St. Anthony Subdivision.

5. Consider and possibly approve firm to conduct a retail recruitment and marketing study of the Diboll area.

6. Take action to approve a resolution appointing the Mayor, City Manager, and City Secretary as signatories for the 2007 Texas Community Development Program grant.

7. Discuss and take action on recommendation on specific use permit for a Mobile Home at 1227 Ryan Chapel Road.

8. Consider and possible approve the waiving of fees for building permits for the expansion of the T.L.L. Temple Library.

9. Approve water and sewer lines extension for the T.L.L. Temple Library expansion project.

10. Discuss and possibly award contract for the collection of garbage and recycling services.

11. Consider and possibly approve the bids to reconstruct a portion of Hendrick Street.

12. Consider date for November council meeting due to Veteran's Holiday.

13. EXECUTIVE SESSION:
    Under the authority of Texas Open Meeting Act, Texas Government Code Section 551.001 et seq., the council, during the course of the meeting covered by this notice, may enter closed or executive session for any of the following reason:
    551.074 Discussing personnel or to hear complaints against personnel.
        1. Discuss personnel.

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2. Discuss real estate.

14. Public Forum.

15. City Manager Comments.

16. City Council Comments.

17. Adjourn.

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10-23-2007 Sign In

1 Pro Star Waste
2 Piney Woods Sanitation
3 CHRIS FITZGERALD ANGELINA COUNTY
4 Lynda Bowman
5 Billy D Sims

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Minutes of the regular city council meeting on Tuesday, October 23, 2007 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	Bryan Wilson Councilman
Don Hendrick	Councilman	
Ricky Conner	Councilman	
Fred Mitchell	Councilman	
Gandy Stubblefield	Councilman	

Also Present
Kenneth Williams
Tina Cavazos
Kent Havard
Elvia Garza
Gary Jones
Linda Cook
Bobby Cook
Sylvester Cauley

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Approval of the previous city council meeting minutes of September 10, 2007.**
   Motion was made to approve the previously council meeting minutes by Gandy Stubblefield and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

4. **Discuss and possibly approve declaration of deed restriction for St. Anthony Subdivision.**
   Jimmy Cassels said he had look at it and it was as good as it was going to get and it look good. Gandy Stubblefield made the motion to approve the declaration of deed restriction for St. Anthony and Fred Mitchell seconded with a unanimous affirmative vote being recorded.

5. **Consider and possibly approve firm to conduct a retail recruitment and marketing study of the Diboll area.**
   Mr. Williams said that at the previous council meeting Joey Grisham had presented a marketing analysis and recruitment study on retail. Mr. Williams said he had talk to the Lufkin Economic Development Partnership about this retail recruitment and marketing study and they committed $11,000 to the project and Polk Oil Company has also committed money to the project. Mr. Williams said the rest of the money can come out of Hotel & Motel taxes. Mr. Williams also

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said city's that have work with this firm have been pleased. Don Hendrick made the motion to approve firm to conduct a retail recruitment and marketing study of the Diboll area and Ricky Conner seconded with a unanimous affirmative vote being recorded.

6. **Take action to approve a resolution appointing the Mayor, City Manager, and City Secretary as signatories for the 2007 Texas community Development Program grant.**
   Mr. Williams said this is routine housekeeping item as part of receiving a grant for sewer project for documents sign and submit to state. Ricky Conner made the motion to approve a resolution appointing the Mayor, City Manager and City Secretary as signatories for the 2007 Texas Community Development Program grant and Fred Mitchell seconded with a unanimous affirmative vote being recorded.

7. **Discuss and take action on recommendation on specific use permit for a Mobile Home at 1227 Ryan Chapel Road.**
   Linda Bowman said that she would like to see everyone keep an open mind about Mobile Homes. Mobile homes are not what they use to be. Mrs. Bowman said I would like the Council to take a look at the cities ordinance on Mobile Home; we just do not have much housing that is affordable for teenagers.

   Mrs. Bowman said all my family and Larry Cook family started in a mobile home on the same nine acres that we live on. Mrs. Bowman said she has looked around town at other properties and even the property on Hwy 59 is hurting Diboll. Mrs. Bowman also stated that Hudson did not have a Mobile Home ordinance and there property value is a whole lot higher than Diboll. Mrs. Bowman said I would just like you to think about and maybe consider changing the ordinance. Mrs. Bowman said also that her mother–in-law was going blind and she just had nightmare about being put in the nursing home and I also have a daughter that would like to live in a trailer on the same lot. Mrs. Bowman stated the mobile home will not hurt property value. Jimmy Cassels said if we give permission to one resident what happens when the next person comes before the board. No votes were cast by the council at this time.

8. **Consider and possible approve the waiving of fees for building permits for the Expansion of the T.L.L. Temple Library.**
   Kathy Sample said the bids come in way higher than participate and they have gone way over the original budget estimate and so we are asking the city to waive the building, water/sewer and electrical permit fees. Gandy Stubblefield made the motion to approve the waiving of permits fees for the expansion of the Library and Don Hendrick seconded with unanimous affirmative vote being recorded.

9. **Approve water and sewer lines extension for the T.L.L. Temple Library Expansion project.**

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Mr. Williams said this will help the city also put in fire hydrate in that area that it needed. Mr. Williams said we will put in back flow prevented 2 inch lines and set all water meters. Don Hendrick made the motion to approve the water and sewer line extension for the T.L.L. Temple Library and Ricky Conner seconded with unanimous affirmative vote being recorded.

10. **Discuss and possibly award contract for the collection of garbage and recycling services.**
After both ProStar Waste and Pineywoods Sanitation spoke on behalf of their company the council looked at both possibilities. Council said maybe in the future the City may consider using cans. Don Hendrick made the motion to take the lowest bidder Pineywoods Sanitation and Fred Mitchell seconded with unanimous affirmative vote being recorded.

11. **Consider and possibly approve the bids to reconstruct a portion of Hendrick Street.**
Billy Sims presents to the council section A, B & C of the reconstruction of Hendrick Street from Harris to Ryan Chapel Road. Mr. Sims also said that one section has been proposed with 4" of asphalt instead of 2" to accommodate wayward truck traffic. Don Hendrick made the motion to accept the lowest bid from Angelina Excavating to repair A, B & C section of Hendrick Street with the credit of $26,725 and Ricky Conner with unanimous affirmative vote being recorded.

12. **Consider date for November council meeting due to Veteran's Holiday.**
Council all agreed on Tuesday, November 13, 2007 at 5:15 P.M.

13. **Executive Session**:
None.

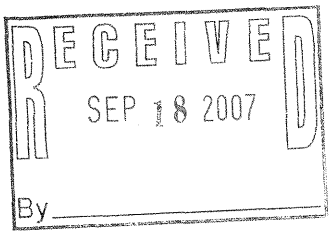
14. **Public Forum.**
Council asked about the city sign needing to be replaced. Mr. Williams said he had already got with Gateway sign.

15. **City Manager Comments.**
Mr. Williams asked the council if anyone would like to go to the TML Convention let him know.

16. **City Council Comments.**
None.

17. **Adjourn.**
Don Hendrick made the motion to adjourn at 6:28 p.m. and Ricky Conner seconded with unanimous votes being recorded.

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September 11, 2007

Dear City Council Members:

My sister, Jo Ann Rainwater, has informed me that the council has decided to correct the spelling of our family name for Hendrix St., thus changing it to "Hendrick."

Our family has wished for that for a long time, and I want to send my thanks for your decision; it becomes special because the correct spelling joins names of other Diboll citizens who have enriched the community in many ways.

I noticed in the Diboll paper that you are continuing to enforce the laws regarding littered yards and porches. Thank you so much for doing that; constant awareness will help keep Diboll neat!

Sincerely,

Betty Hendrick

Ms. Betty Hendrick

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Minutes of the regular city council meeting on Tuesday, November 13, 2007 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	Fred Mitchell
Don Hendrick	Councilman	
Ricky Conner	Councilman	
Gandy Stubblefield	Councilman	
Bryan Wilson	Councilman	

Also Present
Kenneth Williams
Jimmy Cassels
Tina Cavazos
Elvia Garza
Gary Jones
Kent Havard
John Pouland
Bo Smith
Levy Ellison

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Approval of the previous city council meeting minutes of October 23, 2007.**
   Motion was made to approve the previous council meeting minutes by Don Hendrick and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

4. **Discuss and possibly approve amending Red Light Enforcement contract to lower fine from $100.00 to $75.00 and add a charge of $25.00 for late fee.**
   Kent Havard said that they had a meeting that morning and the polls did not meet with state standards, need to be break away. Bryan Wilson asked where the cameras were being installed, and Mr. Havard answer one on south of 59 and one on north 59. Ricky Conner made the motion to approve amending Red Light Enforcement contract to $75.00 and add a $25.00 dollar late fee and Don Hendrick seconded with a unanimous affirmative vote being recorded.

5. **Discuss and possibly approve a resolution to seek a grant from DETCOG for solid waste enforcement.**
   Mr. Williams said that the city had already submitted the grant last Friday. Doug McCoy said that the grant would be for a roll off container, and four lab tops. Bryan Wilson made the motion to approve a resolution to seek a grant from

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DETCOG for solid waste enforcement or disposal and Gandy Stubblefield seconded with a unanimous affirmative vote being recorded.

6. **Hold a public hearing for the taxation of certain goods –in-transit personal property.**
   Mayor Brown open the floor for public hearing, having none, closed the public hearing at 5:39 p.m.

7. **Discuss and possibly approve a resolution and ordinance relating to the approval of taxation of Goods-in-Transit that or otherwise exempted for taxation by the property tax Code.**
   Mr. Williams told the council that it does not affect the city at this time, but if in the future we should need this we only have until December 31, 2007 after that we can not come back and be approve for taxation by the property tax Code. Bryan Wilson asked if there was any business in town that it could affect and Mr. Williams answer maybe ATCO with the building that are sitting around. Ricky Conner made the motion to approve a resolution and ordinance relating to the approval of taxation of Goods-in-Transit that or otherwise exempted for taxation by the property tax Code and Gandy Stubblefield seconded with a unanimous affirmative vote being recorded.

8. **To approve a resolution and appoint a representative for Appraisal District Board of Directors and Review Board.**
   Mr.Willams said Louis Ivey said he would serve another term for the review board and the school had appointed Ronnie Coleman for Appraisal District Board of Directors. Gandy Stubblefield made the motion to approve a resolution to appoint Ronnie Coleman for Appraisal District Board of Directors and Louis Ivey for Review Board and seconded by Ricky Conner with a unanimous affirmative vote being recorded.

9. **To approve a resolution or letter having Mayor, city Manger, Finance Director and City Secretary signature on all bank accounts.**
   Mrs. Garza explains that James Simms was still on the signature card and Bill Brown needs to have his signature on all bank accounts. Don Hendrick made the motion to approve resolution or letter having Mayor Bill Brown, City Manager, Finance Director and City Secretary signature on all bank accounts and Bryan Wilson seconded with a unanimous affirmative vote being recorded.

10. **Discuss and approve a Resolution to establish a "cafeteria plan" which includes the City's HSA contributions.**
    Mrs. Garza said we had more to sign up for this plan then we expected all together we have 15 employees join. Bryan Wilson made the motion to approve a Resolution to establish a "cafeteria plan" which includes the City's HSA contributions and Ricky Conner seconded with a unanimous affirmative vote being recorded.

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11. **Amend city ordinance establishing guideline for holding eligibility for Mayor or City Council.**
Ricky Conner made the motion to table it at this time and seconded by Don Hendrick with a unanimous affirmative vote being recorded.

12. **Discuss and possibly approve authorization to advertise for bids on SCADA System.**
Doug McCoy said that the one we had now was old and that it has been giving the city a lot of false alarm. Don Hendrick made the motion to approve authorization to advertise for bids on SCADA system and Bryan Wilson seconded with a unanimous affirmative vote being recorded.

13. **Discuss and possibly approve authorization to accept sealed bids on a sale of a 1994 Chevrolet Suburban and proceeds to be deposited in the General Fund of the City of Diboll.**
Kent Havard said we are going to sell the Suburban as it is and we will use the staff car instead and give the staff the Ford Taurus. Ricky Conner made the motion to approve authorization to accept sealed bids on a sale of the 1994 Chevrolet Suburban and Don Hendrick seconded with a unanimous affirmative vote being recorded.

14. **Executive Session:**
None.

15. **Canvass the city election votes of November 7, 2007 on Wet & Dry Issue and take action to approve.**
Bryan Wilson made the motion to approve the city election votes of November 7, 2007 on Wet & Dry Issue and Ricky Conner seconded with a unanimous affirmative vote being recorded.

16. **Public Forum.**
None.

17. **City Manager Comments.**
Mr. Williams said that Tex-Dot had announced today that they were looking at two new routes for I-69 and that one of the routes would be coming through Diboll. Mr. Williams said that they were going to having public hearing to get people opinions. Mr. Williams also told the council he had gotten good news from The T.L.L. Temple Foundation for the city's match on the grant for Parks and Wildlife and that we would also receive a check for the repair on the golf course parking lot.

18. Council Comments.
Mayor Brown said a few years back we had talk about put in an ordinance on cur view in Diboll. Mr. Williams said we could put that as a line item on our next

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agenda. Councilman also asked about the Polk construction getting started and if anyone was going to try to rebuild Big Tin Barn.

19. **Adjourn.**
Mayor Brown said having no further business I move to adjourn. Ricky Conner made the motion to adjourn at 6:00 p.m. and Bryan Wilson seconded the motion with a unanimous affirmative vote being recorded.

Mayor, Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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AGENDA
REGULAR CITY COUNCIL MEETING
MONDAY, DECEMBER 10, 2007
5:15 P.M.
DIBOLL CITY HALL

1. Call to order.

2. Invocation.

3. Approve November 13, 2007 city council meeting minutes.

4. Discuss and possibly approve advertising for bids to repair and paint the Safety Center building.

5. Hear and discuss The Texas Local Government Code Chapter 43 concerning municipal annexation.

6. Hear and discuss The Texas Local Government Code Chapter 9 concerning Home Rule Municipalities.

7. Discuss and possibly take action on energy saving plan by Johnson Controls.

8. Consider official request by Brookshire Brothers LTD. For a variances to the City of Diboll ordinance 06-04 section 4 to consider the Sale of Alcohol Beverages near School.

9. Consider and possibly approve credit card revisions.

10. Financial review.

11. EXECUTIVE SESSION:
    Under the authority of Texas Open Meeting Act, Texas Government Code Section 551.001 et seq., the council, during the course of the meeting covered by this notice, may enter closed or executive session for any of the following reason:
    551.74 Discussing personnel or to hear complaints against personnel.
        1. Discuss TMRS retirement plan.

12. Public Forum.

13. City Manager Comments.

14. Council Comments.

15. Adjourn.

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Minutes of the regular city council meeting Monday, December 10, 2007 at 5:15 P.M. at the Diboll City Hall.

Present		Absent
Bill Brown	Mayor	Gandy Stubblefield
Don Hendrick	Councilman	
Ricky Conner	Councilman	
Bryan Wilson	Councilman	
Fred Mitchell	Councilman	

Also Present	
Kenneth Williams	City Manager
Tina Cavazos	City Secretary
Elvia Garza	Finance Director
Doug McCoy	Public Water Director
Brent Hawkins	School Superintendent
Andrea Swor	
John Pouland	
Levi Ellison	
Gary Jones	Street Superintendent
Kent Havard	Police Chief
Pastor Frazier	

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Pastor Frazier gave the invocation.

3. **Approve November 13, 2007 city council meeting minutes**.
   Bryan Wilson made the motion to approve the city council minutes of November 13, 2007 and Ricky Conner seconded with unanimous affirmative votes being recorded.

4. **Discuss and possibly approve advertising for bids to repair and paint the Safety Center building.**
   Mr. Williams said that during the budget workshop the city had approved 15 thousand to go to repair on the building. Kent Havard said that the building was in bad shape with nails coming out, rotten boards, and needs a paint job. The council all discussed different kinds of material to repair the safety building with. Kent Havard asked to advertise for bids on two different kinds of material. Don Hendrick made the motion to advertise for bids on two different types of material and Ricky Conner seconded with unanimous affirmative votes being recorded.

5. **Hear and discuss The Texas Local Government Code Chapter 43 concerning**

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Municipal annexation.

Mr. Williams presented a power point presentation to the council on municipal annexation considerations. Mr. Williams went over goals and objectives of annexation and why Diboll should consider active annexation. Mr. Williams also said our sign says 10 miles to Lufkin but it is actually two miles from city limit to Lufkin. Mr. Williams said if we sit around Lufkin will be on top of us before we know it. Mr. Williams went over the pros and cons for adopting an active annexation policy and the difference from General Law City to a Home Rule City.

6. **Hear and discuss The Texas Local Government Code Chapter 9 concerning Home Rule Municipalities.**

   Mr. Williams presented a power point also on Chapter 9 Home Rule Municipality. Mr. Williams went over the requirements of adopting or amending a Home Rule Charter, Method of Adoption of Home Rule-Used most often, and the procedures. Mr. Williams also went over the pros and cons of Adoption of Home Rule Procedures. Fred Mitchell asked if the city was ready. Mr. Williams said we have some steps we need to look at. Ricky Conner said to get all the information together and presented to the council. Mayor Brown agreed also on getting as much information together and put it on the next council meeting.

7. **Discuss and possibly take action on energy saving plan by Johnson Controls.**

   Jessie Thompson addressed the city council with a presentation on integrated energy solutions. Mr. Thompson went over performance contracting, method of financing, benefits of PC to the City, types of improvements this project could include and who performs these types of projects. Don Hendrick asked what other cities have you work with. Mr. Thompson answered Houston, Tyler, and Dallas. Mr. Thompson said I do not know if there is a project here or what kind of opportunities you might have until we do some walk throughs. Mr. Thompson said we could come back and say there is nothing there and the good thing is you get your primary audit out of this and it is yours. Bryan Wilson made the motion to go with the primary audit and seconded by Don Hendrick with unanimous affirmative votes being recorded.

8. **Consider official request by Brookshire Brothers LTD. For a variances to the City of Diboll ordinance 06-04 section 4 to consider the Sale of Alcohol Beverages near School.**

   Mr. Jack Gabriel, Chief Operating Officer of Brother Brothers presented to the council some of their policies and how they take care of them. They have inside house health department inspection and inside audit. Mr. Gabriel said we have strong policies on illegal drug abuse in our entire stores. Mr. Gabriel said we have a class that all employees have to take for the sale of alcohol beverages. Bryan Wilson asked what age does the employee have to be in order to sale alcohol beverages and Mr. Gabriel said 18 years but the supervisor only duty has to be 21 years and older. Mr. Gabriel said that you could go to any store in Lufkin and you will not find any neon sign or vulgar pictures. Mr. Gabriel said they would not have the beer and wine where the children would have to pass it we

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keep it isolated and if you have been to any of our other stores you know what I mean. Mayor Brown asked to keep posters off windows or billboards about beer or wine.Bryan Wilson said his concern was the loading of the alcohol being in the back where the children could see it. Mr. Gabriel said they will be sure to have delivery on alcohol through the front doors. Don Hendrick said I have a lot of concerns; I have had a lot of calls from concerned citizens. Councilman Hendrick said of course I do not drink. Councilman Hendrick said he just wanted on record that he was against having alcohol at Brookshire Brothers because it being too close to the school. Mayor Brown asked if anyone else had anything to say just step up to the microphone. No one spoke up. Mayor Brown said he was against Alcohol from the beginning but the people voted and they won. Ricky Conner made the motion to grant a variance for the sale of Alcohol to Brookshire Brothers and Bryan Wilson seconded and Fred Mitchell against and Don Hendricks against. Mayor Bill Brown broke the tie and voted for the variance.

9. **Consider and possibly approve credit card revisions.**
   Elvia Garza said the city has issued First Bank & Trust credit cards to some supervisors and this is use for travel and training. Mrs. Garza said we would like to make a few changes and the Bank requires the council approval. First the Civic Center Director does not have a credit card at this time and we would like to issue him one at a $1000.00 limits. The City Manager has one for $2000.00 and would like to move it up to $3000.00. Finance Director and City Secretary has one each for $1000.00 and would like to up it to $2000.00 because the supervisor that do not have one uses ours to reserve there Hotel and schools. Don Hendrick made the motion to approve credit card revisions and Ricky Conner seconded with unanimous affirmative votes being recorded.

10. **Financial review.**
    Elvia Garza said that by this time of the year most departments are at 1/12 of there budget and most are only at 1/8 so departments are doing great. Court is doing great on revenue. Mrs. Garza said that the auditors would be here the first week of January and we should have a good end of the year report by the end of January.

11. **Executive Session:**
    Mayor Brown called the council into executive session at this time to discuss TMRS retirement plan.

    Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

12. **Public Forum.**
    There being none.

13. **City Manager Comments.**
    There being none.

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14. Council Comments.
There being none.

15. There being no further business Don Hendrick made the motion to adjourn and Fred Mitchell seconded with a unanimous affirmative vote being recorded the meeting adjourned at 7:08 p.m.

Bill Brown, Mayor

Attest:

Tina Cavazos, City Secretary

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AGENDA
REGULAR CITY COUNCIL MEETING
CITY OF DIBOLL
MONDAY, JANUARY 14, 2008
5:15 P.M.
DIBOLL CITY HALL

1. Call to order.

2. Invocation.

3. Welcome visitors.

4. Approve December 10, 2007 city council meeting minutes.

5. Discuss T.M.R.S. Actuarial changes.

6. Discuss and possible take action on long term electrical rate proposal by Tim Allen with American Enerpower.

7. Discuss and approve opening account for Nestor.

8. Present fiscal year end 2007 financial reports.

9. Review proposed calendar of City of Diboll Home Rule Municipality Adoption process.

10. Review Bid on Suburban for Police Department.

11. Executive Session:
    Under the authority of Texas Open Meeting Act, Texas Government Code Section 551.001 et seq., the council, during the course of the meeting covered by this notice, may enter closed or executive session for any of the following reason:
    551.74 Discussing personnel or to hear complaints against personnel.
        1. Discuss legal matters with legal council.

12. Public Forum.

13. City Manager Comments.

14. Council Comments.

15. Adjourn.

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Minutes of the regular city council meeting Monday, January 14, 2008 at 5:15 P.M. at the Diboll City Hall.

Present		Absent
Bill Brown	Mayor	None
Bryan Wilson	Councilman	
Ricky Conner	Councilman	
Don Hendrick	Councilman	
Fred Mitchell	Councilman	
Gandy Stubblefield	Councilman	

Also Present	
Jimmy Cassels	City Attorney
Kenneth Williams	City Manager
Tina Cavazos	City Secretary
Elvia Garza	Finance Director
Doug McCoy	Public Works Director
Gary Jones	Street Superintendent
Kent Havard	Police Chief
See Sign- In Sheet	

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Brother Vic Bass gave the invocation.

3. **Welcome visitors.**
   Bill Brown welcomes everyone for coming to the council meeting.

4. **Approve December 10, 2007 city council meeting minutes.**
   Bryan Wilson made the motion to approve the city council minutes of December 10, 2007 and Ricky Conner seconded with unanimous affirmative votes being recorded.

5. **Discuss T.M.R.S. Actuarial changes.**
   Anthony Mills addressed the council with two sets of projections that show city's contribution rate under two scenarios that are being considered by the Board of trustees of the Texas Municipal Retirement System. Mr. Mills said that the rate for 2008 will not change however beginning in January 2008 the city has the option of making additional contributions to TMRS to reduce our liability. Mr. Mills said the bottom line is to ensure that TMRS continues to provide a reasonable retirement benefit at a reasonable cost, preserving the benefits of your employees and the value of the retirement program as part of your city's compensation package. Mr. Mills said we will send another letter after the Board

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meeting announcing any decisions made by the board. Mr. Mills said the staff is ready to work with you city's and help in anyway to keep your members.

6. **Discuss and possible take action on long term electrical rate proposal by Tim Allen with American Enerpower.**
   Tin Allen went over the proposal on a long term energy agreement with the council and how the price of natural gas which affects the price of electricity which has gone down. Mr. Allen went over some prices for a ten year proposed period. After discussion the council agreed to get more details and maybe looking into a shorter term agreement.

7. **Discuss and approve opening account for Nestor.**
   No action was taken on this item.

8. **Present fiscal year end 2007 financial reports.**
   Mr. Williams said that Elvia Garza would give an end of the fiscal year 2006-2007 budget summaries. Mrs. Garza said the budget ended with a surplus in the general fund of 203,700 and water/sewer fund with 136,768. Mrs. Garza said most of the general fund surplus is due to the carrying over of funds to reconstruct Hendrick Street. The Police department received a grant of 97,000 in 2007 and only 59,000 of it were spent. Mrs. Garza said the surplus will not appear as large as some time in the past because we amended the budget several times during the year which was not done before.

9. **Review proposed calendar of City of Diboll Home Rule Municipality Adoption Process**.
   Mr. Williams presented the proposed timeline of how the charter process would work. Mr. Williams said the council would have to adopt the ordinance in the February meeting and things would be completed for the issue to go on the ballot for the May election. Mr. Williams said one main issue is to appoint a group of registered voters called a Charter Commission to work with the City Attorney in the process.

10. **Review Bid on Suburban for Police Department.**
    Chief Kent Havard said one bid was received in the amount of $700.00 and the body along is worth that. Jimmy Cassels said that Kenneth Williams could reject the bid. Council said that Mr. Williams and Kent Havard could get together and bid on line or maybe use it as a trade-in later.

11. **Executive Session:**
    Mayor Brown called the council into executive session at this time to discuss legal matters.

    Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

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12. Public Forum.

Mayor Bill Brown opens the floor for public comments.

Jimmy Cassels explain to the public where Brookshire Brother did not have to come before the council and asked for a variance. Mr. Cassels also apologize to the Mayor for not being at the council meeting.

Brother Vic Bass, Sandy Hendrick, Luddy Bowman, Mr. Mettlen and G B Treadway all spoke of being against Brookshire Brothers selling alcohol in the store when it is next to the primary school. Mr. Thompson his son and grandson also spoke against Brookshire Brother selling alcohol in the store.

Sam Glass said he just needed to see if the city could see why his cable bill was up from around $8.00 to $20.00 dollars.

13. City Manager Comments.

Kenneth Williams said that he wanted to know if anyone was planning to go to the Angelina County Chamber 88th Annual Banquet on January 24, 3008. Mr. Williams said he would to remind everyone about the I-69 meeting at the Lottie Temple Civic Center on February 11, 2008 at 6:00. Mr. Williams mentioned that he would hear on February 24, 2008 about the status of our parks grant.

14. **Council Comments**.

None.

15. Adjourn.

There being no further business Don Hendrick made the motion to adjourn and Ricky Conner seconded with a unanimous affirmative vote being recorded and meeting adjourned at 7:07 p.m.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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Sign In 1-14-2008

Dave Martinez
Bo Smith
J B Broadway
Vic Bass
Tom Alger
Ryan Darnell
Courtney Wilds - TMRS
Luddy Bowman
Sandy Sendrick
John Goulard
Sandra Goulard

Curt Howard

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Sign in 2-11-2008

Dave Martinez

Myrton Thompson

Jerry W. Young

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Minutes of the regular city council meeting on Monday, February 11, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	None
Bryan Wilson	Councilman	
Ricky Conner	Councilman	
Don Hendrick	Councilman	
Fred Mitchell	Councilman	
Gandy Stubblefield	Councilman	

Also Present	
Jimmy Cassels	City Attorney
Kenneth Williams	City Manager
Tina Cavazos	City Secretary
Kent Havard	Police Chief
Doug McCoy	Public Works Director
Mr. Mrs. Levy Ellison	
Nathan Terrell	
Dave Martinez	
Linda Bowman	
Mr. Mrs. Pouland	

See Sign in Sheet

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Welcome of visitors.**
   Mayor Bill Brown welcomes all visitors.

4. **Approve January 14, 2008 city council meeting minutes.**
   Don Hendrick made the motion to approve the January 14, 2008 Council minutes and Ricky Conner seconded with unanimous affirmative vote being recorded.

5. **Discuss and possible approve bids received on maintenance of the Safety Building.**
   After discussing the bids Kent Havard asked if he and Mr. Williams could call the lowest bidder and make sure he understood everything that was on the bid before letting him start. Bryan Wilson made the motion to accept the lowest bid DB Construction of $16,000 and $18,000 with Mr. Havard and Mr. Williams going

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over the bid and make sure they understood it and Fred Mitchell seconded with unanimous affirmative vote being recorded.

6. **Mayor & Council order city council election for May 10, 2008.**
Gandy Stubblefield made the motion to order city council election for May 10, 2008 and Ricky Conner seconded with unanimous affirmative vote being recorded.

7. **Discuss and possibly approve a Home Rule Committee and election ordinance providing for the election to be held on May 10, 2008.**
Mr. Jimmy Cassels said this action will approve a committee of 15 people to work with him writing a new city chapter and also will order the election on the ballot for the possible authorization of a Home Rule Municipality Designation for Diboll. Mr. Cassels said we will have three public hearings to let the committee speak; they could see something that the committee did not see. Mayor Bill Brown said I will call the names of people that said they would serve Ronnie Coleman, Sam Coleman, Bruce Durham, Charles Havard, Emilio Hernandez, Julie Horton, Dave Martinez, Debbie Mitchell, Charlotte Parrish, JoAnn Rainwater, Leonard Robinson, Milford Ruby, Morris Tate, Nathan Terrell, and David Winfrey. Mayor Brown said and the two alternate are Harold Maxwell and Charles Chatman. Mr. Cassels said after election if it passes then we send it to the state and once it passes even if Diboll goes below 5,000 populations we stay Home Rule Committee. Gandy Stubblefield made the motion to approve a Home Rule Committee and election ordinance providing for the election to be held on May 10, 2008 and Don Hendrick seconded with a unanimous affirmative vote being recorded.

8. **Consider and possibly adopt the Street Lighting Tariff Revision regarding the Revision regarding the closing of the installation of new mercury vapor ballasts and/or fixtures after January 1, 2008.**
Mr. Williams said Mr. David Collier is here to answer any question. Mr. Williams said as the mercury vapor lights burn out in Diboll they will be replaced with the sodium fixtures. Mr. Collier said this pass by congress in 2005. Mr. Collier said if you do not adopt it tonight it will go in effect March 1, 2008. Jimmy Cassels asked if this would cost the city more. Mr. Collier said that the light operate 40 cents cheaper and more efficient. Mr. Collier said The City of Diboll has 178 exiting and it will not cost the city to convert. Bryan Wilson made the motion to adopt the Street Lighting Tariff Revision regarding the closing of installation of new mercury vapor ballasts and Ricky Conner seconded with a unanimous affirmative vote being recorded.

9. **Consider and possibly approve the opening of bank account for the processing of rental facility deposits**.
Elvia Garza said that the deposits we receive for rental of our facilities months ahead and we are holding a check that might or might not be good by the time the event is held. Mrs. Garza said if damages occur a renter could also stop payment

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on a check. Mrs. Garza said opening a bank account would protect the city if anything happens during the event and we can hold a portion or all the deposit if needed. Don Hendrick made the motion to approve the opening of a bank account for the processing of rental facility deposits and Fred Mitchell seconded with a unanimous affirmative vote being recorded.

10. Executive Session:

Mayor Bill Brown called the council into executive session at this time to discuss Police Reserve Applicants.

Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

11. Discuss and take action regarding approval of Reserve Office Jerry L. Johnson and Robert Ferguson.

After reviewing applicants Ricky Conner made the motion to approve Jerry L. Johnson and Robert Ferguson for Police Reserve and Bryan Wilson seconded with unanimous affirmative vote being recorded.

12. Public Forum.

Mr. Thompson, Jerry Young and few others spoke against the selling of beer and wine at Brookshire Brothers. Hannah Bowman read a letter to the council about issue of changing the city ordinance on placing a mobile home. Doug McCoy introduces the new water superintendent Ronnie Lyles to the Mayor and Council.

13. City Manager Comments.

Mr. Williams reminds everyone about the Public Hearing on the I-69 TTC at Diboll Civic Center. Mr. Williams also said the City of Diboll had received the grant for the park and we had came in 10th place and won by one point.

14. Council Comments.

None.

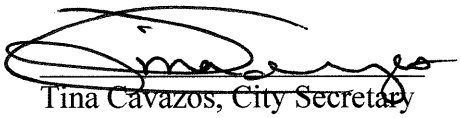
15. Adjourn.

Bryan Wilson made the motion to adjourn at 5:57 and Ricky Conner seconded with a unanimous affirmative vote being recorded.

Bill Brown, Mayor

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ATTEST:



Tina Cavazos, City Secretary

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Minutes of the regular city council meeting on Monday, March 10, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	None
Don Hendrick	Councilman	
Fred Mitchell	Councilman	
Bryan Wilson	Councilman	
Ricky Conner	Councilman	
Gandy Stubblefield	Councilman	

Also Present	
Jimmy Cassels	City Attorney
Kenneth Williams	City Manager
Tina Cavazos	City Secretary
Kent Havard	Police Chief
Finance Director	Elvia Garza
Doug McCoy	Public Works Director
Steve Baker	Police Officer

SEE SIGN IN SHEET

1. **Call to order**.
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Pastor Bruce Frazier gave the invocation.

3. **Approve February 11, 2008 city council meeting minutes.**
   Fred Mitchell made the motion to approve the February 11, 2008 council meeting minutes and Don Hendrick seconded with unanimous affirmative vote being recorded.

4. **To review and possibly approve agreement to conduct joint elections between Diboll Independent School District and The City of Diboll for May 10, 2008 Elections if needed.**
   Bryan Wilson made the motion to approve the agreement to conduct joint elections between Diboll Independent School District and The City of Diboll for May 10, 2008 elections if needed and Don Hendrick seconded with unanimous affirmative vote being recorded.

5. **Discuss and take action to appoint early election officials for Election Judge Billie Willmon and election clerk Betty Capps.**
   Ricky Conner made the motion to appoint early election officials for Election Judge Billie Willmon and Election Clerk Betty Capps and Don Hendrick seconded with unanimous affirmative vote being recorded.

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6. **To hear presentation on Diboll Police Department Racial Profiling report.**
   Chief Kent Havard said this report had to be sent in to Ray West each year and all cities are required to do so. This report contains how many tickets and arrests as well as the gender and race of each violator.

7. **To hear and possibly approve Axley & Rode CPA Firm annual city audit report.**
   Eric Carver gave the council members a copy of the audit report and copy of the letter on matters that need to be considered. Mr. Carver commented that Mrs. Garza and Mr. Williams have done a good job in getting the financial software in place. Mr. Carver said he had already gone over some changes that need to be addressed and Mrs. Garza had replied with a letter to all and he was very pleased. Mayor Bill Brown said that on behalf of council, he wanted to say we appreciate the good work that Elvia Garza and Mr. Williams have done. Don Hendrick made the motion to approve Axley & Rode's annual audit report and Ricky Conner seconded with unanimous affirmative vote being recorded.

8. **Review and possibly amend Investment Policy.**
   Elvia Garza presented to the council the annual review of the investment policy and discussed the possibility of investing some of the city funds into government obligations instead of CD's. Mrs. Garza said this would give us more options and better opportunities. Bryan Wilson made the motion to amend Investment Policy and Fred Mitchell seconded with unanimous affirmative vote being recorded.

9. **Present Investment report.**
   Elvia Garza presented the council with a report on the City's current investments.

10. **Review and possibly amend the 2007-2008 Budget.**
    Elvia Garza said the staff is asking to amend the existing budget to reflect the following, from the Municipal Court Security Fund $3,600.00 for a storage building for records storage, from Court Technology Fund $4,100.00 to improve the current city hall telephone system as to provide message and answering capabilities, and from the equipment fund $21,000 to demolish several old dilapidated buildings around town. Fred Mitchell made the motion to amend the 2007-2008 Budget and Don Hendrick seconded with unanimous affirmative vote being recorded.

11. **Hear Proposed Dilapidated Building eradication program.**
    Mr. Williams said this is one of the reasons we needed to amend the Budget. Doug McCoy said in order to demolish the old buildings it would cost $21,000. Council was glad to hear that this was going to be done.

12. **EXEUTIVE SESSION:**
    None.

13. **Public Forum.**

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Brother Frasier said that they had gotten 344 signatures protesting the sale of alcohol in the Diboll Brookshire Brothers, which he presented to Brookshire Brothers management. Not all the signatures were from Diboll. Mr. Frasier said that he would like the council to look into amending the O6-04 Ordinance on the Sale of Alcohol so that we would never have another business within (300) feet of a School or Church. Council agreed to look over the Ordinance 06-04 Restriction on Alcohol Sales.

14. **Council Comment**.
Bryan Wilson wanted to know if the city was going to fix Mockingbird. Mr. Williams said Doug McCoy had been talking to Campbell about the trucks that messed up the street and he was trying to get them to fix the street as they had agreed.

15. **City Manager Comments.**
None.

16. **Adjourn.**
Don Hendrick made the motion to adjourn at 6:20 p.m.and Bryan Wilson seconded with unanimous affirmative vote being recorded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the called city council meeting Tuesday, March 18, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	Gandy Stubblefield
Don Hendrick	Councilman	
Ricky Conner	Councilman	
Bryan Wilson	Councilman	
Fred Mitchell	Councilman	

Also Present	
Jimmy Cassels	City Attorney
Kenneth Williams	City Manager
Doug McCoy	Public Works Director
Morris Tate	
Jerry	Free Press
Tina Cavazos	City Secretary

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Rev. Bruce Frazier gave the invocation.

3. **To consider and possibly Amend Ordinance No. 06-04 Regulating the sale of Alcoholic Beverages near Churches, Public Parks, Public or Private Schools.**
   Council all looked over the amended ordinance and were pleased with the changes. Ricky Conner made the motion to Amend Ordinance No.06-04 Regulating the sale of Alcoholic Beverages near Churches, Public Parks, Public or Private Schools and Bryan Wilson seconded with unanimous affirmative vote being record.

4. **To hear Joey Gresham presentation from Retail Coach.**
   Mr. Joey Gresham presented to the council his retail study analysis. Mr. Gresham said he had spoken with an ACE Hardware representative and they were interested in putting a business in Diboll. Mr. Gresham said he had talked to several other businesses. Mr. Gresham said most retail businesses look at a town's appearances and Diboll looked great and had much more then most small towns. Mr. Gresham recommended to the City Manager and Council they go to the Economic Trade Show held in San Antonio, Texas each year.

5. **Executive Session:**
   None.

6. **Public Forum.**

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Morris Tate said he would like us to look into who the owner is to the building across from the Post Office so that they can clean up the junk and fix the broken windows. Mr. McCoy said he already has looked into that and taken care of it. Mr. Pouland asked if we had any kind of rule of how many meetings a councilmen can miss before being take out of office. Mr. Cassels said yes it is 25%.

7. **Council Comments.**
   Don Hendrick asked about the Netting over the Baseball complex which is already torn before the season has started. Mr. McCoy said the winds had done that and we have called to get it taken care of.

8. **City Manager Comments.**
   None.

9. **Adjourn.**
   Don Hendrick made the motion to adjourn at 6:20 p.m. and Ricky Conner seconded with unanimous vote being record.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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4/9/08

City Manager and Council,

As a property owner, I have for many months been working with council members trying to arrive at a way to revise our mobile home ordinance. After many discussions it was taken into consideration that a five (5) acre minimum and outside a subdivision would be adequate enough to qualify for a mobile home to be allowed on personal property with restrictions, so I am asking that this be put back on the next agenda and be considered as a starter home or temporary home for our disabled parents, since these needs are poorly met in our city.

Thanks
Lynda
Bowman

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Minutes of the regular city council meeting on April 14, 2008, at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	None
Gandy Stubblefield	Councilman	
Don Hendrick	Councilman	
Bryan Wilson	Councilman	
Fred Mitchell	Councilman	
Ricky Conner	Councilman	

Also Present	
Jimmy Cassels	City Attorney
Kenneth Williams	City Manager
Elvia Garza	Finance Director
Doug McCoy	Public Works Director
Kent Havard	Chief of Police
Tina Cavazos	City Secretary
See Sign-In Sheet	

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   City Manager Kenneth Williams gave the invocation.

3. **Welcome Visitors.**
   Mayor Brown welcomed everyone.

4. **Approve March 10 and March 18, 2008 council meetings minutes.**
   Gandy Stubblefield made the motion to approve the March 10 and March 18, 2008 council meeting minutes and Fred Mitchell seconded with unanimous affirmative vote being recorded.

5. **Discuss and possibly approve an elected official from the City of Diboll to Serve on the Board of Directors for Deep East Texas Council of Governments.**
   Mr. Williams said this expires in July 2008 and at this time we have Gandy Stubblefield serving on this Board.

   Don Hendrick made the motion to appoint Bill Brown to serve on the Board of Directors for Deep East Texas Council of Governments and Ricky Conner seconded with unanimous affirmative vote being recorded.

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6. **To hear presentation from Chief Kent Havard on 2008 Seized Fund Budget.**
   Chief Havard presented to the council the Seized Fund Budget. Mr. Wilson asked about the new vehicle the police department would like to purchase. Chief Havard explained that they found a 2008 Ford F-150 truck for $16,646.82 through Houston/Galveston government sales. Ricky Conner asked about the plans for the new purchase vehicle. Chief Havard explained the Animal Control department would receive his old vehicle; Civic Center would receive the old animal control vehicle.

7. **To discuss and possibly approve Resolution declaring the population of the City of Diboll and providing an effective date.**
   Mr. Williams stated were choosing the 2000 census figure of 5,470. Mr. Williams said in conducting a Home Rule Charter Election we have to adopt a resolution declaring the population of the city.

   Bryan Wilson made the motion to approve Resolution declaring the population of 5470 and Fred Mitchell seconded with unanimous affirmative vote being recorded.

8. **To discuss and adopt ordinance calling an election on questions of adopting the Chapter.**
   No Action taken.

9. **To hear and possible approve Flowers Paint and Body Shop for rate increases on wrecker services.**
   Johnny McAdams said he is requesting a rate increase for wrecker services. Mr. McAdams noted that the rate increase is due to the rising cost of fuel and insurance. Mr. McAdams said the rate increase would be as follows, for arrest $110.00, for wreck $150.00, gate fee $30.00 and storage per day.

   Bryan Wilson made the motion to accept the increase for arrest to $110.00, a wreck to $150.00, $20.00 for storage and with exception of no gate fee or after hour's charges and Ricky Conner seconded with unanimous affirmative vote being recorded.

10. **Executive Session.**
    None.

11. **Public Forum.**
    Bo Smith said he was in the hospital not able to be here when they had the public hearing on Home Rule Chapter so he would like to say how he feels. Bo Smith said he was not against it totally but he felt we went to fast on it. Mr. Smith also said that the City Manager would have more power than the council.

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Pastor Jerry Young said he would like to thank the Mayor and Council for amending the sale of Alcoholic Beverages near Churches, Public Parks, Public or Private Schools.

Mayor Brown said the Home Rule Chapter is the best for Diboll. If anything does not work we can always amend if we need to.

12. Council Comments.

Don Hendrick asked about Mockingbird Street. Mr. William said the city had written a letter to the contractor and we are waiting on a response.

Don Hendrick stated the City Hall parking lot needs some attention. Mr. Williams stated he is aware of the parking lot and it is the next priority of the city. Mr. Williams also noted that they have already asked for bid prices for the parking lot.

13. City Manager Comments.

Mr. Williams said our Red Light Cameras are up and running.

Mr. Williams stated he would like to invite everyone to the ribbon cutting for the Polk's store on Friday, April 18, 2008 at 8:00 a.m.

Mr. Williams said he would like clarify a statement that the Free Press published. Mr. Williams noted that it is not true about him taking this job as a City Manager only if I could live in Lufkin.

LATE ITEM:

14. Consider and possibly approve the amending of the Mobile Home ordinance to allow the temporary placement of a mobile home on a minimum five (5) acre tract and outside a subdivision in the City of Diboll.

Jimmy Cassels said it is up to the council to amend the mobile home ordinance. Bryan Wilson stated he would like for the city to check and see how many properties have a five (5) acre tract in Diboll. It was noted that letters would need to be mail to the surrounding property owners letting them know the Mobile Home Ordinance is requesting to be amended. Linda Bowman said you mean we have to spend tax payer's money to send letters to the same people. Jimmy Cassels said this is not a temporary permit anymore this is amending the ordinance. Gandy Stubblefield stated he feel this request would need to be investigated a little more.

Don Hendrick made the motion to table this request. Ricky Conner seconded with a unanimous affirmative vote being recorded.

15. Consider and possibly authorize municipal services to contract with American Municipal Services to collect unpaid municipal court fines.

Chief Kent Havard said the collection agency will keep 17% of what they collect on tickets older than 2003. Judge Bowers has been the one that has talked to me

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several times about tickets that they can not do anything with, like no driver's license and others.

Chief Havard said Judge Bowers had told him the city has right at one (1) million dollar of these out standing tickets. Chief Havard said when I went to the convention I talked to this company and I checked reference and they are good. Don Hendrick made the motion to authorize municipal services to contract with American Municipal Services to collect unpaid municipal court fines and Bryan Wilson seconded with a unanimous affirmative vote being recorded.

16. To discuss and possibly authorize to accept bid for the purchase of two (2) Grasshoppers for Parks Department.

Mr. Williams said this was discussed at our budget meeting. Mr. Williams said the recommended bid is through Buy Board which is an accepted bidding process for $29,793 and within the budgeted amount of $31,000 dollars.

Bryan Wilson made the motion to accept the bid for the purchase of two (2) Grasshoppers in the amount of $29,793 and Ricky Conner seconded with a unanimous affirmative vote being recorded.

17. Adjourn.

Don Hendrick made the motion to adjourn at 6:35 p.m. and Ricky Conner seconded with a unanimous affirmative vote being recorded.

Mayor, Bill Brown

ATTEST:

City Secretary, Tina Cavazos

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WRECKER RATES

Current City of Diboll Rates:

Arrest or Call Out - $95 110

Wrecks - $125 plus any additional fees, winching, etc. 150

Storage - $15 per day. 20

City of Lufkin	Arrest - $100	Wreck - $150
Angelina County	Lets wrecker company charge what they want.	
Polk County	Arrest - $150	Wreck - $150
Nacogdoches PD	Arrest - $100	Wreck - $150

Please note that it is against TxDOT regulations to charge an after hours fee or a gate fee of any kind.

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Minutes of the regular city council meeting Monday, June 9, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	None
Don Hendrick	Councilman	
Gary Jones	Councilman	
Larry Jones	Councilman	
Fred Mitchell	Councilman	
Ricky Conner	Councilman	

Also Present	
Kenneth Williams	City Manager
Tina Cavazos	City Secretary
Jimmy Cassels	City Attorney
Mr. Pouland	
Billy Sims	K.S.A. Engineers
Kent Havard	Police Chief
Doug McCoy	Public Works Director
Elvia Garza	Finance Director
Mr. Powell	

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Welcome Visitors.**
   Mayor Brown welcomes everyone and asked everyone to turn off their cell phones.

4. **Approve council meeting minutes.**
   Gary Jones made the motion to accept the minutes of the council meetings of May 13, 2008 and May 27, 2008 and Fred Mitchell seconded with a unanimous affirmative vote being recorded.

5. **Approve Intergovernmental Agreement with Angelina County.**
   Mr. Williams said he had talked with the County Commissioner about working together on repairs for streets. Mr. Williams said I have talked to the County about Mockingbird Lane. Council asked if we would be bringing street projects first to the council before repairing. Mr. Williams said yes. Don Hendrick made the motion to approve Intergovernmental Agreement with Angelina County and Gary Jones seconded with unanimous affirmative vote being recorded.

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6. **Hear Presentation and possibly approve The Conservation Fund request from Ellen Temple and Julie Shackelford.**
   Mrs. Temple said about a year ago at an Economic conference they said East Texas would double by the year 2030 and the question came up how are we going to developed and grow. Mrs. Julie Shackelford said we have such great National Forest in East Texas, our lakes, creeks, and rivers, so we need to know how to preserve them. Mrs. Temple said we also have our history and historic sites and we need to know how to use them as our assets. Mrs. Julie Shackelford said that on June 25, 2008 another meeting would take place for further plans. Mrs. Shackelford went on to explain the plan that could help Diboll achieve goals of being an attractive community for business and retirees while maintaining and promotion of our unique resources. Mrs. Shackelford said we need $60,000 for this project and we have some commitments already and we are asking The City of Diboll for $5,000. Mr. Williams said this will come out of our Motel & Hotel Tax Fund. Don Hendrick made the motion to approve the $5,000 to the Conservation fund and Ricky Conner seconded with unanimous affirmative vote being recorded.

7. **Discuss and possibly approve advertising for bids on Employees Insurance.**
   Mr. Williams said this is part of the budget process and it is time for staff to seek bids on employee insurance. Gary Jones made the motion to approve advertising for bids on employees insurance and Ricky Conner seconded with unanimous affirmative vote being recorded.

8. **Approve enter of order in the records of the City of Diboll declaring city Adoption of Home Rule Charter.**
   Mayor said at this time we need to provide more documents for the Justice Department. Jimmy Cassels said at this time the Justice department is looking into our charter and voting. The Justice department is making sure that minority voting is represented and not abused in any way. Mr. Cassels said he had confidence there was no down side to this and we just have to wait for the Justice Department approval. Mr. Cassels said we should just keep operating like we have the last (50) fifty years until we get the approval. Gary Jones made the motion to table it and Don Hendrick seconded with unanimous affirmative vote being recorded.

Late Items.

9. **To discuss and approve Judges and clerks for Runoff election.**
   Mr. Williams said at this time we have for early voting Tina Cavazos as Judge, on Election Day Mr. Wayne Hardy as Judge, Mrs. Isabel Hardy for clerk on Election Day, and if someone else is needed to do so. Ricky Conner made the motion to approve Tina Cavazos as early Judge, Wayne Hardy for Judge on Election Day and Mrs. Hardy for clerk and Gary Jones seconding the motion with unanimous affirmative vote being recorded.

10. **Discuss and possibly approve request by the City of Diboll for an amendment**

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to the 2006 Region I Water Plan, payment for cost of the amendment and submittal of reimbursement grant application to the Texas Water Development Board to Pay for cost associated with the request.

Mr. Williams said in order for the City to seek a low interest loan from the Texas Water Development Board there has to be an amendment to the Region I Water Plan. The Region I's water projections do not meet the City of Diboll's projections. Mr. Williams said we request that they amend their plan in order for us to apply.
Mr. Williams said if we get the WIF money we possibly could use it in conjunction with an Economic Development Assistance Program Grant for the Texas Water Development Board to pay for 50%-100% of the proposed Eason Lake Project. Mr. Williams said we stand to save millions on the Eason Lake project if amended. Mr. Williams said if the loan and grant go through, Texas Water Development Board will allow us to apply for a planning grant that would reimburse us for our cost of $8,691.50. Ricky Conner made the motion to approve the request by the City of Diboll for an amendment to The 2006 Region I Water Plan and Larry Cook seconded with a unanimous affirmative vote being recorded.

11. **Discuss and possibly approve authorization to advertise for bids on a prefabricated building for Amphitheater.**
Mr. Williams said we would like to have this in place for Diboll Day. Mr. Williams said we have met with the staff of Klotz and Associates. Mr. Williams said we have met with Roxanne Ealey of Texas Parks and Wildlife and she has given us approval to proceed. Kenneth Williams said we will be having a groundbreaking ceremony. Councilman asked if the steps are wood and Mr. Williams answered concrete bottom and top wood. Gary Jones made the motion to approve authorization to advertise for bids on a prefabricated building for a new Amphitheater and Fred Mitchell seconded with a unanimous affirmative vote being recorded.

12. **Executive Session:**
Mayor Brown called the council into executive session at this time to discuss Eason Lake Water Well project.

Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city' vault.

13. **Public Forum.**
Arthur Powell said that Mockingbird Street was so bad that his car was going to have to be fixed from all the holes. The city should not have give permission for that truck to go through and they had two other ways to go. Mr. Williams said Mockingbird Street would be fixed and he has been talking to the County which is going to help with street repairs.

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14. Council Comments.

None.

15. City Manager Comments.

Mr. Williams asked if anyone had there comments on Goals.

16. Adjourn.

Gary Jones made the motion to adjourn and Fred Mitchell seconded at 6:35 p.m.

Mayor, Bill Brown

Attest:

Tina Cavazos, City Secretary

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June 16, 2008

Citizens of Diboll, Texas

I regret to inform you that I must withdraw from the Diboll City Council Election.

It has come to my attention that there were 5 votes that were cast for me by voters that were not eligible voters within the City which would mean that I would be 5 votes short of the tie.

All along I have said that I would do what was right and what the Official's found in the recount of the election. I strongly feel that I could not sit on the council knowing the total of the votes were not in my favor.

I do not know how the City Council will fill the other seat on the Council when the Home Rule goes into effect. I can only trust that they will do the right thing.

I, Gary Mike Smith, know that I have not done one thing wrong, but I do know I am doing the right thing now for the City, Mr. Mitchell and the ineligible voters by withdrawing from the run-off.

I think that it is time for us to put this behind us and move forward to build a better tomorrow for Diboll.

Respectfully,

Gary Mike Smith

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CITY OF DIBOLL

June 17, 2008

On June 16, 2008, I received a letter from Gary Mike Smith withdrawing from the Diboll City Council Election Run-off.

Gary Mike learned that the (5) inappropriate votes were cast for him during the City Elections, causing a tie vote between he and Fred Mitchell. It is unfortunate Gary Mike and Fred were caught up in this fraudulent voting scheme. I believe that Gary Mike in no way was involved, or had knowledge, of the inappropriate voting.

Unfortunately, after consulting with the Secretary of State's Office in Austin, we were informed that since the election process has started we are unable to stop the election. Once absentee voting starts the election must take place on Saturday, June 21, 2008.

The process for accepting Gary Mike's withdrawal letter is as follows: The Election will take place Saturday, June 21, 2008, when the City Council meets following the election to canvass the votes, the results will be announced and at that time Gary Mike's letter will be read into record and Fred will be declared the winner.

As for the five that voted inappropriately as well as the election judge that allowed them to vote, this matter is being handled by District Attorney Clyde Herrington.

This entire election situation has put a negative reflection on the City of Diboll. This is a prime example of what happens when people allow themselves to be overcome with individual agendas in lieu of what is best for the entire City of Diboll and the senseless hurt that has been done to such a unique town such as ours. The fallout from the inappropriate voting will wind up costing the City of Diboll a few thousand dollars for the run-off election, money we could definitely use in other areas.

It is time we put this experience behind us and pray that we never run into this situation again. I thank all the citizens of Diboll for their support during this time

Bill Brown
Mayor, City of Diboll

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Minutes of the called city council meeting on Tuesday, July 1, 2008 at 5:15 P.M. at Diboll City Hall.

Present		**Absent**	
Ricky Conner	Pro-Tem Mayor	Bill Brown	Mayor
Don Hendrick	Councilman		
Larry Cook	Councilman		
Gary Jones	Councilman		
Fred Mitchell	Councilman		

Also Present

Kenneth Williams	City Manager
Jimmy Cassels	City Attorney
Tina Cavazos	City Secretary
Kent Havard	Police Chief
Elvia Garza	Finance Director
Jerry	Free Press
Dee Scarborough	Superintendent
Jimmy Mettlen	Superintendent

1. **Call to Order.**
   Ricky Conner called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Welcome.**
   Mr. Conner welcomes all visitors.

4. **Canvass votes from the Runoff election on June 21, 2008.**
   Ricky Conner read the results from the Runoff election as follow (51) fifty-one votes for Fred Mitchell and (31) thirty-one votes for Gary Mike Smith. Mr. Conner read the letter from Gary Mike Smith stating his resignation from the election.

   Tina Cavazos, City Secretary noted that even though Gary Mike Smith resign from the election the City would have to continue with the regular election.

5. **Administer Oath of Office and Issue certificate of Election to Fred Mitchell.**
   Pro-Tem Mayor Ricky Conner administer oath of office and issue certificate of election to Fred Mitchell.

6. **Appoint Mayor Pro-Tem.**
   Gary Jones made the motion to appoint Ricky Conner for Mayor Pro-Tem and Don Hendricks seconded the motion with unanimous affirmative vote being recorded.

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7. **Public Forum.**
Morris Tate said he was disappointed to read in the paper where it would take up to a year on the Home Rule Charter to be in place. Mr. Williams explain that the Justice Department has to give pre-clearance before we can put Home Rule in place. Mr. Tate said we work so hard on this Home Rule Charter and I feel we did a good job. Mr. Williams and councilman agree that everyone had done a good job but unfortunately Justice Department has to give pre-clearance before we can move on.

8. **Council Comments.**
Larry Cook said he would like to see the baseball field that High School play on have some work done like painting and fixing bench. Mr. Cook said with the parks having all those project done with grant money this baseball field is going to stick out. Mr. Williams said he was going to get with the school to see what all can be done.

Don Hendrick stated that Temple Inland use to trim the trees on Hines and he thinks the City should start keeping that area maintain.

Gary Jones said he would like to say what a good job Jimmy Mettlen and Dee Scarborough is doing.

9. **City Manager Comments.**
Mr. Williams said that he would like to let the council know that Dee Scarborough and Jimmy Mettlen have been given new responsibilities. Jimmy Mettlen will be over Parks, Cemetery, Golf Course and Civic Center. Dee Scarborough will be over Wastewater, Water and Street.

10. **Adjourn.**
Don Hendrick made the motion to adjourn at 5:49 p.m. and Gary Jones seconded with unanimous affirmative vote being recorded.

Mayor, Bill Brown

Attest:

Tina Cavazos, City Secretary

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Minutes of the regular city council meeting Monday, July 21, 2008 at 5:15 p.m. at Diboll Council Chambers.

Present		Absent
Bill Brown	Mayor	None
Don Hendrick	Councilman	
Fred Mitchell	Councilman	
Ricky Conner	Councilman	
Gary Jones	Councilman	
Larry Cook	Councilman	

Also Present	
Kenneth Williams	City Manager
Jimmy Cassels	City Attorneyr
Tina Cavazos	City Secretary
Elvia Garza	Finance Director

1. **Call to order.**
   Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Welcome Visitors.**
   Mayor Brown welcomes everyone and asked to turn off their cell phones and on silent because of interference with sound system.

4. **Approve council meeting minutes.**
   Ricky Conner made the motion to approve minutes of the regular council meeting of June 9, 2008 and called council meeting of July 1, 2008 and Larry Cook seconded with unanimous affirmative vote being recorded.

5. **Discuss and possible approve to have the Pledge Allegiance at council meetings.**
   Don Hendrick made the motion to have the Pledge of Allegiance at council meetings and Larry Cook seconded with unanimous affirmative vote being recorded.

6. **Discuss and possibly approve bids on the Amphitheater for Old Orchard Park.**
   Mr. James Flournoy presented the structure of the Amphitheater and went over the footage, material, and prices of the project. Majority of the council were not happy about the price of the Amphitheater since the last meeting of which was an increase of $68,000. Mayor Brown said I have a question how did this project go from $80,000 to $153,629. James Flournoy further discussed the structure of the Amphitheater, and explained to the council that the grant was not approved for

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parking space. **Mayor Brown asked for a motion with no one voting the item died**.

Mayor Brown asked for further discussion.
After further discussion on the material and cost of the Amphitheater and the time frame of it being ready for Diboll Day the Mayor asked for a motion. **Motion was made with (2) two for and (3) three against.**

Voting For	**Voting Against**
Ricky Conner	Gary Jones
Don Hendrick	Fred Mitchell
	Larry Jones

Council went into more detail of this project and the Mayor again asked for a motion. **Don Hendricks made the motion to approve the bid for Amphitheater and Ricky Conner seconded with unanimous affirmative vote being recorded**

7. **Discuss and possibly approve new board member to the Parks & Recreation Board.**
   Larry Cook nominates Mark Kettering to The Parks and Recreation Board in place of Bill Fulmer who has retired. Don Hendrick made the motion to approve Mark Kettering and Gary Jones seconded.

Voting For	**Against**
Don Hendrick	Ricky Conner
Gary Jones	Fred Mitchell
Larry Cook	

   Motion carried.

8. **Consider and possibly appoint Billie Willmon as Diboll Beautiful Clean Coordinator.**
   Table to the next meeting.

9. **Discuss rate increase request on Oncor Electric.**
   Charles Hill said he was here in place of David Collier. Mr. Hill said we are the delivery person and we do not sell electricity. Mr. Hill said we are like UPS we deliver and do not care what company you buy from. Mr. Hill said 20% on your bill is our delivery services for Oncor and that is the part we are talking about tonight. The City of Diboll is a city of original jurisdiction city.

10. **Discuss and possible approve resolution authorizing the suspension of**

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Proposed rates and the intervention of the Public Utility Commission proceeding involving the request to increase electric rates of Oncor Electric.
Gary Jones made the motion to approve resolution authorizing the suspension of proposed rates and the intervention of the Public Utility Commission proceeding involving the request to increase electric rate of Oncor Electric and Fred Mitchell seconded with unanimous affirmative vote being recorded.

11. **Discuss and authorize participation in a coalition of municipalities know as The Alliance of TXU/ONCOR customers ("ATOC") providing for the retention of experts; appoint city manager as city's representive on the coalition; finding that the meeting complies with the open meetings act:**
Ricky Conner made the motion to appoint The City Manager as city's representive on the coalition and to join the coalition Fred Mitchell seconded with unanimous affirmative vote being recorded.

12. **Consider and possibly approve request of a variance to permit construction of Residential dwelling on existing lot to allow a 5' foot side yard setback instead of a 6.5' side yard setback as required.**
The Council listened to Citizens of this neighborhood being against and what it would possibly do to the neighborhood. The Mayor and Council said that the best thing to do is to form a Home Owners Associates Committee.
No Motion taken.

13. **Discuss and take action regarding a resolution to submit a 2209-2010 Texas Community Development Program grant application.**
The city would like to apply for this $250,000 dollar grant to use on street improvements in particular on either Hendricks or Lumberjack. Larry Cook made the motion to approve resolution to submit a 2009-2010 Texas Community Development Program grant application and Don Hendrick seconded with unanimous affirmative vote being recorded.

14. **Discuss and approve new Fund and Cash account for Old Orchard Parks Project**.
Gary Jones made the motion to approve new Fund and cash account for Old Orchard Project and Fred Mitchell seconded with unanimous affirmative vote being recorded.

15. **Executive Session**:
None.

16. **Public Forum.**
James Hines of Mockingbird asked when they were going to start on the street repair.

17. **Budget Workshop.**

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The Council talk about Goals they would like to see accomplish, improve some of our city streets, and about tax hearing if needed.

18. **Council Comments**.
Mr. Williams asked if everyone could meet for another budget workshop on July 31, 2008.

19. **Council Comments.**
None.

20. **Adjourn.**
Fred Mitchell made the motion to adjourn at 8:35 p.m. and Don Hendrick seconded with unanimous affirmative vote being recorded.

Mayor Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the regular city council meeting on August 11, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	None
Ricky Conner	Councilman	
Fred Mitchell	Councilman	
Gary Jones	Councilman	
Don Hendrick	Councilman	
Larry Cook	Councilman	

Also Present

Kenneth Williams	City Manager
Elvia Garza	Finance Director
Kent Havard	Police Chief
Tina Cavazos	City Secretay

1. **Call to order**.
   Mayor Bill Brown called the meeting to order and asked for cell phone to be turn off.

2. **Invocation.**
   Mayor Bill Brown gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinated by those in attendance.

4. **Approve council minutes.**
   Don Hendrick made the motion to approve council minutes of the previous meeting and Ricky Conner seconded with unanimous affirmative vote being recorded.

5. **Discuss and get authorization for street repairs on Mockingbird.**
   Mr. Williams said that he and the Mayor had meet with Campbell Group and reached an agreement from them paying $18,940 for the repairs on Mockingbird Street. They are also requesting permission to use Mockingbird near Farm Road 1818 for access to a tract of land and agreed to pay cost incurred for damaging this section of the road also. Council asked to have this put in writing and signed by The Campbell group.

6. **Discuss and possibly approve Ordinance for authorization for The Texas Department of Transportation to provide Scofflaw Services.**
   This will work when someone goes to register a vehicle if the person has an outstanding Red Light Camera ticket they will not be able to register the vehicle until the ticket is paid. Gary Jones made the motion to approve ordinance for authorization for the Texas Department of Transportation to provide Scofflaw

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Services and Larry Cook seconded with unanimous affirmative vote being recorded.

7. **Discuss and possibly approve Ordinance on City Wide Curfew.**

   The Council discussed a few changes that needed to be made on the Ordinance and had a few more ideas they would like to go over. The Council agreed to bring more ideas by Monday, August 18, 2008.

8. **Executive Session:**
   Mayor Bill Brown called the council into executive session to discuss a Police Reserve Applicant and The City Manager Position.

   Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

9. **Discuss and possibly approve Police Reserve Applicant.**
   Gary Jones made the motion to approve Jacob L. Drahos for Police Reserve Officer and Larry Cook seconded with unanimous affirmative vote being recorded.

10. **Discuss and take action on tax rate and schedule any required public hearings.**
    After discussion the proposed tax rate increased to .05085. Don Hendrick made the motion to the proposed tax rate increased to .05085 and to schedule the required public hearings for August 25, 2008 and September 8, 2008 with Fred Mitchell seconding with unanimous affirmative vote being recorded.

11. **Public Hearing.**
    None.

12. **Budget Workshop.**
    Presentation by Power point.

13. **Council Comments.**
    None.

14. **City Manager Comments.**
    None.

15. **Adjourn.**
    Gary Jones made the motion to adjourn at 10:30 p.m. and Ricky Conner seconded with unanimous affirmative vote being recorded.

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Mayor Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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8-25-08

Sign In

Bo Smith

Karen Robinson

Charles Poland

Bill Adams

Bob Thurber

Dave Martinez

[illegible]

Peter Doyle

Jonathan Terrell

[illegible]

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Minutes of the regular city council meeting on August 25, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	None
Don Hendrick	Councilman	
Larry Cook	Councilman	
Gary Jones	Councilman	
Fred Mitchell	Councilman	
Ricky Conner	Councilman	

Also Present	
Kenneth Williams	City Manager
Jimmy Cassels	City Attorney
Tina Cavazos	City Secretary
Elvia Garza	Finance Director
Kent Havard	Police Chief
Dee Scarborough	Wastewater Superintendent
Ronnie Lyles	Water Superintendent
Jimmy Mettlen	Golf Course Manager

1. **Call to order.**
   Mayor Bill Brown called the meeting to order and asked for cell phone to be turn off.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinated by those in attendance.

4. **Approve council minutes of August 11, 2008.**
   Ricky Conner made the motion to approve council minutes of the previous meeting and Fred Mitchell seconded with unanimous affirmative vote being recorded.

5. **Consider the request by Susan Schinke for a Specific Use Permit on Approximately 2.46 acres located on Largent Street.**
   Ms. Susan Schinke said that the Cat Sanctuary would only house (20) twenty feral cats at a time. Ms. Schinke said they would have picture on the web-site for adoption. Gary Jones made the motion to approve the Specific Use Permit on 205 Largent Street for Cat Sanctuary and Don Hendrick seconded with unanimous affirmative vote being recorded.

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6. **Report on Hendrick Street reconstruction by K.S.A Engineer.**
   Bob Thurber went on to explain about the cracks in the road on Hendrick Street due to the plastic material that was there and during the winter it would not do this. Mr. Thurber said the contractor agreed to come back and fix this without charging the city. Gary Jones said the contractor should have been aware of this situation before they started construction and we do have a warranty. Mr. Thurber said one year warranty. Fred Mitchell asked how long this would take. The answer was (3) three days. Mr. Thurber said that life of asphalt was (7) seven years.

7. **Discuss and possibly award lowest bid received for Employees Insurance.**
   Insurance representative that were presented had the opportunity to speak and go over the quotes and answer question from council. The council all agree to take some more time and look over all bids before making a decision.
   Larry Cook said to table it until the next council meeting September 8 2008 and Don Hendrick seconded. All in favor none opposed.

8. **Discuss and possibly approve contract agreement amendment No.5 between Brazos Transit District and the City of Diboll.**
   Fred Mitchell asked about the rate increase and they said no increase since 2001 and for rides from Diboll to Lufkin 50 cents increase and $1.00 one dollar increase for ride to Nacogdoches. Ricky Conner made the motion to approve contract agreement amendment No.5 between Brazos Transit District and the City of Diboll Larry Cook seconded with unanimous affirmative vote being recorded.

9. **Discuss and possibly approve commercial sewer rate increase.**
   Elvia Garza said she had got a report from TML and we are still below average commercial water rates. Don Hendrick made the motion to approve commercial sewer rate increase and Gary Jones seconded with unanimous affirmative vote being recorded.

10. **Discuss and possibly grant Axley & Rode audit fee.**
    The Council asked Mrs. Garza to seek from different firms on proposals.
    This item tabled until the next council meeting September 8, 2008. All in favor none opposed.

11. **Discuss and possibly approve Ordinance on City Wide Curfew.**
    After discussion and making sure the three steps were put in place council agree with the Ordinance. Don Hendrick made the motion to approve Ordinance on City Wide Curfew and Ricky Conner seconded with unanimous affirmative vote being recorded.

12. **Public Hearing on proposed Tax rate of .5085.**
    Mayor Brown opens the floor for Public Hearing on proposed Tax rate of .5085 having none close the Public Hearing.

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13. **Discuss and possibly approve reservation fee for Old Orchard Park-Volley Ball Court.**
After discussion on one time approval for a Selective Softball team to raise money by having a volleyball tournament. Gary Jones made the motion to reserve the volley-ball court on a one time approval and Don Hendrick seconded with unanimous affirmative vote being recorded.

14. **Discuss and possibly amend the employee sick and vacation leave policy.**
Tabled until next council meeting September 8, 2008.

15. **Consider and possibly approve consultancy agreement between City of Diboll and Leon C. Hallman.**
Mr. Williams said that Mr. Leon C. Hallman said it would take him 2 weeks the most to get this information put together and send it to the Texas Department of Justice. Mr. Williams said we have to have Texas Department of Justice approval before we can go on with Home Rule Chapter. Don Hendrick made the motion to approve consultancy agreement between City of Diboll and Leon C. Hallman and Ricky Conner seconded with unanimous affirmative vote being recorded.

16. **Executive Session:**
Mayor Bill Brown called the council into executive session to discuss City Manager Position.

Mayor Brown called the council back into open session, no decisions were made and not votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

17. **Public Forum.**
Mrs. Claudia Castillo said she was here to let the city council know that she did not want to be taken advantage on a right of way. The last time she had sign off on a right of way the city had never put her driveway back the way it should have been. The council said that if she gave the city the right of way for the sewer line that needed to be replaced in her yard would be in better shape then it is now. The Council said to see Mr. Williams tomorrow and that they would take picture of her yard and for her to see an attorney about the value of her property.

18. **City Council Comments.**
None.

19. **City Manager Comments.**
None.

20. **Adjourn.**
Don Hendrick made the motion to adjourn the meeting at 8:50 p.m. and Gary Jones seconded with unanimous affirmative vote being recorded.

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Mayor, Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the emergency council meeting on Wednesday, August 27, 2008 at 6:00 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	Ricky Conner
Fred Mitchell	Councilman	
Don Hendrick	Councilman	
Larry Cook	Councilman	
Gary Jones	Councilman	

Also Present

Kenneth Williams	City Manager
Tina Cavazos	City Secretary
Jimmy Cassels	City Attorney
Elvia Garza	Finance Director
Kent Havard	Police Chief

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinated by those in attendance.

4. **Executive Session:**
   Mayor Bill Brown called the council into executive session to discuss, meet, and gather information with consultant on Interim City Manager Candidates.

   Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

5. **Hear recommendation from consultant and possibly approve employing him to Aid The City in searching for an interim manager and to employ an interim City Manager on terms approved by The City Council.**
   Tabled.

6. **Public Forum.**
   None.

7. **Council Comments.**
   None.

8. **City Manager Comments.**

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None.

9. Adjourn.
Don Hendrick made the motion to adjourn at 9:00 p.m. and Gary Jones seconded with a unanimous affirmative vote being recorded.

Mayor, Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the regular city council meeting on Monday, September 8, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	Don Hendrick
Fred Mitchell	Councilman	
Larry Cook	Councilman	
Ricky Conner	Councilman	
Gary Jones	Councilman	

Also Present	
Kenneth Williams	City Manager
Jimmy Cassels	City Attorney
Tina Cavazos	City Secretary
Elvia Garza	Finance Director
Kent Havard	Police Chief

1. **Call to order.**
   Mayor Bill Brown called the meeting to order and asked for cell phone to be turn off.

2. **Invocation.**
   Kenneth Williams gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinated by those in attendance.

4. **Approve the previous council meeting minutes of August 25, 2008 and August 27, 2008.**
   Gary Jones made the motion to approve the previous council meeting minutes of August 25, 2008 and August 27, 2008 with Ricky Conner seconded and the unanimous affirmative vote being recorded.

5. **Hear presentation from Tim Allen and possibly designate authority to negotiate contract.**
   Tim Allen said that the City of Diboll electrical agreement expires in May 2009. Mr. Allen said the city can renegotiate its rates now because the price of electricity is tied to the price of natural gas. Mr. Allen said typically September is a good month to negotiate a new rate. Councilman Larry Cook said we need to give a direction.

6. **Discuss and possibly approve recommendation on Employees Insurance.**
   Elvia Garza went over a few plans and the city recommendation to the council was to go with blue Cross Blue Shield M06 plan and the associated HSA plan for approval. Mrs. Garza said to go with the lowest bid Standard Insurance on long

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term life, AD&D and Dental. Larry Cook made the motion to accept recommendation from the city staff and Gary Jones seconded with unanimous affirmative vote being recorded.

7. **Consider and possibly approve commercial water rate increase.**
   Mrs. Elvia Garza said this is a 10% increase and on are last council meeting we approve the sewer rate and water rate were left out. Fred Mitchell made the motion to approve water rate increase of 10 % and Gary Jones seconded with unanimous affirmative vote being recorded.

8. **Consider request for a zone change from the current classification of Agriculture District" to Single Family Dwelling District-2" on approximately .355 acres described as J. R. Chavano Survey-(0010) Tract 227 and located on A.S. Davis.**
   Fred Mitchell said he is for more homes being built and that also help city on tax revenue. Gary Jones made the motion to approve zone change from the current classification of Agriculture District" to Single Family Dwelling District -2" on approximately.335 acres described as J.R. Chavano Survey-(0010) Tract 227 located on A.S. Davis and Larry Cook seconded with unanimous affirmative vote being recorded.

9. **Public Hearing on proposed Tax rate of .5085.**
   Mayor Brown opens the floor for Public Hearing on proposed Tax rate of .5085 having none closed the Public Hearing.

10. **Consider authorization to advertise for bids on a Scada System for automated control of water system.**
    Ronnie Lyles said having this Scada System it will save a lot of overtime and the one on call will have a lab top that will be able to check from home. Gary Jones made the motion to authorize to advertise for bids on a Scada System for automated control of water system and Fred Mitchell seconded with unanimous affirmative vote being recorded.

11. **Discuss and possibly reappoint James Rhone and Roy Hall to the Housing Authority Board.**
    Ricky Conner made the to reappoint James Rhone and Roy Hall to serve on the Housing Authority Board and Fred Mitchell seconded with unanimous affirmative vote being recorded.

12. **Discuss and possibly approve appointing Martha Hernandez to the Housing Authority Board.**
    Ricky Conner made the motion to approve appointing Martha Hernandez to serve on the Housing Authority Board and Gary Jones seconded with unanimous affirmative vote being recorded.

13. **Discuss and possibly amend the employee's vacation and sick leave policy**

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allowing for transfers between employees.
Elvia Garza said the staff has come up with a figure of $5,000 to Bank into the vacation to sick plan. Mrs. Garza said we would have a 3 person committee appoint by the City Manager. Larry Cook made the motion to amend the employee's vacation and sick leave policy allowing for transfers between employee and form a committee with 3 person with Ricky Conner seconding with unanimous affirmative vote being recorded.

14. Executive Session.
Mayor Bill Brown called the council into executive session to discuss employee's usage of City Vehicles and city manager position.

Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

15. Public Forum.
None.

16. City Council Comments.
Bill Brown said to Mr. Williams on behalf of myself and council we having enjoy working with you and wish you luck with your new job in City of Buda. Fred Mitchell said he appreciate his hard work and all he did for the City of Diboll.

17. City Manager Comments.
Mr. Williams said he enjoyed working with everyone and the support the staff gave him.

18. Adjourn.
Gary Jones made the motion to adjourn the meeting at 6:40 p.m. and Fred Mitchell seconded with unanimous affirmative vote being recorded.

Mayor, Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the called city council meeting on Thursday, September 18, 2008 at 12:00 noon at Diboll City Hall.

Present		Absent
Bill Brown	Mayor	Ricky Conner
Don Hendrick	Councilman	Gary Jones
Larry Jones	Councilman	

Also Present	
Tina Cavazos	City Secretary
Kent Havard	Interim I
Elvia Garza	Interim II
Jimmy Mettlen	
Dee Scarborough	
Morris Tate	

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Mayor Brown gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinate by attendance.

4. **Approval of previous city council meeting minutes of September 8, 2008.**
   Gary Jones made the motion and Don Hendrick seconded.
   All in favor None opposed.

5. **Public Hearing on City of Diboll Budget for fiscal year 2008-2009.**
   None opposed.

6. **Discuss and possibly adopt the City of Diboll Budget for fiscal year 2009-2009.**
   Motions by Larry Cook and seconded by Gary Jones.
   All in favor None opposed

7. **Consider an ordinance levying the property tax rate of .05085 per hundred dollars valuation.**
   Don Hendrick moved that property taxes be increased by the adoption of a tax rate of 0.05085 and Gary Jones seconded.
   All in favor None opposed

8. **Consider and possibly appoint Billie Willmon as Diboll Beautiful Clean Coordinator.**
   Motion by Gary Jones and Don Hendrick seconded.

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All in favor None opposed

9. **Discuss and possibly approve authorization to advertise for bids on 2008 TCDP sewer system improvements.**
   Motion by Larry Cook and seconded by Gary Jones.
   All in favor None opposed

10. **Discuss and possibly approve authorization to advertise for bids to contract Code Inspection Service.**
    Motion by Gary Jones and seconded by Don Hendrick.
    All in favor None opposed

11. **Executive session:**
    Mayor Brown called the council into executive session to review City Manager Applicants.

    Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

12. **Public Forum.**
    Mr. Morris Tate asked about Home Rule Charter. Council said the Texas Department of Justice had not approved our Division.

13. **Council Comments.**
    Council had discussion about the size of Amphitheater.

14. **Interim Comments.**
    None.

15. **Adjourn.**
    Motion to adjourn by Gary Jones seconded by Don Hendrick at 12:45.

Bill Brown, Mayor

Attest:

Tina Cavazos, City Secretary

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Minutes of the called council meeting on Tuesday, September 30, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Mayor	Bill Brown	None
Mayor Pro-Tem	Ricky Conner	
Councilman	Don Hendrick	
Councilman	Gary Jones	
Councilman	Larry Cook	
Councilman	Fred Mitchell	

Also Present
Jimmy Cassels
Tina Cavazos
Elvia Garza
Kent Havard

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Mayor Brown gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinated by those in attendance

4. **Discuss and possibly approve authorization to advertise for bids on one (1) 150 KW,Lp Gas, 480 volt, three (3) Amp ATS Generator.**
   Kent Havard said this will go on Well # 3.
   Gary Jones made the motion to approve authorization to advertise for bids on one (1) 150 KW,LP Gas, 480 volt, three (3) phases, 300 Amp ATS Generator and Don Hendrick seconded.
   All In Favor None opposed

5. **Executive Session:**
   Mayor Bill Brown called the council into executive session to discuss personnel and City Manager applicants.

   Mayor Brown called the council back into open session, no decision was made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

6. **Public Forum.**
   John R. Pouland discuss about city employees going to Lufkin to shop. Mr. Pouland felt that the employees could get anything they needed for The Parks Department instead of wasting gas and going to Lufkin.

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David Martinez asked about the Home Rule Charter and Mr. Cassels said that he would be meeting with Mr. Holman on the census and resubmit our Wards and hope to hear from Texas Department of Justice shortly after.

7. **Council Comments.**
   Larry Cook asked the city to check on Mr. Powell limbs that were cut down in his driveway. Gary Jones said the city done a good job on working together with Hurricane Ike.

8. **Interim Comments.**
   None.

9. **Adjourn.**
   Larry Cook made the motion to adjourn the meeting at 6:32 p.m. and Don Hendrick seconded with unanimous affirmative vote being recorded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the called council meeting on Monday October 6, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Ricky Conner	Pro-Tem Mayor	Bill Brown
Don Hendrick	Councilman	
Fred Mitchell	Councilman	
Larry Cook	Councilman	
Gary Jones	Councilman	

Also Present	
Elvia Garza	Interim II
Kent Havard	Interim I
Tina Cavazos	City Secretary

1. **Call to order.**
   Mayor Pro-Tem Ricky Conner called the meeting to order.

2. **Invocation.**
   Don Hendrick gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinate by those attendances.

4. **Executive Session:**
   Mayor Pro-Tem called the council into executive session to look over City Manager Applicants.

   Mayor Pro-Tem called the council back into open session, no decision was made and no votes were cast. Minutes of the executive session meeting are kept in a locked box in the city's vault.

5. **Public Forum.**
   None.

6. **Council Comments.**
   Don Hendrick said the city had done a great job in working together after Hurricane Ike. The city to look good for Diboll Day.

7. **Interim Comments.**
   None.

8. **Adjourn.**
   Motion to adjourn made by Larry Cook and seconded by Fred Mitchell meeting adjourned 9:29 p.m.

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Pro-Tem Mayor Ricky Conner

Attest:

City Secretary, Tina Cavazos

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Minutes of the regular council meeting on Monday, October 13, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Mayor	Bill Brown	None
Mayor Pro-Tem	Ricky Conner	
Councilman	Don Hendrick	
Councilman	Gary Jones	
Councilman	Larry Cook	
Councilman	Fred Mitchell	

Also Present	Also Present
Jimmy Cassels	David Martinez
Tina Cavazos	Morris Tate
Elvia Garza	Billy Sims KSA Engineer
Kent Havard	James Flourney Klotz & Assoc.
Ronnie Lyles	
Jimmy Mettlen	
Dee Scarborough	

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Pastor Frazier gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinate by attendance.

4. **Approve previous council meetings minutes, September 30, 2008, September 18, 2008 and October 6, 2008.**
   Ricky Conner made the motion and Fred Mitchell seconded.
   All in Favor None opposed

5. **Hear presentation from James Flournoy of Klotz and Associates on Old Orchard Park Project update.**
   James Flournoy explained some of the details that are left to be completed on Amphitheater. Mr. Flournoy stated they will start in November on the soccer fields and concession stand and try to have it ready for little league in March. Larry Cook said the High School Baseball Field needed fixed because it's in bad shape. Council agrees and they said we should wait until the new city manager and get with the school. Don Hendrick said the seating and fence was in bad shape.

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6. **Discuss and award bid on South First Street Sewer Project.**
   Billy Sims said Angelina Excavating, Inc. was the lowest bid of $248,190.00. Billy Sims went over the details on this project. Don Hendrick made the motion to award bid and Ricky Conner seconded.
   All in favor None opposed

7. **Discuss and award Audit service contract.**
   Mrs. Elvia Garza said we received two bids Axley & Rode submitted a proposal of $19,000 for both 2008 and 2009 Audit. Alexander, Lankford & Heirs submitted a proposal of $24,000 for 2008 and $25,000 for 2009. Larry Cook made the motion to accept Axley & Rode of $19,000 for both 2008 and 2009 and Fred Mitchell seconded.
   All in favor None opposed

8. **Discuss and possibly approve resolution denying the rate increase proposed by Oncor and authorizing intervention in the Public Utility commission proceeding involving the request to increase electric rates.**
   Don Hendrick made the motion and Ricky Conner seconded.
   All in favor None opposed

9. **Discuss and possibly approve to amend Scofflaw ordinance to provide services by County Tax Assessor and or the Texas Department of Transportation.**
   Kent Havard said this is better because people go every year and register their vehicle and if they owe tickets they will not be able to register their vehicle until the tickets paid.
   Ricky Conner made the motion and Don Hendrick seconded.
   All in favor None opposed

10. **Discuss and authorize advertising for one (1) 35 KW, LP Gas, 480 volt, three (3) Phase generator set, and 100 amp ATS generators for water wells #2, #3 and #4 with start up fee included.**
    Gary Jones made the motion to authorize advertising for one (1) one 35 KW, LP Gas, 480 volt, three (3) phase generator set, 100 amp ATS generators for water wells # 2, #3 and #4 with start up fee included.

11. **Discuss and possibly approve to authorize advertising for installation and electrical work of (3) three generators for water wells #2, #3, and #4.**
    Gary Jones made the motion to authorize advertising for installation and electrical work of (3) three generators for water wells # 2, #3, and #4 and seconded by Ricky Conner.
    All in favor None opposed

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12. Discuss and possibly approve purchasing policy amendment.
The Mayor and Council said that all bids need to be seal and return to City Secretary. Ricky Conner made the motion to approve purchasing policy amendment and Don Hendrick seconded.

All in favor None opposed

13. Executive session:
Mayor Brown called the council into executive session at this time to discuss city manager applicants.

Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

14. Interim comments.
None.

15. Council comments.
Bill Brown said he had withdrawn his application from the city manager position.

16. Adjourn.
Larry Cook made the motion to adjourn at 6:39 p.m. and Ricky Conner seconded.
All in favor None opposed

Mayor, Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the regular city council meeting on Monday, November 10, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Mayor	Bill Brown	None
Mayor Pro-Tem	Ricky Conner	
Councilman	Don Hendrick	
Councilman	Gary Jones	
Councilman	Larry Cook	
Councilman	Fred Mitchell	

Also Present
Jimmy Cassels
Tina Cavazos
Elvia Garza
Kent Havard

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Pastor Frazier gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinate by attendance.

4. **Approve previous city council minutes of October 13, 2008.**
   Don Hendrick made the motion to approve council minutes of October 13, 2008 and Ricky Conner seconded.
   All in Favor None Opposed

5. **Discuss and possibly approve naming a Pavilion in the Park after James Simms.**
   Larry Cook said James Simms would rather have the Public Safety Center names after him.
   Tabled until next meeting.
   All in Favor None Opposed

6. **Hear presentation from Raymond Smith in reference to Louis "Pop" Jordan Field that was approved by Parks Board.**
   Kent Havard said Mr. Smith could not be here tonight. Mr. Smith had to work and would like to donate money for the labor or time donates on fixing the fence to make the "Pop" Jordan Field. Dewayne Stanford said that more people have asked to if they could donate money to the City and have there business sign put on the fence.
   Council said that it needs to be presented to the Parks and Recreation Board.

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7. **Discuss and possibly approve proposal from Raymond Smith in reference to Louis "Pop" Jordan Field.**
   Larry Cook made the motion to accept the donation from Raymond Smith and Gary Jones seconded.
   All in favor None opposed

8. **Presentation on Parks Project from James Flournoy of Kltoz and Associates.**
   Mr. Flournoy went over the plans for the baseball field maintenance and new concession stand and parking lot for the Old Orchard Park.

9. **Discuss and possibly approve bids on one (1) 150 KW, LP Gas, 480 Volt, three (3) Phase, 300 AMP ATS Generator with start-up fees included.**
   Aftering looking through all bids this item was tabled until next meeting for further review on specification by Kent Havard.
   Larry Cook made the motion to table until next meeting and Ricky Conner seconded.
   All in favor. None opposed.

10. **Discuss and possibly approve bids electrical installation of one (1) 150 KW, LP gas volt, three (3) phases, 300 AMP ATS Generator and one (1) 80 KW, LP gas, 480 volt three (3) phase generator.**
    Don Hendrick made the motion to table this item until next meeting and seconded by Gary Jones.
    All in favor. None opposed.

11. **Discuss and possibly approve the change of Christmas Holidays from December 24 and 25 to December 25 and 26.**
    Mrs. Elvia Garza said the employee would all rather work on Wednesday to have Thursday and Friday off to have more time with there Families.
    Gary Jones made the motion and Fred Mitchell seconded.
    All in favor. None opposed.

12. **Review and possibly amend Wrecker Services Ordinance.**
    After Council listen to both John Flowers and Mrs. Flowers on state rules the Council said more information was needed and for Kent Havard see Jimmy Cassels with the Ordinance.
    No action taken.

13. **Executive Session:**
    Mayor Brown called the council into executive session at this time to discuss city manager applicants.

    Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

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14. Review and possibly approve agreement with City Manager applicant.
Larry Cook made the motion to approve agreement with Dennis McDuffie and Gary Jones seconded.

All in favor. None opposed.

15. Public Forum.
No Comments.

16. **Council Comments**.
Council said they appreciate the great job Kent Havard and Elvia Garza have been doing. Mayor Brown and Council congratulate Dennis McDuffie as the new city manager that will start January 15, 2009 if not sooner.

17. Interim Comments.
Mr. Havard introduces Crystal Williams the new Civic Center director to the Council.

18. Adjourn.
Gary Jones made the motion to adjourn at 6:46 p.m. and Don Hendrick seconded.
All in favor. None opposed.

BEST

Mayor, Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the called council meeting on Tuesday, November 25, 2008 at 5:15 p.m. at Diboll City Hall.

Present		**Absent**
Councilman	Don Hendrick	Bill Brown Mayor
Councilman	Gary Jones	Ricky Conner
Councilman	Larry Cook	
Councilman	Fred Mitchell	

Also Present
Jimmy Cassels
Tina Cavazos
Elvia Garza
Kent Havard

1. **Call to order.**
   Councilman Don Hendrick called the meeting to order.

2. **Invocation.**
   Don Hendrick gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinated by those in attendance.

4. **Consider and possibly approve the adoption of map of the City of Diboll which Display voting district under the proposal Home Rule Charter.**
   Jimmy Cassels said that changes to the map were required on the four districts included in the Home Rule Charter. The revised map could then be sent to the Department of Justice for approval.

   Gary Jones made the motion to approve the adoption of map of the City of Diboll which display voting district under the proposal Home Rule Charter and Fred Mitchell seconded.
   All in favor. None opposed.

5. **Consider and possibly approve resolution reflecting adoption of the map describe above.**
   Fred Mitchell made the motion to approve resolution reflecting adoption of the map describes above and Gary Jones seconded.
   All in favor. None opposed.

6. **Public Forum.**
   Mr. Morris Tate asked about the Home Rule Chapter and it has taken so long. Mr. Cassels said the map on the (4) four districts had to be redone and the city must receive approval from the Department of Justice.

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7. **Interim Comments.**
   Elvia Garza said that Bill Cameron would not continue to video our meetings. The new videographer's rates were comparable to Mr. Cameron's.

8. **Adjourn.**
   Larry Cook made the motion to adjourn at 5:25 p.m. and Fred Mitchell seconded. All in favor. None opposed.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the regular city council meeting on Monday, December 8, 2008 at 5:15 p.m. at Diboll City Hall.

Present		Absent
Mayor	Bill Brown	None
Mayor Pro-Tem	Ricky Conner	
Councilman	Don Hendrick	
Councilman	Gary Jones	
Councilman	Larry Cook	
Councilman	Fred Mitchell	

Also Present
Jimmy Cassels
Tina Cavazos
Elvia Garza
Kent Havard

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Councilman Fred Mitchell gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinated by those in attendance.

4. **Approve previous city council minutes of November 10, 2008.**
   Ricky Conner made the motion to approve council minutes of November 10, 2008 and Gary Jones seconded.
   All in favor. None opposed.

5. **Discuss and possibly award bid for SCADA.**
   Mrs. Elvia Garza said five bids were received. Ronnie Lyles said the old system has not been working properly. Mr. Lyles said parts are even hard to find for this old system. Don Hendrick made the motion to award to the lowest bidder and Ricky Conner seconded.
   All in favor. None opposed.

6. **Presentation from Klotz Associates on Old Orchard Park Project and possibly authorization to advertise for bids on Phase II-Ball fields, Rehabs, pavilions and Concession stand.**
   James Flourney went over the plans and showed what the concession stand would look like and where the Pavilion would be in the Park. Council gave their opinion were they thought the Pavilion would be best placed. Mr. Flourney said that would be fine.

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Gary Jones made the motion to authorize to advertise for bids on Phase II-Ball field, Rehabs, pavilions and concession stand with Don Hendrick seconding.
All in favor. None opposed.

7. **Consider and possibly approve authorization to advertise for bids on Phase II-Pond excavation, Boardwalk/Pier, Soccer Field, Sidewalk Extension, and Parking Improvements.**
Ricky Conner made the motion to approve authorization to advertise for bids on Phase II-pond excavation, Boardwalk/Pier, Soccer Field, Sidewalk Extension, and Parking improvements with Larry Cook seconding.
All in favor. None opposed.

8. **Discuss and possibly approve naming the Public Safety Center after James P. Simms.**
Larry Cook made the motion to approve naming the Public Safety Center after James P. Simms and Gary Jones seconded.
All in favor. None opposed.

9. **Discuss and possibly authorize advertisement for bids on repairs to Public Safety Center building.**
Kent Havard said last year we tried to repair this building but it cost more then we had in the budget. Gary Jones made the motion to authorize advertisement for bids on repairs to Public Safety building and Fred Mitchell seconded.
All in favor. None opposed.

10. **Discuss and possibly award bid on generator.**
Fred Mitchell made the motion to award the bid on generators to the lowest bidder, Morrison's Supply and Larry Cook seconded.
All in favor. None opposed.

11. **Discuss and possibly award bid on electrical installation of generators.**
Ricky Conner made the motion to award lowest bid on electrical installation of generators to Caver's Electric and Don Hendrick seconded.
All in favor. None opposed.

12. **Discuss and possibly approve recommendation from Civic Center Board Members for replacement of Bill Fulmer and Donna Smart.**
Mr. Havard said the board met last week and recommended Jana Jones and Ruby Gordon as new board members. Mr. Havard said the board wanted us to check and see if they could have 2 more members. Gary Jones said we need to look in our by laws. He remembers having some for the Civic Center Board.
Don Hendrick made the motion to approve recommendation from Civic Center Board for two new members, Jana Jones and Ruby Gordon.
All in favor. None opposed.

13. **Discuss and possibly appoint someone to serve on I-69 Committee.**

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Mayor Brown said he would love to serve on the I-69 Committee if no one else wanted to.
Don Hendrick made the motion to appoint Mayor Brown to serve on I-69 Committee and Gary Jones seconded.
All in favor. None opposed.

14. Executive Session:
Mayor Brown called the council into executive session at this time to discuss Police Reserve Applicant Mr. B. Clay Colwell and Eason Lake water issue.

Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

15. Consider and possibly approve Police Reserve applicant B. Clay Colwell.
Gary Jones made the motion to approve Police Reserve applicant B. Clay Colwell and Larry Cook seconded.
All in favor. None opposed.

16. Discuss and possibly approve authorization to advertise for bids on maintenance to Well #5.
Ronnie Lyles said they should start in February and finish by April. Mr. Lyles said we are going to send a T.V. camera to inspected the well and do all the maintenance that is needed.
Don Hendrick made the motion to approve authorization to advertise for bids on maintenance to Well #5 and Fred Mitchell seconded.
All in favor. None opposed.

17. Public Forum.
Dewayne Stanford said that they would like to get started on the fence at Pop Jordan baseball field since it is about (5) five weeks till baseball season. Mr. Stanford said we have football boys that are willing to volunteer before the Christmas Holidays.

18. Council Comments.
Mayor and Council said they were please with the new Christmas decoration on 59. Mayor Brown said he would like for us to check and see how much it would cost to get decoration for all the poles on 59. Joshua Richard said he did not know for sure but he thought there were about 20 additional poles and that the decoration was around $300.00 a piece.

19. Interim Comments.
None.

20. Adjourn.
Don Hendrick made the motion to adjourn at 6:44 p.m. and Gary Jones seconded.

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All in favor. None opposed.

Mayor, Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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Minutes of the regular council meeting on Monday, January 12, 2009 at 5:15 p.m. at Diboll City Hall.

Present
Mayor Bill Brown, Council members Don Hendrick, Gary Jones. Ricky Conner, Fred Mitchell and Larry Cook.

Also Present

Dennis McDuffie	City Manager
Jimmy Cassels	City Attorney
Elvia Garza	Finance Director
Kent Havard	Police Chief
Billy Sims	KSA Engineer

1. **Call to order.**
   Mayor Bill Brown called the meeting to order.

2. **Invocation.**
   Bill Brown gave the invocation.

3. **Pledge of Allegiance.**
   Pledge was coordinate by attendances.

4. **Approve previous council minutes of November 25, and December 8, 2008 council meetings.**
   Ricky Conner made the motion to approve the council minutes of November 25, and December 8 of 2008 and Gary Jones seconded.
   All in favor. None opposed.

5. **Billy Simms of K.S.A. Engineer to update on Eason Lake Water Project.**
   To be schedule for a workshop on January 26, 2009.

6. **Discuss and possibly approve change orders on South First Street Sewer project.**
   Don Hendrick made the motion to approve the change orders on South First Street Sewer Project and Ricky Conner seconded.
   All in favor None opposed

7. **Discuss and possibly approve bid on reconstruction of Water Well #5.**
   Gary Jones made the motion to approve the lowest bid from Layne Christenson in the amount of $92,644 and Don Hendrick seconded.
   All in favor. None opposed.

8. **Discuss and possibly approve back flow prevention Ordinance requiring a back flow prevention device on sewer in the City of Diboll.**

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Postpone.

9. **Hear and possibly approve presentation form Brenda Russell regarding installation of new sign (No Thru Traffic) by the Library and other issue.**
   Postpone Indefinitely.

10. **Hear presentation regarding community disturbance that occurred in the Diboll Housing Area.**
    Police Chief Kent Havard explains the disturbance and action taken concerning the disturbance.
    Al Gibson also spoke about the disturbance and on behalf of the people that live in the area.

11. **Consider and possibly approve resolution adoption of Diboll which reflects adopting a revised voting map to be sent to the Department of Justice.**
    Postpone until February city council meeting.

12. **Executive Session:**
    Mayor Bill Brown called the city council into executive session at this time to discuss proposed Police Reserve Applicant.

    Mayor Brown called the city council back into open session, no decision was made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the City's vault.

13. **Discuss and possibly approve Police Reserve applicant Matthew N. Reppond.**
    Motion made by Ricky Conner. Seconded by Gary Jones.
    All in favor None opposed

14. **To hear presentation from James Flournoy (project engineer) regarding Old Orchard Park renovations Project.**
    Mr. Flournoy updated the City Manager and City Council regarding Old Orchard Park renovations project.

15. **Discuss and possibly approve T.L.L. Temple Memorial Library board member (Mark Shepherd).**
    Don Hendrick made the motion. Seconded by Larry Cook.
    All in favor None opposed

16. **Public Forum.**
    None.

17. **Council Comments.**
    Mayor Brown thanks both Elvia Garza and Kent Havard for doing a good job as Interim City Manager.
    Councilman Mitchell spoke about helping the community to stop from having

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another disturbance.

18. City Manager Comments.

Mr. Dennis McDuffie said he was happy to be here and thank Elvia Garza and Kent Havard for the smooth transition on his first day.

18. Adjourn.

Don Hendrick made the motion to adjourn at 6:20 p.m. Ricky Conner seconded.
All in favor None opposed

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JANUARY 26, 2009

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON WEDNESDAY, JANUARY 26, 2009 AT 5:15 P.M., 400 KENELY STREET, AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

WORKSHOP AGENDA

1. DISCUSSION AND UPDATE ON THE EASON LAKE WATER PROJECT WITH KSA ENGINEER.

REGULAR AGENDA

2. PUBLIC HEARING REGARDING THE ADOPTION OF A REVISED VOTING MAP FOR THE CITY OF DIBOLL UNDER THE HOME RULE CHARTER.

DISCUSSION & ACTION

3. CONSIDER ADOPTING A RESOLUTION APPROVING A VOTING MAP FOR THE CITY OF DIBOLL UNDER THE HOME RULE CHARTER.

CITY MANAGER REPORT

4. CHANGE IN AGENDA FORMAT

ADJOURN

Dated this the 22nd day of January 2009.
City of Diboll

By 

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City Diboll, Texas, a place convenient and readily accessible to the general public at all times, and the Notice was posted on January 22, 2009, at 9:10 p.m. and remained so posted for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 22nd day of January 2009.



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Minutes of the council meeting on Monday, January 26, 2009 at 5:15 p.m. at Diboll City Hall Council Chambers.

Present		Absent
Mayor	Bill Brown	None
Councilman	Don Hendrick	
Councilman	Gary Jones	
Councilman	Larry Cook	
Councilman	Fred Mitchell	
Councilman	Ricky Conner	

Also Present

City Attorney	Jimmy Cassels
City Manager	Dennis McDuffie
City Secretary	Tina Cavazos
Finance Director	Elvia Garza
Police Chief	Kent Havard

Mayor Bill Brown called the meeting to order and Fred Mitchell gave the invocation. Pledge was coordinate by those in attendance.

WORKSHOP AGENDA

1. **Discussion and update on The Eason Lake Water Project with KSA Engineer.**
   Billy Simms of KSA Engineer updated the City Council on the Construction Cost and different options.

REGULAR AGENDA

2. **Public Hearing regarding the adoptions of a revised voting map for the City of Diboll under the Home Rule Charter.**
   Mr. Jimmy Cassels explain the areas on Rutland and part of Carter Drive that were change on the map so the population would be equal. Mr. Cassels said it would be sent back for Department of Justice approval.
   Mayor Brown opens the floor for Public Comments.
   Morris Tate asked about it being on the May election date.

   Mayor Brown closed the Public Forum at 6:39 p.m.

3. **Consider adopting a resolution approving a voting map for the City of Diboll Under The Home Rule Charter.**
   The item was postponed. For more public input.

   CITY MANAGER REPORT

4. **Change in Agenda Format.**

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City Manager Dennis McDuffie introduced and explained the new city council agenda format.

Adjourn

Ricky Conner made the motion to adjourn at 6:41 p.m. Gary Jones seconded.
All in favor None opposed

Bill Brown, Mayor

Attest:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON FEBRUARY 9, 2009

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, FEBRUARY 9, 2009 AT 5:15 P.M., AT 400 KENELY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1.CONSIDER APPROVING MINUTES OF REGULAR CITY COUNCIL MEETINGS HELD ON JANUARY 12, AND JANUARY 26, 2009.

2.CONSIDER ORDERING A MUNICIPAL ELECTION FOR MAY 9, 2009.

3.CONSIDER APOPTING A RESOLUTION TO HOLD A JOINT ELECTION AGREEMENT WITH THE DIBOLL INDEPENDENT SCHOOL DISTRICT.

4.CONSIDER ADOPTING A RESOLUTION APPROVING A NEW ACCONT TO IMPLEMENT SCAFFLOW.

OLD BUSINESS-DISCUSSION & ACTION

5.HOLD A PUBLIC HEARING REGARDING THE ADOPTION OF A REVISED VOTING MAP FOR THE CITY OF DIBOLL UNDER THE HOME RULE CHARTER.

6. CONSIDER ADOPTING AN ORDINANCE ESTABLISING A CROSS CONNECTION CONTROL PROGRAM.

7. CONSIDER ADOPTING AN ORDINANCE AMENDING THE TOW TRUCK ORDINANCE.

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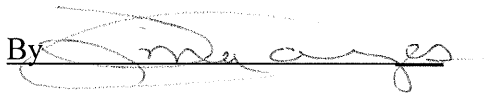
NEW BUSINESS-DISCUSSION & ACTION

CITY MANAGER REPORTS

8. ECONOMIC DEVELOPMENT ADVISORY BOARD.

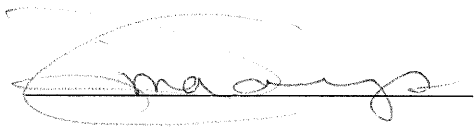
ADJOURN

Dated this the 5th day of February 2009.
City of Diboll

By 

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all times, and the Notice was posted on February 5, 2009, at 2:30 p.m. and remained so posted for at least 72 hours preceding the scheduled time of said meeting.

Dated this 5th day of February 2009.



Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

Minutes of the regular council meeting on Monday, February 02, 2009 at 5:15 p.m. at Diboll City Hall.

Present
Mayor Bill Brown, Councilmember's Don Hendrick, Gary Jones. Ricky Conner, Fred Mitchell and Larry Cook.

Also Present
City Attorney Jimmy Cassels, City Secretary Tina Cavazos, Finance Director Elvia Garza, Police Chief Kent Havard, Water Superintendent Ronnie Lyles

Mayor Bill Brown called the meeting to order and Fred Mitchell gave the invocation. Pledge was coordinate by those in attendance.

1.CONSIDER APPROVING MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON JANUARY 12, AND JANUARY 26, 2009.

2.CONSIDER ORDERING A MUNICPAL ELECTION FOR MAY 9, 2009.

3.CONSIDER APOPTING A RESOLUTION TO HOLD A JOINT ELECTION AGREEMENT WITH DIBOLL INDEPENDENT SCHOOL DISTRICT.

4.CONSIDER ADOPTING A RESOLUTION APPROVING A NEW ACCOUNT TO IMPLEMENT SCAFFLOW.

Motion by Don Hendrick and seconded by Ricky Conner.
All in Favor None opposed

OLD BUSINESS-DISCUSSION & ACTION

5.HOLD A PUBLIC HEARING REGARDING THE ADOPTION OF A REVISED VOTING MAP FOR THE CITY OF DIBOLL UNDER THE HOME RULE CHARTER.
Mayor Brown opens the floor for Public Hearing having none closed Public Forum at 5:21 p.m.

6.CONSIDER ADOPTING AN ORDINANCE ESTABLISHED A CROSS CONNECTION CONTROL PROGRAM.
Larry Cook made the motion and Gray Jones seconded.
All in favor None opposed

7.CONSIDER ADOPTING AN ORDINANCE AMENDING THE TOW TRUCK ORDINANCE.
Ricky Conner made the motion and Fred Mitchell seconded.
All in favor None opposed

NEW BUSINESS-DISCUSS & ACTION

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CITY MANAGER REPORTS

8. ECONOMIC DEVELOPMENT ADVISORY BOARD.
City Manager Dennis McDuffie stated that by the next regular Council meeting he would like the Council to submit nominees for the Economic Development Advisory Board. Mr. McDuffie stated that this board will consist of (5) five members.

ADJOURN
Gary Jones made the motion to adjourn at 5:37 p.m. and Ricky Conner seconded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON MARCH 9, 2009

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, MARCH 9, 2009 AT 5:15 P.M., AT 400 KENELY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF REGULAR CITY COUNCIL MEETINGS HELD ON FEBRUARY 9, 2009.

2. RECIEVE RACIAL PROFILING REPORT.

3. CONSIDER APPOINTING BILLIE WILMON AS ELECTION JUDGE FOR THE MAY 9, 2009 ELECTION.

4. CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE DIBOLL INDEPENDENT SCHOOL DISTRICT FOR EXCLUSIVE USE OF POP JORDAN FIELD.

5. CONSIDER ADOPTING A RESOLUTION AWARDING THE BID FOR CERTAIN IMPROVEMENTS TO ORCHARD PARK TO HORTON EXCAVATION, LCC FOR $175,625.44.

6. CONSIDER ADOPTING A RESOLUTION AWARDING THE BID FOR CERTAIN IMPROVEMENTS TO ORCHARD PARK TO ALLEN LOGGINS & SONS FOR $28,700.

7. CONSIDER ADOPTING A RESOLUTION INCREASING DEPOSIT AND RENTAL RATES FOR USE OF THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER.

8. CONSIDER SETTING MONDAY, MARCH 16, 2009 FOR A WORKSHOP ON WATER DEVELOPMENT ALTERNATIVES.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

PUBLIC HEARING

9. HOLD A PUBLIC HEARING REGARDING THE ADOPTION OF A REVISED VOTING MAP FOR THE CITY OF DIBOLL UNDER THE HOME RULE CHARTER.

OLD BUSINESS-DISCUSSION & ACTION

10. CONSIDER APPROVING A RESOLUTION ADOPTING A REVISED VOTING MAP FOR THE CITY OF DIBOLL TO BE PLACE BEFORE THE VOTERS ON MAY 9, 2009.

11. CONSIDER ADOPTING AN ORDINANCE CALLING AN ELECTION ON APPROVING A REVISED VOTING MAP UNDER THE HOME RULE CHARTER.

12. CONSIDER APPROVING AND AUTHORIZING PUBLICATION OF AN OPEN LETTER TO THE CITIZENS OF DIBOLL REGARDING THE REVISE VOTING MAP

13. CONSIDER APPOINTING MEMBERS TO AN ECONOMIC DELVELOPMENT ADVISORY BOARD.

NEW BUSINESS-DISCUSSION & ACTION

14. CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE DIBOLL BASEBALL ASSOCIATION FOR USE OF THE BASEBALL FIELDS IN ORCHARD PARK.

15. CONSIDER APPROVING AN ORDINANCE ESTABLISHING RATES OF DEPOSITS FOR UTILITY CUSTOMERS; PROVIDING FOR THE MASTER METERING OF COMPLEXES WITH MORE THAN FOUR UNITS AND ESTABLISHING RATES FOR DEPOSIT AND RENTAL OF FIRE HYDRANT METERS.

ADJOURN

Dated this the 5th day of MARCH 2009.
City of Diboll

by

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all times, and the Notice was posted on February 5, 2009, at 2:30 p.m. and remained so posted for at least 72 hours preceding the scheduled time of said meeting.

Dated this 5th day of February 2009.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

Minutes of the regular council meeting on Monday, March 09, 2009 at 5:15 p.m. at Diboll City Hall.

Present
Mayor Bill Brown, Councilmember's Don Hendrick, Gary Jones. Ricky Conner, Fred Mitchell and Larry Cook.

Also Present
City Attorney Jimmy Cassels, City Secretary Tina Cavazos, Finance Director Elvia Garza, Police Chief Kent Havard, Water Superintendent Ronnie Lyles, Wastewater Superintendent Dee Scarborough, Civic Center Director Crystal Williams, Golf Course Manager Jimmy Mettlen

Mayor Bill Brown called the meeting to order and Fred Mitchell gave the invocation. Pledge was coordinate by those in attendance.

1.CONSIDER APPROVING MINUTES OF REGULAR CITY COUNCIL MEETINGS HELD ON FEBRUARY 9, 2009.

2.RECEIVE RACIALO PROFILING REPORT.

3.CONSIDER APPOINTING BILLIE WILMON AS ELECTION JUDGE FOR THE MAY 9, 2009 ELECTION.

4.CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE DIBOLL INDEPENDENT SCHOOL DISTRICT FOR EXCLUSIVE USE OF POP JORDAN FIELD.

5.CONSIDER ADOPTING A RESOLUTION AWARDING THE BID FOR CERTAIN IMPROVEMENTS TO ORCHARD PARK TO HORTON EXCAVATION, LCC FOR $17,625.44

6.CONSIDER ADOPTING A RESOLUTION AWARDING THE BID FOR CERTAIN IMPROVEMNTS TO ORCHARD PARK TO ALLEN LOGGINS & SONS FOR $28,700.

7.CONSIDER ADOPTING A RESOLUTION INCREASING DEPOSIT AND RENTAL RATES FOR USE OF THE LOTTIE TEMPLE CIVIC CENTER.

8.CONSIDER SETTING THURSDAY, MARCH 19, 2009 FOR A WORKSHOP ON WATER DEVELOPMENT ALTERNATIVES.

Motion by Ricky Conner with the correction date of Item # 8 from March 16, to March 19 on Workshop Water Development alternatives and seconded by Gary Jones.
All in favor None opposed

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PUBLIC HEARING

9. HOLD A PUBLIC HEARING REGARDING THE ADOPTION OF REVISED VOTING MAP FOR THE CITY OF DIBOLL UNDER THE HOME RULE CHARTER.

Mayor Bill Brown open the floor for a Public Hearing having none, Mayor Brown closed the Public Hearing at 6:20 p.m.

OLD BUSINESS-DISCUSSION & ACTION

10.CONSIDER APPROVING A RESOLUTION ADOPTING A REVISED VOTING MAP FOR THE CITY OF DIBOLL TO BE PLACE BEFORE THE VOTERS ON MAY 9, 2009.

11.CONSIDER ADOPTING AN ORDINANCE CALLING AN ELECTION ON APPROVING A REVISED VOTING MAP UNDER THE HOME ARULE CHARTER.

12.CONSIDER APPROVING AND AUTHORIZING PUBLICATION OF AN OPEN LETTER TO THE CITIZENS OF DIBOLL REGARDING THE REVISE VOTING MAP.

13. CONSIDER APPOINTING MEMBERS TO AN ECONOMIC DELVELOPMENT ADVISORY BOARD.

The following Items 10 through 13 were postponed until the next council meeting on March 19, 2009.

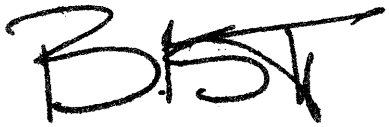
NEW BUSINESS-DISCUSSION & ACTION

14.CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE DIBOLL BASEBALL ASSOCIATION FOR USE OF THE BASEBALL FIELDS IN ORCHARD PARK.
The Council all agree on Audit Annual at the expense of the City of Diboll administration. Larry Cook made the motion and Fred Mitchell seconded.
All in favor None opposed

15.CONSIDER APPROVING AN ORDINANCE ESTABLISHING RATES OF DEPOSITS FOR UTILITY CUSTOMERS; PROVIDING FOR THE MASTER METERING OF COMPLEXES WITH MORE THAN FOUR UNITS AND ESTABLISHING RATES FOR DEPOSIT AND RENTAL OF FIRE HYDRANT METERS.
Don Hendrick made the motion and Ricky Conner seconded.
All in favor None opposed

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Adjourn.
Larry Cook made the motion to adjourn at 5:25 p.m. and Fred Mitchell seconded.
All in favor. None opposed.



Bill Brown, Mayor

ATTEST:



Tina Cavazos, City Secretary

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Sign In 3-9-09

B Smith
Arthur Powell
Dave Martinez
Josh Webb
Tony Marks
Tom Williams Sr
Tom Hanks
Rodney Chesshire
Rick Agnes
John Pounds
Doug Mc
Kathy
Delana Webb
Jeannie McGaughey
Laura Estrada
Jason Cook
Jessica Cooley
Mark Hines
Cecilia Nordyke Zepeda
Billy Jack
Chastity Archer

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON MARCH 19, 2009

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON WEDNESDAY, MARCH 19, 2009 AT 5:15 P.M., 400 KENELY STREET, DIBOLL, TEXAS AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

WORKSHOP AGENDA

1. DISCUSSION AND UPDATE ON OLD ORCHARD PARK PROJECTS.

2. DISCUSSION AND UPDATE ON ALTERNATIVE WATER PROJECTS WITH KSA ENGINEER.

REGULAR AGENDA

DISCUSSION & ACTION

3. CONSIDER ADOPTING A RESOLUTION APPROVING A REVISED DIBOLL CITY MAP DEPICITING THE FOUR PROPOSED VOTING DISTRICTS WHICH HAVE BEEN TENTATIVELY APPROVED BY THE UNITED STATES DEPARTMENT OF JUSTICE FOR INCLUSION IN THE PROPOSED AMENDMENT TO THE DIBOLL CITY CHARTER WITH THE AMENDMENT ELECTION TO BE ACTED ON BY THE VOTERS ON MAY 9, 2009.

4. CONSIDER ADOPTING AN ORDINANCE CALLING AN ELECTION FOR MAY 9, 2009 FOR THE PURPOSE OF AMENDING ARTICLE III OF THE EXISTING DIBOLL (HOME RULE) CITY CHARTER TO COMPLY WITH THE UNITED STATES DEPARTMENT OF JUSTICE REQUIREMENTS AND APPROVING THE PROCESS BY WHICH VOTING DISTRICTS WOULD BE CHANGED IN THE FUTURE BY THE CITY COUNCIL.

5. CONSIDER APPROVING AN OPEN LETTER TO THE CITIZENS OF DIBOLL EXPLAINING THE REASONS FOR A REVISED VOTING MAP AND THE NEED TO HAVE AN ELECTION TO AMEND THE CITY OF DIBOLL HOME RULE CHARTER.

6. CONSIDER AWARDING A BID TO DB CONSTRUCTION FOR RENOVATION OF THE DIBOLL SAFETY CENTER BUILDING.

ADJOURN

Dated this the 16th day of March 2009.
City of Diboll

By: _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City Diboll, Texas, a place convenient and readily accessible to the general public at all times, and the Notice was posted on March 16, 2009, at 9:10 p.m. and remained so posted for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 16th day of March 2009.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

Minutes of the City Council Meeting on Thursday, March 19, 2009 at 5:15 p.m. at Diboll City Hall.

Present
Mayor Bill Brown, Councilmember's, Don Hendrick, Gary Jones, Fred Mitchell, and Ricky Conner

Absent
Larry Cook

Also Present
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos and Police Chief Kent Havard

Bill Brown called the meeting to order and asked David Martinez to give the invocation. Pledge was coordinate by those in attendance.

1. DISCUSS AND UPDATE ON THE OLD ORCHARD PARK PROJECTS.
   James Flournoy from Klotz Associates showed the council the prints on the improvements to the Old Orchard Parks Projects and update on the projects. Mr. Flournoy said the fence repairs will be down by opening day for the Youth Baseball.

2. DISCUSS AND UPDATE ON ALTERNATIVE WATER PROJECTS WITH KSA ENGINEERS.
   Billy Simms from KSA Engineers presented a summary of options on Water supply cost. One on the City of Lufkin and one on Eason Lake.

REGULAR AGENDA

DISCUSSION & ACTION

3. CONSIDER ADOPTING A RESOLUTION APPROVING A REVISED DIBOLL CITY MAP DEPICITING THE FOUR PROPOSED VOTING DISTRICTS WHICH HAVE BEEN TENTATIVELY APPROVED BY THE UNITED STATES DEPARTMENT OF JUSTICE FOR INCLUSION IN THE PROPOSED AMENDMENT TO THE DIBOLL CITY CHARTER WITH THE AMENDMENT ELECTION TO BE ACTED ON BY THE VOTERS ON MAY 9, 2009.
   Don Hendrick made the motion and Fred Mitchell seconded.
   All in Favor.

   4.CONSIDER ADOPTING AN ORDINANCE CALLING AN ELECTION FOR MAY 9, 2009 FOR THE PURPOSE OF AMENDING ARTICLE III OF THE EXISTING DIBOLL (HOME RULE) CIT CHARTER TO COMPLY WITH THE UNITED STATE DEPARTMENT OF JUSTICE REQUIREMENTS AND

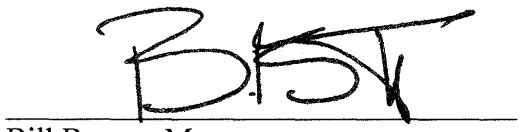
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APPROVING THE PROCESS BY WHICH VOTING DISTRICTS WOULD BE CHANGED IN THE FUTURE BY THE CITY COUNCIL.
Ricky Conner made the motion and Fred Mitchell seconded.
All in Favor.

5.CONSIDER APPROVING AN OPEN LETTER TO THE CITIZENS OF DIBOLL EXPLAINING THE REASONS FOR A REVISED VOTING MAP AND THE NEED TO HAVE AN ELECTION TO AMEND THE CITY OF DIBOLL HOME RULE CHARTER.
Fred Mitchell made the motion and Don Hendrick seconded.
All in Favor.

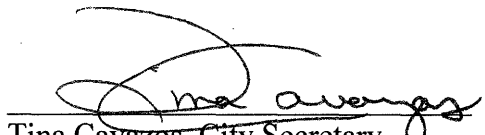
6.CONSIDER APPROVING A BID TO DB CONSTRUCTION FOR RENOVATION OF THE DIBOLL SAFETY CENTER BUILDING.
Chief Havard said the lowest bidder found out he had bid to low and withdrew his bid. Chief Havard said he would like to reward the bid to Palacio Construction next in line to lowest bidder.
Ricky Conner made the motion to approve the next lowest bidder to Palacio Construction and Don Hendrick seconded.
All in Favor.

Adjourn.
Don Hendrick made the motion to adjourn at 6:48 p.m. and Gary Jones seconded.



Bill Brown, Mayor

ATTEST:



Tina Cavazos, City Secretary

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April 13, 2007

Sign In.

1 Dave Martinez
2 James M. Flournoy
3 ~~Arthur~~ Arthur Powell
4 Jerry Conley
5 Billy Dennis
6 Clark Draper
7 Kent Howard
8 Ronnie Lyles
9
10
11

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Public Hearing Home Rule Charter

Sign In Sheet 2-9-09

Sam Coleman Sr
Daye Martinez
Charles Hayard
Bo Smith
Ana Castillo
Dan Mitchell
Julie Horton
Elvia Garza
John Parker
Sandra Parker
Jerry Gerdi
Mary Fort
Arthur Powell
Charlotte Powell
Charles Chatman
Luis Garza Jr
Brent Bavon
Pearlie Mitchey
Crystal Williams

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0016

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON MARCH 9, 2009

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, MARCH 9, 2009 AT 5:15 P.M., AT 400 KENELY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF REGULAR CITY COUNCIL MEETINGS HELD ON FEBRUARY 9, 2009.

2. RECIEVE RACIAL PROFILING REPORT.

3. CONSIDER APPOINTING BILLIE WILMON AS ELECTION JUDGE FOR THE MAY 9, 2009 ELECTION.

4. CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE DIBOLL INDEPENDENT SCHOOL DISTRICT FOR EXCLUSIVE USE OF POP JORDAN FIELD.

5. CONSIDER ADOPTING A RESOLUTION AWARDING THE BID FOR CERTAIN IMPROVEMENTS TO ORCHARD PARK TO HORTON EXCAVATION, LCC FOR $175,625.44.

6. CONSIDER ADOPTING A RESOLUTION AWARDING THE BID FOR CERTAIN IMPROVEMENTS TO ORCHARD PARK TO ALLEN LOGGINS & SONS FOR $28,700.

7. CONSIDER ADOPTING A RESOLUTION INCREASING DEPOSIT AND RENTAL RATES FOR USE OF THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER.

8. CONSIDER SETTING MONDAY, MARCH 16, 2009 FOR A WORKSHOP ON WATER DEVELOPMENT ALTERNATIVES.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

PUBLIC HEARING

9. HOLD A PUBLIC HEARING REGARDING THE ADOPTION OF A REVISED VOTING MAP FOR THE CITY OF DIBOLL UNDER THE HOME RULE CHARTER.

OLD BUSINESS-DISCUSSION & ACTION

10. CONSIDER APPROVING A RESOLUTION ADOPTING A REVISED VOTING MAP FOR THE CITY OF DIBOLL TO BE PLACE BEFORE THE VOTERS ON MAY 9, 2009.

11. CONSIDER ADOPTING AN ORDINANCE CALLING AN ELECTION ON APPROVING A REVISED VOTING MAP UNDER THE HOME RULE CHARTER.

12. CONSIDER APPROVING AND AUTHORIZING PUBLICATION OF AN OPEN LETTER TO THE CITIZENS OF DIBOLL REGARDING THE REVISE VOTING MAP

13. CONSIDER APPOINTING MEMBERS TO AN ECONOMIC DELVELOPMENT ADVISORY BOARD.

NEW BUSINESS-DISCUSSION & ACTION

14. CONSIDER ADOPTING AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE DIBOLL BASEBALL ASSOCIATION FOR USE OF THE BASEBALL FIELDS IN ORCHARD PARK.

15. CONSIDER APPROVING AN ORDINANCE ESTABLISHING RATES OF DEPOSITS FOR UTILITY CUSTOMERS; PROVIDING FOR THE MASTER METERING OF COMPLEXES WITH MORE THAN FOUR UNITS AND ESTABLISHING RATES FOR DEPOSIT AND RENTAL OF FIRE HYDRANT METERS.

ADJOURN

Dated this the 5th day of MARCH 2009.
City of Diboll

by _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all times, and the Notice was posted on March 5, 2009, at 2:30 p.m. and remained so posted for at least 72 hours preceding the scheduled time of said meeting.

Dated this 5th day of March 2009.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, APRIL 13, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Ricky Conner, Fred Mitchell and Larry Cook.

ABSENT
Gary Jones

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Water Superintendent Ronnie Lyles, Golf Course Manager Jimmy Mettlen, Civic Center Director Crystal William, Waste Water Superintendent Dee Scarborough and Chief Kent Havard

CALL TO ORDER
Bill Brown called the meeting to order at 5:15 pm.

INVOCATION
The invocation was given by Fred Mitchell.

PLEDGE OF ALLEGIANCE
The Pledge was coordinate by those in attendance.

CONSENT ITEMS:

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON MARCH 9, 2009 AND MARCH 19, 2009.

2.CONSIDER AUTHORIZING THE CITY MANAGER TO ADVERTIZE FOR BIDS FOR NECHES PINES GOLF COURSE IMPROVMENTS.

3.CONSIDER SCHEDULING THE MAY REGULAR CITY COUNCIL MEETING FOR TUESDAY, MAY 12, 2009 TO ALLOW FOR THE CANVASSING OF THE MAY ELECTION RESULTS.

Don Hendrick made to motion and Ricky Conner seconded. Motion passed unanimously.

NEW BUSINESS-DISCUSSION & ACTION

4. RECEIVE AND REVIEW THE FY 2007-2008 AUDIT REPORT.
Eric Carver of Axley & Rode went over the audit. Mr. Carver said that this was an outstanding management from the staff. The City Council received the FY 2007-08 audit.

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AUDIENCE PARTICIPATION:
None

5. CONSIDER AUTHORIZING THE CITY MANAGER TO PROCEED WITH PLANS, SPECIFICATIONS AND FUNDING STRATEGY FOR THE INSTALLATION OF RADIO READ METERS IN THE CITY OF DIBOLL.
The City Manager presented the staff report outlining re-metering all water meters in the City of Diboll with Automatic Read Meters (ARM). Ronnie Lyles went over the problems that they have with the old meters. Mr. Lyles went over what it would cost to replace them. The City directed staff to prepare a study to confirm the need for meter replacement with ARM.

CITY MANAGER REPORTS

6. OLD ORCHARD PARK IMPROVEMENTS
The City and James Flournoy, from Klotz Associates, updated the Mayor and Council on Phase II of the Old Orchard Park Renovation Project.

ADJOURN.
Ricky Conner made the motion to adjourn at 6:00 p.m. and Don Hendrick seconded. Motion passed unanimously.

Mayor

ATTEST:

Tina Cavazos, City Secretary

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May 12, 2009

1. Dave Martinez
2. Dee Scarborough
3. James M. Flournoy
4. Morris Tate
5. Billie Hillmon

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON Tuesday, May 12, 2009, AT 5:15 PM,DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Ricky Conner, Larry Cook, and Gary Jones

ABSENT
Fred Mitchell

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Wastewater Superintendent Dee Scarborough, Chief Police Kent Havard

CALL TO ORDER
Bill Brown called the meeting to order at 5:15 p.m.

Invocation
The invocation was given by Bill Brown.

PLEDGE OF ALLEGIANCE
The Pledge was coordinate by those in attendance.

CANVASS THE RESULTS OF THE MAY 9, 2009 GENERAL ELECTION
Mayor Brown read the result of the May 9, 2009 General Election as follow: for Mayor Bill Brown 204, Gary Mike Smith 136, For Councilman, Lewis Ivey 99, Ricky Conner 166, and Larry Cook 223. On the Home Rule Charter with 258 For and 67 Against.

CERTIFY THE RESULTS OF THE MAY 9, 2009 GENERAL ELECTION
Ricky Conner made the motion and Don Hendrick seconded.
All in Favor None opposed

SWEARING IN OF MAYOR AND COUNCIL MEMBERS
Jimmy Cassels asked that Bill Brown, Ricky Conner and Larry Cook to stand and raise there right hand to be swear in.

CONSENT ITEMS:

1.CONSIDER APPROVING MINUTES OF REGULAR CITY COUNCIL MEETINGS HELD ON APRIL 13, 2009.

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2.CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR OLD ORCHARD PARK RENOVATION PHASE III – PAVILLIONS, CONCESSION STAND AND BATTING CAGE TO ABSOLUTE INDUSTRIES, INC. FOR $159,590 AND AUTHORIZE THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

Ricky Conner made the motion and Don Hendrick seconded.
All in favor None opposed.

NEW BUSINESS-DISCUSSION & ACTION

3. CONSIDER APPOINTING A THE MAYOR OR CITY COUNCIL AS A DIBOLL REPRESENTATIVE ON THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS.
Tabled until next meeting May 18, 2009.

ADJOURN.
Don Hendrick made the motion to adjourn at 5:52 p.m. and Larry Cook seconded. Motion passed unanimously.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, MAY 18, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Ricky Conner, Fred Mitchell and Gary Jones, Larry Cook

ABSENT
NONE

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Police Chief Kent Havard, Civic Center Director Crystal Williams

CALL TO ORDER
Bill Brown called the meeting to order at 5:15 p.m.

INVOCATION
The invocation was given by Fred Mitchell.

PLEDGE OF ALLEGIANCE
The Pledge was coordinate by those in attendance.

DISCUSSION & ACTION

1.CONSIDER APPOINTING THE MAYOR OR CITY COUNCIL MEMBER AS A DIBOLL REPRESENTATIVE TO THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS.

Fred Mitchell made the motion to appoint Councilmember Ricky Conner as a Diboll Representative to the Deep East Texas Council of Government Board of Directors and Larry Cook seconded.
All in favor None opposed

2.DISCUSSION OF IMPLEMENTATION OF THE DIBOLL HOME RULE CHARTER.

After a long discussion on implementation of the Home Rule Charter, Jimmy Cassels said he would prepare all that need to be sent to the Department of Justice for our next council meeting. Mayor Brown asked every councilmember to bring a name to be voted on to serve at large on District 6. All council agreed to meet on Tuesday May 26, 2009.

ADJOURN
Ricky Conner made the motion to adjourn at 5:45 p.m. and Gary Jones seconded.
Motion passed unanimously.

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Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON TUESDAY, MAY 26, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Gary Jones, Larry Cook, Fred Mitchell, Ricky Conner and Robert E. Lewis Jr.

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal William, and Police Chief Kent Havard

M. McCall 3/22/17
MAY 26, 2009
Home Rule Charter Approved

CALL TO ORDER
Bill Brown called the meeting to order at 5:15 pm.

INVOCATION
The invocation was given by Fred Mitchell.

PLEDGE OF ALLEGIANCE
The Pledge was coordinate by those in attendance.

DISCUSSION & ACTION

1.CONSIDER APPROVING AN ORDINANCE AI
RULE CHARTER AS THE OFFICAL HOME RU
DIBOLL TEXAS AND AUTHORIZING THE M
SECRETARY OF STATE THAT THE AMENDED HOME RULE CHARTER OF THE CITY OF DIBOLL HAS BEEN APPROVED BY THE VOTERS AND HAS BEEN CERTIFIED BY THE DIBOLL CITY COUNCIL AS THE OFFICIAL HOME RULE CHARTER OF THE CITY OF DIBOLL, TEXAS AND GRANTING FULL FORCE AND EFFECT TO THE DIBOLL HOME RULE CHARTER ON THIS THE 26TH DAY OF MAY 2009.

Larry Cook made the motion and Ricky Conner seconded. Motion passed unanimously.

2.CONSIDER AUTHORIZING THE CITY SECRETARY TO EXECUTE AN AFFIDAVIT OF ELECTION NOTICE POSTING COMPLIANCE.

Ricky Conner made the motion and Gary Jones seconded. Motion passed unanimously.

3.CONSIDER APPROVING AN ORDINANCE ESTABLISHING A PLACE SYSTEM FOR THE CITY COUNCIL IN ACCORDANCE WITH THE HOME RULE CHARTER COMPLETE WITH TERM EXPIRATION DATES.

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON TUESDAY, MAY 26, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Gary Jones, Larry Cook, Fred Mitchell, Ricky Conner and Robert E. Lewis Jr.

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal William, and Police Chief Kent Havard

CALL TO ORDER
Bill Brown called the meeting to order at 5:15 pm.

INVOCATION
The invocation was given by Fred Mitchell.

PLEDGE OF ALLEGIANCE
The Pledge was coordinate by those in attendance.

DISCUSSION & ACTION

1.CONSIDER APPROVING AN ORDINANCE ADOPTING THE AMENDED HOME RULE CHARTER AS THE OFFICAL HOME RULE CHARTER OF THE CITY OF DIBOLL TEXAS AND AUTHORIZING THE MAYOR TO CERTIFY TO TEXAS SECRETARY OF STATE THAT THE AMENDED HOME RULE CHARTER OF THE CITY OF DIBOLL HAS BEEN APPROVED BY THE VOTERS AND HAS BEEN CERTIFIED BY THE DIBOLL CITY COUNCIL AS THE OFFICIAL HOME RULE CHARTER OF THE CITY OF DIBOLL, TEXAS AND GRANTING FULL FORCE AND EFFECT TO THE DIBOLL HOME RULE CHARTER ON THIS THE 26TH DAY OF MAY 2009.

Larry Cook made the motion and Ricky Conner seconded. Motion passed unanimously.

2.CONSIDER AUTHORIZING THE CITY SECRETARY TO EXECUTE AN AFFIDAVIT OF ELECTION NOTICE POSTING COMPLIANCE.

Ricky Conner made the motion and Gary Jones seconded. Motion passed unanimously.

3.CONSIDER APPROVING AN ORDINANCE ESTABLISHING A PLACE SYSTEM FOR THE CITY COUNCIL IN ACCORDANCE WITH THE HOME RULE CHARTER COMPLETE WITH TERM EXPIRATION DATES.

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4.CONSIDER APPROVING THE ASSIGNMENT OF COUNCIL MEMBERS CURRENTLY SERVING TO SPECIFIC DISTRICTS OR AT LARGE POSITIONS AS REQUIRED IN THE DIBOLL HOME RULE CHARTER.

Fred Mitchell made the motion and Don Hendrick seconded. Motion passed unanimously.

5.CONSIDER APPOINTING A PERSON TO FILL THE PLACE SIX AT LARGE POSITION WITH THE TERM FOR THIS POSITION TO EXPIRE IN MAY 2010.
Don Hendrick made the motion to appoint Bryan Wilson and Ricky Conner seconded
For Don Hendrick Ricky Conner and Bill Brown **Against** Gary Jones and Larry Cook
Abstains Fred Mitchell

Larry Cook made the motion to appoint Gary Mike Smith and Gary Jones seconded
For Gary Jones and Larry Cook **Against** Fred Mitchell, Ricky Conner, Don Hendrick and Bill Brown

Fred Mitchell made the motion to appoint Robert E. Lewis no one seconded.

After a few minutes of discussion on what was best for the city the council decide to vote again.

Fred Mitchell made the motion to appoint Robert L. Lewis and Ricky Conner seconded.
For Don Hendrick, Fred Mitchell, Ricky Conner and Bill Brown
Against Larry Cook and Gary Jones.

At this time Jimmy Cassels asked Robert E. Lewis to raise his right hand to be sworn in to serve as Councilman for the City of Diboll.

6.CONSIDER APPOINTING A MAYOR PRO-TEM.
Gary Jones made the motion to appoint Ricky Conner and Don Hendrick seconded
Motion passed unanimously.

7.CONSIDER APPROVING THE TRANSFER OF $70,000 FROM THE STREET REPAIR BUDGET TO CAPITAL OUTLAY FOR THE PURCHASE OF A DUMP TRUCK.
Gary Jones asked how old was the dump truck and Dee Scarborough said it is a 1992.
Gary Jones made the motion approving the Transfer of $70,000 and Don Hendrick seconded.

Adjourn.
Bill Brown made the motion to adjourn at 5:47 p.m. and Larry Cook seconded.
Motion passed unanimously.

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Mayor Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, JUNE 22, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Larry Cook, Fred Mitchell, Ricky Conner and Robert E. Lewis Jr.

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, and Police Chief Kent Havard

Mayor Bill Brown called the meeting to order and asked Fred Mitchell to give the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON MAY 12, 2009, MAY 18, 2009 AND MAY 26, 2009.

2.CONSIDER AWARDING THE BID FOR THE GOLF COURSE PARKING LOT.

3.RECEIVE LETTER OF RESIGNATION FROM COUNCIL MEMBER GARY JONES.

Don Hendrick made to motion and Larry Cook seconded.
All in Favor None opposed

DISCUSSION

4.DISCUSSION OR REPLACEMENT AND APPOINTING PROCEDURE FOR VACANT COUNCIL SEAT.
Mayor Brown asked the council to find someone from District 4 that would be willing to serve on as councilmember. We will vote on it at our next regular council meeting in July. Larry Cook asked why from that district and Jimmy Cassels said we our now under the Home Rule Charter.

NEW BUSINESS DISCUSS & TAKE ACTION.

5. CONSIDER APPROVING A RESOLUTION ESTABLISHING A CREDIT CARD USE POLICY.
Mr. McDuffie said it simply covers the city and the employee in the use of the credit card and the responsibility for its security having a policy in place.

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Ricky Conner made the motion and Fred Mitchell seconded.
All in Favor None Opposed

CITY MANAGER REPORTS

6. CITY OF LUFKIN WATER PURCHASE AGREEMENT.
Mr. McDuffie said he thought it is best alternative in solving the City of Diboll's long term water needs if we purchase it from the City of Lufkin. Mr. McDuffie said he expect a reply in the next couple of weeks. McDuffie said the project would take 2 years to complete and cost would be approximately $3,000,000.

7.NOTICE BY THE CITY OF LUFKIN TERMINATING RECEIVEING RECYCLING ITMES
Mr. McDuffie said he was exploring some avenues to keep the City of Diboll's recycling program alive as a recycling program. Piney Woods has stated that they will continue to pickup twice a week regardless.

ADJOURN.

Ricky Conner made the motion to adjourn at 5:37 p.m. and Don Hendrick seconded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JULY 13, 2009

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, JULY 13, 2009 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS: Recognition of exemplary service.

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF REGULAR CITY COUNCIL MEETINGS HELD ON JUNE 22, 2009.

2. CONSIDER APPROVING THE CITY OF DIBOLL INVESTMENT POLICY.

3. CONSIDER SETTING JULY 27, 2009 AS THE DATE FOR A FY 2009-10 BUDGET WORKSHOP.

OLD BUSINESS: DISCUSSION/ACTION

4. CONSIDER APPOINTING CITY COUNCIL MEMBER TO FILL THE VACANCY IN DISTRICT 4.

CITY MANAGER REPORTS

5. WATER METER CALIBRATION SURVEY

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6. RECYCLING

EXECUTIVE SESSION: Under the authority of Texas Open Meeting Act, Texas Government Code Section 551.001, et seq., the City Council may adjourn into closed or executive session to discuss personnel issues as described in Texas Government Code Section 551.074

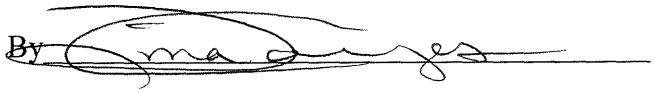
7. DISCUSS THE HIRING OF MICHAEL RAMSEY AS A RESERVE POLICE OFFICER

REGULAR AGENDA: DISCUSSION/ACTION

8. CONSIDER APPOINTING MICHAEL RAMSEY AS A RESERVE POLICE OFFICER FOR THE CITY OF DIBOLL.

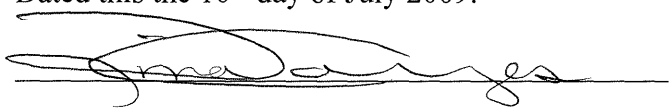
ADJOURN

Dated this the 10th day of JULY 2009.
City of Diboll

By 

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on July 10, 2009, at 2:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 10th day of July 2009.



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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY JULY 13, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Larry Cook, Fred Mitchell, Ricky Conner
Absent
Robert E. Lewis and Jimmy Cassels

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal William, and Police Chief Kent Havard, Ronnie Lyles, Dee Scarborough

Bill Brown called the meeting to order and asked Fred Mitchell to give the invocation. Pledge was coordinate by those in attendance.

PRESENTATIONS: Recognition of exemplary service.
Chief Kent Havard wanted recognize two Police Officer Feliciano Estrada and Chris Pelletier for their heroic efforts in saving the life of a local man last week and is in stable condition today. Larry Cook asked to give the officers recognition and Dennis McDuffie said we would put a proclamation in there files.

1.CONSIDER APPROVING MINUTES OF REGULAR CITY COUNCIL MEETINGS HELD ON JUNE 22, 2009.

2.CONSIDER APPROVING THE CITY OF DIBOLL INVESTMENT POLICY.

3.CONSIDER SETTING JULY 27, 2009 AS THE DATE FOR A FY 2009-10 BUDGET WORKSHOP.

Ricky Conner made to motion and Larry Cook seconded.
All in Favor None Opposed

OLD BUSINESS: DISCUSSION/ACTION

4.CONSIDER APPOINTING CITY COUNCIL MEMBER TO FILL THE VACANCY IN DISTRICT 4.
Councilman Larry Cook and Mayor Brown said they had asked Daniel Lopez and was willing to serve.
Dennis McDuffie said Sam Glass said he would like to serve.

After a brief discussion Don Hendrick made the motion to appoint Daniel Lopez and Larry Cook seconded.

For **Against**

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Don Hendrick Fred Mitchell
Larry Cook
Bill Brown
Ricky Conner

CITY MANAGER REPORTS

5. WATER METER CALIBRATION SURVEY
Ronnie Lyles went over the survey and said the results verify that there is an average of 10.23 per % of water through the City's metering system. Mr. Lyles also said the commercial meter were the higher water loss.

6. RECYCLING
Mr. Mc Duffie said he researched the history of the program and found that there never a covenant that required the City of Lufkin to continue accepting the recycling materials for Diboll. Piney woods will continue to pick up twice a week as required under contract it will all go to the land field.

EXECUTIVE SESSION:

7.DISCUSS THE HIRING OF MICHAEL RAMSEY AS A RESERVE POLICE OFFICER.
Mayor Brown called the council into executive session at this time to discuss Michael Ramsey as a Reserve Police Officer.

Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

REGULAR AGENDA: DISCUSSION/ACTION

8.CONSIDER APPOINTING MICHAEL RAMSEY AS A RESERVE POLICE OFFICER FOR THE CITY OF DIBOLL.
Larry Cook made the motion to appoint Michael Ramsey as a Reserve Police Officer and Don Hendrick seconded.
All in Favor None opposed

ADJOURN.

Don Hendrick made the motion to adjourn at 6:00 p.m. and Ricky Conner seconded.

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, JULY 27, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Fred Mitchell, Ricky Conner and Robert E. Lewis Jr.

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal William, and Police Chief Kent Havard, Dee Scarborough, Ronnie Lyles, Joshua Richard and Jimmy Mettlen

Bill Brown called the meeting to order and asked Fred Mitchell to give the invocation. Pledge was coordinate by those in attendance.

WELCOME & SWEARING IN OF COUNCIL MEMBER DANIEL LOPEZ
Mayor Bill Brown swear in and gave the Oath of Office to Daniel Lopez .

REGULAR AGENDA: DISCUSSION/ACTION

1. **CONSIDER APPROVING A RESOLUTION TO PURCHASE POLICE CARS FROM THE FY 2008-09 MUNICIPAL BUDGET.**

Mr. McDuffie said for two new care through HGAC fully equipped Crown Victoria's would be 92,363.00. Kent Havard said the two cars that I would like to replace have more 100,000 miles and have a lot of maintenance problems.

Larry Cook made the motion to purchase police cars from the fiscal year 2008-09 and Don Hendrick seconded
All in Favor None opposed

WORKSHOP AGENDA: DISCUSSION

2. REPORT ON RADIO READ METER PROJECT.
The system would cost $641,312 with 2 tower base stations this includes $81,000 for installation and the computer setup to read the meters. Mr. McDuffie explain to the council how the water loss that we our expiring now that it could possible save us up to at least a 60% which is equates to a saving of around %186,00 per year. Mr. Lyles said that if we contractor to install radio meter is should take around 60 days to complete the project.

3. DISCUSSION OF RECOMMENDED FY 2009-10 DRAFT BUDGET.
Mr. McDuffie went over the draft budget with the City Council. Mr. McDuffie said the budget was designed to provide a high quality of public services to the citizens of Diboll and balance budget with projected revenues.

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Each Head Department was asked to stand and asked to go over their changes in the budget.

ADJOURN.

Don Hendrick made the motion to adjourn at 7:08 p.m. and Larry Cook seconded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON TUESDAY, AUGUST 11, 2009, AT 5:15 PM, DIBOLL CITY HALL.

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Ricky Conner and Robert E. Lewis Jr.

ABSENT
Councilmember Fred Mitchell

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal William, and Police Chief Kent Havard, Dee Scarborough, Ronnie Lyles, Joshua Richard, and Officer Steve Baker

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON JULY 13, 2009 AND JULY 27, 2009.

2.CONSIDER AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR EMPLOYEE HEALTH & INSURANCE PLANS.

3.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH J.E. KINGHAM CONSTRUCTION COMPANY TO PROVIDE PRELIMINARY SERVICES FOR ADDITIONS & RENOVATIONS TO THE ARTHUR & LOTTIE TEMPLE CIVIC CENTER.

Ricky Conner made the motion and Don Hendrick seconded.
All in Favor None Opposed

OLD BUSINESS: DISCUSSION/ACTION

4.CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A LEASE PURCHASE AGREEMENT TO PURCHASE AND INSTALL SENSUS RADIO READ METERS IN THE CITY OF DIBOLL.
After discussion on the cost and how old the meters in Diboll were Larry Cook made the motion to authorize the City Manager to sign a lease purchase agreement to purchase and install senses radio read meters in the City of Diboll and Ricky Conner seconded.

All in favor None opposed

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5. CONSIDER APPROPRIATE ACTION ON THE AREEMENT WITH THE DIBOLL YOUTH BASEBALL ASSOCIATION FOR USE OF BASEBALL FIELDS IN OLD ORCHARD PARK.
Mr. McDuffie said the Diboll Youth Baseball Association never signed the agreement to provide an audit that would be paid by the city. Mr. Cassels said the next thing to do is to ask Diboll Youth Baseball Association to be at our next council meeting to answer some of these questions and sign the agreement. The Council agreed to ask the Diboll Youth Baseball Association to be at our next regular council meeting on September 14, 2009 and if no one response the City has other options that can be considered.

6. DISCUSS THE CONTRACT AND THE ISSUE OF RECYCLING AND WEEKLY REFUSE PICKUPS IN THE CITY OF DIBOLL.
Mr. McDuffie said City of Lufkin notified the City of Diboll and others they would not longer accept recycling materials. Mr. McDuffie said this was the result of economic realities of the recycling market. Mike Ebarb said all we our asking is to put out recycle with the regular garbage pickup and hope someday to find a place for recycle again. Mike Ebarb said just to let him know what the city comes up with and Piney Woods Sanitation do the best to work with us to keep us happy today and down the road.

CITY MANAGER REPORTS

7. CONDITION OF WATER WELL #4.
Ronnie Lyles told the Council that Well # 4 pump was down and the city had to install a rental on Tuesday. Mr. Lyles said we our just waiting for our water sample to come back. Mr. Lyles said we should be good with water this week.

8.DISCUSSION OF PROPOSED TAX RATE AND CHANGES TO THE DRAFT FY 2009-10 CITY BUDGET.
Mr. McDuffie said after our last council meeting we got a call from the appraisal district on reduction of assessed evaluation of Temple–Inland property in Diboll by $20,000,000. Mr. McDuffie said we will have to go back and cut the budget approximately $80,000 from departments to balance the General Fund and probably tax rate will be change.

ADJOURN.

Ricky Conner made the motion to adjourn at 6:12 p.m. and Don Hendrick seconded.

Bill Brown, Mayor

ATTEST:

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Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON TUESDAY, SEPTEMBER 14, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Robert E. Lewis Jr., Ricky Conner and Fred Mitchell

ABSENT
NONE

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal Williams, and Police Officer Steve Baker, Dee Scarborough, Ronnie Lyles, Joshua Richard,

Bill Brown called the meeting to order and Fred Mitchell gave the invocation.

Pledge was coordinated by those in attendance.

AUDIENCE PARTICIPATION:
Ernestine Martinez spoke on behalf of many that had family members in Forest Haven Cemetery on the letter received by the city asking to remove all items. Mrs. Martinez said the items were things that were special to their love ones and the city should leave the graves alone.
Mr. Webb spoke about the baseball fields that everyone works so hard to have them ready for the baseball season and the tournaments. Mr. Webb said now the contractor have come in and mess the fields up. The Council said the city would check into it and have Logins come back and correct the fields.

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETING HELD ON August 11, 2009.

2.CONSIDER ADOPTING A RESOLUTION AWARDING THE BID ON EMPLOYEES HEALTH INSURANCE.

3.CONSIDER SETTING MONDAY, SEPTEMBER 21, 2009 AS A WORKSHOP FOR DISCUSSION OF WATER PURCHASE CONTRACT WITH THE CITY OF LUFKIN.

4.CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE SURPLUS OF VARIOUS CITY VEHICLES AND EQUIPMENT AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAME.

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5.CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN INTERLOCAL AGREEMENT FOR 911 PUBLIC SAFETY ANSWERING POINT SERVICES WITH THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS.

6.CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN INTERLOCAL AGREEMENT FOR WASTE WATER TREATING SERVICE BETWEEN THE CITY OF DIBOLL AND THE ANGELINA COUNTY WATER CONTROL IMPROVEMENT DISTRICT NO.4.

Ricky Conner made the motion to approve the consent items and Fred Mitchell seconded.
All in Favor None opposed

PUBLIC HEARING:

7. HOLD A PUBLIC HEARING ON THE FY 2009-2010 DIBOLL MUNICIPAL BUDGET.

Mayor Bill Brown having none closed the public hearing.

OLD BUSINESS:DISCUSSION/ACTION

8.CONSIDER ADOPTING A RESOLUTION ADOPTING THE FY2009-2010 DIBOLL MUNICIPAL BUDGET.

Don Hendrick made the motion to adopt the resolution for the FY 2009-2010 Diboll Municipal Budget and Ricky Conner seconded.

All in Favor None Opposed

9.CONSIDER ADOPTING A RESOLUTION ADOPTING AN AD VALOREM TAX RATE FOR FY 2009-2010.

Larry Cook made the motion to adopt a resolution adopting an ad valorem tax rate for FY2009-2010 and Fred Mitchell seconded.

All in favor None Opposed

10. CONSIDER ADOPTING AN ORDINANCE ESTABLISHING WATER RATES FOR RESIDENTIAL AND COMMERICAL WATER CUSTOMERS.

Council discussed the rates of water going up about on consumption from 2000 to 3000 and how much it would cost residential? Larry Cook said he could not vote on this because of the people that our on fix income.

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Table at this time and bring back on October 21, 2009 council workshop.

11. CONSIDER AMENDING THE SOLID WASTECOLLECTION CONTRACT WITH PINEY WOODS SANITATION FOR A ONCE A WEEK MECHANIZED REFUSE PICKUP.

Robert Lewis made the motion to amend the solid waste collection contract with Piney Woods Sanitation for a once a week mechanized and Fred Mitchell seconded.

Voting For	Opposed
Fred Mitchell	Larry Cook
Robert Lewis	
Bill Brown	
Ricky Conner	
Don Hendrick	
Daniel Lopez	

12. CONSIDER AUTHORIZING ACTION TO BE UNDERTAKEN TO PROVIDE YOUTH BASEBALL ACTIVITIES IN THE CITY OF DIBOLL.
Tom Williams said they never said they would not sign the agreement there has been a misunderstanding. Tom Williams also said that they were ready for the audit and he had all the books with him tonight to give to the city. Mr. Williams said it was done in three different category equipment, concession stand and tournament.

CITY MANAGER REPORTS:

13. TEXAS MUNICIPAL LEAGUE ANNUAL CONFERENCE.
Mr. McDuffie wanted to know if any of the council was interested in going to the Texas Municipal League annual conference in Fort Worth on October 21-23. Mr. McDuffie said if anyone was interested he needs to know in the next two days before the registration went up.

Item #6 from the Consent Items.
James Flournoy spoke at a later time about the agreement for the waste water treating services to approximately 95 homes outside the city limits. Mr. Flournoy said the agreement calls for double rate outside the city limit and we would like to have the commercial rate instead of the double rates. Fred Mitchell asked to have this item brought back at the next meeting on September 21, 2009.

ADJOURN.

Ricky Conner made the motion to adjourn at 6:00 p.m. and Don Hendrick seconded.

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Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY SEPTEMBER 21, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Fred Mitchell and Robert E. Lewis Jr.

ABSENT
Councilmember Ricky Conner

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal Williams, and Police Chief Kent Havard, Dee Scarborough, Ronnie Lyles, Joshua Richard, and Officer Steve Baker

Bill Brown called the meeting to order and Fred Mitchell gave the invocation.
Pledge was coordinated by those in attendance.

DISCUSSION/ACTION:

1.DISCUSS CEMETARY GUIDELINES.

After listening to the people the council said that the City Manager and City Attorney could look at the Policy and Procedure and see if some change could be done to update and possibly form a cemetery committee from people that have loved ones buried at Forest Haven. Larry Cook said for now everyone is to leave the items on the cemetery plots.

2.CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN INTERLOCAL AGREEMENT FOR WASTE WATER TREATMENT SERVICE BETWEEN THE CITY OF DIBOLL AND THE ANGELINA COUNTY WATER CONTROL IMPROVEMENT DISTRICT NO.4.

The Council heard James Flournoy on the agreement for wastewater treatment services to be commercial rates instead of double rates.

3. CONSIDER ADOPTING AN ORDIANCE ESTABLISHING WATER RATES FOR RESIDENTIAL AND COMMERICAL WATER CUSTOMERS.

Fred Mitchell made the motion on adopting an ordinance establishing water rates for residential and commercial water customers and Don Hendrick seconded.

Voting For	Opposed
Fred Mitchell	Larry Cook
Robert Lewis	

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Don Hendrick
Daniel Lopez
Bill Brown

4.DISCUSS THE PURCHASE OF WATER FOR THE CITY OF LUFKIN.

KSA Engineers firm present the council with water supply options from the City of Lufkin. The slide presentation showed the council purchase contract, future cost of water, projected yearly water, wholesale water option and funding options.

ADJOURN.

Don Hendrick made the motion to adjourn at 7:41 p.m. and Larry Cook seconded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, OCTOBER 12, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Ricky Conner, Robert E. Lewis Jr. and Fred Mitchell

ABSENT
None

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal William, and Police Chief Kent Havard, and Dee Scarborough

Bill Brown called the meeting to order and Fred Mitchell gave the invocation.
Pledge was coordinate by those in attendance.

Mayor Bill Brown present and read the proclamation for PTA'S 100th anniversary to Jan Wilkerson State President and Charlotte Morris President.

AUDIENCE PARTICIPATION:

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON SEPTEMBER 14 AND SEPTEMBER 21, 2009.

2.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN ENGAGEMENT LETTER WITH AXLEY & RODE TO AUDIT THE 2009 FINANCIA STATEMENT OF THE DIBOLL YOUTH BASEBALL ASSOCIATION.

3.CONSIDER APPROVING THE PLANNING & ZONING COMMISSION RECOMMENDATION TO REZONE 403 NORTH FIRST STREET FROM COMMERCIAL TO RESIDENTIAL.

4.CONSIDER APPROVING THE PLANNING & ZONING COMMISSION RECOMMENDATION TO APPROVE AN AMENDMENT TO THE AARON SUBDIVISION LOTS 1,2, 3 & 4 ALONG NELSON DRIVE AND NOGLE STREET.

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5. CONSIDER APPOINTING CHARLES PHIPPS AND SCOTT REES TO THE DIBOLL PLANNING & ZONING COMMISSION.

Ricky Conner made the motion and Don Hendrick seconded.
All in favor None opposed

OLD BUSINESS: DISCUSSION/ACTION

6.CONSIDER APPOINTING FIVE (5) MEMBERS TO THE DIBOLL CEMETERY BOARD.
The council appointed seven board members instead of five as follow, Connie Welch, Bo Smith, Laura Esparza, Brenda Herrada, Tina Martinez, Deidre Lee and David Martinez.

Larry Cook made the motion to approve seven board members and Fred Mitchell seconded.

All in favor None opposed

NEW BUSINESS: DISCUSSION/ACTION

7.CONSIDER APPROVING A RESOLUTION SUPPORTING THE VOTE YES 4 KIDS SCHOOL BOND INTIATIVE ON THE NOVEMBER 2, 2009 ELECTION BALLOT.

Don Hendrick made the motion to approve a resolution supporting the vote yes 4 kids school bond initiative on the November 2, 2009 election ballot and Ricky Conner seconded.

All in favor None opposed

CITY MANAGER REPORTS

8. APPOINTMENT OF A JOINT REPRESENTATIVE (CITY OF DIBOLL & DIBOLL INDEPENDENT SCHOOL DISTRICT) TO THE ANGELINA COUNTY APPRASIAL DISTRICT BOARD OF DIRECTORS.

Mr. McDuffie said at our next council meeting we will take action on this item, and if anyone knows of someone that would like to serve on this board let me know.

ADJOURN.

Ricky Conner made the motion to adjourn at 5:35 p.m. and Don Hendrick seconded.

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Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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Cancelled

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON NOVEMBER 23, 2009

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, NOVEMBER 23, 2009 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

Cancelled until 12-3-2009

INTRODUCTION OF COMMUNITY DEVELOPMENT DIRECTOR

ANNOUNCEMENTS: GRANT FROM THE T.L.L. TEMPLE FOUNDATION FOR RENOVATION OF THE LOTTIE & AUTHUR TEMPLE CIVIC CENTER

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF A REGULAR CITY COUNCIL MEETING HELD ON OCTOBER 12, 2009.

2. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER, CITY SECRETARY AND FINANCE DIRECTOR AS SIGNATORIES REQUESTING FUNDS FROM THE TEXAS DEPARTMENT OF RURAL AFFAIRS.

3. CONSIDER APPROVING A RESOLUTION ALONG WITH THE DIBOLL INDEPENDENT SCHOOL JOINTLY APPOINTING BO SMITH TO THE ANGELINA COUNTY APPRASIAL DISTRICT BOARD OF TRUSTEES

4. CONSIDER APPROVING A RESOLUTION APPOINTING ELVIA GARZA AS ACTING CITY MANAGER IN THE EVENT OF ABSENSE OF THE CITY MANAGER.

5. CONISDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND ADVERTISE FOR REQUESTS FOR QUALIFICATIONS FOR RENOVATION OF THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER.

REGULAR AGENDA: DISCUSSION/ACTION

6. CONSIDER ADOPTING AN ORDINANCE GRANTING A FRANCHISE TO CENTERPOINT ENERGY FOR THE DISTRIBUTION OF NATURAL GAS.

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7. DISCUSSION OF FUNDING FOR THE DIBOLL-LUFKIN WATER PROJECT

CITY MANAGER REPORTS

8. DISCUSSION OF PLANNING, ZONING AND CODE ADOPTION

9. ANNEXATIONS FOR 2010

10. USE OF MOCKINGBIRD STREET FOR LARGE CONSTRUCTION EQUIPMENT

11. CLOSING CITY HALL AT 2:00 PM, NOVEMBER 25 FOR THANKSGIVING HOLIDAY

ADJOURN

Dated this the 20th day of November 2009.
City of Diboll

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on November 20, 2009, at 2:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 20th day of November 2009.

_____

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON DECEMBER 3, 2009

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, DECEMBER 3, 2009 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

INTRODUCTION OF COMMUNITY DEVELOPMENT DIRECTOR

ANNOUNCEMENTS: GRANT FROM THE T.L.L. TEMPLE FOUNDATION FOR RENOVATION OF THE LOTTIE & AUTHUR TEMPLE CIVIC CENTER

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1.CONSIDER APPROVING MINUTES OF A REGULAR CITY COUNCIL MEETING HELD ON OCTOBER 12, 2009.

2.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER, CITY SECRETARY AND FINANCE DIRECTOR AS SIGNATORIES REQUESTING FUNDS FROM THE TEXAS DEPARTMENT OF RURAL AFFAIRS.

3.CONSIDER APPROVING A RESOLUTION ALONG WITH THE DIBOLL INDEPENDENT SCHOOL JOINTLY APPOINTING BO SMITH TO THE ANGELINA COUNCTY APPRASIAL DISTRICT BOARD OF TRUSTEES.

4.CONSIDER APPROVING A RESOLUTION APPOINTING ELVIA GARZA AS ACTING CITY MANAGER IN THE EVENT OF ABSENCE OF THE CITY MANAGER.

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5.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND ADVERTISE FOR REQUESTS FOR QUALIFICATIONS FOR RENOVATION OF THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER.

6. CONSIDER AWARDING A BID FOR SURFACING THE SPLASH PAD AT OLD ORCHARD PARK TO TEXAS PEBBLE SOFT, LLC FOR $31,000.

REGULAR AGENDA: DISCUSSION/ACTION

7.CONSIDER ADOPTING AN ORDINANCE GRANTING A FRANCHISE TO CENTERPOINT ENERGY FOR THE DISTRUBTION OF NATURAL GAS.

8. DISCUSSION OF FUNDING FOR THE DIBOLL-LUFKIN WATER PROJECT.

CITY MANAGER REPORTS

9. DISCUSSION OF PLANNING & ZONING AND CODE ADOPTION

10. ANNEXATIONS FOR 2010

11. USE OF MOCKINGBIRD STREET FOR LARGE CONSTRUCTION EQUIPMENT

ADJOURN

Dated this the 25th day of November 2009.
City of Diboll

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on November 25, 2009, at 2:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 25th day of November 2009.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS CALLED MEETING ON THURSDAY, DECEMBER 3, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's, Daniel Lopez, Ricky Conner and Robert E. Lewis Jr.

ABSENT
Councilmember Fred Mitchell, Larry Cook, and Don Hendrick

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal William, Dee Scarborough,

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

Dennis McDuffie introduce the Community Development Director Steve Haire.
Mr. McDuffie also announce that a one million dollar grant was approve from T.L.L. Temple Foundation for renovation of the Lottie & Arthur Temple Civic Center.

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON OCTOBER 12, 2009.

2.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER, CITY SECRETARY AND FINANCE DIRECTOR AS SIGNATORIES REQUESTING FUNDS FROM THE TEXAS DEPARTMENT OF RURAL AFFAIRS.

3.CONSIDER APPROVING A RESOLUTION APPOINTING ELVIA GARZA AS ACTING CITY MANAGER IN THE EVENT OF ABSENCE OF THE CITY MANAGER.

4. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND ADVERTISE FOR REQUESTS FOR QUALIFICATIONS FOR RENOVATION OF THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER.

5. CONSIDER AWARDING A BID FOR SURFACING THE SPLAS PAD AT OLD ORCHARD PARK TO TEXAS PEBBLE SOFT, LLC FOR $31,000.

Ricky Conner made the motion and Daniel Lopez seconded.

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All in Favor None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

6. CONSIDER ADOPTING AN ORDINANCE GRANTING A FRANCHISE TO CENTERPOINT ENERGY FOR THE DISTRUBTION OF NATURAL GAS.
Tommy Scherry from Centerpoint said the franchise agreement is for (30) year term and is not an exclusive agreement. Centerpoint will pay the City of Diboll 5% of its gross receipts for the proceeding calendar quarter from the sale of natural gas within the Diboll city limits. Mr. Scherry said an additional seven cents ($0.07) per Mcf for natural gas transported by Centerpoint for its transport customers.

Ricky Conner made the motion and Robert Lewis seconded.
All in favor None opposed

7. DISCUSSION OF FUNDING FOR THE DIBOLL-LUFKIN WATER PROJECT.
Mr. McDuffie update the council on different ways of funding the Diboll-Lufkin Water Project.

CITY MANAGER REPORTS

8.DISCUSSION OF PLANNING & ZONING AND CODE ADOPTION
Steve Haire went over the Code adoptions that our need to be put in place and said he would be working with the City Attorney on Ordinance.

9.ANNEXATIONS FOR 2010
Mr. McDuffie said we need to start thinking about what is needed and to remember about the serve that the city would have to provide. Mr. McDuffie said with new school we have to plan for annexation, water and sewer services.

10. USE OF MOCKINGBIRD STREET FOR LARGE CONSTRUCTION EQUIPMENT
Mr. McDuffie said that Campbell has signed an agreement to repair damage of 150 thousand dollar bond. Joshua Richard said they had took picture with video camera of Mockingbird before the Campbell construction trucks started damaging the street.

ADJOURN.

Ricky Conner made the motion to adjourn at 6:50 p.m. and Robert Lewis seconded.

All in favor None opposed

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Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON DECEMBER 14, 2009

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, DECEMBER 14, 2009 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

REGULAR AGENDA: DISCUSSION/ACTION

1. CONSIDER APPROVING A RESOLUTION AMENDING THE FY 2008-2009 MUNICIPAL BUDGET.

2. CONSIDER APPROVING A RESOLUTION AMENDING THE FY 2009-2010 MUNICIPAL BUDGET.

3. CONSIDER APPROVING A RESOLUTION APPOINTING LARRY COOK AS THE JOINT REPRESENTATIVE BETWEEN THE CITY OF DIBOLL AND THE DIBOLL INDEPENDENT SCHOOL DISTRICT ON THE ANGELINA COUNTY APPRASIAL DISTRICT BOARD OF DIRECTORS.

ADJOURN

Dated this the 11th day of December 2009.
City of Diboll

By: _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on December 11, 2009, at 2:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 11th day of December 2009.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS REGULAR MEETING ON MONDAY, DECEMBER 14, 2009, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Ricky Conner and Robert E. Lewis Jr.

ABSENT
Councilmember Fred Mitchell

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Golf Course Manager Jimmy Mettlen, Public Works Director, Dee Scarborough, P&Z Member Scott Rees

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

REGULAR AGENDA: DISCUSSION/ACTION

1.CONSIDER APPROVING A RESOLUTION AMENDING THE FY 2008-2009 MUNICIPAL BUDGET.
Don Hendrick made the motion to approve a resolution amending the FY 2008-2009 Municipal budget and Daniel Lopez seconded.

All in favor None opposed

2.CONSIDER APPROVING A RESOLUTION AMENDING THE FY 2009-2010
Tabled until next council meeting.

3.CONSIDER APPROVING A RESOLUTION APPOINTING LARRY COOK AS THE JOINT REPRESENTATIVE BETWEEN THE CITY OF DIBOL AND THE DIBOLL INDEPENDENT SCHOOL DISTRICT ON THE ANGELINA COUNTY APPRASIAL DISTRICT BOARD OF DIRECTORS.
Daniel Lopez made the motion to approve a resolution appointing Larry Cook as the joint representative between the City of Diboll and the Diboll Independent School District Board of Directors and Robert Lewis seconded.

All in favor None opposed

ADJOURN.

Ricky Conner made the motion to adjourn at 5:32 p.m. and Larry Cook seconded.

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Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JANUARY 11, 2010

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, JANUARY 11, 2010 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF A REGULAR CITY COUNCIL MEETING HELD ON DECEMBER 3, 2009 AND DECEMBER 14, 2009.

2. CONSIDER APPROVING A RESOLUTION APPOINTING LEWIS IVEY TO THE ANGELINA COUNTY APPRAISAL REVIEW BOARD.

CLOSED MEETING:

CLOSED MEETING HELD PURSUANT TO CHAPTER 551 OF THE TEXAS LOCAL GOVERNMENT CODE V.T.C.S. (OPEN MEETINGS LAW), IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION 551.071 LEGAL.

A. LEGAL - UNDER TEXAS GOVERNMENT CODE, SECTION 551.071 AND RULE 1.05 PROFESSIONAL RULES OF CONDUCT.

1. CONSULTATION AND DELIBERATION WITH THE CITY ATTORNEY REGARDING CONFIDENTIAL LEGAL MATTERS.

ANY FINAL ACTION, DECISION OR VOTE ON A MATTER DELIBERATED IN CLOSED MEETING WILL BE TAKEN IN AN OPEN MEETING THAT IS HELD IN COMPLIANCE WITH TEXAS GOVERNMENT CODE CHAPTER 551. THE CITY COUNCIL RESERVES THE RIGHT TO CONVENE IN CLOSED MEETING AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTION 551.001, ET. SEQ. (TEXAS OPEN MEETINGS ACT) ON ANY ITEM ON ITS OPEN MEETING AGENDA OR TO RECONVENE IN A CONTINUATION OF A CLOSED MEETING ON THE CLOSED MEETING ITEMS NOTED ABOVE, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, INCLUDING WITHOUT LIMITATION, SECTIONS 551.071-551.085 OF THE TEXAS OPEN MEETINGS ACT.

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REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE CITY OF LUFKIN FOR THE PURCHASE OF WATER.

4. CONSIDER ALL MATTERS INCIDENT AND RELATED TO APPROVING AND AUTHORIZING A PUBLICATION OF A NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION, INCLUDING THE ADOPTION OF A RESOLUTION PERTAINING THERETO.

PUBLIC HEARING:

5. HOLD A PUBLIC HEARING ON ADOPTION OF THE 2009 BUILDING CODES AND BUILDING REGULATIONS.

DISCUSSION/ACTION:

6. CONSIDER APPROVING AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DIBOLL, TEXAS BEING SPECIFIC CHAPTER 5, BUILDING AND BUILDING REGULATIONS.

CITY MANAGER REPORTS:

7. ANNEXATION & OPEN MEETINGS ACT WORKSHOP

8. FIRST YEAR

ADJOURN

Dated this the 8th day of January 2010.
City of Diboll

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on January 8, 2010, at 2:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 8th day of January 2010.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, JANUARY 11, 2010, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Ricky Conner , Robert E. Lewis Jr. and Fred Mitchell

ABSENT
NONE

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, and Dee Scarborough,

Bill Brown called the meeting to order and Fred Mitchell gave the invocation.
Pledge of Allegiance was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD DECEMBER 3, 2009 AND DECEMBER 14, 2009.

2.CONSIDER APPROVING A RESOLUTION APPOINTING LEWIS IVEY TO THE ANGELINA COUNTY APPRAISAL REVIEW BOARD.

Don Hendrick made the motion and Fred Mitchell seconded.
All in Favor None Opposed

CLOSED MEETING:

CLOSED MEETING HELD PURSUANT TO CHAPTER 551 OF THE TEXAS LOCAL GOVERNMENT CODE V.T.C.S. (OPEN MEETINGS LAW), IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION 551.071 LEGAL.

A. LEGAL-UNDER TEXAS GOVERNMENT CODE SECTION 551.071 AND RULE 1.05 PROFESSIONAL RULES OF CONDUCT.

1. CONSULTATION AND DELIBERATION WITH THE CITY ATTORNEY REGARDING CONFIDENTIAL LEGAL MATTERS.

Mayor Bill Brown called the council into executive session for consultation and deliberation with the City Attorney regarding confidential legal matters.

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Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

CITY MANAGER REPORTS

3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH THE CITY OF LUFKIN FOR THE PURCHASE OF WATER.

Mr. McDuffie said this will be a (3) three year project and the City of Lufkin will only be paid if we use water.
Larry Cook made the motion to approve a resolution authorizing the City Manager to sign an agreement with the City of Lufkin for the purchase of water and Robert Lewis seconded.

All in favor. None opposed

4. CONSIDER ALL MATTERS INCIDENT AND RELATED TO APPROVING AND AUTHORIZING A PUBLICATION OF A NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION, INCLUDING THE ADOPTION OF A RESOLUTION PERTAINING THERETO.

Ricky Conner made the motion to approve and authorize a publication of notice of intention to issue certificates of obligation, including the adoption of a resolution and Don Hendrick seconded.

All in favor None opposed

PUBLIC HEARING:

5. HOLD A PUBLIC HEARING ON ADOPTION OF THE 2009 BUILDING CODES AND BUILDING REGULATIONS.

Mayor Brown opened the floor to the public for a public hearing on adoption of the 2009 Building Codes and Building Regulation.

Having none Mayor Brown closed the public hearing.

6.CONSIDER APPROVING AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DIBOLL, TEXAS BEING SPECIFIC CHAPTER 5, BUILDING AND BUILDING REGULATIONS.

Steve Haire told the Council if there is something you see that you feel needs to be change we can do that.
Don Hendrick made the motion and Ricky Conner seconded.

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All in favor None opposed

CITY MANAGER REPORTS:

7. ANNEXATION & OPEN MEETINGS ACT WORKSHOP.
Mr. McDuffie asked if on February 1, 2010 was a good day for all the council.
All agree Monday Night February 1, 2010 at 5:15 p.m. was good.

8. FIRST YEAR
Mr. McDuffie said today was his one year with the City of Diboll and we have done well tonight we have gone forward on the Water Project and we have updated the Building Codes. Mr. McDuffie also said we support the School the Bond Issue and it past. Mayor Brown said we have a good staff that work together with the City Manger to put the Budget together.

ADJOURN:

Don Hendrick made the motion to adjourn at 6:06 p.m. and Robert Lewis seconded.

All in favor None opposed

Mayor, Bill Brown

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON FEBRUARY 8, 2010

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, FEBRUARY 8, 2010 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF A REGULAR CITY COUNCIL MEETING HELD ON JANUARY 11, 2010.

2. CONSIDER CALLING FOR THE REGULAR ELECTION OF DIBOLL CITY COUNCIL MEMBERS FOR DISTRICT 4 AND DISTRICT 6 AT LARGE TO BE HELD MAY 8, 2010 AND AUTHORIZING THE MAYOR AND COUNCIL MEMBERS TO SIGN THE ORDER OF ELECTION.

3. RECEIVE DIBOLL POLICE DEPARTMENT'S 2009 RACIAL PROFILING REPORT.

4. CONSIDER APPROVING A RESOLUTION INCREASING COURT FINES IN ACCORDANCE WITH STATE LAW AND ROUNDING UP TO THE NEXT DOLLAR.

REGULAR AGENDA: DISCUSSION/ACTION

5. CONSIDER APPROVING A RESOLUTION CONSENTING THAT ANGENLINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 CAN PLEDGE AND ASSIGN THE INTERLOCAL CONTRACT FOR WASTEWATER TREATMENT SERVICE BETWEEN THE CITY OF DIBOLL AND THE ANGENLINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 TO THE RUAL UTILITIES SERVICE AS SECURITY.

6. CONSIDER APPROVING A RESOLUTION SURPLUSING THE C.H. SHEPARD, JR., SCOUT HOUSE AND AUTHORIZE THE CITY MANAGER TO DISPOSE OF SAID PROPERTY IN ACCORDANCE WITH LAW.

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7. CONSIDER AUTHORIZING THE CITY MANAGER TO AMEND THE AMORTIZATION SCHEDULE FOR THE DIBOLL-LUFKIN WATER PROJECT FOR A FIFTEEN TO TWENTY YEAR ISSUE.

8. CONSIDER APPOINTING TWO TO THREE COUNCIL MEMBERS TO AN AD HOC SUBDIVISION ORDINANCE REVIEW COMMITTEE.

CITY MANAGER REPORTS:

9. FEBRUARY 22, 2010 MEETING

CLOSED MEETING

CLOSED MEETING PURSUANT TO CHAPTER '551. TEXAS LOCAL GOVERNMENT CODE V.T.C.S. (OPEN MEETINGS LAW), IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION '551.071 LEGAL, SECTION '551.074 PERSONNEL.

A. LEGAL - UNDER TEXAS GOVERNMENT CODE, SECTION '551.071 AND RULE 1.05 PROFESSIONAL RULES OF CONDUCT.

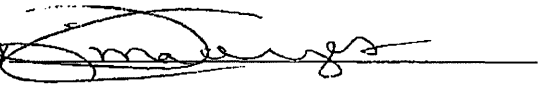
1. CONSULTATION AND DELIBERATION WITH THE CITY ATTORNEY REGARDING CONFIDENTIAL LEGAL MATTERS.

A. PERSONNEL - UNDER TEXAS GOVERNMENT CODE, SECTION '551.074.

ANY FINAL ACTION, DECISION OR VOTE ON A MATTER DELIBERATED IN CLOSED MEETING WILL BE TAKEN IN AN OPEN MEETING THAT IS HELD IN COMPLIANCE WITH TEXAS GOVERNMENT CODE CHAPTER '551. THE CITY COUNCIL RESERVES THE RIGHT TO CONVENE IN CLOSED MEETING AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTION '551.001, ET. SEQ. (TEXAS OPEN MEETINGS ACT) ON ANY ITEM ON ITS OPEN MEETING AGENDA OR TO RECONVENE IN A CONTINUATION OF A CLOSED MEETING ON THE CLOSED MEETING ITEMS NOTED ABOVE, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, INCLUDING WITHOUT LIMITATION, SECTIONS '551.071-'551.085 OF THE TEXAS OPEN MEETINGS ACT.

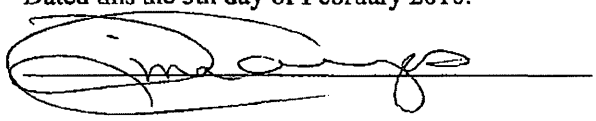
ADJOURN

Dated this the 5th day of February 2010.
City of Diboll

By: 

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on February 5, 2010, at 4:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 5th day of February 2010.



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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, FEBRUARY 8, 2010, AT 5:22 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Fred Mitchell, Daniel Lopez, Larry Cook, Ricky Conner and Robert E. Lewis Jr.

ABSENT
None

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Police Chief Kent Havard, Public Works, Dee Scarborough, Steve Haire

Bill Brown called the meeting to order and Fred Mitchell gave the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON JANUARY 11, 2010.

2.CONSIDER CALLING FOR THE REGULAR ELECTION OF DIBOLL CITY COUNCIL MEMBERS FOR DISTRICT 4 AND DISTRICT 6 AT LARGE TO BE HELD MAY 8, 2010 AND AUTHORIZING THE MAYOR AND COUNCIL MEMBERS TO SIGN THE ORDER OF ELECTION.

3.RECEIVE DIBOLL POLICE D EPARTMENT'S 2009 RACIAL PROFILING REPORT.

4.CONSIDER APPROVING A RESOLUTION INCREASING COURT FINES IN ACCORDANCE WITH STATE LAW AND ROUNDING UP TO THE NEXT DOLLAR.

Ricky Conner made the motion and Daniel Lopez seconded.
All in Favor None Opposed

REGULAR AGENDA:DISCUSSION/ACTION

5. CONSIDER APPROVING A RESOLUTION CONSENTING THAT ANGELINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4 CAN PLEDGE AND ASSIGN THE INTERLOCAL CONTRACT FOR WASTEWATER TREATMENT SERVICE BETWEEN THE CITY OF DIBOLL AND THE ANGELINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO.4 TO THE RURAL UTILITES SERVICE AS SECURITY.

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Mr. McDuffie said in order for the district to secure the necessary loans from the Rural Utilities Service (USDA) the City of Diboll must consent to the district so it can pledge and assign the Interlocal Contract for Wastewater Treatment Service. Mr. McDuffie said this put the City at no risk.

Don Hendrick made the motion and Larry Cook seconded.

All in favor None opposed

6. CONSIDER APPROVING A RESOLUTION SURPLUSING THE C.H. SHEPHERD, JR. SCOUT HOUSE AND AUTHORIZE THE CITY MANAGER TO DISPOSE OF SAID PROPERTY IN ACCORDANCE WITH LAW.

Mr. McDuffie said that the Shepherd family and Temple Inland both had been notified and were ok with the decision. Mr. McDuffie said he hope's to replace it with a Pavilion name after the Mayor Shepherd. Don Hendrick said he would like to see the Pavilion replace this year.

Ricky Conner made the motion to approve resolution surplus the C.H. Shepherd Scout House and Fred Mitchell seconded.

All in favor None opposed

7.CONSIDER AUTHORIZING THE CITY MANAGER TO AMEND THE AMORTIZATION SCHEDULE FOR THE DIBOLL-LUFKIN WATER PROJECT FOR A FIFTEEN TO TWENTY YEAR ISSUE.

Mr. McDuffie said the main reason is that institutions will be more competitive and the interest rates lower on a 15 year issue versus a 20 year issue.
Don Hendrick made the motion to authorize the City Manager to amend the amortization schedule for the Diboll-Lufkin Water Project for a fifteen to twenty year and Robert Lewis seconded.

All in favor None opposed

8.CONSIDER APPOINTING TWO TO THREE COUNCIL MEMBERS TO AN AD HOC SUBDIVISION ORDINANCE REVIEW COMMITTEE.

Mayor Brown asked for volunteers and Don Hendrick and Robert Lewis said they would volunteer.
Bill Brown made the motion to approve Don Hendrick and Robert Lewis to be on The Review Committee for HOC Subdivision Ordinance and Ricky Conner seconded.

All in favor None opposed.

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CITY MANAGER REPORTS:

9.FEBRUARY 22, 2010 MEETING
Mr. McDuffie said we will have a workshop on February 22, 2010 at 5:15 p.m.

CLOSED MEETING

A. LEGAL-UNDER TEXAS GOVERNMENT CODE, SECTION '551.071 AND RULE 1.05 PROFESSIONAL RULES OF CONDUCT.

1.CONSULTATION AND DELIBERATION WITH THE CITY ATTORNEY REGARDING CONFIDENTIAL LEGAL MATTERS.

A.PERSONNEL-UNDER TEXAS GOVERNMENT CODE, SECTION '551.074.

Mayor Brown called the council into executive session for consultation and deliberation with the City Attorney regarding confidential legal matter.

Mayor Brown called the council back into open session, no decision were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

ADJOURN

Daniel Lopez made a motion to adjourn at 6:09 p.m. and Don Hendrick seconded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, FEBRUARY 22, 2010, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, and Robert E. Lewis Jr.

ABSENT
Councilmember Fred Mitchell and Ricky Conner

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Dee Scarborough, and Ronnie Lyles
Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

PUBLIC HEARING:

1. HOLD A PUBLIC REGARDING THE ISSUANCE OF CERTIFICATES OF OBLIGATION FOR THE DIBOLL-LUFKIN WATER PROJECT.
Mayor Brown at this time opened the floor for Public Hearing and asked if anyone would like to speak.
Mayor Brown said having none we closed the Public Hearing at 5:18 p.m.

REGULAR AGENDA: DISCUSSION/ACTION

2.CONSIDER ADOPTING AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF DIBOLL, TEXAS, TAX AND UTILITY SUSTEM REVENUE CERTIFICATES OF OBLIGATION, SERIES 2010".

Don Hendrick made the motion to consider adopting an ordinance authorizing the issuance of City of Diboll Texas Tax and Utility System Revenue Certificates of Obligation, Series 2010 and Larry Cook seconded.

All in favor None opposed

3.CONSIDER APPROVING A RESOLUTION AWARDING A BID FOR THE REHABILITATION OF WATER WELL NO. 2 TO LAYNE- TEXAS.

Larry Cook made the motion to approve the resolution awarding a bid for the rehabilitation of water well No.2 to Layne –Texas and Robert Lewis seconded.

All in favor None opposed

ADJOURN

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Larry Cook made the motion to adjourn at 5:30 p.m. and Don Hendrick seconded

All in favor None opposed

Ricky Conner, Pro-Tem Mayor

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON MARCH 8, 2010

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, MARCH 8, 2010 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF A REGULAR CITY COUNCIL MEETING HELD ON FEBRUARY 8, 2010.

2. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH KSA ENGINEERS, INC FOR ENGINEERING SERVICES ON THE DIBOLL-LUFKIN WATER PROJECT.

CLOSED MEETING

CLOSED MEETING PURSUANT TO CHAPTER '551. TEXAS LOCAL GOVERNMENT CODE V.T.C.S. (OPEN MEETINGS LAW); IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION '551.071 LEGAL.

A. LEGAL - UNDER TEXAS GOVERNMENT CODE, SECTION '551.071 AND RULE 1.05 PROFESSIONAL RULES OF CONDUCT.

1. CONSULTATION AND DELIBERATION WITH THE CITY ATTORNEY REGARDING CONFIDENTIAL LEGAL MATTERS.

ANY FINAL ACTION, DECISION OR VOTE ON A MATTER DELIBERATED IN CLOSED MEETING WILL BE TAKEN IN AN OPEN MEETING THAT IS HELD IN COMPLIANCE WITH TEXAS GOVERNMENT CODE CHAPTER '551. THE CITY COUNCIL RESERVES THE RIGHT TO CONVENE IN CLOSED MEETING AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTION '551.001, ET. SEQ. (TEXAS OPEN MEETINGS ACT) ON ANY ITEM ON ITS OPEN MEETING AGENDA OR TO RECONVENE IN A CONTINUATION OF A CLOSED MEETING ON THE CLOSED MEETING ITEMS NOTED ABOVE, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, INCLUDING WITHOUT LIMITATION, SECTIONS '551.071-'551.085 OF THE TEXAS OPEN MEETINGS ACT.

REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH AMERICAN TRAFFIC SOULTIONS FOR RED LIGHT CAMERA INSTALLATION AND ADMINISTRATION IN THE CITY OF DIBOLL.

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4. RECEIVE AUDIT REPORT ON DIBOLL YOUTH BASEBALL ASSOCIATION.

5. CONSIDER ADOPTING AN ORDINANCE TO AMEND SECTION 16-19, RECEPTACLES-REQUIREMENTS; LOCATION, OF THE CODE OF ORDINANCES TO ADD SUBSECTION (c) WHICH WILL REQUIRE RESIDENTIAL DEVELOPMENTS WITH FIVE (5) OR MORE UNITS, ALL COMMERCIAL, INDUSTRIAL AND BUSINESS WASTE CONTAINERS TO HAVE A DESIGNATED GARBAGE CONTAINMENT AREA

6. CONSIDER APPOINTING A FIVE MEMBER BOARD OF ADJUSTMENTS AS REQUIRED BY THE CITY OF DIBOLL ZONING ORDINANCE.

CITY MANAGER REPORTS:

7. MARCH 15, 2010 MEETING

8. RADIO READ METERS

ADJOURN

Dated this the 5th day of March 2010.
City of Diboll
By Dennis McDuffie

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on March 5, 2010, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 5th day of March 2010.
Dennis McDuffie

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, MARCH 8, 2010 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Fred Mitchell, Daniel Lopez, Larry Cook, Ricky Conner and Robert E. Lewis Jr.

ABSENT
None

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal William, and Dee Scarborough

Bill Brown called the meeting to order and Fred Mitchell gave the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF A REGULAR CITY COUNCIL MEETING HELD ON FEBRUARY 8, 2010.

2.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH KSA ENGINEERS, INC. FOR ENGINEERING SERVICES ON THE DIBOLL-LUFKIN WATER PROJECT.

Ricky Conner made the motion and Daniel Lopez seconded.

All in Favor None opposed

CLOSED MEETING

CONSULTATION AND DELIBERATION WITH THE CITY ATTORNEY REGARDING CONFIDENTIAL LEGAL MATTERS.

Mayor Bill Brown called the council into executive session for consultation and deliberation with the city attorney regarding confidential legal matter.

Mayor Brown called the council back into open session, no decision were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

REGULAR AGENDA: DISCUSSION/ACTION

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

3.CONSIDER APPROVING A RESOLUTION AUTHORZING THE CITY MANAGER TO SIGN A CONTRACT WITH AMERICAN TRAFFIC SOLUTIONS FOR RED LIGHT CAMERA INSTALLATION AND ADMINISTRATION IN THE CITY OF DIBOLL.

After long discussion and question answer Larry Cook made the motion to approve a resolution authorizing the City Manager to sign a contract with American Traffic solutions for red light camera installation and Robert Lewis seconded.

Voting For	Voting Against
Larry Cook	Fred Mitchell
Robert Lewis	
Don Hendrick	
Ricky Conner	
Daniel Lopez	
Bill Brown	

4. RECEIVE AUDIT REPORT ON DIBOLL YOUTH BASEBALL ASSOCIATION.

Eric A. Carver of Axley & Rode went over the audit report with the council and said he had talk to the Baseball Association with recommendation and changes that they need in order for a better audit report. Mr. Carver said that they did good for it being the first time to be audit.

5. **CONSIDER ADOPTING AN ORDINANCE TO AMEND SECTION 16-19, RECEPTACLES REQUIREMENTS; LOCATION, OF THE CODE OF ORDINANCES TO ADD SUBSECTION (C) WHICH WILL REQUIRE RESIDENTIAL DEVELOPMENTS WITH FIVE (5) OR MORE UNITS, ALL COMMERCIAL, INDUSTRIAL AND BUSINESS WASTE CONTAINERS TO HAVE A DESIGNATE GARBAGE CONTAINMENT AREA.**

Don Hendrick made the motion and Ricky Conner seconded.

Voting for	Voting against
Don Hendricks	None
Ricky Conner	
Fred Mitchell	
Robert Lewis	
Bill Brown	

Unopposed
Larry Cook

6.CONSIDER APPOINTING A FIVE MEMBER BOARD OF ADJUSTMENTS AS REQUIRED BY THE CITY OF DIBOLL ZONING ORDINANCE.

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After discussion the council agree to ask someone if they wanted to serve on this board and give the name to the City Manager by the next regular council meeting.

CITY MANAGER REPORTS:

7. MARCH 15, 2010 MEETING

Mr. McDuffie asked the council if everyone could meet for a workshop on March 15, 2010 on annexation. The Council all agreed that was a good day to meet.

8.RADIO READ METERS.

Mr. McDuffie brought the council update on the meters and said they would be starting on Route 3 next week. The meter where about 2 inches above ground and everyone moving this summer would have to be careful the meter have antennas.

Ricky Conner made the motion to adjourn at 6:45 p.m. and Daniel Lopez seconded.

Ricky Conner , Pro-Tem Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS
MEETING ON MARCH 15, 2010, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Ricky Conner and Fred Mitchell

ABSENT
Councilmember Robert E. Lewis Jr.

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Crystal William, Dee Scarborough, Thomas Lowther, David Martinez, and Robert Carlisle

Bill Brown called the meeting to order and Fred Mitchell gave the invocation.
Pledge was coordinate by those in attendance.

WORKSHOP AGENDA:

1.DISCUSS ANNEXATION PLAN WITH CARLISLE & ASSOCIATES.

Mr. Carlisle went over the procedure that they had to go through and then come back with it to see how much it would cost before ever making a final decision. Council asked questions about what areas and how long it would take on the project.

REGULAR AGENDA: DISCUSSION/ACTION

2.CONSIDER CANCELLING THE MAY 8, 2010 ELECTION IN ACCORDANCE WITH SECTION 2.035 OF THE TEXAS ELECTION CODE.

Larry Cook made the motion and Don Hendrick seconded.
All in favor None opposed

3.CONSIDER APPROVING A RESOLUTION AMENDING THE FY 2009-2010 MUNICIPAL BUDGET.

After a long discussion on the resolution Larry Cook made the motion and Don Hendrick seconded.

All in favor None opposed

ADJOURN.

Ricky Conner made the motion to adjourn at 6:10 p.m. and Don Hendrick seconded.

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Ricky Conner, Pro-Tem Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, APRIL 12, 2010 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Pro- Tem Mayor Ricky Conner Robert E. Lewis Jr., and Fred Mitchell

ABSENT
Councilmember Larry Cook and Daniel Lopez

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Dee Scarborough, and Ronnie Lyles

Ricky Conner called the meeting to order and Fred Mitchell gave the invocation.
Pledge was coordinate by those in attendance.

PRESENTATION: RECEIVE FISCAL YEAR 2008-2009 AUDIT REPORT FROM AXLEY & RODE, LLP

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON FEBRUARY 22, MARCH 8, AND MARCH 15, 2010.

2.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A DESIGN-BUILD AGREEMENT WITH J.E. KINGHAM CONSTRUCTION COMPANY TO PROVIDE SERVICES FOR ADDITIONS & RENOVATIONS TO THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER.

3.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A FINANCIAL ADVISORY SERVICES AGREEMENT WITH SOUTHWEST SECURITIES FINANCIAL GROUP.

4 CONSIDER REAPPOINTING RICKY CONNER TO THE BOARD OF DIRECTORS OF THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS & ECONOMIC DEVELOPMENT DISTRICT.

Fred Mitchell made the motion and Don Hendrick seconded.
All in Favor None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

Mayor Bill Brown showed up at the council meeting at 6:27.

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5.PUBLIC HEARING AND DISCUSSION REGARDING THE ISSUANCE OF "CITY OF DIBOLL, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010", INCLUDING A DISCUSSION OF THE ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH BONDS.

Ricky Conner opened the floor for public hearing at 6:28 and councilmen discuss the issuance of 'City of Diboll, Texas general obligation refunding bonds, series 2010.
Mr. John Martin went over the bonds series 2010 and said by refunding the 1999 series will save the city approximately $107.000 over the next ten years or roughly 3.2 % of the value

Ricky Conner closed public hearing at 6:47 p.m. having no further comments.

6.CONSIDER ADOPTING AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010; AND OTHER MATTERS INCIDENT AND RELATED THERETO.

Bill Brown made the motion to adopt an ordinance authorizing the issuance of General Obligation refunding bonds series 2010; and other matters incident and related thereto and Don Hendrick seconded.

All in favor None opposed

7.CONSIDER APPOINTING A FIVE MEMBER BOARD OF ADJUSTMENTS AS REQUIRED BY THE CITY OF DIBOLL ZONING ORDINANCE.

TABLED UNTIL THE NEXT COUNCIL MEETING IN MAY 10, 2010.

8. CONSIDER APPOINTING TWO MEMBERS OF THE CITY COUNCIL TOO SERVE ON AN AUDIT REVIEW COMMITTEE WITH THE CITY MANAGER AN FINANCE DIRECTOR.

TABLED UNTIL THE NEXT COUNCIL MEETING MAY 10, 2010.

CITY MANAGER REPORTS:

9. ENFORCEMENT OF ORDINANCE REGARDING JUNK AUTOMOBILES.

Mr. McDuffie went over the Ordinance regarding junk automobiles where some changes on wording were needed.

ADJOURN.

Ricky Conner made the motion to adjourn at 7:00 p.m. and Don Hendrick seconded.

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Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, MAY 17, 2010 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, and Ricky Conner

ABSENT
Councilmember Fred Mitchell and Robert Lewis Jr.

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, and Finance Director Elvia Garza

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

OATH OF OFFICE:

1.Jimmy Cassels administered the Oath of Office to Daniel Lopez.

AUDIENCE PARTICIPATION:

None.

CONSENT ITEMS/ACTION

2.CONSIDER APPROVING MINUTES OF THE APRIL 12, 2010 REGULAR CITY COUNCIL MEETING.

3.CONSIDER REAPPOINTING JAMES RHONE, ROY HALL, AND MARTHA HERNANDEZ AS COMMISSIONERS TO THE DIBOLL HOUSING AUTHORITY.

4.CONSIDER REVIEWING AND APPROVING THE CITY OF DIBOLL INVESTMENT POLICY.

5.CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A LETTER OF ENGAGEMENT WITH AXLEY & RODE FOR THE FY 2009-2010 AUDIT.

Ricky Conner made the motion and Daniel Lopez seconded.
All in Favor None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

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6.CONSIDER APPOINTING A FIVE MEMBER BOARD OF ADJUSTMENTS AS REQUIRED BY THE CITY OF DIBOLL ZONING ORDINANCE.

Dennis McDuffie said this people said they would serve Danny Bowman, Roy Smith, Clyde Maxey and David Martinez. Mr. McDuffie said we can make a motion for this four and at our next council meeting find one more member to serve on Board of Adjustments.

Don Hendrick made the motion and Ricky Conner seconded.
All in Favor None Opposed

7.CONSIDER APPOINTING TWO MEMBERS OF THE CITY COUNCIL TO SERVE ON AN AUDIT REVIEW WITH THE CITY MANAGER AND FINANCE DIRECTOR.

Daniel Lopez and Don Hendrick.

All in Favor None Opposed

Carried unanimously

CLOSED MEETING:

CLOSED MEETING IS BEING HELD PURSUANT TO CHAPTER '551. TEXAS LOCAL GOVERNMENT CODE V.T.C.S. (OPEN MEETINGS LAW), IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION '551.071 LEGAL, AND '551.074 PERSONNEL.

A.LEGAL- UNDER TEXAS GOVERNMENT CODE, SECTION '551.071 AND RULE 1.05 PROFESSIONAL RULES OF CONDUCT.
B.PERSONNEL-UNDER TEXAS GOVERNMENT CODE, SECTION '551.074.

ANY FINAL ACTION, DECISION OR VOTE ON A MATTER DELIBERATED IN CLOSED MEETING WILL BE TAKEN IN AN OPEN MEETING THAT IS HELD IN COMPLIANCE WITH TEXAS GOVERNMENT CODE CHAPTER '551. THE CITY COUNCIL RESERVES THE RIGHT TO CONVENE IN CLOSED MEETING AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE SECTION '551.001, ET. SEQ. (TEXAS OPEN MEETING ACT) ON ANY ITEM ON ITS OPEN MEETING AGENDA OR TO RECONVENE IN A CONTINUATION OF A CLOSED MEETING ON THE CLOSED MEETING ITEMS NOTED ABOVE, IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT. INCLUDING WITHOUT LIMITATION, SECTIONS '551.071-'551.085 OF THE TEXAS OPEN MEETINGS ACT.

Mayor Brown called the council into executive session for consultation on legal and personnel with the City Attorney.

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Mayor Brown called the council back into open session at 5:53 p.m.,no decision were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

ADJOURN.

Ricky Conner made the motion to adjourn at 5:55 p.m. and Don Hendrick seconded.



Bill Brown, Mayor

ATTEST:



Tina Cavazos, City Secretary

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Minutes of the Governing Body of the City of Diboll, Texas meeting on Monday, June 14, 2010 at 5:15 PM, Diboll City Hall

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Larry Cook, Daniel Lopez, Robert Lewis Jr., and Ricky Conner

ABSENT
Councilmember Fred Mitchell and Don Hendrick

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Code Enforcement Steve Haire, Public Work Director Dee Scarborough and Water Superintendent Ronnie Lyles

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

OATH OF OFFICE

1. Jimmy Cassels administered the Oath of Office to Robert Lewis Jr.

AUDIENCE PARTICIPATION:

James P. Simms came to complain about the water being brown on Carter Drive. Ronnie Lyles said it should get better now that Well # 2 is back in services.
Jeffery Rast asked the Council to consider reconnecting water to a trailer outside city limits. Mr. Jeffery Rast made it clear he did not want to be annex and did not want to spend money on having the property plat.

CONSENT ITEMS/ACTION:

2. CONSIDER APPROVING MINUTES OF THE MAY 17, 2010 REGULAR CITY COUNCIL MEETING.

3. CONSIDER APPROVING A RESOLUTION AMENDING THE CITY OF DIBOLL CREDIT CARD POLICY AND PROCEDURES.

4. CONSIDER APPROVING A RESOLUTION ADOPTING A CAPITALIZATION POLICY FOR THE CITY OF DIBOLL.

Ricky Conner made the motion and Daniel Lopez seconded.
All in favor None opposed

PUBLIC HEARING:

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5. HOLD A PUBLIC HEARING ON AMENDING THE CITY ZONING ORDINANCE TO DECLARE MOBILE HOMES ILLEGAL AND ALLOWING FOR THE PLACEMENT AND USE OF HUD CODE MANUFACTURED HOMES.

Mayor Brown opened the floor for public at 5:28 p.m. Mr. Steve Haire went over the ordinance with the council. Council asked question about the ordinance. Having no further discussion Mayor Brown closed the public hearing at 5:39 p.m.

REGULAR AGENDA: DISCUSSION/ACTION

6. CONSIDER ADOPTING AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE TO DECLARE MOBILE HOMES ILLEGAL AND ALLOWNG FOR THE PLACEMENT AND USE OF HUD CODE MANUFACTURED HOMES.

   Councilman Cook said he wanted to be sure that if in the future he saw something that needed to be change in the ordinance that the council could vote in changing it. Mr. Haire said yes the Council can always change anything they see that needs to be changed.

   Robert Lewis made the motion to adopt the Ordinance Amending the City Zoning Ordinance to declare Mobile Homes illegal and allowing for the placement and use of Hud Code Manufactured Homes and Ricky Conner seconded.

   All in Favor None Opposed.

7. CONSIDER A REQUEST FROM JEFFERY AND ROBERT RAST TO RECONNECT WATER SERVICE TO PROPERTY OUTSIDE THE DIBOLL CITY LIMITS.

   After a long discussion on this matter Councilman Larry Cook wanted it clear that the Council could come back and change the ordinance if needed. Mr. Cassels said the Council can at any time change an ordinance.

   This item die for a lack of seconding the motion.

ADJOURN.

Ricky Conner made the motion to adjourn at 6:43 p.m. and Daniel Lopez seconded.

Bill Brown, Mayor

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ATTEST:



Tina Cavazos, City Secretary

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Minutes of the Governing Body of the City of Diboll, Texas meeting on Monday, July 19, 2010 at 5:15 PM, Diboll City Hall.

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Larry Cook, Ricky Conner and Robert Lewis Jr.

ABSENT
Councilmember Daniel Lopez

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:
Sam Glass address the council about the lights on South First Street being out and no one did anything about it. Mr. Glass also said that Kent Havard told him at one of the council meeting when they were going to put in the shooting range that only Diboll Police Officer would be out there using it and not pass dark when they would practice.

CONSENT ITEMS/ACTION:

1. CONSIDER APPROVING MUNUTES OF THE JUNE 14, 2010 REGULAR CITY COUNCIL MEETING.

2. CONSIDER SETTING AUGUST 2, 2010 AS THE DATE FOR A WORKSHOP ON THE FY 2010-2011 BUDGET.

3. CONSIDER NAMING THE NEW PAVILLION IN OLD ORCHARD PARK IN HONOR OF FORMER MAYOR C.H. SHEPARD, JR. WITH CEREMONY TO BE HELD ON DIBOLL DAY.

4. RECEIVE THE RESIGNATION OF COUNCIL MEMBER FRED MITCHELL, PLACE FIVE (AT LARGE).

   Ricky Conner made the motion and Don Hendrick seconded.
   All in favor None opposed

REGULAR AGENDA: DISCUSSION/ACTION

5. DISCUSSION ON FILLING THE COUNCIL MEMBER VACANY FOR PLACE FIVE (AT LARGE).

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Mr. McDuffie said from the day we accept this letter of resignation from Fred Mitchell we have 30 day to put someone in his place. Fred Mitchell resigned due to his job now having to go out of state and work.
Mayor Brown said we need to ask people if they would be willing to serve on the council and then call Mr. McDuffie and give him the person name. This item will we be on the next agenda meeting.

6. **CONSIDER APPOINTING A REDLIGHT CAMERA COMMITTEE TO CERTIFY RED LIGHT CAMERA LOCATIONS IN THE CITY OF DIBOLL.**

Mr. McDuffie said this is state law to have a committee regarding red lights to make sure it is not only in some parts of town. Mr. McDuffie said we will not have that problem since we have our Red Lights on Highway 59. Mayor Brown said this our the following people that have agree to sit on this Committee, Sam Coleman, Gary Fanon, Mark Kettering, Leroy Lazarine, Dave Martinez and Fran McClain. Mr. McDuffie said they will only have to meet once a year.

Larry Cook made the motion and Don Hendrick seconded.

All in favor None opposed

ADJOURN

Robert Lewis Jr. said before we adjourn I would like to say that I do care for that section of town and I live there also. Mr. Lewis made it clear that he would hear anyone that had a compliant on any section of Diboll. The council all said the same and felt the same that they were here to serve the citizen of Diboll no matter what area they live in.

Ricky Conner made the motion to adjourn at 5:38 p.m. and Larry Cook seconded.

All in favor None opposed

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS BUDGET WORKSHOP ON MONDAY, AUGUST 02, 2010, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Ricky Conner and Robert E. Lewis Jr.

ABSENT
NONE

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic ,Police Chief Kent Havard, Dee Scarborough, Ronnie Lyles, Joshua Richard, and Jimmy Mettlen

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

WORKSHOP AGENDA:

1. DISCUSS DRAFT FY 2010 -2011 BUDGET

Dennis McDuffie went over the items in the budget with an affective tax rate of .566393, which overall would generate the same level of taxes as the current year. Some members of the council asked about the departments that decline and to see what could be done about it. Mr. McDuffie said that Franchise Taxes continue to decline mainly due to reduction in energy use and most likely due to shift changes in the Temple plants. Went over some of the changes they would like to see in the Golf Course like contracting a mechanic, also leasing golf carts instead of buying, and some changes on rates.

2. DISCUSS COMPREHENSIVE FEES SCHEDULE ORDINANCE.

Mr. McDuffie went over the recommended comprehensive fees such as plats, rezoning, building inspection and other such services. Mr. McDuffie said in some areas the current fees do not pay for the process. Councilmen said they would take this information home and look at it and on the next workshop have some more questions and discussion before taken some action.

ADJOURN.

Robert Lewis made the motion to adjourn at 7:03 p.m. and Daniel Lopez seconded.

All in favor None opposed

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Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, AUGUST 09, 2010, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Ricky Conner and Robert E. Lewis Jr.

ABSENT
NONE

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Police Chief Kent Havard, Dee Scarborough, and Ronnie Lyles

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

PRESENTATION:

1. PRESENTATION AND DISCUSION REGARDING THE CONSTRUCTION OF A NEW ELEMENTARY SCHOOL IN THE CITY OF DIBOLL.

Gary Martel went over the construction of a New Elementary School that past in May's election with 70 % voting for.

CONSENT ITEMS/ACTION

2. CONSIDER APPROVING MINUTES OF THE JULY 19, 2010 REGULAR CITY COUNCIL MEETING AND BUDGET WORKSHOP ON AUGUST 2, 2010.

3. CONSIDER SETTING AUGUST 23, 2010 AS THE DATE FOR A WORKSHOP ON THE FY 2010-2011 BUDGET.

Don Hendrick made the motion and Ricky Conner seconded.
All in Favor None Opposed

CLOSED MEETING:

CLOSED MEETING IS BEING HELD PURSUANT TO CHAPTER 551. TEXAS LOCAL GOVERNMENT CODE V.T.C.S. (OPEN MEETINGS LAW), IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION '551.074 PERSONNEL.

A. DISCUSSION AND REVIEW OF COUNCIL MEMBER CANDIDATES FOR PLACE FIVE (AT LARGE).
B. DISCUSSION WITH CITY ATTORNEY REGARDING RESIGNATION OF POLICE OFFICER GRANT JONES.

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Mayor Brown at 5:53 p.m. called the council into executive session to discuss the resignation of Police Officer Grant Jones and to review candidates for council member Place Five (AT LARGE).

Mayor Brown called the council back into open session at 6:30 p.m., no decision was made and no votes were casts. Minutes of the executive session meeting are kept in a lock box in the city's vault.

REGULAR AGENDA: DISCUSSION/ACTION

4. CONSIDER APPOINTING A PERSON TO FILL THE VACANT CITY COUNCIL PLACE FIVE (AT LARGE) POSITION.

Don Hendrick made the motion to accept John McClain and Ricky Conner seconded. Jimmy Cassels said before we tell him let me do some research and be sure there is no problem with him being Father In-Law to one of our Council Member.

All in favor None opposed

ADJOURN.

All in favor None opposed

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS
MEETING ON TUESDAY, AUGUST 23, 2010, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, John McClain and Robert E. Lewis Jr.

ABSENT
Councilmember Ricky Conner

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Public Director Dee Scarborough, and Water Superintendent Ronnie Lyles

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

OATH OF OFFICE
1. OATH OF OFFICE ADMINISTERED TO COUNCIL MEMBER JOHN MCCLAIN. Jimmy Cassels administer the Oath of Office to John McClain.

CLOSED MEETING

CLOSED MEETING IS BEING HELD PURSUANT TO CHAPTER "551. TEXAS LOCAL GOVERNMENT CODE V.T.C.S. (OPEN MEETINGS LAW), IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN SECTION '551.071 LEGAL AND '551.074 PESONNEL.

A. DISCUSSION AND REVIEW VARIOUS PERSONNEL ISSUES.

Mayor Bill Brown called the Council into executive session at 5:21 p.m. to discuss and review various personnel issues.

Mayor Brown called the Council back into regular session at 5:50 p.m. no votes were cast and minutes of the executive session is lock in city's vault.

AGENDA (DISCUSSION/ACTION)

2. CONSIDER APPOINTING THREE COUNCIL MEMBERS TO SERVE ON A JOINT SCHOOL CONSTRUCTION COMMITTEE.

Bill Brown, Ricky Conner, and John McClain agree to serve on the joint school construction committee.

All in favor None opposed

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WORKSHOP AGENDA:

3. DISCUSS DRAFT FY 2010-2011 BUDGET.

Elvia Garza went over the revised proposed budget. Mrs.Garza said she had left out one part-time employee in the payroll calculation and took out one full time person out of Civic Center. The Council went over the revised proposed budget on changes that have been made.

4. DISCUSS COMPREHENSIVE FEE SCHEDULE ORDINANCE
The council asked question on some of the line items. Steve Haire said that the permit fees were not going up just using a different format.

ADJOURN.

Don Hendrick made the motion to adjourn at 6:18 p.m. and Robert Lewis seconded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, SEPTEMBER 13, 2010, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Ricky Conner, Robert E. Lewis Jr. and John McClain

ABSENT

NONE

STAFF PRESENT

City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Dee Scarborough, Jimmy Mettlen and Steve Haire

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinated by those in attendance.

AUDIENCE PARTICIPATION:

Renee Water told the council she was concerned about on the new rates for the Civic Center which have not been approved. Mrs. Water also asked the Council to look and compare the deposit and by the hour on rental with the Lufkin Civic Center.

CONSENT ITEMS/ACTION

1. CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON AUGUST 09, 2010 AND AUGUST 23, 2010.

2. CONSIDER APPROVING A RESOLUTION REJECTING THE RESOLUTION BY THE ANGELINA COUNTY APPRAISAL DISTRICT, CITY OF LUFKIN AND LUFKIN INDEPENDENT SCHOOL DISTRICT TO CHANGE THE NUMBER OF BOARD MEMBERS OF THE ANGELINA COUNTY APPRAISAL DISTRICT.

3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO CAST VOTES FOR THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES.

4. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH BENCH CRAFT COMPANY TO SUPPLY DISPLAY BOARDS, GOLF BENCHES, BALL WASHERS, TEE SIGNS AND GOLF COURSE GUIDES FOR THE NECHES PINES GOLF COURSE.

5. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE SURPLUS OF 50 GOLF CARTS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID CARTS.

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6. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT FOR LEASING 40 GOLF CARTS FOR THE NECHES PINES GOLF COURSE FROM.

Don Hendrick made the motion and Ricky Conner seconded.
All in Favor None Opposed

PUBLIC HEARINGS: DISCUSSION/ACTION

7. HOLD A PUBLIC HEARING ON AMENDING THE CITY OF DIBOLL SIGN REGULATIONS.

Mr. McDuffie and Steve Haire went over the purpose of amending the sign regulations. This is going to help the city from having to many sign around and right next to each other.
Mayor Brown opened the floor for Public Hearing at 5:37 having no one to speak close the public hearing at 5:38.

8. CONSIDER ADOPTING AN ORDINANCE AMENDING THE CITY OF DIBOLL SIGN REGULATIONS.

John McClain made the motion and Robert Lewis Jr. seconded.

All in Favor None Opposed

9. HOLD A PUBLIC HEARING ON AMENDING THE CITY OF DIBOLL FLOODPLAIN ORDINANCE.
Steve Haire told the Council that the city is required to have an approved floodplain ordinance sign by the Mayor and on file with the state before September 30, 2010. This allows our citizens and business to participate in the National Flood Insurance Program.

Mayor Brown opened the floor for Public Hearing at 5:42 having none closed the public hearing at 5:44 p.m.

10. CONSIDER ADOPTING AN ORDINANCE AMENDING THE CITY OF DIBOLL FLOODPLAIN ORDINANCE.

Robert Lewis made the motion and Ricky Conner seconded.

All in favor None Opposed

11. HOLD A PUBLIC HEARING ON THE ADOPTION OF THE FY 2010-2011 MUNICIPAL BUDGET.

Mr. McDuffie said that the city would not be buying any equipment, and that there would be some changes in staff. Mr. McDuffie said the Civic Center would go to one full time

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and one part-time. Golf Course will contract out a mechanic instead of having a full time. Also Golf Cart would be leased instead of buying golf carts. Mr. McDuffie said the idea is to lease 40 carts and use the 50 old carts as part of buy down on the lease. The company will maintain the golf carts and at the end of the lease if it is renewed the City will get 40 new golf carts as part of buy down on the lease. Mr. McDuffie also told the Council that at this time we did not know how much the employees health coverage was going up. Mr. McDuffie said we should know something by the first part of November. The employees will either get a 2% across the board or a one time incentive pay. The Council asked if he would let them know and Mr. McDuffie said he would.

Mayor Brown opened the floor for Public Hearing at 5:50 p.m. having none close the public hearing at 5:52 p.m.

12. CONSIDER APPROVING A RESOLUTION ADOPTING THE FY 2010-2011 MUNICIPAL BUDGET.

Voting For	Voting Against
Don Hendrick	Larry Cook
John McClain	
Daniel Lopez	
Ricky Conner	
Robert Lewis Jr.	

REGULAR AGENDA: DISCUSSION/ACTION

13. CONSIDER APPROVING A RESOLUTION ADOPTING A TAX RATE FOR FY 2010-2011.
The tax rate for FY 2010-2011 is $0.566393 per $100.
Ricky Conner made the motion and John McClain seconded.

All in favor None Opposed

14. CONSIDER ADOPTING AN ORDINANCE AMENDING CHAPTER 21, ARTICLE II, SECTION 21-17 OF THE CODE OF ORDINANCES OF THE CITY OF DIBOLL ESTABLISHING RATES CHARGED FOR WATER.
Mr. McDuffie said that the increase will raise water and sewer for the average residential customer by approximately $8.62.
John McClain made the motion and Ricky Conner seconded

All in favor None Opposed

15. CONSIDER ADOPTING AN ORDINANCE ESTABLISING A COMPREHENSIVE FEE SCHEDULE.

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Roberts Lewis asked about the late fees on the water bill. Mr. Lewis said he just could not see going up on this late fees that much. Mr. Cassesls said you can always bring it back for decision and let see how it goes for now.
Ricky Conner made the motion and Don Hendrick seconded.

Voting For	Voting Against
Ricky Conner	Robert Lewis Jr.
Don Hendrick	Larry Cook
John McClain	
Daniel Lopez	

CLOSED SESSION

16. RETIRE TO CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE:
§551.071 CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION.

Mayor Brown at 6:11 p.m. called the council into executive session to consult with attorney regarding pending or contemplated litigation.

Mayor Brown called the council back into open session at 6:23 p.m.., no decision was made and no votes were casts. Minutes of the executive session meeting are kept in a lock box in the city's vault.

REGULAR AGENDA: ADJOURN.

Daniel Lopez made the motion to adjourn at 6:25 p.m. and Robert Lewis Jr. seconded.

All in favor **None opposed**

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS
MEETING ON MONDAY, OCTOBER 4, 2010 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, John McClain, Ricky Conner and Robert E. Lewis Jr.

ABSENT
Councilmember Larry Cook

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Sara Thompson, and Dee Scarborough,

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

WORKSHOP AGENDA:

1. DISCUSS GOLF COURSE FEE STRUCTURE
Mr. McDuffie said the staff came up with ways to improve the Golf Course. Jimmy Mettlen said they would not be using a mechanic full time that the city would contract out. Mr. Mettlen said that the steps and carpet at the Pro Shop had been replaced. Mr. Mettlen also said that we would lease 40 Golf Cart instead of buying. Mr. Mettlen also said that Bench Craft would be calling business on advertising and they would be taking care of ball washers, golf benches, tee signs and display boards. Mr. Mettlen went over the tournament fees, storage fees, trail fees, and golf course rental. Mayor Brown and Ricky Conner said they felt like the students fees should not go up to leave the fee at $150 for students. Don Hendrick said we need to offer something that other Golf Courses do not.

2. DISCUSS CIVIC CENTER RATES & REFUND POLICY
Sara Thompson said that the Civic Center had just gone through a $1000,000 renovation and upgrade. In order to protect this investment we need to increase in deposit from $250 to $500. Mrs. Thompson said with the deposit of $250, there was little or no incentive for patrons to leave the facility clean and in good order. Most weekend activities you will have children hanging in the curtain, gum on the carpet, cake on the carpet, and kitchen not clean. Mr. Thompson said at this time we do not have a refund policy and the policy should be standardized to assure a fair and equitable return for the renter as well as protecting the rental potential and revenue stream.

3.APPRAISAL DISTRICT TRAINING & DISCUSSION
Mr. McDuffie said that the appraisal district was trying to change from a nine (9) board member to five (5) board members and also have another representative

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from Lufkin. Mr. McDuffie said we all sign a resolution back in 1979 with nine board members.

ADJOURN.

John McClain made the motion to adjourn at 5:55 p.m. and Ricky Conner seconded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY,OCTOBER 11, 2010 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Larry Cook, Ricky Conner, Robert E. Lewis Jr. and John McClain

ABSENT
None

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Sara Thompson, Dee Scarborough,

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD SEPTEMBER 13, 2010 AND OCTOBER 4, 2010.

2.CONSIDER APPROVING A RESOLUTION ESTABLISHING GOLF COURSE FEES.

3.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF RURAL AFFAIRS FOR STREET IMPROVEMENTS.

4. CONSIDER APPROVING A RESOLUTION AFFIRMING THE RATES CHARGED FOR RENTAL AND SECURITY DEPOSIT AND ESTABLISHING A REFUND POLICY FOR THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER.

5. CONSIDER APPROVING A RESOLUTION AWARDING A BID FOR TWO GENERATORS TO ALAN FIELDING ELECTRIC FOR $150,700 AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

John McClain made the motion and Ricky Conner seconded.

All in Favor None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

6. DISCUSS AND REVIEW THE STATUS OF THE NORTHSIDE WATER (DIBOLL-LUFKIN) WATER PROJECT.

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Jimmy Johnson update the Council on The Northside Water Project. Mr. Johnson said they were focusing on the disinfectant that they would be using and seeing about the pump station and storage tank. Mr. Johnson said they still needed 32 more signature for easements. The construction will take a good eight month. The Council said to be sure to get with Lufkin to be on the same schedule when time to connect.

ADJOURN.

Ricky Conner made the motion to adjourn at 5:30 p.m. and Don Hendrick seconded.

All in favor None opposed

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE
CITY OF DIBOLL, TEXAS
ON NOVEMBER 15, 2010

CANCELLED

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, NOVEMBER 15, 2010 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

REGULAR AGENDA: DISCUSSION/ACTION

1. CONSIDER APPROVING MINUTES OF THE OCTOBER 11, 2010 CITY COUNCIL MEETING.

CLOSED SESSION

2. RETIRE TO CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   § 551.071. CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION.

   § 551.072. DISCUSSION AND DELIBERATION ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

   § 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

REGULAR AGENDA: ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on November 12, 2010, at 3:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 12th day of November 2010.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

Due to the passing away of Councilman Larry Cook the Council Meeting Scheduled for Monday, November 15, 2010 has been cancelled.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON DECEMBER 13, 2010

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, DECEMBER 13, 2010 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

CLOSED SESSION

1. RETIRE TO CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

§ 551.071. CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION.

§ 551.072. DISCUSSION AND DELIBERATION ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

§ 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

REGULAR AGENDA: DISCUSSION/ACTION

2. CONSIDER APPOINTING A CITY COUNCIL MEMBER FOR DISTRICT 2.

3. CONSIDER APPROVING A RESOLUTION APPOINTING A JOINT REPRESENTATIVE WITH THE DIBOLL INDEPENDENT SCHOOL DISTRICT TO THE ANGELINA COUNTY APPAISAL DISTRICT BOARD OF TRUSTEES.

4. OATH OF OFFICE ADMINISTERED TO DISTRICT TWO CITY COUNCIL MEMBER.

5. CONSIDER A CITIZEN'S REQUEST FOR A HEARING REGARDING RED LIGHT CAMERAS.

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action

6. CONSIDER APPROVING MINUTES OF THE OCTOBER 11, 2010 CITY COUNCIL MEETING.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

7. CONSIDER APPROVING A RESOLUTION ESTABLISHING AN EXCESSIVE FORCE POLICY.

8. CONSIDER APPROVING A RESOLUTION SELECTING RAY VANN & ASSOCIATES TO PROVIDE ADMINISTRATIVE SERVICES FOR THE 2010 TEXAS COMMUNITY DEVELOPMENT PROGRAM PROJECT.

9. CONSIDER APPROVING A RESOLUTION SELECTING AN ENGINEERING FORM TO PROVIDE ENGINEERING SERVICES FOR THE 2010 TEXAS COMMUNITY DEVELOPMENT PROGRAM PROJECT.

10. CONSIDER APPROVING A RESOLUTION APPOINTING THE CITY MANAGER, CITY SECRETARY AND FINANCE DIRECTOR AS THE AUTHORIZED SIGNATORIES FOR PAYMENT REQUESTS TO THE TEXAS DEPARTMENT OF RURAL AFFAIRS

11. CONSIDER A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL TO PROVIDE A HEALTH CARE PLAN AND DEARBORN FOR DENTAL, LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT AND LONG TERM DISABILITY INSURANCE AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS

12. CONSIDER APPROVING A RESOLUTION SURPLUSING CERTAIN CITY EQUIPMENT AND VEHICLES AND AUTHORIZING THE CITY MANGER TO DISPOSE OF SAID EQUIPMENT AND VEHICLES

ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on December 10, 2010, at 3:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 10th day of December 2010.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, DECEMBER 13, 2010 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, John McClain, Ricky Conner and Lewis Ivey.

ABSENT
Councilmember Robert Lewis

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, and Dee Scarborough,

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

CLOSED SESSION

1.RETIRE TO CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

§ 551.071.CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION.

§551.072. DISCUSSION AND DELIBERATION ON THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY.

§551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

Bill Brown called the councilman into executive session at this time to consultant with Attorney regarding litigation, discuss on the purchase, exchange, lease or value of real property and discuss personnel matters.

Bill Brown called the councilman back into regular session no action was taken, minutes of the executive session is locked in the city's vault.

REGUALR AGENDA: DISCUSSION/ACTION

2. CONSIDER APPOINTING A CITY COUNCIL MEMBER FOR DISTRICT 2.

Ricky Conner made the motion to appoint Lewis Ivey and John McClain seconded.

All in favor None opposed

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3.CONSIDER APPROVING A RESOLUTION APPOINTING A JOINT REPRESENTATIVE WITH THE DIBOLL INDEPENDENT SCHOOL DISTRICT TO THE ANGELINA COUNTY APPRAISAL DISTRICT BOARD OF TRUSTEES.

Don Hendrick approved a resolution appointing Daniel Lopez as joint representative with the Diboll Independent school district to the Angelina County appraisal district Board of Trustees and Ricky Conner seconded.

All in favor None opposed

4. OATH OF OFFICE ADMINISTERED TO DISTRICT TWO CITY COUNCIL MEMBER.

Jimmy Cassels administered the Oath of Office to Lewis Ivey.

5. CONSIDER A CITIZEN'S REQUEST FOR A HEARING REGARDING RED LIGHT CAMERAS.

Guadalupe Compean said he was very unhappy about the Red Light Cameras. Mr. Compean also said that a lot of citizens of Diboll were also against the Red Light Cameras. Mr. Compean said that he would like to see the cameras gone that take picture on turning right. Mr. Compean said that the money does not stay in Diboll it goes else where. Mr. Cassels said the law says when you come to a red light you make a complete stop. Ricky Conner also said that if a Police officer saw someone not making a complete stop they would issue a citation. After a long discussion on the red light cameras Mr. Compean said he would go out and get a petition going on removing the Red Light Cameras.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action

6. CONSIDER APPROVING MINUTES OF THE OCTOBER 11, 2010 CITY COUNCIL MEETING.

7. CONSIDER APPROVING A RESOLUTION ESTABLISHING AN EXCESSIVE FORCE POLICY.

8. CONSIDER APPROVING A RESOLUTION SELECTING RAY VANN & ASSOCIATES TO PROVIDE ADMINISTRATIVE SERVICES FOR THE 2010 TEXAS COMMUNITY DEVELOPMENT PROGRAM PROJECT.

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9. CONSDER APPROVING A RESOLUTION SELECTING AN ENGINEERING FIRM TO PROVIDE ENGINEERING SERVICES FOR THE 2010 TEXAS COMMUNITY DEVELOPMENT PROGRAM PROJECT.
10. CONSIDER APPROVING A RESOLUTION APPOINTING THE CITY MANAGER, CITY SECRETAY AND FINANCE DIRECTOR AS THE AUTHORIZED SIGNATORIES FOR PAYMENT REQUESTS TO THE TEXAS DEPARTMENT OF RURAL AFFAIRS.

11. CONSIDER A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL TO PROVIDE A HEALTH CARE PLAN AND DEARBORN FOR DENTAL, LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT AND LONG TERM DISABILITY INSURANCE AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS

12. CONSIDER APPROVING A RESOLUTION SURPLUSING CERTAIN CITY EQUIPMENT AND VEHICLES AND AUTHORIZING THE CIYT MANAGER TO DISPOSE OF SAID EQUIPMENT AND VEHICLES

Ricky Conner made the motion and Don Hendrick seconded.

All in Favor None opposed

ADJOURN.

Ricky Conner made the motion to adjourn at 6:30 p.m. and John McClain seconded.

All in Favor None opposed

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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To: City Manager Dennis McDuffie
City Attorney Jimmy Cassels
Mayor Bill Brown
Councilman Don Hendricks
Councilman Robert Lewis
Councilman Johnny McClain
Councilman Lewis Ivey
Councilman Daniel Lopez

It is with deep regret that I am resigning from the Diboll City Council effective Tuesday December 14th, 2010. I have come to a point in my life that I cannot give the time that one needs to commit to the council.

Over the past few years I have enjoyed the time that I have worked with each of you and it is an experience that I will never forget. Everyone that has been on or is on the City Council really has taken pride in the work that has been accomplished.

I look forward to the future and wish each of you the best.

Sincerely,

Ricky Conner

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON FEBRUARY 14, 2011 moved to 2-28-2011

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, FEBRUARY 14, 2011 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE DECEMBER 13, 2010 CITY COUNCIL MEETING.

2. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AMENDMENT NUMBER SIX BETWEEN BRAZOS TRANSIT AUTHORITY AND THE CITY OF DIBOLL.

3. CONSIDER APPROVING A RESOLTUION AWARDING THE A BID TO LAYNE-CHRISTENSEN FOR REHABILITATING WATER WELL NUMBER ONE FOR $59,600.

4. CONSIDER ACCEPTING THE RESIGNATION OF RICKY CONNER; PLACE ONE, ON THE DIBOLL CITY COUNCIL EFFECTIVE DECEMBER 13, 2010.

5. CONSIDER CALLING AN ELECTION TO THE DIBOLL CITY COUNCIL PLACE ONE, PLACE THREE AND PLACE FIVE (AT LARGE) FOR MAY 14, 2011.

6. CONSIDER RESCHEDULING THE MARCH CITY COUNCIL MEETING FROM MARCH 14 TO MARCH 21.

REGULAR AGENDA: DISCUSSION/ACTION

7. RECEIVE FY 2009-2010 AUDIT REPORT.

8. CONSIDER ADOPTING AN ORDINANCE DENYING THE PROPOSED CHANGE IN RATES OF ONCOR ELECTRIC DELIVERY COMPANY, LLC.

CLOSED SESSION

9. RETIRE TO CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

§ 551.071. CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION.

§ 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

REGULAR AGENDA: DISCUSSION/ACTION

10. CONSIDER APPOINTING A CITIZEN TO SERVE ON THE ANGELINA COUNTY APPRASIAL DISTRICT REVIEW BOARD.

11. CONSIDER APPOINTING A CITY COUNCIL MEMBER FOR PLACE ONE.

12. OATH OF OFFICE ADMINISTERED TO PLACE ONE CITY COUNCIL MEMBER.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on February 11, 2011, at 3:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 11th day of February 2011.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, FEBRUARY 28, 2011 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, John McClain, Lewis Ivey, Robert Lewis and Bryan Wilson

ABSENT
Councilmember Daniel Lopez

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, and Dee Scarborough,

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE DECEMBER 13, 2010 CITY COUNCIL MEETING.

2. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AMENDMENT NUMBER SIX BETWEEN BRAZOS TRANSIT AUTHORITY AND THE CITY OF DIBOLL.

3. CONSIDER APPROVING A RESOLUTION AWARDING THE BID TO LAYNE-CHRISTENSEN FOR REHABILITATING WATER WELL NUMBER ONE FOR $59,600.

4. CONSIDER ACCEPTING THE RESIGNATION ON RICKY CONNER; PLACE ONE, ON THE CITY COUNCIL EFFECTIVE DECEMBER 13, 2010.

5. CONSIDER CALLING AN ELECTION TO THE DIBOLL CITY COUNCILO PLACE ONE, PLACE THREE AND PLACE FIVE (AT LARGE) FOR MAY 14, 2011.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

6.CONSIDER RESCHEDULING THE MARCH CITY COUNCIL MEETING FROM MARCH 14, 2011 TO MARCH 21, 2011.

John McClain made the motion to approve the consent items and Robert Lewis seconded.

Voting For	Voting Against
All in Favor	None

REGULAR AGENDA: DISCUSSION/ACTION

7. RECEIVE FY 2009-2010 AUDIT REPORT.

Eric Carver of Axley & Rode addressed the councilmen with Audit report on financial statements of the governmental activities. Mr.Carver went over some of the Revenues, Expenditures and changes in fund balances.

8. CONSIDER ADOPTING AN ORDINANCE DENYING THE PROPOSED CHANGE IN RATES OF ONCOR ELECTRIC DELIVERY COMPANY, LLC.

John McClain made the motion to deny the proposed change in rates on Oncor Electric and Lewis Ivey seconded.

Voting For	Voting Against
All in Favor	None opposed

MAYOR BROWN AT THIS TIME SAID HE WOULD LIKE TO MOVE UP ITEM # 11 AND #12.

11. CONSIDER APPOINTING A CITY COUNCIL MEMBER FOR PLACE ONE.

Mayor Brown said that Bryan Wilson would like to serve for the remaining term As Council Member for place one.
Mayor Brown made the motion to accept Bryan Wilson for Council Member for Place one and Don Hendrick seconded.

Voting For	Voting Against
All in favor	None

12. OATH OF OFFICE ADMINISTERED TO PLACE ONE CITY COUNCIL MEMBER.

Jimmy Cassels administered the Statement of Appointed Officer and Oath of Office.

CLOSED SESSION

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9. RETIRE TO CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   §551.071. CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION.

   §551.074.DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

   Mayor Brown called the council into executive session for consultation with City Attorney regarding pending or contemplated litigation and deliberation on personnel matters.

   Mayor Brown called the council back into open session, no decisions were made and no votes were cast. Minutes of the executive session meeting are kept in a lock box in the city's vault.

REGULAR AGENDA: DISCUSSION/ACTION

10. CONSIDER APPOINTING A CITIZEN TO SERVE ON THE ANGELINA COUNTY APPRAISAL DISTRICT REVIEW BOARD.

Lewis Ivey said Gary Hurley would like to serve on the Angelina County Appraisal District Review Board and he lives inside the City. Mayor Brown asked if anyone else had a name to serve on this board. Lewis Ivey made the motion to accept Gary Hurley to serve on the Angelina County Appraisal District Review Board and Don Hendrick seconded.

Voting For	Voting Against
All in Favor	None opposed

ADJOURN.

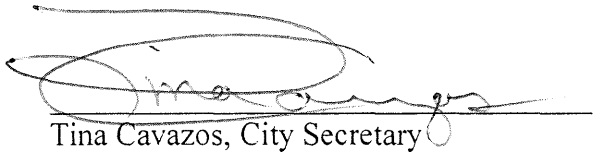
Motion to adjourn by Don Hendrick and John McClain seconded at 6:15 p.m.

Voting For	Voting Against
All in favor	None opposed

Bill Brown, Mayor

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ATTEST:



Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS
MEETING ON MONDAY, MARCH 07, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Lewis Ivey, Bryan Wilson and Robert E. Lewis Jr.

ABSENT
Councilmember John McClain

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Public Works Dee Scarborough, and Officer Steve Baker

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

CLOSED SESSION

1. RETIRE TO CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   § 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

   Bill Brown called the Councilman into executive session at this time to consultant with Attorney regarding deliberation on personnel matters.

   Bill Brown called the Councilman back into regular session, no action was taken, minutes of the executive session in locked in the city's vault.

REGULAR AGENDA:DISCUSSION/ACTION

Mr. McDuffie said that at this time he would announce that Don Morris is going to be Interim starting March 14, 2011 and would like to thank Steve Baker for doing a fine job as Interim. Mr. McDuffie also said they would start looking for a new Chief of Police and would take their time before making a decision.

ADJOURN.

Robert Lewis made the motion to adjourn at 6:03 p.m. and Daniel Lopez seconded.

Voting For	Voting Against
All in favor	None opposed

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Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, MARCH 21, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, John McClain, Lewis Ivey, Robert Lewis and Bryan Wilson

ABSENT
None

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, and Dee Scarborough,

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON FEBRUARY 28, 2011 AND MARCH 07, 2011.

2.CONSIDER SCHEDULING A CITY COUNCIL WORKSHOP FOR MARCH 28, 2011.

3.CONSIDER AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR BANKING SERVICES FOR THE CITY OF DIBOLL.

4.CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT FOR A JOINT ELECTION WITH THE DIBOLL INDEPENDENT SCHOOL DISTRICT.

5.CONSIDER APPOINTING STEPHANIE REES AS ELECTION JUDGE FOR THE MAY 14, 2011 MUNICIPAL ELECTION.

Don Hendrick made the motion and Lewis Ivey seconded.

Voting For	Voting Against
All in Favor	None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

6. CONSIDER APPOINTING A CITY COUNCIL MEMBER TO SERVE ON THE DEEP EAST TEXAS COUNCIL OF GOVERNMENT BOARD OF DIRECTORS.

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Don Hendrick made the motion to appoint Daniel Lopez to serve on the Deep East Texas Council of Government Board of Directors and Lewis Ivey seconded.

Voting For	Voting Against
All in Favor	None opposed

7. CONSIDER APPOINTING A COUNCIL MEMBER TO SERVE AS MAYOR PRO TEM.

Robert Lewis made the motion to appoint Lewis Ivey to serve as Mayor Pro Tem and Bryan Wilson seconded.

Voting For	Voting Against
All in favor	None opposed

CLOSED SESSION

8. RETIRE TO CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

§ 551.071.CONSULTATION WITH ATTORNEY REGARDING PENDING OR CONTEMPLATED LITIGATION.

§ 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

Mayor Brown called the councilman into executive session at this time to consultant with Attorney regarding litigation, and deliberation on personnel matters.

Mayor Brown called the councilman back into regular session no action was taken, minutes of the executive session is locked in the city's vault.

REGULAR AGENDA: DISCUSSION/ACTION

AJOURN

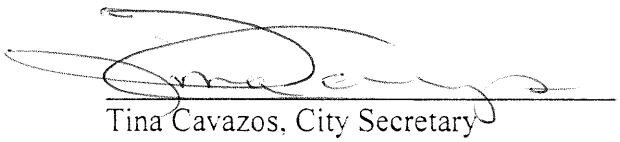
John McClain made the motion to adjourn at 5:48 p.m. and Robert Lewis seconded.

Voting For	Voting Against
All in favor	None opposed

Bill Brown, Mayor

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ATTEST:



Tina Cavazos, City Secretary

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY WORK SHOP OF THE CITY OF DIBOLL, TEXAS ON MONDAY, MARCH 28, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Robert Lewis, Bryan Wilson, Lewis Ivey, and John McClain
ABSENT
NONE

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Dee Scarborough,

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

WORKSHOP AGENDA:

1. DISCUSS MASTER METERING OF NORTHSIDE (FORD RENTALS) APARTMENTS.

   Mr. Bennie Ford asked to be exempt from having to put a master meter on his North side apartments. After a long discussion on the master meters the Mayor and Council asked Bennie Ford to get with Mr. McDuffie to work this out. Mayor Brown said if you can not come up with a solution, it will be brought back up at the next council meeting.

2. DISCUSS BUILDING PERMITTING.

   Steve Haire went over a few items such as people that have come in for a permit to do maintenance on their own homes, and then do more things that they did not asked for. Mr. Haire said they cover everything before getting a final inspection. Mr. Haire said people do not understand it for safety. Steve Haire told the council he would look at the ordinance we have now and make changes where it is needed.

3. DISCUSSION OF HIGHWAY 59 CORRIDOR BEAUTIFICATION.

   Steve Haire told the council about different areas on 59 that have started cleaning up and removing the junk in the yard and around there property. Mr. Haire said he was working on removing portable sign, garage sale sign and hoping to get highway 59 clean up.

4. DISCUSS OF STATE AUDIT OF SALES TAX REVENUE.

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Dennis McDuffie told the council that the City had receive a letter from the Comptroller office saying that the City of Diboll owes the state $780,000 from 2000 on items used in manufacturing which our not taxable. Mr. McDuffie said they told us there is no avenue of appeal. Mr. McDuffie also said that there would be no interest and penalties accrued.

ADJOURN.

Don Hendrick made the motion to adjourn at 6:00 p.m. and Daniel Lopez seconded.

Voting For	Voting Against
All in favor	None opposed

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS
MEETING ON MONDAY, APRIL 11, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Lewis Ivey, John McClain, Robert E. Lewis Jr. and Bryan Wilson

ABSENT
None

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Civic Center Director Sara Thompson, and Dee Scarborough

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

RECEIVE AUDIT REPORT ON DIBOLL YOUTH BASEBALL ASSOCIATION FOR 2010 SEASON.
Eric A. Carver went over the Audit Report with the Mayor and Councilmen. Mr. Carver explain that they still needed to do some things different and show where they had improved. Mr. Carver said over all they did good.

CONSENT ITEMS/ACTION

1.CONSIDER APPROVING MINUTES OF THE MARCH 21, AND MARCH 28, 2011 CITY COUNCIL MEETINGS.

2.CONSIDER RESCHEDULING THE MAY 9, 2011 CITY COUNCIL MEETING TO MAY 23, 2011 FOR CANVASSING THE MUNICIPAL ELECTION RESULTS.

3.CONSIDER APPROVING A RESOLUTION AMENDING DIBOLL PERSONNEL POLICIES MANUAL.

4. CONSIDER APPROVING A RESOLUTION ADOPTING A CREDIT CARD PROCESSING AND HANDELING SECURITY POLICY.

John McClain made the motion to approve consent items and Lewis Ivey seconded

Voting For	Voting Against
All in favor	None opposed

REGULAR AGENDA: DISCUSSION/ACTION

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5. CONSIDER APPROVING A RESOLUTION ALLOCATING $7,100 OF HOTEL TAX FUNDS FOR THE DIBOLL TAMALE FESTIVAL.

Mr. McDuffie said this money will be out of the Hotel tax funds that can be spent on tourists related events. Mr. McDuffie said this is to help pay for entertainment and other events to attract visitors and local people. Mrs. Thompson said she had received some good donation from business here in town and others. Mrs. Thompson said she was stilling wait to hear from some and hopefully she could put the money back. Mrs. Thompson said they would be having a Golf Tournament and a Little Miss Pageant and that is going to bring in some revenue. Mrs. Thompson also said they were trying to having more attraction for the children like games, a carnival, face painting and much more.

Don Hendrick made the motion and Lewis Ivey seconded.

Voting For	Voting Against
All in favor	None

CITY MANAGER REPORT

6. REPORT ON AMENDED ZONING ORDINANCE TO ALLOW A SPECIAL USE PERMIT FOR SETBACKS.

Steve Haire addressed the Council on the special use permit. Mr. Haire said it needed to be look into and reword so that in the future things run more smooth. Mr. Haire said we want the community to improve there property if at all possible.

7.REPORT ON NORTHSIDE APARTMENTS AGREEMENT REGARDING MASTER METERING REQUIREMENTS.

Mr. McDuffie said that he had visit with Bennie Ford and had come to an agreement of signing a letter that he would be responsible for his renters bill.

ADJOURN.

Bryan Wilson made the motion to adjourn at 5:30 p.m. and Robert Lewis seconded.

Voting For	Voting Against
All in favor	None

Bill Brown, Mayor

ATTEST:

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Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON MAY 23, 2011

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, MAY 23, 2011 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

REGULAR AGENDA: DISCUSSION/ACTION

1. CANVASS THE VOTES CAST AT THE MAY 12, 2011 MUNICIPAL ELECTION

2. CONSIDER APPROVING A RESOLTION DECLARING THE RESULTS OF THE MAY 12, 2011 MUNICIPAL ELECTION

3. ADMINISTER THE OATH OF OFFICE TO JOHN MCCLAIN, DON HENDRICK AND BRYAN WILSON

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

4. CONSIDER APPROVING MINUTES OF THE APRIL 12, 2010 REGULAR CITY COUNCIL MEETING.

5. CONSIDER ADOPTING AN ORDINANCE APPROVING SETTLEMENT TO CHARGE RATES CHARGES BY ONCOR ELECTRIC DELIVERY COMPANY, LLC.

REGULAR AGENDA: DISCUSSION/ACTION

6. DISCUSSION REGARDING THE REQUEST TO REMOVE THE PEDESTRIAN BRIDGE AT THE END OF CARTER DRIVE.

7. DISCUSSION REGARDING OPENING OF WALTER ALLEN POOL.

8. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE TWO POLICE CARS.

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9. CONSIDER APPROVING A RESOLUTION SURPLUSING TWO POLICE CARS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID CARS.

ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on May 20, 2011, at 2:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 20th day of May 2011.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, MAY 23, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Lewis Ivey, Robert E. Lewis Jr., and Bryan Wilson

ABSENT
None

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Public Works Dee Scarborough, Code Enforcement Inspector Steve Haire

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

1. Canvass the votes cast at the May 14, 2011 Municipal Election.

Mayor Brown said in the May 14, 2011 Municipal Election results were John McClain 147 votes and Sam Glass 111 votes.

2. CONSIDER APPROVING A RESOLUTION DECLARING THE RESULTS OF THE MAY 14, 2011 MUNICIPAL ELECTION

Lewis Ivey made the motion to approve a resolution declaring the results of the May 14, 2011 Municipal Election and Don Hendrick seconded.

Voting For	Voting Against
All in Favor	None Opposed

3. ADMINISTER THE OATH OF OFFICE TO JOHN MCLAIN, DON HENDRICK AND BRYAN WILSON

Mayor Brown administers the oath of office to John McClain, Don Hendrick and Bryan Wilson.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

4. CONSIDER APPROVING MINUTES OF THE APRIL 12, 2011 REGULAR CITY COUNCIL MEETING.

5. CONSIDER ADOPTING AN ORDINANCE APPROVING SETTLEMENT TO

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CHARGE RATES CHARGES BY ONCOR ELECTRIC DELIVERY COMPANY, LLC.

Robert Lewis made the motion on adopting an ordinance approving settlement to charge Rates charges by Oncor Electric Company, LLC and Lewis Ivey seconded.

Voting For	Voting Against
All in favor	None opposed

REGULAR AGENDA:DISCUSSION/ACTION

6. DISCUSSION REGARDING THE REQUEST TO REMOVE THE PEDESTRIAN BRIDGE AT THE END OF CARTER DRIVE.

The people from Carter Drive express about not wanting the removal of the pedestrian Bridge at the end of Carter Drive. Mr. McDuffie said that the bridge was on Temple-Inlands right of way and that is who the citizen of carter drive needs to call.

7. DISCUSSION REGARDING OPENING OF WALTER ALLEN POOL.

The people express wanting Walter Allen Pool reopen. Mr. McDuffie said that Walter Allen Pool belongs to The Booster Club.

8. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE TWO POLICE CARS.

Robert Lewis made the motion to approve the resolution authorizing the City Manager To purchase two police cars and Don Hendrick seconded.

Voting for	Voting Against
All in favor	None opposed

9. CONSIDER APPROVING A RESOLUTION SURPLUSING TWO POLICE CARS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID CARS.

Bryan Wilson made the motion to surplus two police cars and authoring the City Manager to dispose of said cars and Don Hendrick seconded.

Voting For	Voting Against
All in favor	None opposed

ADJOURN.

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Don Hendrick made the motion to adjourn at 6:31 p.m. and Robert Lewis seconded.

~~Bill Brown,~~ Mayor

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JUNE 20, 2011

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JUNE 20, 2011 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE MAY 23, 2011 REGULAR CITY COUNCIL MEETING.

2. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE INTERLOCAL AGREEMENT FOR WASTEWATER SERVICES BETWEEN THE CITY OF DIBOLL AND ANGELINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT.

REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR BANKING SERVICES TO COMMERCIAL BANK OF TEXAS AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

CITY MANAGER REPORTS:

4. WALTER ALLEN POOL

5. WORKSHOP SCHEDULE FOR JULY AND AUGUST

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on June 17, 2011, at 2:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 17th day of June 2011.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, JUNE 20, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Pro-Tem Mayor Lewis Ivey, Councilmember's Don Hendrick, Daniel Lopez, John McClain, and Bryan Wilson

ABSENT
Councilmember Robert Lewis and Mayor Bill Brown

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Police Officer Steve Baker, Chief Police Don Morris and Public Works Dee Scarborough

Lewis Ivey called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1. CONSIDER APPROVING MINUTES OF THE CITY COUNCIL MEETINGS HELD ON MAY 23, 2011.

2. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE INTERLOCAL AGREEMENT FOR WASTEWATER SERVICES BETWEEN THE CITY OF DIBOLL AND ANGELINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT.

John McClain made the motion and Bryan Wilson seconded.
All in Favor None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR BANKING SERVICES TO COMMERCIAL BANK OF TEXAS AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

Some of the City Council asked for the Finance Director to give them more information on the Services and interest that the Banks afford before they make a decision. At this time the Council asked to table this item until the next council meeting.

All in favor None opposed

CITY MANAGER REPORTS

4. WALTER ALLEN POOL

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Mr. McDuffie updates the Council on the Walter Allen Pool. Mr. McDuffie said the Property belongs to the Booster Club; to renovate the Walter Allen Pool it cost would be approximately $91,550. Mr. McDuffie said the Booster Club funds that were generated by Diboll Day have been allocated for the next two years and the City has no funds designated for swimming pool operation. The Boys and Girls Club of Angelina County would like to have a swimming pool for their program in Diboll but they do not want to fund the maintenance and operation of the pool or lifeguard.

5. WORKSHOP SCHEDULE FOR JULY AND AUGUST.

Mr. McDuffie asked the Council to e-mail him dates in July and August that they might be taking vacation or not able to come to a workshops. He said this way he would start scheduling dates on Budget Workshop.

ADJOURN.

Bryan Wilson made the motion to adjourn at 5:38 p.m. and Don Hendrick seconded.

All in favor **None opposed**

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JULY 11, 2011

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JULY 11, 2011 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE JUNE 20, 2011 REGULAR CITY COUNCIL MEETING.

REGULAR AGENDA: DISCUSSION/ACTION

2. DISCUSSION REGARDING THE CITY OF DIBOLL BECOMING A CERTIFIED RETIREMENT COMMUNITY.

3. CONSIDER APPROVING A RESOLUTION APPROVING THE USE AND PURCHASE OF THE TASER X2 BY THE DIBOLL POLICE DEPARTMENT.

4. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A SURVEILLANCE AND ALARM SYSTEM FOR THE DIBOLL POLICE DEPARTMENT AND CITY HALL.

CITY MANAGER REPORTS

5. GOLF COURSE IMPROVEMENTS

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on July 8, 2011, at 2:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 8th day of July 2011.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, JULY 11, 2011 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Lewis Ivey, John McClain, and Bryan Wilson

ABSENT
Councilmember Robert Lewis and Daniel Lopez

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Chief Don Morris, Public Director Dee Scarborough and Officer Steve Baker

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

NONE

CONSENT ITEMS/ACTION

1. CONSIDER APPROVING MINUTES OF THE JUNE 20, 2011 REGUALR CITY COUNCIL MEETING.

Lewis Ivey made the motion to approve minutes of the June 20, 2011 Regular City Council meeting and Bryan Wilson seconded.

All in favor None opposed

REGULAR AGENDA: DISCUSSION/ACTION

2. DISCUSSION REGARDING THE CITY OF DIBOLL BECOMING A CERTIFIED RETIREMENT COMMUNITY.

After the discussion on becoming a certified retirement community the Mayor and Council said need to explore more before voting on this item.

3. CONSIDER APPROVING A RESOLUTION APPROVING THE USE AND PURCHASE OF THE TASER X2 BY THE DIBOLL POLICE DEPARTMENT.

Lewis Ivey made the motion to approve a resolution approving the use and purchase of the Taser X2 by the Diboll Police Department and John McClain seconded.

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All in favor None opposed

4. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A SURVEILLANCE AND ALARM SYSTEM FOR THE DIBOLL POLICE DEPARTMENT AND CITY HALL.

Lewis Ivey made the motion to approve resolution authorizing the purchase and installation of a surveillance and alarm system for the Diboll Police Department and City Hall with John McClain seconded.

All in favor None opposed

CITY MANAGER REPORTS

5. GOLF COURSE IMPROVEMENTS

Jimmy Mettlen said that the irrigation needs to be replaced. Mr. Padron spends 75 per cent of his time fixing leaks. Mr. Mettlen said that the bridge, bathroom and several other things need to be work on or replace. Mr. McDuffie said that the idea was to go to the Temple Foundation and asked for money to improve the Golf Course. Mr. Mc Duffie said if this was to become a certified retirement community in the future, the Golf Course is one of the attractions that people look for.

ADJOURN.

John McClain made the motion to adjourn at 5:40 p.m. and Don Hendrick seconded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON TUESDAY, AUGUST 08, 2011 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Robert Lewis Jr., John McClain, Bryan Wilson

ABSENT
Councilmember Lewis Ivey

STAFF PRESENT
City Attorney Jimmy Cassels, City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Police Chief Don Morris, Public Director Dee Scarborough, and Officer Steve Baker

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:
Jim Denman of First Bank & Trust address the Council and said he appreciate all the years that the City of Diboll has been with and hope to continue doing so.

CONSENT ITEMS/ACTION

1. CONSIDER APPROVING MINUTES OF THE JULY 11, 2011 REGULAR CITY COUNCIL MEETING.

2. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR CONSTRUCTION OF THE NORTHSIDE WATER PROJECT DISTRIBUTION MAIN TO TERRY BLACK CONSTRUCTION FOR $716,461.48.

3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN INTERLOCAL AGREEMENT WITH THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS (DETCOG) FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES.

4. CONSIDER APPROVING A RESOLUTION SURPLUSING CERTAIN CITY EQUIPMENT AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT.

5. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR CONSTRUCTION OF THE NORTHSIDE WATER PROJECT GROUND STORAGE AND PUMP STATION TO ALLCO FOR $1,813,567.

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6. CONSIDER SETTING AUGUST 15, 2011 FOR A FY 2011-2012 MUNICIPAL BUDGET WORKSHOP.

John McClain made the motion to approve the consent items 1-6 and Robert Lewis seconded

.

All in Favor None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

7. CONSIDER APPROVING A RESOLUTION AWARDING BANKING SERVICES TO COMMERCIAL BANK OF TEXAS.

After discussion on awarding banking services to Commercial Bank of Texas the Councilman Don Hendrick said they would like for Jimmy Cassels to look into the bid process and Councilman McClain said to also check if Commercial Bank of Texas was concerned another bank if it was only through satellite.

Don Hendrick made the motion to table this item until Mr. Cassels brings us the information we want and John McClain seconded.

All in Favor None Opposed

8. CONSIDER ESTABLISHING A REASONABLE TIME LIMIT ON THE AMOUNT OF TIME PERSONNEL ARE REQUIRED TO SPEND PER REQUESTOR UNDER THE TEXAS PUBLIC INFORMATION ACT §552.275.

After discussion on a reasonable time limit on the amount of time personnel are required to spend per requestor to count toward (thirty-six (36) hours in a twelve (12) month period).

Bryan Wilson made the motion and Don Hendrick seconded.

All in favor None Opposed

CITY MANAGER REPORTS

9. DILAPIDATED BUILDINGS

Mr. McDuffie updated the council on the Houses that needed to be brought up to code and yards clean up. Mr. McDuffie said the house on Hines has clean up the yard and is now being remodel. Steve Haire told the Council Members that he had meet with the Ordinance Review Committee and pictures of property were presented to the board. The Committee was asked to drive around and view this property for a pending ordinance on dilapidated structures.

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10. VOLUNTARY WATER CONSERVATION.

Dee Scarborough said at this time we were doing fine on water.

CLOSED SESSION

1. RETIRE TO CLOSE MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   § 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS

Mayor Brown called the Councilman into executive session at this time to consultant with Attorney regarding deliberation on personnel matters.

Mayor Brown called the Councilman back into regular session no action was taken, minutes of the executive session is locked in the city's vault.

ADJOURN.

Daniel Lopez made the motion to adjourn at 6:05 p.m. and Robert Lewis seconded.

All in Favor None Opposed

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, AUGUST 15, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Robert E. Lewis Jr., Lewis Ivey, and John McClain

ABSENT
Bryan Wilson

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Police Chief Don Morris, Public Works Director Dee Scarborough, and Officer Steve Baker

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1. CONSIDER APPROVING RESOLUTION AWARDING THE BID FOR NORTH HENDRIX STREET IMPROVEMENTS TO DREWERY CONSTRUCTION COMPANY INCLUDING ALTERNATES 1 AND 2 AND AUTHORIZING THE CITY MANAGER TO SIGN ALL REALTED DOCUMENTS.

2. CONSIDER APPROVING A RESOLUTION SURPLUSING CERTAIN CITY EQUIPMENT AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT.

Lewis Ivey made the motion to approve the consent items and Robert Lewis seconded.

All in Favor None Opposed

WORKSHOP AGENDA

3. DISCUSSION OF PROPOSED FY 2011-2012 DIBOLL MUNICIPAL BUDGET.

Mr. McDuffie went over the decrease in the budget. Mr. McDuffie announce that Steve Haire is retiring at the end of September 2011. Mr. McDuffie said the city is planning to contract out for a Code Enforcement position. Mr. McDuffie also told the council about the tax rate of .566393 wish we will have to have two public hearing and then adopting the tax rate. Mr. McDuffie went over several other things in this year budget, the leasing of equipment, the insurance for employees and the Golf Course breaking even this year.

REGULAR AGENDA: DISCUSSION/ACTION

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ADJOURN.

Don Hendrick made the motion to adjourn at 5:47 p.m. and Lewis Ivey seconded.

Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, AUGUST 22, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Daniel Lopez, Robert E. Lewis Jr., Lewis Ivey, and John McClain and Bryan Wilson

ABSENT
None

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Public Works Director Dee Scarborough, and Officer Steve Baker

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION

1. CONSIDER APPROVING RESOLUTION PROPOSING AN AD VALOREN TAX RATE OF $0.566393 PER $100 OF EVALUATION FOR FY 2011-2012.

2. SET WEDNESDAY, SEPTEMBER 7, 2011 AS THE DATE FOR THE FIRST PUBLIC HEARING ON THE PROPOSED TAX RATE FOR FY 2011-2012.

3. SET MONDAY, SEPTEMBER 12, 2011 AS THE DATE FOR THE SECOND PUBLIC HEARING ON THE PROPOSED TAX RTE FOR FY 2011-2012.

4. SET MONDAY, SEPTEMBER 19, 2011 AS THE DATE FOR ADOPTION OF THE AD VALOREM TAX RATE FOR FY 2011-12.

Lewis Ivey made the motion to approve the consent items with the council all agreeing to keep the dates on the public hearing the same and change the regular council meeting to September the 19 instead of September 12. Don Hendrick second the motion.

All in Favor None Opposed

ADJOURN.

Bryan Wilson made the motion to adjourn at 5:23 p.m. and Robert Lewis seconded.

All in Favor None Opposed

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Bill Brown, Mayor

ATTEST:

Tina Cavazos, City Secretary

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON SEPTEMBER 7, 2011

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON WEDNESDAY, SEPTEMBER 7, 2010 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

REGULAR AGENDA: DISCUSSON/ACTION

1. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.566393 PER $100 OF ASSESSED EVALUATION FOR FY 2011-2012.

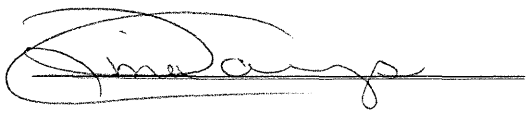
ADJOURN

Dated this the 2nd day of September 2011.
City of Diboll

By 

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on September 2, 2011, at 3:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 2nd day of September 2011.



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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON Wednesday, SEPTEMBER 07, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Lewis Ivey, and Daniel Lopez, Robert Lewis, and John McClain

ABSENT
Bryan Wilson

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

REGULAR AGENDA: DISCUSSION/ACTION

1. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.566393 PER $100 OF ASSESSED EVALUATION FOR FY 2011-2012

Mayor Brown opens the floor for Public Hearing at 5:16 p.m. on the proposed tax rate of $0.566393 per $100 of assessed evaluation for FY 2011-2012. Having none Mayor Brown closed the Public Hearing at 5:17 p.m.

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:18 and Don Hendrick seconded.

All in Favor

None Opposed

Mayor Bill Brown

ATTEST:

City Secretary, Tina Cavazos

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON SEPTEMBER 12, 2011

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, SEPTEMBER 12, 2011 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

REGULAR AGENDA: DISCUSSON/ACTION

1. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.566393 PER $100 OF ASSESSED EVALUATION FOR FY 2011-2012.

ADJOURN

Dated this the 9th day of September 2011.
City of Diboll

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on September 9, 2011, at 3:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 9th day of September 2011.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, SEPTEMBER 12, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Lewis Ivey, and Daniel Lopez, and Robert Lewis,

ABSENT
Bryan Wilson,and John McClain

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos,

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

REGULAR AGENDA: DISCUSSION/ACTION

1. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.566393 PER $100 OF ASSESSED EVALUATION FOR FY 2011-2012

Mayor Brown opens the floor for Public Hearing at 5:16 p.m. on the proposed tax rate of $0.566393 per $100 of assessed evaluation for FY 2011-2012. Having none Mayor Brown closed the Public Hearing at 5:17 p.m.

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:18 and Don Hendrick seconded.

All in Favor

None Opposed

Mayor Bill Brown

ATTEST:

City Secretary, Tina Cavazos

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, SEPTEMBER 19, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Lewis Ivey, and Daniel Lopez, Bryan Wilson, and John McClain

ABSENT
Robert Lewis

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Public Director Dee Scarborough and Officer Steve Baker

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

PUBLIC HEARINGS:

1. AT 5:15 PM HOLD A PUBLIC HEARING ON THE DIBOLL INDEPENDENT SCHOOL DISTRICT PETITION TO ANNEX 52.63 OF THE J.A. PRADO SURVEY TO THE CITY OF DIBOLL.

Mayor Brown opened the floor for public hearing at 5:18 pm on the Diboll Independent Scholl District petition to annex 52.63 of The J.A. Prado Survey to the City of Diboll having none closed the public hearing at 5:19 pm.

2. HOLD A PUBLIC HEARING ON THE ADOPTION OF THE FY 2011-2012 DIBOLL MUNICIPAL BUDGET.

Mayor Brown opened the floor for public hearing at 5:20 pm on the adoption of the FY 2011-2012 Diboll Municipal Budget having none closed the public hearing at 5:21 pm.

Mayor Brown said at this time we will skip item number three (3) and come back to it at 5:45 p.m.

3. AT 5:45 PM HOLD A PUBLIC HEARING ON THE DIBOLL INDEPENDENT SCHOOL DISTRICT PETITION TO ANNEX 52.63 OF THE J.A. PRADO SURVEY TO THE CITY OF DIBOLL.

AUDIENCE PARTICIPATION:
Having no audience participation Mayor Brown moved on to Consent Items.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

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4. CONSIDER APPROVING MINUTES OF THE AUGUST 8, AUGUST 15, AUGUST 22, SEPTEMBER 7 AND SEPTEMBER 12, 2011 CITY COUNCIL MEETINGS.

5. REVIEW INVESTMENT POLICY

6. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A MUNICIPAL MAINTENANCE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION.

7. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH PIONEER DESIGN FOR CITY WEBSITE HOSTING.

8. CONSIDER APPROVING A RESOLUTION ACCEPTING THE PETITION OF THE DIBOLL INDEPENDENT SCHOOL DISTRICT TO ANNEX 52.63 ACRES OF THE J.A. PRADO SURVEY TO THE CITY OF DIBOLL.

Bryan Wilson made the motion to approve the consent items and Don Hendrick seconded.

All in Favor None Opposed

9. CONSIDER ADOPTING AN ORDINANCE APPROVING THE FY 2011-2012 DIBOLL MUNICIPAL BUDGET.

   Mr. McDuffie said the Golf Course finish in black which has not done that in years and even the Civic Center with deftest has done a lot better than in the past. Mr. McDuffie said that the General fund was balance. Mr. McDuffie said that there would be some staff changes and that our Code enforcer has retire but we will replace him. With no further decision Mayor asked for a motion and John McClain made the motion to adopt an ordinance approving the FY 201-2012 Diboll Municipal Budget and Lewis Ivey seconded.

   All in Favor None Opposed

10. CONSIDER ADOPTING AN ORDINANCE LEVYING A TAX OF $0.566393 PER $100 OF EVALUATION ON PROPERTY WITH THE CITY OF DIBOLL FOR FY 2011-2012.

    Mr. McDuffie said the rate tax stay the same as last FY 2010-2011, but due to increase evaluations in the City more tax will be collected than last year. Don Hendrick moves that the property tax rate be increased by the adoption of $0.566393 per $100, which is effectively a 2.11% percent increase in the Tax Rate and Lewis Ivey seconded.

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All in Favor None Opposed

11. CONSIDER ADOPTING ORDINANCE AMENDING CHAPTER 21, ARTICLE II, and SECTION 21-17. RATES GENERALLY OF THE CODE OF ORDINANCES FOR THE CITY OF DIBOLL BY ESTABLISHING RATES CHARGED FOR WATER IN THE CITY OF DIBOLL, TEXAS.

Mr. McDuffie said the increase will raise water rate for the average residential customer by approximately $1.00 per month. Mr. McDuffie said the reason for this is the proposed increase payment of the $3,5000,000 bond debt for the Diboll-Lufkin Water Project that was discuss when the certificates of obligation was passed to solve a secondary water source for the City of Diboll.

Bryan Wilson made the motion to adopt ordinance amending chapter 21, article II, section 21-17 and John McClain seconded.

All in Favor None opposed

12. CONSIDER ADOPTING AN ORDINANCE AMENDING CHAPTER 21, ARTICLE III, and SECTION 21-33. RATES GENERALLY OF THE COE OF ORDINANCES FOR THE CITY OF DIBOLL BY ESTABLISHING RATES CHARGED FOR SANITARY SEWER IN THE CITY OF DIBOLL, TEXAS.

Mr. McDuffie said the increase will raise sewer rate for the average residential customer by approximately $1.00 per month.

John McClain made the motion and Lewis Ivey seconded.

All in Favor None Opposed

13. CERTIFIED RETIREMENT COMMUNITY COMMITTEE

Mr. McDuffie said we need to form a Committee around 5 to 7 people. Mayor Brown said if each of the Council would ask someone they know that would like to serve on this committee and e-mail the name back to Mr. McDuffie before the next council meeting.

The Mayor at this time closed the meeting at 5:34 p.m. to take a short break.

The Mayor calls the Council Member back into open session at 5:45 p.m. for a public hearing on the Diboll Independent School District Petition to Annex 52.63 of the J.A. Prado survey to the City of Diboll.
Having no participated on the Diboll Independent School District Petition to Annex 52.63 of the J.A. Prado survey to the City of Diboll Mayor Brown closed the public hearing at 5:46 p.m.

ADJOURN:

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John McClain made the motion to adjourn at 5:47 and Lewis Ivey seconded.

All in Favor

None Opposed

Mayor Bill Brown

ATTEST:

City Secretary, Tina Cavazos

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, OCTOBER 10, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Lewis Ivey, and Daniel Lopez, Robert Lewis, and Bryan Wilson

ABSENT
John McClain

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Jimmy Cassels City Attorney, Public Works Dee Scarborough, Chief Don Morris, and Officer Steve Baker

Bill Brown called the meeting to order and Gary Martel gave the invocation.
Pledge was coordinate by those in attendance.

INTRODUCTION OF NEW CITY STAFF
Mr. McDuffie introduces Bryant McCollum new Code enforcement officer that retired from the City of Lufkin.

AUDIENCE PARTICIPATION:
NONE

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE SEPTEMNER 19, 2011 CITY COUNCIL MEETING.

2. CONSIDER SETTING MONDAY, OCTOBER 24, 2011 AS A WORKSHOP DATE TO DISCUSS STREET IMPROVEMENTS.

3. CONSIDER AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR QUOTES ON THE CITY HEALTH INSURANCE PROGRAM FOR 2012.

Bryan Wilson made the motion to approve the Consent Items 1-3 and Robert Lewis seconded.

All in Favor None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

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4. CONSIDER ADOPTING AN ORDINANCE ANNEXING DIBOLL INDEPENDENT SCHOLL DISTRICT 'S 56.63 ACRES OF THE J.A.PRADO SURVEY LOCATED ON LUMBERJACK DRIVE TO THE CITY OF DIBOLL.

Lewis Ivey made the motion to adopt an ordinance annexing Diboll Independent School District 56.63 Acres of the J.A. Prado survey located on Lumberjack Drive to the City of Diboll and Don Hendrick seconded.

All in Favor None Opposed

CLOSSED SESSION

A. RETIRE TO CLOSE MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

§551.074. DISCUSS AND DELIBERATION ON PERSONNEL MATTERS

Mayor Brown called the Councilmen into executive session at this time to consultant with City Attorney regarding deliberation on personnel matters.

Mayor Brown called the Councilmen back into regular session no action was taken, minutes of the executive session is locked in the city's vault.

REGULAR AGENDA: DISCUSSION/ACTION

5. CONSIDER APPOINTING A CERTIFIED RETIREMENT COMMUNITY RESOURCE COMMITTEE.

Postpone until the next meeting.

ADJOURN:

Don Hendrick made the motion to adjourn at 6:16 p.m. and Robert Lewis seconded.

All in Favor None Opposed

Pro-Mayor ~~Bill Brown~~ Lewis Ivey

ATTEST:

City Secretary, Tina Cavazos

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY,OCTOBER 24, 2011 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Lewis Ivey, and Robert Lewis, and Bryan Wilson

ABSENT
Daniel Lopez and John McClain

STAFF PRESENT
City Manager Dennis McDuffie, City Attorney Jimmy Cassels, City Secretary Tina Cavazos, Finance Director Elvia Garza, Public Works Director Dee Scarborough, Supervisor Joshua Richard and Officer Steve Baker

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

WORKSHOP AGENDA:

1. DISCUSS STREET IMPROVEMENTS

Bob Thurber went over the streets that need improvement all over town. Mr. Thurber said with the survey they had down on street around Diboll would cost $2.7 million and almost half of that would be Lumberjack Drive to be able to handle the traffic with the new school. Lumberjack would have some sidewalk all the way to the property. Bob Thurber also look at several other streets like South First, Maynard, Elm, Neil Pickett Willie D Jones, Beech and many more. Councilman Robert Lewis asked Mr. Thurber if he could look into Cypress, Lynn, and O.C. Scott for an estimate cost of repairs for some of this streets. Mr. Thurber also went over time frame on different projects and cost on different streets.

REGULAR AGENDA: DISCUSSION/ACTION

2. CONSIDER APPROVING A RESOLUTION AWARDING BANKING SERVICES TO COMMERCIAL BANK OF TEXAS.

Lewis Ivey made the motion to reject all bids on banking services and Don Hendrick seconded the motion.

All in Favor None Opposed

CLOSED SESSION

A. RETIRE TO CLOSE MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

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§551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS

Mayor Brown called the Councilmen into executive session at this time to consultant with City Attorney regarding deliberation on personnel matters.

Mayor Brown called the Councilmen back into regular session at 5:58 p.m., no action was taken minutes of the executive session is locked in City's vault.

RETURN TO REGULAR AGENDA

3. CONSIDER APPOINTING A CERTIFIED RETIREMENT COMMUNITY COMMITTEE

Post Pone until next regular Council Meeting.

ADJOURN:

Bryan Wilson made the motion to adjourn at 5:59 p.m. and Lewis Ivey seconded.

All in Favor None Opposed

Pro- **Mayor ~~Bill Brown~~** Lewis Ivey

ATTEST:

City Secretary, Tina Cavazos

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, NOVEMBER 14, 2011 AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Councilmember's Bryan Wilson, Don Hendrick, Robert Lewis, and John McClain and Pro-Tem Mayor Lewis Ivey

ABSENT
Mayor, Bill Brown and Daniel Lopez

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza

Lewis Ivey called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

Mr. Martel brought the following, Doug Waters, Alicia Santana and Mr. Anthony that are just some of the few seniors who represent our community in Drug Free All Star.
Lindale Jones that lives in South Meadows on April Lane came to ask the Council to look into his water bill that is too high.
Kenneth Jackson wanted to address the Council on his concern about the hiring of a Chief of Police. He said he wanted the Council to be sure they look at all Application and make it Public on the finalist.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE OCTOBER 10, 2011 REGULAR CITY COUNCIL MEETING AND OCTOBER 24, 2011 CITY COUNCIL WORKSHOP.

2. CONSIDER APPROVING A RESOLUTION SURPLUSING CERTAIN CITY EQUIPMENT AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT.

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3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AND FILE NECESSARY FORMS WITH THE STATE COMPTROLLER PRESERVING THE CITY OF DIBOLL'S EMINENT DOMAIN AUTHORITY.

4. CONSIDER APPROVING A RESOLUTION AMENDING CERTAIN SECTIONS OF THE FY 2010-2011 MUNICIPAL BUDGET.

5. CONSIDER SETTING MONDAY, NOVEMBER 28, 2011 AS A CITY COUNCIL WORKSHOP DATE.

John McClain made the motion and Lewis Ivey seconded.

All in Favor None Opposed

PUBLIC HEARINGS:

6. HOLD A PUBLIC HEARING REGARDING CONTINUING TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT.

Lewis Ivey opens the floor for a Public Hearing at 5:31 pm regarding continuing to tax tangible personal property in transit. Mr. McDuffie said the Tax Code requires the City to hold a public hearing prior adoption of an ordinance to continue taxing certain goods-in-transit.
Lewis Ivey closed the Public Hearing at 5:37 pm.

REGULAR AGENDA: DISCUSSION/ACTION

7. CONSIDER ADOPTING AN ORDINANCE TO TAX TANGIBLE PERSONAL PROPERTY IN TRANSIT.

Don Hendrick made the motion to consider adopting an ordinance to tax tangible personal property in Transit and John McClain seconded.

All in Favor None Opposed

8. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR THE EMPLOYEES HEALTH PLAN.

The Council members table the line item until November 28, 2011 Council meeting.

CLOSED SESSION:

A. RETIRE TO CLOSE MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

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§ 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS

Mayor Brown called the Councilmen into executive session at this time to consultant with City Attorney regarding deliberation on personnel matters.

Mayor Brown called the Councilmen back into regular session no action was taken, minutes of the executive session is locked in the city's vault.

REGULAR AGENDA: DISCUSSION/ACTION

9. CONSIDER APPOINTING A CERTIFIED RETIREMENT COMMUNITY BOARD.

Bryan Wilson made the motion to appoint Don Hendrick, Sandra Pouland, Lee Woodard, David Martinez and John McClain as certified retirement community board and Robert Lewis seconded.

All in favor None Opposed

ADJOURN:

Don Hendrick made the motion to adjourn at 6:30 pm and Robert Lewis seconded.

All in Favor None Opposed

Mayor Bill Brown

ATTEST:

City Secretary, Tina Cavazos

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, NOVEMBER 28, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Lewis Ivey, and Daniel Lopez, Bryan Wilson and John McClain

ABSENT
Robert Lewis

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance.

REGULAR AGENDA: DISCUSSION/ACTION

1. CONSIDER APPOINTING GREGORY GORES TO THE RETIREMENT COMMUNITY BOARD.

Don Hendrick made the motion to appoint Gregory Gores to the Retirement Community Board and Lewis Ivey seconded.

All in Favor None Opposed

2. CONSIDER EAGLE SCOUT PROJECT IN OLD ORCHARD PARK.

Taylor Chandler addresses the Council on Eagle Scout Leadership Services Project. Mr. Chandler said he would like to mark mileage in the walking patch in the Old Orchard Park. Mr. Chandler said that he would like to insert about 45 reflectors on a post 4X4 to the side of the walking patch. Mr. Chandler said he knows that people use the walking patch everyday and most people would like to know how many miles they are walking. The Council said they thought it was a great idea.

Lewis Ivey made the motion to approve the Eagle Scout Project in the Old Orchard Park and John McClain seconded.

All in favor None Opposed

3. CONSIDER APPROVING EMPLOYEE HEALTH INSURANCE POLICY FOR 2012.

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Mr. McDuffie said we received two bids only, one from Blue Cross Blue Shield and one from Texas Municipal League. Mr. McDuffie said Texas Municipal League is the lowest bids but they will not accept Housing Authority, History Center and Library on the same policy with the City.

Bryan Wilson made the motion to approve Blue Cross & Blue Shield for Employees Health and stay with Dearborn for Dental and Life. Lewis Ivey seconded the motion.

All in Favor None Opposed

WORKSHOP AGENDA:

4. DISCUSS PROPOSED ECONOMIC DEVELOPMENT INCENTIVE POLICY.

Jim Wehmeier went over the Economic Development Incentive Policy that Lufkin and surrounding area in Angelina have in place. Mr. Wehmeier said having the policy in place will help the City and give you flexibility. Mr.Wehmeier the purpose of the Tax Incentive Policy is to promote the retention and expansion of existing industry and to assist in attracting new business. Mr. Wehmeier went over more several parts of the policy and Council asked several question.

ADJOURN:

John McClain made the motion to adjourn at 5:38 pm and Don Hendrick seconded.

All in Favor None Opposed

Mayor Bill Brown

ATTEST:

City Secretary, Tina Cavazos

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON DECEMBER 12, 2011

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, DECEMBER 12, 2011 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

PUBLIC HEARING:

1. HOLD A PUBLIC HEARING ON THE REZONING OF 2.68 ACRES OF THE MOST REVEREND ALVARADO CORRADA DEL RIO ANTONIO CHEVANO SURVEY, ABSTRACT NO. 9, ANGELINA COUNTY FROM AGRICULTURE TO (S-1) SINGLE FAMILY FOR THE CONSTRUCTION OF A CHURCH RECTORY.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

2. CONSIDER APPROVING MINUTES OF THE NOVEMBER 14 2011 REGULAR CITY COUNCIL MEETING AND NOVEMBER 28, 2011 CITY COUNCIL WORKSHOP.

3. CONSIDER APPPROVING A RESOLUTION ADOPTING AN ECONOMIC DEVELOPMENT INCENTIVE POLICY FOR THE CITY OF DIBOLL.

4. CONSIDER APPROVING A RESOLUTION REPLATING 2.68 ACRES OF THE MOST REVEREND ALVARADO CORRADA DEL RIO ANTONIO CHEVANO SURVEY, ABSTRACT NO. 9, ANGELINA COUNTY.

5. CONSIDER ARROVING A RESOLUTION REZONING 2.68 ACRES OF THE MOST REVEREND ALVARADO CORRADA DEL RIO ANTONIO CHEVANO SURVEY, ABSTRACT NO. 9, ANGELINA COUNTY FROM AGRICULTURE TO (S-1) SINGLE FAMILY FOR THE CONSTRUCTION OF A CHURCH RECTORY.

REGULAR AGENDA: DISCUSSION/ACTION

6. CONSIDER AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDED CONTRACT FOR ELECTRICAL SERVICE.

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CLOSED SESSION

1. RETIRE TO CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   § 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS – POLICE CHIEF & PLANNING COMMISSION

REGULAR AGENDA: DISCUSSION/ACTION

7. CONSIDER APPOINTING TWO MEMBERS AND AN ALTERNATE TO THE DIBOLL PLANNING COMMISSION

8. CITY MANAGER APPOINTMENT OF A PERMANENT POLIC CHIEF.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on December 9, 2011, at 2:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 9th day of December 2011.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS
MEETING ON MONDAY DECEMBER 12, 2011, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT
Mayor Bill Brown, Councilmember's Don Hendrick, Lewis Ivey, and Daniel Lopez, Robert Lewis, John McClain and Bryan Wilson

ABSENT
NONE

STAFF PRESENT
City Manager Dennis McDuffie, City Secretary Tina Cavazos, City Attorney Jimmy Cassels, Police Chief Don Morris, Officer Steve Baker, and Public Works Dee Scarborough

Bill Brown called the meeting to order and gave the invocation.
Pledge was coordinate by those in attendance

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

None

PUBLIC HEARING:

1. HOLD A PUBLIC HEARING ON THE REZONING OF 2.68 ACRES OF THE MOST REVEREND ALVARADO CORRADA DEL RIO ANTONIO CHEVANO SURVEY, ABSTRACT NO. 9 ANGELINA COUNTIES FROM AGRICULTURE TO (S-1) SINGLE FAMILY FOR THE CONSTRUCTION OF A CHURCH RECTORY.

Mayor Brown opens the floor for Public Hearing at 5:18 p.m. on the rezoning of 2.68 acres of the most Reverend Alvarado Corrada Del Rio Antonio Chevano Survey, abstract No. 9 from agriculture to (S-1) single family for the construction of a church rectory. Having none Mayor Brown closed the Public Hearing at 5:19 p.m.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

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2. CONSIDER APPROVING MINUTES OF THE NOVEMBER 14 2011 REGULAR CITY COUNCIL MEETING AND NOVEMBER 28, 2011 CITY COUNCIL WORKSHOP.

3. CONSIDER APPROVING A RESOLUTION ADOTING AN ECONOMIC DEVELOPMENT INCENTIVE POLICY FOR THE CITY OF DIBOLL.

4. CONSIDER APPROVING A RESOLUTION REPLATING 2.68 ACRES OF THE MOST REVEREND ALVARADO CORRADA DEL RIO ANTONIO CHEVANO SURVEY, ABSTRACT NO. 9, ANGELINA COUNTY.

5. CONSIDER APPROVING A RESOLUTION REZONING 2.68 ACRES OF THE MOST REVEREND ALVARADO CORRADA DEL RIO ANTONIO CHEVANO SURVEY, ABSTRACT NO. 9, ANGELIAN COUNTY FROM AGRICULTURE TO (S-1) SINGLE FAMILY FOR THE CONSTRUCTION OF A CHURCH RECTORY.

Don Hendrick made the motion to approve the consent items and John McClain second.

All in favor None Opposed

REGULAR AGENDA: DISCUSSION/ACTION

6. CONSIDER AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDED CONTRACT FOR ELECTRICAL SERVICE.

   Mr. McDuffie said that Tim Allen had state that he could reduce the current rate on the current contract for electrical service.
   Tim Allen said at this time the electrical service is $82.75 per MWh and if the city amended the contract the electrical service will be $75.36 per MWh.

   Bryan Wilson made the motion to authorize the City Manager to sign an amended contract for electrical service and Don Hendrick seconded the motion.

   All in Favor None Opposed

CLOSED SESSION

A. RETIRE TO CLOSE MEETING PURSUAT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

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551.074 DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS-POLICE CHIEF AND PLANNING COMMISSION

Mayor Brown called the Councilmen into executive session at this time to consultant with City Attorney regarding deliberation on personnel matters.

Mayor Brown called the Councilmen back into regular session no action was taken, minutes of the executive session is licked in the city's vault.

REGULAR AGENDA: DISCUSSION/ACTION

7. CONSIDER APPOINTING TWO MEMBERS AND AN ALTERNATE TO THE DIBOLL PLANNING COMMISSION

Table until our next council meeting.

8. CITY MANAGER APPOINTMENT OF A PERMANENT POLICE CHIEF.

Mr. McDuffie said he would like to thank Don Morris for serving as Police Chief. Mr. McDuffie said Mr. Morris had promise to stay through the first of the year and we all appreciate his time and job well done. Mr. McDuffie said that the City receive (20) twenty application for the police chief position. Mr. McDuffie said that he asked Tina Cavazos to call and set up interview for (7) seven applicants. Mr. McDuffie said that one day before interview appointments one text me a message that he could not make it and another no show or call. Mr. McDuffie also said they had a panel for the interviews. The panel votes on Ricky Conner. Mr. McDuffie said I recommend Ricky Conner as our new Police Chief and will still have the background check.

ADJOURN:

Daniel Lopez made the motion to adjourn at 6:51 and Lewis Ivey seconded.

All in Favor None Opposed

Mayor Bill Brown

ATTEST:

City Secretary, Tina Cavazos

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Sign-in

1. Bo Smith
2. Dave Martinez
3. Billy Adams
4. Arthur Powell
5. Eric Carver
6. James Flournoy
7. Gary Mike Smith
8. Dee Scarborough
9. Alan Draper
10. Jr Caldy
11. Kent Tabarez
12. Crystal Williams
13. Jimmy Mettlen
14. ~~Harold Davis~~
15. Zacorian McCloud
16. DELVIN WILLIAMS

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MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, January 28, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Lewis Ivey, Dr. Woody Ingram, Robert Lewis, and Bryan Wilson

ABSENT

Don Hendricks and Daniel Lopez

STAFF PRESENT

City Manager Dennis McDuffie, City Attorney Jimmy Cassels, City Secretary Tina Cavazos, Finance Director Elvia Garza, Public Work Dee Scarborough , Police Chief Ricky Conner

Mayor McClain called the meeting to order and Pastor Kenny Gibbs gave the invocation.

Pledge was coordinate by those in attendance.

RECEIVE AND REVIEW CITIZEN SURVEY FROM DESIGN FOR DIBOLL COMMITTEE

Gary Gore went over the citizen survey returns with The Council. Mr. Gore said Brenda Russell had put a lot of time into the suvey. The Hispanic community responses was they shop in Diboll 81% of the time while the English submitted community responses reported only 69 %. Mr. Gore said both group responses they wanted more shopping options, eating places and other grocery options. Mr. Gore also said housing also rated high, people would like to so more affordable housing, apartments and duplexes.

AUDIENCE PARTICIPATION:

None

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE DECEMBER 10, 2012 REGULAR CITY COUNCIL MEETING.
2. CONSIDER APPROVING A RESOLUTION DECLARING CERTAIN ITEMS AS SURPLUS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID SURPLUS
3. CONSIDER ESTABLISHING FEBRUARY 18, 2013 AND MARCH 18, 2013 AS THE REGULAR CITY COUNCIL MEETING DATES FOR THE NEXT TWO MONTHS.

   The Council changes the February council meeting date to February 25, 2013 and left March 18, 2013 as it is. Bryan Wilson made the motion to approve items 1-3 with the one change of date on items 3 and Lewis Ivey seconded.

   All in favor none opposed

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REGULAR AGENDA: DISCUSSION/ACTION

4. RECEIVE AND REVIEW FY 2011-2012 FINANCIAL AUDIT.

Eric Carver of Axley & Rode, LLP went over the city assets, liabilities, and net assets. Mr. Carver also expresses how important it was to have a policy in place for fund balance for the general by adopting an Ordinance. Mr. Carver also said that the audit was in great shape and he would like to thank the Finance director and staff for the great job they done which make our job easier.

5. CONSIDER ADOPTING AN ORDINANCE ADOPTING GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB) 54 STANDARDS AND APPLICATIONS; AND APPROVING A FUND BALANCE POLICY FOR THE GENERAL FUND.

Lewis Ivey made the motion and Woody Ingram seconded.

All in favor none opposed

6. RECEIVE AND REVIEW CITY FINANCE DIRECTORS REPORT ON SURPLUS FUNDS.

Elvia Garza went over the finance and express how important it was to maintain at least 3 months of operation expenses aside in order to mitigate the financial risk of unforeseen revenue fluctuations, unanticipated expenditures and negative events. Mrs. Garza also said since 2007 the staff has made a concerted effort to improve the financial stability of the City, and prior to this date, the water & sewer fund would borrow heavily from the General Fund. Mrs. Garza also said that the cash reserves would be practically depleted during certain times of the year. Mrs. Garza said we have presented a balance budget since 2007 and we stuck to it, even when we experienced favorable variances and within each fund any due to/from balances which could not be identified have been written off. There is many reason to adopt a fiscal policy which Eric Carver has explain to you all early, Mrs. Garza said for enhanced credibility with the public, investors and bond rating. Mrs. Garza point out that in 2012 we were able to get **an A rating** from Standard & Poor where they specifically mention our balanced budget. Mrs. Garza said this was an improvement from our rating in **2004, which was Baaa1** and help us get our current street improvement. Mrs. Garza said also unassigned surplus help us be ready for fiscal emergencies, and the staff recommends a fund balance policy of at least 25 %.

7. CONSIDER AUTHORIZING THE REMOVAL OF ADDITIONAL DROUGHT TREES AT THE LOTTIE AND ARTHUR TEMPLE CIVIC CENTER.

Lewis Ivey made the motion to authorize the removal of additional drought trees at the Lottie and Arthur Temple Civic Center and Roberts Lewis seconded.

All in favor None opposed

CITY MANAGER REPORT

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8. Open Meeting Act Training

Mr. McDuffie said it was important that the Council have a work shop and see the video all are require doing so.

9. LUMBERJACK PRIDE ANTI-LITTERING SIGNS

Mr. McDuffie had a Lumberjack sign about littering and what the fine would cost if you got caught to show the Council .Mr. McDuffie said this sign will be put all around Diboll this week.

10. DEBRIS PILE BURNING AT NECHES PINES GOLF COURSE

Mr. McDuffie said this pile is dividing in three piles to be burn. Mr. McDuffie said this would cost the city another 6000.00 to haul off so we will burn it and have someone there to control the fire.

ADJOURN:

Bryan Wilson made the motion to adjourn at 5:58 p.m. and Lewis Ivey seconded.

All in Favor

None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Tina Cavazos

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MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, February 25, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Lewis Ivey, Robert Lewis, Bryan Wilson and Daniel Lopez

ABSENT

Don Hendricks and Dr. Woody Ingram

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Tina Cavazos, Finance Director Elvia Garza, Public Work Dee Scarborough

Mayor McClain called the meeting to order and Pastor Kenny Gibbs gave the invocation.

Pledge was coordinate by those in attendance.

PRESENTATIONS & AWARDS DISCUSSION/Action

1. **ACCEPTANCE OF VETERANS WALL FROM VFW.**

Mrs. Hurd said that the Auxiliary Ladies had kept the maintenance on the VFW Wall in honor of those that have served our country but they could no longer keep up with the maintenance so they would like to turn it over to the City of Diboll. Mrs. Hurd also presented a cashier check in the amount of $800.00 to the City of Diboll for future maintenance.

2. **CONSIDER AUTHORIZING THE SUBMITTAL OF GRANT APPLICATION FOR RENOVATIONS TO THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER.**

   Mrs. Sample addressed the council on the renovations that they would like to see happen. Mrs. Sample said they were going after grants outside of the family and Brenda Russell would be writing the grants.

   Lewis Ivey made the motion to authorize the submittal of grant application for renovations to the Lottie & Arthur Temple Civic Center and Robert Lewis seconded.

   All in favor None opposed

AUDIENCE PARTICIPATION:

None

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CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

3. **CONSIDER APPROVING MINUTES OF THE JANUARY 28, 2013.**

4. **CONSIDER APPROVING A RESOLUTION CALLING A MUNICIPAL ELECTION FOR MAY 11, 2013.**

5. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE ALLOCATION OF HOTELL TAX FOR TAMALE FESTIVAL EVENTS AND ADVERTISEMENT.**

6. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR NEW RESTROOM FACILITIES IN OLD ORCHARD PARK.**

Bryan Wilson made the motion to approve consent items 3 through 6 and Lewis Ivey second.

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

7. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN SERVICE AGREEMENT WITH ADP FOR PAYROLL AND HR SERVICES.**

Mrs. Garza said that by having ADP do the City payroll it could save the City as much as 6% in payroll from elimination of the human error. Mrs. Garza said less error more accurate time, and studies also report that an average of 3-4 hours per week is lost due to long lunches, tardiness, and early departures. Mrs. Garza said and the ADP services include the use of biometric time clocks which require a thumbprint to clock an employee. Mrs. Garza said that the city would not be responsible for Labor Law change the ADP Company would take care of that. The Council said they would like to have a work shop on this and learn more before making a decision so at this time John McClain and the council postponed item 7 until the next council meeting.

Postponed Item number & 7 until next council meeting

All in favor none opposed

8. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE ALLOCATION OF UNAPPROPRIATED FUNDS FOR BRIDGES REPAIR AT NECHES PINES GOLF COURSE.**

Lewis Ivey made the motion to approve a resolution authorizing the allocation of unappropiated funds for bridges repair at Neches Pines Golf Course and Robert Lewis seconded.

All in favor none opposed

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CITY MANAGER REPORTS:

9. **MARCH 18 CITY COUNCIL MEETING DATE**

ADJOURN:

Bryan Wilson made the motion to adjourn at 6:04p.m. and Robert Lewis seconded.

All in Favor

None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON MARCH 18, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, MARCH 18, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE FEBRUARY 25, 2013.

2. CONSIDER APPOINTING SARAH THOMPSON AS ELECTION JUDGE FOR EARLY VOTING AND BILLIE WILLON AS ELECTION JUDGE FOR THE MAY 11, 2013 MUNICIPAL ELECTION.

3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT TO CONDUCT A JOINT ELECTION WITH THE DIBOLL INDEPENDENT SCHOOL DISTRICT FOR MAY 11, 2013.

REGULAR AGENDA: DISCUSSION/ACTION

4. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO A SIGN SERVICE AGREEMENT WITH ADP FOR PAYROLL AND HR SERVICES

5. CONSIDER APPROVING A RESOLUTION CERTIFYING REVIEW AND MAKING REVISIONS TO THE CITY OF DIBOLL INVESTMENT POLICY.

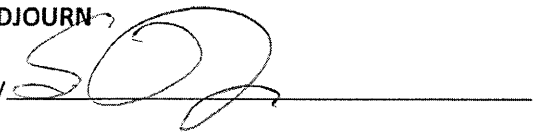
6. DISCUSSION OF FUTURE I-69 ROUTE THROUGH ANGELINA COUNTY.

CITY MANAGER'S REPORT

7. WARRANT ROUNDUP REPORT

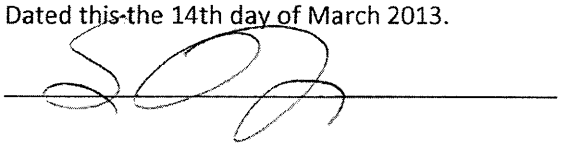
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ADJOURN

By 

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, March 14, 2013, at 2:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 14th day of March 2013.



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MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, March 18, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Lewis Ivey, Robert Lewis, Woody Ingram, Don Hendrick, Bryan Wilson and Daniel Lopez

ABSENT

Jimmy Cassels

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner.

Mayor McClain called the meeting to order and Pastor Kenny Gibbs gave the invocation.

Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE FEBRUARY 25, 2013.**
2. **CONSIDER APPOINTING SARAH THOMPSON AS ELECTION JUDGE FOR EARLY VOTING AND BILLIE WILMON AS ELECTION JUDGE FOR MAY 11, 2013 MUNICIPAL ELECTION.**
3. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT TO CONDUCT A JOINT ELECTION WITH THE DIBOLL INDEPENDENT SCHOOL DISTRICT FOR MAY 11, 2013.**

Daniel Lopez made the motion to approve consent items 1 through 3 and Lewis Ivey second.

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

4. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN SERVICE AGREEMENT WITH ADP FOR PAYROLL AND HR SERVICES.**

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A conference all was placed with ADP representative Richard Bautista. Mr. Baustista started the conference at 5:20p.m. with general operations of the services. Council members were given the opportunity to answer questions and voice any concerns. Briefing and instruction was closed at 6:30p.m.

Daniel Lopez made the motion to adopt ADP services and Robert Lewis second.

All in favor none opposed

5. **CONSIDER APPROVING A RESOLUTION CERTIFYING REVIEW AND MAKING REVISIONS TO THE CITY OF DIBOLL INVESTMENT POLICY.**

Ms. Garza gave a brief presentation of the annual review of public funds and surplus funds.

Don Hendrick made the motion to approve the resolution and Lewis Ivey second.

All in favor none opposed

6. **DISCUSSION OF I-69 ROUTE THROUGH ANGELINA COUNTY.**

A map of the plan was projected for council and visitors to view. Mr. McDuffie explained the revised route and process. He also gave dates and times of an open house occurring in the upcoming week and will update when more information is available.

NO DISCUSSION

7. **WARRANT ROUND UP REPORT**

Ricky Conner reported that round up was taken place February 18-March 11, 2013. The Diboll Police Dept. collected over $60,000.00 in the community and State wide warrant sweep. Several were taken to the Angelina County jail to be incarcerated. Plans of more sweeps are in future plans.

8. CLOSED MEETING

A Closed meeting was held pursuant to Chapter' 551. Texas Local Government Code V.T.C.S. (Open Meetings Law), in accordance with the authority contained in section '551.071 legal, and '551.074 personnel.

CITY MANAGERS REPORTS:

9. APRIL 8, 2013 CITY COUNCIL MEETING DATE

ADJOURN:

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Don Hendricks made the motion to adjourn at 7:45p.m. and Lewis Ivey seconded.

All in Favor

None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON APRIL 8, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, APRIL 8, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE MARCH 18, 2013.
2. CONSIDER AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR PROPOSALS FOR FY 2012-13 AUDIT SERVICES.
3. CONSIDER AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR PROPOSALS FOR MUNICIPAL COURT COLLECTION SERVICES.

REGULAR AGENDA: DISCUSSION/ACTION

4. CONSIDER AUTHORIZING THE USE OF OLD ORCHARD PARK FOR LOCAL MUSIC SESSION SPONSERED BY THE DIBOLL CIVIC CLUB.
5. CONSIDER ADOPTING AN ORDINANCE REGULATING JUNKED VEHICLES IN THE CITY OF DIBOLL.
6. CONSIDER APPROVING A RESOLUTION AWARDING THE BID TO CONSTRUCT NEW RESTROOM FACILITIES IN OLD ORCHARD PARK.

ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, April 5, 2013, at 10:00 a.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 5th day of April 2013.

_____

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MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, April 8, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Lewis Ivey, Robert Lewis, Woody Ingram, Don Hendrick, Bryan Wilson, Jimmy Cassels and Daniel Lopez

ABSENT

All Present

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner and City Inspector Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Gibbs gave the invocation.

Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE MARCH 18, 2013.**
2. **CONSIDER AUTHORIZING THE CITY MANAGER TO ADVERISE FOR PROPOSALS FOR FY 2012-2013 AUDIT SERVICES.**
3. **CONSIDER AUTHORIZING THE CITY MANGER TO ADVERTISE FOR PROPPSALS FOR MUNICIPAL COURT COLLECTION SERVICES.**

Mr. Mc Duffie presented a briefing on placing bids within the charter. The city is not required in the charter but this would offer a better service of collecting outstanding balances.

Don Hendrick made the motion to approve consent items 1 through 3 and Lewis Ivey second.

All in favor none opposed

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REGULAR AGENDA: DISCUSSION/ACTION

4. CONSIDER AUTHORIZING THE USE OF OLD ORCHARD PARK FOR LOCAL MUSIC SESSION SPONSERED BY THE DIBOLL CIVIC CLUB.

Mr. McDuffie explained the event to have local bands perform in the park on June 14th. This would become an annual event.

Don Hendrick made the motion to approve the music session in Old Orchard Park and Lewis Ivey second.

All in favor none opposed

5. CONSIDER ADOPTING AN ORDINANCE REGULATING JUNKED VEHICLES IN THE CITY OF DIOLL.

Mr. Mc Duffie explained the Ordinance Code along with the wishes of Diboll Beautification Club of keeping the city free of all trash and litter. Jimmy Cassels also stated that it is a current State Law to have all vehicles registered and inspected.

Don Hendrick made the motion to approve the ordinance and Woody Ingram second.

All in favor none opposed

6. **CONSIDER APPROVING A RESOLUTION AWARDING THE BID TO CONSTRUCT NEW RESTROOM FACILITIES.**

Mr. Mc Duffie explained there has been only one bid placed and it was twice as high as the budget had allowed. At this time he asked the council to reject the bid and further seek bidding of the job. A new resolution will be placed.

NO DISCUSSION

Lewis Ivey made the motion to reject the bid and Don Hendrick second.

All in favor none opposed

ADJOURN:

Daniel Lopez made the motion to adjourn at 5:30 p.m. And Woody Ingram seconded.

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All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON MAY 20, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, MAY 20, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

CANVASS THE RESULTS OF THE MAY 11, 2013 MUNICIPAL ELECTION

OATH OF OFFICE GIVEN TO COUNCIL MEMBERS ELECT VERONICA HERNANDEZ AND TOM FARLEY

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE APRIL 8, 2013.

2. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A LEASE FOR GOLF COURSE MAINTENANCE EQUIPMENT WITH BROOKSIDE EQUIPMENT SALES, INCORPORATED.

3. CONSIDER APPROVING A RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES TO TEXPOOL AND DESIGNATING THE CITY MANAGER, CITY SECRETARY AND FINANCE DIRECTOR AS TEXPOOL REPRESENTATIVES.

REGULAR AGENDA: DISCUSSION/ACTION

4. CONSIDER APPROVING A RESOLUTION AUTHORIZING SOUND AND LIGHTING IMPROVEMENTS FOR THE LOTTIE AND ARTHUR TEMPLE CIVIC CENTER AND SUBMISSION OF A FUNDING REQUEST TO THE T.L.L. TEMPLE FOUNDATION.

5. CONSIDER APPOINTING A REPRESENTATIVE TO THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS. .

6. CONSIDER ADOPTING AN ORDINANCE UPDATING ANIMAL CONTROL REGULATIONS IN THE CITY OF DIBOLL.

ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Thursday, May 16, 2013, at 10:00 a.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 16th day of May 2013.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, May 20, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Lewis Ivey, Don Hendrick, Veronica Hernandez, Tom Farley, Jimmy Cassels and Daniel Lopez

ABSENT

Robert Lewis

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Animal Control Officer Donna Brown, Police Chief Ricky Conner and City Inspector Bryant McCollum.

Mayor McClain called the meeting to order and Lewis Ivey gave the invocation.

Pledge was coordinate by those in attendance.

Canvass the results of the May 11, 2013 election.

Oath of office given to council members elect Veronica Hernandez and Tom Farley.

Mr. Mc Duffie canvassed the votes from the May 11, 2013 election naming Veronica Hernandez District one, Don Hendrick District 3 and Tom Farley At Large.

Lewis Ivey made the motion to approve the canvass and Don Hendrick second the motion

All in favor none opposed

Jimmy Cassels swore in new council members at this time

AUDIENCE PARTICIPATION:

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

1. **CONSIDER APPROVING MINUTES OF THE April 8, 2013.**

2. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A LEASE FOR GOLF COURSE MAINTENANCE EQUIPMENT WITH BROOKSIDE EQUIPMENT SALES, INCORPORATED.**

3. **CONSIDER APPROVING A RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES TO TEXTPOOL AND DESIGNATING THE CITY MANAGER, CITY SECRETARY AND FINANCE DIRECTOR AS TEXPOOL REPRESENTATIVES.**

Mr. McDuffie explained the use and purpose of the John Deere equipment that will be used at the golf course. Don Hendricks opened discussion with purchasing verses leasing equipment. Mr. McDuffie followed up with being in favor of leasing the equipment due to the maintenance, more flexibility with wear and tear.

Lewis Ivey made the motion to approve all consent items, Don Hendrick second.

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

4. **CONSIDER APPROVING A RESOLUTION AUTHORIZING SOUND AND LIGHTING IMPROVEMENTS FOR THE LOTTIE AND ARTHUR TEMPLE CIVIC CENTER AND SUBMISSION OF A FUNDING REQUEST TO THE T.L.L. TEMPLE FOUNDATION.**

Mr. McDuffie explained the search of private grants and that criteria didn't meet the requirements. The support of the booster club was not established therefore the only option was the T.L.L. Temple Foundation. Brenda Russell spoke on the Civic Center Boards behalf to approve and authorize to apply for the Temple Grant to complete improvements.

Don Hendrick made the motion to proceed with the grant, Lewis Ivey second.

All in favor none opposed

5. **CONSIDER APPOINTING A REPRESENTATIVE TO THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS.**

Mr. McDuffie explained the duties of the representative. The council of government meets once a month. Daniel Lopez is currently the representative and no other members volunteered at this time. Daniel Lopez will remain the appointed representative.

Don Hendrick made the motion for Daniel Lopez to remain representative and Lewis Ivey second.

All in favor none opposed

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6. **CONSIDER ADOPTING AN ORDINANCE UPDATING ANIMAL CONTROL REGULATIONS IN THE CITY OF DIBOLL.**

Chief Ricky Conner opened discussion with the review and findings of 5 other cities including the City of Lufkin. Animal control officer Donna Brown explained she would like to handle situations in our court rather than county court. She stressed to educate animal owners on updated ordinance. Jimmy Cassels has reviewed ordinance and advised to use with discretion and common sense.

Tom Farley made the motion to update the Animal Control Ordinance and Don Hendrick second.

All in favor none opposed

ADJOURN

Lewis Ivey made the motion to adjourn at 5:50 p.m. And Don Hendrick seconded.

All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JUNE 10, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JUNE 10, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE MAY 20, 2013.

2. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR MUNICIPAL COURT COLLECTIONS TO MSB GOVERNMENT SERVICES AND AUTHORIZING THE CITY MANAGER TO SIGN ALL REALTED DOCUMENTS.

3. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR AUDIT SERVICES TO BROOKSCARDIEL, PLLC FOR A TWO YEAR TERM.

4. CONSIDER APPROVING A RESOLUTION SURPLUSING THREE DIBOLL POLICE PATROL CARS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID VEHICLES.

5. CONSIDER APPROVING A RESOLUTION APPROVING THE PURCHASE OF TWO PATROL CARS THROUGH HGAC.

REGULAR AGENDA: DISCUSSION/ACTION

6. CONSIDER APPROVING A RESOLUTION AWARDING THE BID TO ANGELINA EXCAVATING, INC FOR THE 2012 TCDP HENDRICKS STREET IMPROVEMENTS AND DELETING BID ITEM 12 FOR $197,408.

7. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR REHABILITATING 2,500 FEET OF HENDRICKS STREET AS PART OF THE HURRICANE IKE/DOLLY RECOVERY TO ANGELINA EXCAVATING, INC., FOR $224,766.

CLOSED SESSION

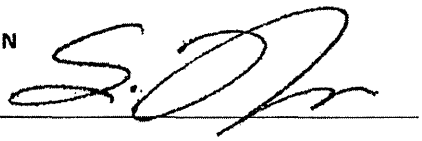
1. RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

§ 551.072. DISCUSSION AND DELIBERATION REGARDING REAL PROPERTY.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

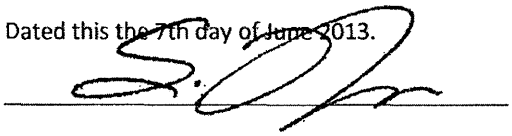
REGULAR AGENDA: DISCUSSION/ACTION

ADJOURN

By 

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, June 7, 2013, at 11:00 a.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 7th day of June 2013.



Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, June 10, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Lewis Ivey, Tom Farley, Don Hendrick, Veronica Hernandez and Jimmy Cassels.

ABSENT

Daniel Lopez and Robert Lewis.

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner and City Inspector Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Gibbs gave the invocation.

Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

None

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE May 20, 2013.**
2. **CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR MUNICIPAL COURT COLLECTIONS TO MSB GOVERNMENT SERVICES AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.**
3. **CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR AUDIT SERVICES TO BROOKSCARDIEL, PLLC FOR A TWO YEAR TERM.**
4. **CONSIDER APPROVING A RESOLUTION SURPLUSING THREE DIBOLL POLICE PATROL CARS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID VEHICLES.**

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5. CONSIDER APPROVING A RESOLUTION APPROVING THE PURCHASE OF TWO PATROL CARS THROUGH HGAC.

Don Hendrick made the motion to approve consent items 1, 2, 4 and 5 Lewis Ivey second.

All in favor none opposed

Item number 3 acceptances of bids have been rejected.

Lewis Ivey made the motion to reject the audit/ collection bids and Don Hendrick second.

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

6. CONSIDER APPROVING A RESOLUTION AWARDING ANGELINA EXCAVATING, INC FOR THE 2012 TCDP HENDRICKS STREET IMPROVEMENTS AND DELETING BID ITEM 12 FOR $197,408.

Bob Thurber represented KSA Engineering, bids were placed on May 23rd. Angelina Excavating will be awarded bid placement. The bid has been lowered to $189,758 due to a change order. Materials were left over from use on Lumberjack drive to refill pot holes etc.

Lewis Ivey made the motion to approve Angelina Excavating and Don Hendrick second.

All in favor none opposed

7. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR REHABILITATING 2,500 FEET OF HENDRICKS STREET AS PART OF THE HURRICANE IKE/DOLLY RECOVERY TO ANGELINA EXCAVATING FOR $224, 766.

Bob Thurber spoke again on behalf of KSA Engineers. Angelina Excavating will also be awarded this bid. Any funds that are left over after project will be used to extend construction 500 feet. Funds will be prioritized on street projects and a report will be presented to council at next month meeting.

Lewis Ivey made the motion to approve Angelina Excavating and Don Hendrick second.

All in favor none opposed

CLOSED SESSION

1. RETIRE TO CLOSE MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE REXAS LOCAL GOVERNMENT CODE.

551.072. DISCUSSION AND DELIBERATION REGARDING REAL PROPERTY.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

Council began closed session at 5:43 pm and adjourned and returned at 6:09pm

Don Hendrick reported complaints of a large hole in parking lot of car wash and churches chicken. Dennis McDuffie will need to identify who the property belongs to.

Tom Farley asked police Chief Ricky Conner about animal control ordinance, He reported that all is going well and there have been no complaints.

ADJOURN:

Don Hendrick made the motion to adjourn at 6:25 p.m. And Lewis Ivey seconded.

All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JULY 8, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JULY 8, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING THE MINUTES OF THE JUNE 10, 2013 CITY COUNCIL MEETING.

2. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE PURCHASE OF A VOICE RECORDER SYSTEM FOR THE DIBOLL POLICE DEPARTMENT WITH THE PURCHASE PRICE OF $15,000 REIMBURSED BY THE DEEP EAST TEXAS COUNCILS OF GOVERNMENTS.

3. CONSIDER APPROVING A RESOLUTION AWARDING THE BID TO RECONSTRUCT THE GOLF CART PATHS AT THE NECHES PINES GOLF COURSE TO FOSTER PAVING.

4. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR RESTROOM CONSTRUCTION IN OLD ORDHARD PARK.

5. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE PURCHASE OF A JOHN DEERE TRACTOR MOWER AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

REGULAR AGENDA: DISCUSSION/ACTION

6. DISCUSSION OF STREET REHABILITATION BIDS.

7. CONSIDER APPROVING A RESOLUTION AMENDING THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER RENTAL POLICY ALLOWING ALCOHOL TO REQUIRE RENTERS TO USE PERMITTED CATERERS AND ESTABLISHING A NONREFUNDABLE FEE FOR THE USE OF ALCOHOL.

CITY MANAGER REPORTS

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

8. RELOCATION OF RADIO EQUIPMENT FROM THE TEMPLE TOWER

9. BUDGET WORKSHOP DATES

CLOSED SESSION

1. RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   § 551.072. DISCUSSION AND DELIBERATION REGARDING REAL PROPERTY.

REGULAR AGENDA: DISCUSSION/ACTION

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, July 5, 2013, at 3:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 5th day of June 2013.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, July 8, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Lewis Ivey, Daniel Lopez, Tom Farley, Don Hendrick, Veronica Hernandez and Jimmy Cassels.

ABSENT

Robert Lewis

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner, Street Superintendent Josh Richard, Civic Center Director Loretta Christmas and City Inspector Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Gibbs gave the invocation.

Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

Gary Gores gave report of the Design for Diboll meetings. It was said that 10,000 brochures were printed to advertise and educate visitors of Diboll. The city website is being monitored along with a new pine tree symbol for the city logo. Justin Barkley has been working with the youth of the community to keep them in action. He would also like to see a broader use of the civic center in the future. Signs for the park and civic center have been ordered for placement and direction of the locations.

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE JUNE 10, 2013CITY COUNCIL MEETING.**
2. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE PURCHASE OF A VOICE RECORDER SYSTEM FOR THE DIBOLL POLICE DEPARTMENT WITH THE PURCHASW PRICE OF $15,000 REIMBURSED BY THE DEEP EAST TEXAS COUNCILS OF GOVERNMENTS.**

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

3. **CONSIDER APPROVING A RESOLUTION AWARDING THE BID TO RECONSTRUCT THE GOLF CART PATHS AT THE NECHES PINES GOLF COURSE TO FOSTER PAVING.**

4. **CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR RESTROOM CONSTRUCTION IN OLD ORCHARD PARK.**

5. **CONSIDER SAPPROVING A RESOLUTION AUTHORIZING THE PURCHASE OF A JOHN DEERE TRACTOR MOWER AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMETS.**

Item number four has been eliminated due to immature information. Pertaining to consent item number two, Ricky Conner stated that every 5 years DETCOG replaces the voice recorder that records all 911 calls. Possibly future plans are that Angelina County will have a county wide dispatching service. Jimmy Mettlen spoke on behalf of consent item number three. The new equipment will arrive on Wednesday. The job will begin as equipment arrives. Josh Richard spoke on behalf of consent item number five. The mower the street department has is over 20 years old and is a constantly needing repair. The roadways and ditches are becoming overgrown and dependable equipment will help with the time loss of repairing old equipment.

Lewis Ivey made the motion to approve consent items 1, 2, 3 and 5 Don Hendrick second.

All in favor none opposed

Item number 4 has been rejected.

REGULAR AGENDA: DISCUSSION/ACTION

6. **DISCUSSION OF STREET REHABILITATION BIDS.**

Bob Thurber represented KSA Engineering. Left over funds of Phase two of Lumberjack drive will be used in upcoming street projects. A workshop has been requested to discuss restroom and street plans to become in budget.

Lewis Ivey made the motion to approve a workshop and Don Hendrick second.

All in favor none opposed

7. **CONSIDER APPROVING A RESOLUTION AMENDING THE LOTTIE &ARTHUR TEMPLE CIVIC CENTER RENTAL POLICY ALLOWING ALCOHOL TO REQUIRE RENTERS TO USE PERMITTED CATERES AND ESTABLISHING A NONREFUNDABLE FEE FOR THE USE OF ALCOHOL.**

The civic center board met regarding complaints of the consumption of alcohol at Quinceaneras. All alcohol will be served with a caterers permit and all BYOB events will be eliminated. This will allow a better control of alcohol during events. A $200 nonrefundable fee will also be applied.

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Tom Farley made the motion to changing the alcohol policy and Lewis Ivey second.

All in favor none opposed

8. RELOCATION OF RADIO EQUIPMET FROM THE TEMPLE TOWER.

Ricky Conner explained that the current tower is rotten and is being condemned. The equipment will need to be removed prior to destruction. He expressed the need a air conditioned building to house all equipment, he will be meeting with the company the following week and will have more information. A resolution will be discussed at next council meeting.

9. BUDGET WORKSHOP DATES

A workshop has been scheduled July 29, 2013 at 5:15pm.

CLOSED SESSION

1. RETIRE TO CLOSE MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE REXAS LOCAL GOVERNMENT CODE.

551.072. DISCUSSION AND DELIBERATION REGARDING REAL PROPERTY.

Council began closed session at 5:50 pm and adjourned and returned at 6:00pm

ADJOURN:

Lewis Ivey made the motion to adjourn at 6:05 p.m. And Don Hendrick seconded.

All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JULY 29, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JULY 29, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

REGULAR AGENDA: DISCUSSION/ACTION

1. CONSIDER AWARDING THE BID FOR FISCAL YEAR 2012-13 AUDIT SERVICES TO BROOKS CARDIEL, PLLC.

WORKSHOP AGENDA

2. DISCUSSION OF STREET REHABILITATION PROJECT.

3. DISCUSSION OF THE DRAFT FISCAL YEAR 2013-14 MUNICIPAL BUDGET.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, July 26, 2013, at 2:30 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 26th day of July 2013.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, July 29, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Lewis Ivey, Daniel Lopez, Don Hendrick, Veronica Hernandez and.

ABSENT

Robert Lewis, Jimmy Cassels and Tom Farley

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner, and City Inspector Bryant McCollum.

Mayor McClain called the meeting to order and Lewis Ivey gave the invocation.

Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

NONE

REGULAR AGENDA: DISCUSSION/ACTION

1. **CONSIDER AWARDING THE BID FOR FISCAL YEAR 2012-13 AUDIT SERVICES TO BROOKS CARDIEL, PLLC.**

   The city attorney Jimmy Cassels was contacted and gave instruction on how to open bidding. City manager, finance director and two other department heads were present during the draw from the hat procedure. Elected companies credentials were reviewed and selected for further review and references. Brooks Cardiel from the Woodlands area has been chosen.

   Don Hendrick made the motion to approve Brooks Cardiel and Lewis Ivey second.

   All in favor none opposed

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WORKSHOP AGENDA

2. DISCUSSION OF STREET REHABILITATION PROJECT.

Bob Thurber with KSA Engineers gave briefing on meeting with Public Works Director, Street Superintendant and City Manager regarding over budget of future street projects. Bids for Phase two have been placed and several streets will be removed from project to reduce overage. The city will pick up the remaining balance of $38000, 00.

3. DISCUSSION OF THE DRAFT FISCAL YEAR 2013-14 MUNICIPAL BUDGET.

No drafts were available at this time but will be available for review soon. Certified roles were released last week. Adjustments are being made, no increase of taxes this year. The city will collect same tax as 2012. Increases from the newly renovated golf course are expected this year to settle some differences. Several public works vehicles need to be purchased. There have been no purchases in the past few years. An additional police car also is in the plans to match the purchases from grants.

OTHER DISCUSSIONS INCLUDE: Restrooms at park are still over budget. Will continue to reduce and seek lowest bidders. Currently Timberline Structures are at $100,000 using smooth missionary concrete, a modified roof and some electrical changes to reduce cost. No vote was taken place at this meeting, will review at next schedule council meeting or possibly a workshop at the end of August. The cart paths progress was discussed, job should be complete soon. Hole at Churches Chicken was also another concern. Dee Scarborough will determine who is responsible for repairs. Lewis Ivey voiced concern with trees behind Civic Center sign and their visual ability during the winter months.

ADJOURN:

Don Hendrick made the motion to adjourn at 5:45 p.m. And Lewis Ivey seconded.

All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON AUGUST 12, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, AUGUST 12, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING THE MINUTES OF THE JULY 8, 2013 CITY COUNCIL MEETING.

2. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE SURPLUS OF CERTAIN CITY EQUIPEMENT.

3. CONSIDER APPROVING A RESOLUTION AWARDING THE BID TO REHABILITATE CERTAIN STREETS IN PHASE II OF THE STREET PROJECT TO DREWRY CONSTRUCTION COMPANY.

4. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR RESTROOM CONSTRUCTION IN OLD ORDHARD PARK TO TIMBERLINE CONSTRUCTION AND AUTHORIZING THE APPROPRIATION OF $36,000 OF CITY FUNDS TO COMPLETE THE PROJECT.

REGULAR AGENDA: DISCUSSION/ACTION

5. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR SANDTRAP RENOVATION AT NECHES PINES GOLF COURSE TO SANDERS GOLF FOR $35,750.

6. CONSIDER APPROVING A RESOLUTION ADOPTING A PROPOSED TAX RATE OF $0.567424 PER $100 OF ASSESSED EVALUATION FOR FY 2013-2014.

CITY MANAGER REPORTS

7. PLANNING & ZONING COMMISSION VACANCIES/APPOINTMENTS

8. CHARTER REVIEW COMMITTEE

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9. POT HOLE OF HIGHWAY 59

10. TELEPHONE BOOTH REMOVAL.

CLOSED SESSION

1. RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   § 551.072. DISCUSSION AND DELIBERATION REGARDING REAL PROPERTY.
   § 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

REGULAR AGENDA: DISCUSSION/ACTION

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, August 9, 2013, at 3:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 9th day of August 2013.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, August 12, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Lewis Ivey, Daniel Lopez, Don Hendrick, Veronica Hernandez and Robert Lewis.

ABSENT

Jimmy Cassels and Tom Farley

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner, Golf Manager Jimmy Mettlen and City Inspector Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Gibbs gave the invocation.

Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

NONE

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE JULY 8, 2013 CITY COUNCIL MEETING.**
2. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE SURPLUS OF CERTAIN CITY EQUIPMENT.**
3. **CONSIDER APPROVING A RESOLUTION AWARDING THE BID TO REHABILITATE CERTAIN STREETS IN PHASE II OF THE STREET REHABILITATION PROJECT TO DREWRY CONSTRUCTION COMPANY.**
4. **CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR RESTROOM CONSTRUCTION IN OLD ORCHARD PARK TO TIMBERLINE CONSTRUCTION AND AUTHORIZING THE APPROPRIATION OF $36,000 OF CITY FUNDS TO COMPLETE THE PROJECT.**

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Lewis Ivey questioned surplus equipment, all equipment listed on Resolution 23-13. New boom mower contract is still being reviewed by Jimmy Cassels, City Attorney. Once review is complete, equipment should arrive within 10days.

Don Hendrick made the motion to approve all consent items and Lewis Ivey second the motion

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

5. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR SANDTRAP RENOVATION AT NECHES PINES GOLF COURSE TO SANDERS GOLF FOR $35,750.

Jimmy Mettlen reported renovation on bunkers have taker lots of staff time that was needed in other areas to get course up to par as needed. The lack of participation of prisoners has resulted in staff completing the task. A bid has been placed to complete the job therefore the golf staff can continue to perform their daily task as needed. The city street and parks department will start in October to repair drainage problems.

Lewis Ivey made the motion to award the bid and Don Hendrick second.

All in favor none opposed

6. CONSIDER APPROVING A RESOLUTION ADOPTING A PROPSED TAX RATE OF $0.567425 PER $100 OF ASSESSED VALUATION FOR FY 2013-2014.

The city manager reported to adopt the proposed tax rate. The tax rate was discussed in the previous workshop on July 29th to remain the same. Tax rate will increase to $0.567425 and two public hearings will be scheduled to adopt new budget. Meetings were discussed to be held, August 22nd and September 9th. The budget draft wil be prepared in the days to come and emailed to council members.

Don Hendrick made the motion to approve the tax rate and Lewis Ivey second.

All in favor none opposed

CITY MANGER REPORTS

7. PLANNING & ZONING COMMISSION VACANCIES/APPOINTMENTS.

Code enforcer Bryant McCollum reported there are two vacancies open. This committee doesn't meet on a regular basis, only when needed. The individuals must live in the city limits and preferably knowledgeable with building codes and issues.

8. CHARTER REVIEW COMMITTEE

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The charter is reviewed every 5 years and is approaching the five year mark. The city will need to establish a charter committee that will include residents of within the city limits and can include council members. The committee will include 7-10 members.

9. POT HOLE OF HIGHWAY 59

Bryant McCollum reports that the property belongs to the car wash. The owner has been contacted and instructed to perform the repairs needed. If the repairs are not done in a timely manner then he will issue a date of deadline to have the issue resolved.

10. TELEPHONE BOOTH REMOVAL

Bryant McCollum reported a business in Houston has a service order scheduled to remove the telephone booth. This too belongs to the car wash.

CLOSED SESSION

1. **RETIRE TO CLOSE MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE REXAS LOCAL GOVERNMENT CODE.**

   551.072. DISCUSSION AND DELIBERATION REGARDING REAL PROPERTY.

   551.074 DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

   Closed session was cancelled due to lack of attendance of council.

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:34 p.m. And Don Hendrick seconded.

All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON SEPTEMBER 3, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON TUESDAY, SEPTEMBER 3, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

REGULAR AGENDA: DISCUSSON/ACTION

1. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.567425 PER $100 OF ASSESSED EVALUATION FOR FY 2013-2014.

WORKSHOP AGENDA: DISCUSSION/ACTION

2. DISCUSSION AND REVIEW OF DRAFT FY 2013-2014 CITY BUDGET.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, August 30, 2013, at 12:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 30th day of August 2013.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS PUBLIC HEARING MEETING ON MONDAY, September 3, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Councilmember's Daniel Lopez, Don Hendrick, Veronica Hernandez, Tom Farley and Robert Lewis.

ABSENT

Jimmy Cassels

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Water Superintendant Ronnie Lyles, Police Chief Ricky Conner, Golf Manager Jimmy Mettlen and City Inspector Bryant McCollum.

Mayor McClain called the meeting to order and gave the invocation.

Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

NONE

REGULAR AGENDA: DISCUSSION/ACTION

1. **HOLD A PUBLIC MEETING ON THE PROPESED TAX RATE OF $0.567425 PER $100 OF ASSESSED EVALUATION FOR FY 2013-2014.**

   Mr. McClain asked for questions or discussion of the tax rate, none, hearing closed.

   Don Hendrick made the motion to approve the tax rate and Tom Farley second.

   All in favor none opposed

WORKSHOP AGENDA: DISCUSSION/ACTION

2. **DISCUSSION AND REVIEW OF DRAFT FY 2013-2014 CITY BUDGET.**

   Mr. McDuffie reported that the tax revenue is up and anticipate the property tax to increase also. There will be no changes in this year's tax rate. The golf course is near completion and the city anticipates the rounds of golf will increase to make head way for the financials. There are also no expected increases with the garbage or sewer rates this year. There will be an increase in pay of 2% along with a 2% incentive pay in November. Equipment was recommended for the public works departments. The water will purchase a ¾ ton truck, street and parks a ½ ton truck and sewer will be

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purchasing a dump truck. Mr. Farley asked public works director Dee Scarborough if the vehicles were needed and he stated that all public works vehicles are 2001-2001 except the 2008 dump truck. All purchases will be placed on payment arrangements with a lien holder. Mr. McClain spoke of a Rough Mower needed at the golf course near the spring time of 2014. The civic center will propose a beer license for festival events. A crawfish boil is planned for March 29, 2014. A beer garden will be allowed at the festival and also at the Tamale Festival. The license will initially cost $6000.00 per year. The license will also include the sale of alcohol at the golf course. The license and sales is expected to bring in proposed revenue of $35,000.00 a year. The sale of beer inside a Beer Garden would be allowed only at city sponsored events. The sale at the golf course would be anytime. Mr. Farley stated that the VFD had made complaint to him that they needed new vehicles. Mr. McClain and Mr. McDuffie both stated that it would be in the best interests to hire a consultant to evaluate the needs and requirement of VFD equipment. The VFD will seek the Keeler grant to purchase a new grass truck. Don Hendrick also stated that the VFD had spoke to him regarding the equipment needed. Mr. McClain asked for any questions or comments regarding the budget draft and there were none.

ADJOURN:

Don Hendrick made the motion to adjourn at 5:35 p.m. And Tom Farley seconded.

All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON SEPTEMBER 3, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE AGOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON TUESDAY, SEPTEMBER 3, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

REGULAR AGENDA: DISCUSSON/ACTION

1. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.567425 PER $100 OF ASSESSED EVALUATION FOR FY 2013-2014.

WORKSHOP AGENDA: DISCUSSION/ACTION

2. DISCUSSION AND REVIEW OF DRAFT FY 2013-2014 CITY BUDGET.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, August 30, 2013, at 12:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 30th day of August 2013.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, SEPTEMBER 9, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney Jimmy Cassels, Councilmember's Daniel Lopez, Don Hendrick, Veronica Hernandez, Tom Farley and Robert Lewis.

ABSENT

None all present

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner, Golf Manager Jimmy Mettlen, Civic Center Director Loretta Christmas and City Inspector Bryant McCollum.

Mayor McClain called the meeting to order and Kenny Hibbs gave the invocation.

Pledge was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

NONE

CONSENT ITEMS/ACTION:

1. **CONSIDER APPROVING THE MINUTES OF THE AUGUST AND SEPTEMBER 3, 2013 CITY COUNCIL MEETINGS.**
2. **CONSIDER APPROVING A RESOLUTION DECLARING CERTAIN CITY EQUIPMENT SURPLUS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT.**
3. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE PURCHASE OF A NEW POLICE VEHICLE AS A MATCH FOR KEELER GRANT FUNDING.**
4. **CONSIDER APPOINTING JOHN OATES AS AN ALTERNATE MEMBER TO THE PARKS AND RECREATION BOARD.**

Mr. McClain asked for questions or discussion of the listed consent item, there was no discussion.

Don Hendrick made the motion to approve and Lewis Ivey second.

All in favor none opposed

PUBLIC HEARING

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5. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.567425 PER $100 OF ASSESSED EVALUATION FOR FY 2013-2014.

Mr. McClain asked for questions or discussion of the proposed tax rate, there was no discussion.

Hearing Closed.

REGULAR AGENDA: DISCUSSION/ACTION

6. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE PURCHASE OF A REPLACEMENT FOR THE BASEBALL EQUIPMENT SHED IN OLD ORCHARD PARK.

Dennis McDuffie spoke on behalf of the fall ball tournament league. The equipment shed has a roof leak that is causing the equipment to become wet and damaged. The existing building will be removed and surplused. The new shed will set on a new concrete slab. The shed will be approximately a 12X30 and will be in the range of $3-4,000.00. The request of $8000.00 will be the purchase the new shed and the remaining balance will be put forth repair of the lights at the field.

Lewis Ivey made the motion to approve and Don Hendrick second

All in favor none opposed.

7. CONSIDER AUTHORIZING THE CITY MANAGER TO DRAFT AN AGREEMENT TO ACQUIRE THE "WELCOME TO DIBOLL" BILLBOARDS.

Mr. McDuffie reports the billboards signs on both the South and North end of town will be donated/deeded to the city from both Temple(North) and Rufus Duncan(South). The city will advertise facilities as the History Center, Civic Center, Golf Course, Library etc. Signs will be modified to fit TxDOT standards and will be awarded a new permit to place on city property.

Lewis Ivey made the motion to approve and Don Hendrick second

All in favor none opposed

8. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Mr. McDuffie explained that the department heads are present for the council to address with questions and updates of their departments. Chief Ricky Conner addressed the council with the three vehicles he has received this year. The police department has a total of 6 cars and next year there will need to be replacement on one unit that has 90,000 miles. The city purchased Dodge Chargers rather than the Chevy caprice due to difficulty receiving them in a timely manner. The Tahoe is not cost effective due to the gas mileage therefore the Charger was the best choice at the time. Mr. Conner also gave update on the equipment tower for the radio communications. The equipment will be left on the tower when removed. He can't find anyone to climb the tower to remove it; new equipment will be purchased. Mark Sheppard will be removing the tower in exchange for the equipment to be sold as scrap metal. The city is in hopes of the county wide dispatch ring in the future. The county has not given word if this will be taking place. The cities plan is to go forth with a 400 foot tower that will

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accommodate both fire and police department's rages along with the county wide ring if it becomes available. The temporary location of equipment will be put on the tower located behind city hall until the property becomes available. A grant will be used in purchase of new equipment and the land should be donated from Temple. The property is at a standstill at the time

Dee Scarborough gave an update of the restrooms in Old Orchard Park. The original brick that was chosen was out of stock causing a delay for several weeks. A second choice was chosen and that would also take six weeks to receive. The decision was made to wait and go forth with the original design causing a delay in starting. He will update when more information is available. The new Boom mower was delivered and street workers are staying busy getting caught up on clean up. The Hendrick street project will also start next week. They will repair one side at a time allowing to not close the road due to residents have no alternate route home. Equipment will also be brought in to start project on Hines Street around the 20th of September.

Loretta Christmas reports bookings are going great at civic center. 2014 schedule is filling up as expected.

Jimmy Mettlen reports prisoners have been working on prepping for the replacement of grass. The sand traps should be started by the end of the month. They have two tournaments coming up and business is going well.

ADJOURN:

Don Hendrick made the motion to adjourn at 5:40 p.m. And Tom Farley seconded.

All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON SEPTEMBER 16, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, SEPTEMBER 16, 2012 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC HEARING:

1. HOLD A PUBLIC HEARING ON THE FISCAL YEAR 2013-2014 MUNICIPAL BUDGET.

REGULAR AGENDA: DISCUSSION/ACTION

2. CONSIDER ADOPTING AN ORDINANCE ADOPTING THE FY 2013-2014 MUNICIPAL BUDGET FOR THE CITY OF DIBOLL.

3. CONSIDER ADOPTING AN ORDINANCE ADOPTING A TAX RATE OF $0.567424/$100 FOR FY 2013-2014.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, September 13, 2013, at 3:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 13th day of September 2013.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS PUBLIC HEARING MEETING ON MONDAY, SEPTEMBER 16, 2013, AT 5:27 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Pro Tem Mayor Lewis Ivey, Councilmember's Daniel Lopez, Don Hendrick, Veronica Hernandez, Tom Farley and Jimmy Cassels.

ABSENT

John McClain and Robert Lewis

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, and Golf Manager Jimmy Mettlen.

Pro Tem Mayor Lewis Ivey called the meeting to order and gave the invocation.

Pledge was coordinate by those in attendance.

PUBLIC HEARING

1. **HOLD A PUBLIC HEARING ON THE PHYSICAL YEAR 2013-2014 MUNICIPAL BUDGET.**

   Mr. Ivey asked for questions or discussion of the municipal budget, none, hearing closed.

REGULAR AGENDA: DISCUSSION/ACTION

2. **CONSIDER ADOPTING AN ORDINANCE ADOPTING THE FY 2013-2014 MUNICIPAL BUDGET FOR THE CITY OF DIBOLL.**

   Mr. McDuffie explained the process of the motion for agenda item #2 and #3. A specific formal motion will need to be made on #3 but an informal motion can be made for #2.

   Tom Farley made the informal motion to adopt the ordinance adopting the municipal budget for FY 2013-2014 and Veronica Hernandez second.

   All in favor none opposed.

3. **CONSIDER ADOPTING AN ORDINANCE ADOPTING A TAX RATE OF $0.567424/$100 FOR FY 2013-2014.**

   Veronica made the formal motion to adopt an ordinance for the tax rate of $0.567424/$100 for the FY 2013-2014 and Don Hendrick second the motion.

All in favor none opposed

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ADJOURN:

Don Hendrick made the motion to adjourn at 5:29 p.m. And Tom Farley seconded.

All in favor none opposed

Pro Tem Mayor, Lewis Ivey

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE
CITY OF DIBOLL, TEXAS
ON OCTOBER 14, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, OCTOBER 14, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE SEPTEMBER 9th and 16th, 2013 CITY COUNCIL MEETINGS.

2. CONSIDER APPROVING A RESOLUTION SURPLUSING A 2003 FORD EXPLORER.

3. CONSIDER MOVING THE REGULAR NOVEMBER 11, 2013 CITY COUNCIL MEETING TO NOVEMBER 18, 2013.

REGULAR AGENDA: DISCUSSION/ACTION

4. CONSIDER ADOPTING AN ORDINANCE AMENDING THE CITY OF DIBOLL CODE OF ORDINANCES TO ALLOW FOR THE SALE OF ALCOHOL ON PUBLIC PROPERTY DURING CITY SPONSORED EVENTS

5. DISCUSSION OF CITY HALL, POLICE DEPARTMENT AND FIRE DEPARTMENT IMPROVEMENTS.

6. DISCUSSION OF OLD ORCHARD PARK IMPROVEMENTS.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

1. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

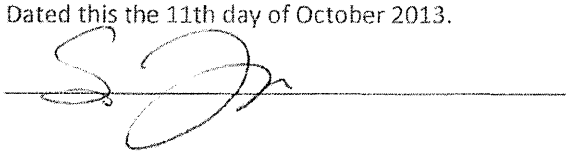
ADJOURN

By_____

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I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, October 11, 2013, at 3:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 11th day of October 2013.



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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS PUBLIC HEARING MEETING ON MONDAY, OCTOBER 14, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor, John McClain, City Attorney, Jimmy Cassels, Councilmember's, Pro Tem Mayor, Lewis Ivey Don Hendrick, Veronica Hernandez, Tom Farley and Robert Lewis.

ABSENT

Daniel Lopez

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Civic Center Director Loretta Christmas, Code Enforcement Officer Bryant McCollum, and Golf Manager Jimmy Mettlen.

Mayor John McClain called the meeting to order and pastor Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION

Ray Paulsey spoke on behalf of a plumbing issue he had at his residence on September 21, 2013. He contacted Hill Plumbing at approximately 9am with tub issues in his bathroom. The toilet also had overflowed into the restroom and hallway. Mr. Paulsey was issued an invoice in the amount of $153.14 that he paid in full. He has asked that the city reimburse him in full. He explained that he had spoke with Mr. McDuffie and the city could only reimburse him for $65. He was not in acceptance to the offer and he asked to speak to the council. Mr. McDuffie then asked him to file a claim with TML to see if this could be covered under insurance. Mr. Paulsey presented a letter from TML that stated his request had been denied. He is asking the council for full reimbursement due to the incident being the cities full responsibility.

The council will review the information and will report a decision at the November or December meeting.

CONSENT ITEMS/ACTION:

1. **CONSIDER APPROVING MINUTES OF THE SEPTEMBER 9TH AND 16TH CITY COUNCIL MEETINGS.**
2. **CONSIDER APPROVING A RESOLUTION SURPLUSING A 2005 FORD EXPLORER.**
3. **CONSIDER MOVING THE REGULAR NOVEMBER 11, 2013 CITY COUNCIL MEETING TO NOVEMBER 18, 2013.**

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Mr. McDuffie explained the surplus of the 2005 Ford Explorer. The chief will be using his personal vehicle and the previous chief truck will be replacing the detective vehicle (2005 Ford Explorer). The explorer will be surplus and removed from insurance.

Mr. McDuffie also explained the change of date for the November council meeting. The regular scheduled council meeting held on the second Monday happens to be on Veterans Day. The city observes the holiday therefore the meeting will be held on November 18, 2013.

Don Hendrick made the motion to approve consent items 1-3 and Lewis Ivey second

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

1. **CONSIDER APPOPTING AN ORDINANCE AMENDING THE CITY OF DIBOLL CODE OF ORDINANCES TO ALLOW FOR THE SALE OF ALCOHOL ON PUBLIC PROPERTY DURING CITY SPONSORED EVENTS.**

Mr. McDuffie explained the reason of efforts to adopt the alcohol ordinance. He explained that it would increase revenue and participation, at city sponsored events. The proposal of a "Beer Garden" rather than free range of alcohol has been requested. There will be a catering company that will transfer their liquor license with a licensed TABC bartender that will be selling beverages. All participants that enter will need to provide identification and will be marked as 21 years of age. No one under the age of 21 will be allowed to enter the garden. There will also be security to secure this area of the festival. The city council will determine the events prior to sale of alcohol and a resolution will be prepared for each event. Mr. McDuffie spoke with TABC to assure the city is in compliance with rules and regulations of the said request.

The council did not make a decision at this time; therefore the ordinance has been tabled at this time.

All in favor none opposed.

2. **DISCUSSION OF CITY HALL, POLICE DEPARTMENT AND FIRE DEPARTMENT IMPROVEMENTS.**

Mr. McDuffie explained the improvements will increase the work space. The police department is overcrowded sharing a facility with the VFD. This would increase more offices for the officers with additional space for training purposes. The interest of moving the police department and city hall to another location was reviewed but due to finances, it is economical to remain in existing location and make appropriate improvements. The VFD would receive a (5) five bay metal building that will be air controlled with an exhaust for summer months and a heat source for winter. The current VFD bays will be enclosed for additional office spaces for the PD. Chief Conner provided a rough sketch of ideas. Administration would expand with new council chambers behind the existing facility. This would provide more office space in the old council chambers for an increase of staff in sense of future events. A circle drive would be installed for fire trucks to enter on Kenley Street and/or Rutland rather than Highway 59.

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3. DISCUSSION OF OLD ORCHARD PARK IMPROVEMENTS.

Mr. McDuffie reported that the Diboll High School Agriculture Department will be building the new equipment shed for the baseball park. Being that this is a school project, it may take longer to receive the building than it would to purchase a building that is already assembled. By doing this the city will save funds and the experience will benefit the students. A utility pole is also being installed to increase the service of electricity. The old equipment shed will be removed this week, if the weather permits.

The lights on the Amphitheater should be installed by Monday, November 7th for the Christmas in the Park program.

DEPARTMENT REPORTS:

Jimmy Mettlen reports the weather has caused a delay in renovations. Four truck loads of grass have been applied to the greens and they are preparing for another delivery next week. There will be a night tournament this week. There have also been new members coming in and visitors from Crown Colony with compliments of the improvements.

Chief Conner reported the radios have been removed from the tower on Mockingbird. The range of radios has decreased to 1/3 than it was before. A letter has been submitted to the foundation but is on hold. Mr. Conner is unsure who to talk to at GP regarding land. Mayor McClain will see who to contact and get more information.

Dee Scarborough reports on behalf of all public works departments. Signs for the park have been put up and street projects are on schedule. He will make sure that the streets will remain open for the Christian outreach center on Wednesdays and Thursdays.

Loretta Christmas reports that the civic center is preparing for the annual community wide Trick or Treat. She also reports that the civic center is booked for the 2014 year of events through July. There has been a waiting list for requested dates in lieu of any cancellations.

Bryant McCollum reports of recent interest in residential construction. Mr. McCollum is currently working with Angelina County/911 address officer to correct any errors and/or complications on re-addressing of 911 addresses.

ADJOURN:

Don Hendrick made the motion to adjourn at 5:50 p.m. And Lewis Ivey seconded.

All in favor none opposed

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Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON NOVEMBER 18, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, NOVEMBER 18, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE OCTOBER 14 AND NOVEMBER 12, 2013 CITY COUNCIL MEETING AND WORKSHOP.

2. CONSIDER APPROVING A RESOLUTION APPROVING BLUE CROSS BLUE SHIELD PLAN RM32 TO PROVIDE A HEALTH AND DENTAL CARE PLAN AND DEARBORN FOR LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT AND LONG TERM DISABILITY INSURANCE PROVIDERS AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS

REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE PLACEMENT OF ADDITIONAL RED LIGHT CAMERAS ALONG HIGHWAY 59.

4. CONSIDER ADOPTING AN ORDINANCE REZONING PROPERTY (2.46 ACRES) LOCATED AT THE CORNER OF MARTIN LUTHER KING AND PINE STREETS FROM I-INDUSTRIAL DISTRICT TO SF-2 (SINGLE FAMILY DWELLING DISTRICT) AS RECOMMENDED BY THE PLANNING AND ZONING COMISSION.

5. CONSIDER APPROVING A RESOLUTION APPROVING THE PLATTING OF PROPERTY (10 RESIDENTIAL LOTS) AT THE CORNER OF MARTIN LUTHER KING AND PINE STREETS AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

6. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, November 15, 2013, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 15th day of November 2013.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON TUESDAY NOVEMBER 12, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor, John McClain, City Attorney, Jimmy Cassels, Councilmember's, Pro Tem Mayor, Lewis Ivey, Daniel Lopez, Don Hendrick, Veronica Hernandez and Tom Farley.

ABSENT

Robert Lewis

STAFF PRESENT

City Manager, Dennis McDuffie, City Secretary, Sarah Thompson, Finance Director, Elvia Garza and Police Chief, Ricky Conner.

Mayor McClain called the meeting to order and Lewis Ivey gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

NONE

WORKSHOP AGENDA

1. DISCUSSION AND UPDATE ON CURRENT PROJECTS:

Mr. McDuffie addressed current projects with the city. The electrical is complete in the ample theater. The current target date for the electrical grid in the park is early spring. The city would like the project to be complete for the Annual Tamale Festival in May. The bidding process will begin now to get a head start to ensure completion of the project on time.

Mr. McDuffie reported the addition/renovation of city hall is at a standstill. He is awaiting a building plan for the VFD from the fire chief. The plan is to build a 70X100 metal building due to the size; this dimension offers a better financial quote than the original 70X90. Gary Jones has plans to visit with an engineer and architect to get a quote for all renovations. Chief Ricky Conner presented the council with a plan for the police department. The plans for changes at city hall were explained as followed; an extension will be added to the rear of the council chambers making the existing council chambers offices for overcrowded staff. The total project is estimated at $700,000.00.

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The restrooms at Old Orchard Park are almost done. The equipment shed at the baseball field still has equipment in it. It will be moved sometime this month. A power pole was installed to add additional lighting for security reasons. No deadline has been given for the completion of the new shed that is being built by the Diboll ISD Agricultural students and volunteers.

2. DISCUSSION OF CURRENT FINACES AND FUTURE REVENUES:

Finance Director, Elvia Garza reported the financials. The yearend figures were only through August. Financials have not been fully reconciled; there are still open accounts that are being paid. The auditors were present last month and will return to complete the report at a later date. She explained the city will need a budget amendment; the city is currently $300,000.00 over budget in the general funds.

3. DISCUSSION OF FUTURE PROJECTS:

Mr. McDuffie reported due to the large amount of recent rainfall there were reports of drainage issues. In the future there will need to be a plan to clean out the creek by Old Orchard Park and near Booker Street. There were reports of high water near and around several houses. The ditches will need to be cleaned out once an easement or permission of private property has been established.

Mayor McClain reported that there are more streets within the city that need repairs. A budget plan will need to be established to go forward. The council along with the city will research for funds and prepare a plan to repair any affected streets. City Attorney, Jimmy Cassels suggested a "Zipper" machine for the street department. He reported that the City of Huntington has this machine and it is very effective to repair/patch needed streets between large street projects. This is not a permanent repair but will provide a temporary fix until funding is available, rather than abandoning affected streets.

The options of annexations were also discussed. This would increase taxes that could help fund street repairs. This option was discussed by previous council but chose not to annex because there was not enough payback. It would cost the city approximately $40,000.00 to complete an annexation.

Chief Ricky Conner reported that the county will not be combining with small surrounding cities and become the county wide dispatch service. It has been discussed and decided by the council to offer the Sheriff's office $50,000.00 to include Diboll in their dispatch service along with Hudson, Huntington and Zavalla. This would involve cut backs of dispatchers in the police department. The PD would keep one receptionist for an 8-5 shift but all 911 calls would go directly to Angelina County Sheriff's Office. The funds that would be saved could be used for future street repairs and projects.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

4. **DISCUSSION OF PERSONNEL POLICIES & PROCEDURES:**

Mr. McDuffie recommended to the council that they discuss the ADP Payroll system and its status. Several complaints have been made by employees to members of the council of it not being effective. Finance Director, Elvia Garza and City Secretary, Sarah Thompson both reported that the system itself is becoming more efficient. Some errors that have occurred during the early transition time have been due to lack of training and department heads that don't record training/school, vacation and sick hours correctly. Also due to the payroll beginning and ending cycle, there have been errors. The last day of the pay period is projected rather than collecting actual time clock collections which causes errors if the employee doesn't report to work when he/she is projected to do so. The city will continue to research and learn more about ADP and it's functioning to better educate themselves and the employees. An option may be to change payroll to a week behind rather than a current status to cut back on projected hours worked in hopes to lead to a smoother and error free pay date.

5. **DISCUSSION OF CITY DIRECTION AND PRIORTIES:**

The council addressed the issue of Mr. Ray Paulsey and reimbursing him in full for the backup that occurred at his residence on September 21, 2013. The TML insurance denied him of any benefits in reason that the policy states; The City is only liable for damages if the use of a machine caused the back up. In this incident there were no city machines or equipment present at the time the lines backed up at Mr. Paulsey's residence. In the future the council will review these incidents on a case by case basis.

The council also addressed issues with the late fee of $25. Don Hendrick expressed his opinion that the late fee was too high. Finance Director, Elvia Garza reported that since the increase the disconnect list has decreased drastically. She also reports that the same residence is late each month and scheduled for disconnect. The council agreed to leave the rates the same.

CLOSED SESSION AGENDA:

1. **RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.**

   551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

ADJOURN:

Mayor McClain made the motion to adjourn at 8:05 p.m. And Lewis Ivey seconded.

All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON NOVEMBER 18, 2013

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, NOVEMBER 18, 2013 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

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REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER ADOPTING A RESOLUTION AUTHORIZING THE PLACEMENT OF ADDITIONAL RED LIGHT CAMERAS ALONG HIGHWAY 59.

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DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

6. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

ADJOURN

By_____

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Dated this the 15th day of November 2013.

_____

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MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON TUESDAY NOVEMBER 12, 2013, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor, John McClain, City Attorney, Jimmy Cassels, Councilmember's, Pro Tem Mayor, Lewis Ivey, Daniel Lopez, Don Hendrick, Veronica Hernandez and Tom Farley.

ABSENT

Robert Lewis

STAFF PRESENT

City Manager, Dennis McDuffie, City Secretary, Sarah Thompson, Finance Director, Elvia Garza and Police Chief, Ricky Conner.

Mayor McClain called the meeting to order and Lewis Ivey gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

NONE

WORKSHOP AGENDA

1. DISCUSSION AND UPDATE ON CURRENT PROJECTS:

Mr. McDuffie addressed current projects within the city. The electrical is complete in the ample theater. The current target date for the electrical grid in the park is early spring. The city would like the project to be complete for the Annual Tamale Festival in May. The bidding process will begin now to get a head start to ensure completion of the project on time.

Mr. McDuffie reported the addition/renovation of city hall is at a standstill. He is awaiting a building plan for the VFD from the fire chief. The plan is to build a 70X100 metal building due to the size; this dimension offers a better financial quote than the original 70X90. Gary Jones has plans to visit with an engineer and architect to get a quote for all renovations. Chief Ricky Conner presented the council with a plan for the police department. The plans for changes at city hall were explained as followed; an extension will be added to the rear of the council chambers making the existing council chambers offices for overcrowded staff. The total project is estimated at $700,000.00.

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The restrooms at Old Orchard Park are almost complete. The equipment shed at the baseball field still has equipment in it. It will be moved sometime this month. A power pole has been installed to add additional lighting for security reasons. No deadline has been given for the completion of the new shed that is being built by the Diboll ISD Agricultural students and volunteers.

2. DISCUSSION OF CURRENT FINACES AND FUTURE REVENUES:

Finance Director, Elvia Garza reported the financials. The yearend figures were only through August. Financials have not been fully reconciled; there are still open accounts that are being paid. The auditors were present last month and will return to complete the report at a later date. She explained the city will need a budget amendment; the city is currently $300,000.00 over budget in the general funds.

3. DISCUSSION OF FUTURE PROJECTS:

Mr. McDuffie reported due to the large amount of recent rainfall there were reports of drainage issues. In the future there will need to be a plan to clean out the creek by Old Orchard Park and near Booker Street. There were reports of high water near and around several houses. The ditches will need to be cleaned out once an easement or permission of private property has been established.

Mayor McClain reported that there are more streets within the city that need repairs. A budget plan will need to be established to go forward. The council along with the city will research for funds and prepare a plan to repair any affected streets. City Attorney, Jimmy Cassels suggested a "Zipper" machine for the street department. He reported that the City of Huntington has this machine and it is very effective to repair/patch needed streets between large street projects. This is not a permanent repair but will provide a temporary fix until funding is available, rather than abandoning affected streets.

The options of annexations were also discussed. This would increase taxes that could help fund street repairs. This option was discussed by previous council but chose not to annex because there was not enough payback. It would cost the city approximately $40,000.00 to complete an annexation.

Chief Ricky Conner reported that the county will not be combining with small surrounding cities and become the county wide dispatch service. It has been discussed and decided by the council to offer the Sheriff's office $50,000.00 to include Diboll in their dispatch service along with Hudson, Huntington and Zavalla. This would involve cut backs of dispatchers in the police department. The PD would keep one receptionist for an 8-5 shift but all 911 calls would go directly to Angelina County Sheriff's Office. The funds that would be saved could be used for future street repairs and projects.

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4. **DISCUSSION OF PERSONNEL POLICIES & PROCEDURES:**

Mr. McDuffie recommended to the council that they discuss the ADP Payroll system and its status. Several complaints have been made by employees to members of the council of it not being effective. Finance Director, Elvia Garza and City Secretary, Sarah Thompson both reported that the system itself is becoming more efficient. Some errors that have occurred during the early transition time have been due to lack of training and department heads that don't record training/school, vacation and sick hours correctly. Also due to the payroll beginning and ending cycle, there have been errors. The last day of the pay period is projected rather than collecting actual time clock collections which causes errors if the employee doesn't report to work when he/she is projected to do so. The city will continue to research and learn more about ADP and it's functioning to better educate themselves and the employees. An option may be to change payroll to a week behind rather than a current status to cut back on projected hours worked in hopes to lead to a smoother and error free pay date.

5. **DISCUSSION OF CITY DIRECTION AND PRIORTIES:**

The council addressed the issue of Mr. Ray Paulsey and reimbursing him in full for the backup that occurred at his residence on September 21, 2013. The TML insurance denied him of any benefits in reason that the policy states; The City is only liable for damages if the use of a machine caused the back up. In this incident there were no city machines or equipment present at the time the lines backed up at Mr. Paulsey's residence. In the future the council will review these incidents on a case by case basis.

The council also addressed issues with the late fee of $25. Don Hendrick expressed his opinion that the late fee was too high. Finance Director, Elvia Garza reported that since the increase the disconnect list has decreased drastically. She also reports that the same residence is late each month and scheduled for disconnect. The council agreed to leave the rates the same.

CLOSED SESSION AGENDA:

1. **RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.**

   551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

ADJOURN:

Mayor McClain made the motion to adjourn at 8:05 p.m. And Lewis Ivey seconded.

All in favor none opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JANUARY 13, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JANUARY 13, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE NOVEMBER 18, 2013 CITY COUNCIL MEETING.

2. CONSIDER CALLING AND PUBLISHING A NOTICE OF A GENERAL ELECTION TO BE HELD SATURDAY, MAY 10, 2014 IN THE CITY OF DIBOLL.

3. CONSIDER APPROVING A RESOLUTION APPROVING DIBOLL CITY HALL, 400 KENLEY STREET, AS THE VOTING LOCATION FOR EARLY VOTING AND ELECTION DAY VOTING FOR THE MAY 10, 2014 GENERAL ELECTION.

4. CONSIDER APPROVING A RESOLUTION AUTHORIZING A JOINT ELECTION TO BE HELD MAY 10, 2014 WITH THE CITY OF DIBOLL AND THE DIBOLL INDEPENDENT SCHOOL DISTRICT.

5. CONSIDER APPROVING A RESOLUTION AMENDING THE FY 2012-2013 CITY BUDGET FOR AUDIT PURPOSES.

6. CONSIDER SCHEDULING A CITY COUNCIL WORKSHOP FOR JANUARY 27, 2014.

REGULAR AGENDA: DISCUSSION/ACTION

7. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A THREE YEAR LEASE AGREEMENT FOR GOLF CARTS FOR THE NECHES PINES GOLF COURSE.

8. CONSIDER ADOPTING AN ORDINANCE PROVIDING FOR THE TEXAS DEPARTMENT OF TRANSPORTATION TO PROVIDE SCOFFLAW SERVICES TO THE CITY OF DIBOLL.

9. CONSIDER APPOINTING A RED LIGHT CAMERA CITIZENS ADVISORY COMMITTEE.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

10. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, January 10, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 10th day of January 2014.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, JANUARY 13, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney, Jimmy Cassels, Councilmember's, Mayor Pro Tem, Lewis Ivey, Robert Lewis, Veronica Hernandez, Tom Farley, Don Hendrick and Daniel Lopez

ABSENT

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Works Director Dee Scarborough, Police Chief Ricky Conner, Golf Manager Jimmy Mettlen and Code Inspection Officer Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Hibbs gave the invocation.

The Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION: NONE

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE NOVEMBER 18, 2013 CITY COUNCIL MEETING.**
2. **CONSIDER CALLING AND PUBLISHING A NOTICE OF A GENERAL ELECTION TO BE HELD SATURDAY, MAY 10, 2014, AT THE CITY OF DIBOLL CITY HALL.**
3. **CONSIDER APPROVING A RESOLUTION APPROVING DIBOLL CITY HALL, 400 KENLEY STREET, AS THE VOTING LOCATION FOR EARLY VOTING AND ELECTION DAY VOTING FOR THE MAY 10, 2014 GENERAL ELECTION.**
4. **CONSIDER APPROVING A RESOLUTION AUTHORIZING A JOINT ELECTION TO BE HELD MAY, 10, 2014 WITH THE CITY OF DIBOLL INDEPENDENAT SCHOOL DISTRICT.**
5. **CONSIDER APPROVING A RESOLUTION AMENDING THE FY 2012-2013 CITY BUDGET FOR AUDIT PURPOSES.**

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

6. CONSIDER SCHEDULING A CITY COUNCIL WORKSHOP FOR JANUARY 27, 2014.

Finance director, Elvia Garza spoke on behalf of consent item #5. The 2012-2013 budgets have previously been approved by council prior to exceeding certain expenditures. The financials have carried over the original budget in numerous areas. Due to the audit this should be brought to council's attention for review.

City Manager, Dennis McDuffie also gave briefing on reason for the workshop January 27, 2014. Items to be discussed are future expansion and renovations at city hall, police department and the fire department.

Lewis Ivey made the motion to approve consent items 1 through 6 and Don Hendrick second.

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

7. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A THREE YEAR LEASE AGREEMENT FOR GOLF CARTS FOR THE NECHES PINES GOLF COURSE.

Golf manager, Jimmy Mettlen explained the bidding process was exalted within the three highest leading manufactures. The price is higher this year than last year due to not trading any existing carts in. The new carts will be under a full lease agreement, this being the best route to keep new and up to date carts at a lower budget. The carts will be Red, Black and White to support our Lumberjack mascot with a new body style equipped with a windshield. The additional utility equipment will also better serve the course due to the beds for maintenance issues.

Lewis Ivey made the motion to approve the lease agreement and Don Hendrick second.

All in favor none opposed

8. CONSIDER ADOPTING AN ORDINANCE PROVIDING FOR AUTHORIZATION FOR THE TEXAS DEPARTMENT OF TRANSPORTATION TO PROVIDE SCOFFLAW SERVICES TO THE CITY OF DIBOLL.

City manager, Dennis McDuffie reported that the system is set up that if an individual fails to pay a red light ticket that they would not be granted a renewal of vehicle registration until the citation has been taken care of in full. The cameras being installed have made Diboll a safer driving environment. This service and the reports filed will help keep cameras viable. This service is also required by the law of statute.

Don Hendrick made the motion to approve the ordinance and Lewis Ivey second.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

All in favor none opposed

9. CONSIDER APPOINTING A RED LIGHT CAMERA CITIZENS ADVISORY COMMITTEE.

City Attorney, Jimmy Cassels briefed the council that this is a requirement according to the statute. This committee will only meet as needed. This will be a (7) seven member committee that will be chosen by each of the governing body. Each council member will report (1) one to (2) two names at the workshop on January 27th. Each member will serve a (2) two year term.

Robert Lewis made the motion to appoint a RCAC and Lewis Ivey second.

All in favor none opposed

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

10. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Chief of Police, Ricky Conner presented the council with the 2013 officer stats which are filed with the state. A total of 12,000 total calls have been reported with the Diboll police department in the 2013 calendar year. This includes all traffic stops, calls of service, accidents and arrest.

Mr. Conner also reported that there has been no change in the radio tower status. He is still awaiting a call from Georgia Pacific in reference to the land.

Golf Manager, Jimmy Mettlen reported that the drainage will be completed by the end of the month. The greens project is still underway and grass is being installed permitting weather conditions daily.

Public Works Director, Dee Scarborough reported that the street project on Hines St. has been postponed according to Center Point representative, Demetrius Moffet. There have been delay and issues with the work order and will update as he learns of new information. The road construction on MLK should be complete at the end of the week. The streets have been scraped and the cracks have been sealed.

Council Member, Lewis Ivey reported that the project performed in front of Poulands Everything Store on Sunday, January 12th was phenomenal. He asks that Mr. Scarborough pass along a job well done to the street superintendent, Josh Richard and the staff within the street department.

Mayor John McClain addressed Finance Director, Elvia Garza with the status of the financial reserve account. Ms. Garza reported that the reserve has been affected due to non budgeted items through the year but as of now it is in good standing.

Discussion within council and department heads that the restrooms in the Old Orchard Park are not 100% completed. They are awaiting the electrical to be completed. The fence will need to be

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taken down in the ball park in order to get the old equipment building out and the new brought in. The new building will be completed by March 1st for sure. The agricultural students that have built the building will be judged on their work at the Angelina County Youth Fair. The judges have agreed to report to the location of the building to judge the building rather than have it moved to the exposition center.

CITY MANAGER REPORTS:

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:30pm. and Tom Farley seconded.

All in Favor None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Tina Cavazos

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JANUARY 27, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JANUARY 27, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR AN ELECTRICAL GRID IN OLD ORCHARD PARK TO LUDCO, INC FOR $37,405.

2. CONSIDER APPROVING A RESOLUTION APPROPRIATING $10,000 FOR LANDSCAPING THE ENTRANCE AND FLOWER BEDS AT THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER AND AUTHORIZING THE CITY MANAGER TO EMPLOY RAVENSWORTH LANDSACPE, LLC TO PROVIDE SAID LANDSCAPING SERVICES.

3. CONSIDER APPROVING A RESOLUTION ACCEPTING AN EASEMENT FOR PLACEMENT AND MAINTENANCE OF A WELCOME TO DIBOLL SIGN FROM WOODED ACRES APT, LC AND AUTHORING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

4. CONSIDER APPROVING A RESOLUTION ACCEPTING AN EASEMENT FOR PLACEMENT AND MAINTENANCE OF A WELCOME TO DIBOLL SIGN FROM ARTHUR TEMPLE III AND CHARLOTTE ANN TEMPLE AND AUTHORING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

WORKSHOP AGENDA

5. DISCUSSION AND DIRECTION ON PROCEEDING WITH A PROJECT FOR A FIRE DEPARTMENT BUILDING, PUBLIC SAFETY BUILDING REMODEL AND CITY HALL ADDITION AND PHASE III STREET IMPROVEMENTS.

6. DISCUSSION AND DIRECTION ON CREATING A PARKS AND RECREATION DIRECTOR POSITION.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, January 24, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 24th day of January 2014.

_____

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MINUTES OF THE GOVERNING BODY WORKSHOP OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, JANUARY 27, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney Jimmy Cassels. Councilmember's Lewis Ivey, Don Hendrick, Veronica Hernandez and Robert Lewis

ABSENT

Daniel Lopez and Tom Farley

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Public Work Dee Scarborough, Police Chief Ricky Conner, and City Inspector Bryant McCollum.

Mayor McClain called the meeting to order and Lewis Ivey gave the invocation.

Pledge was coordinate by those in attendance.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed for the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR AN ELECTRICL GRID IN OLD ORCHARD PARK TO LUDCO, INC FOR $37,405.**
2. **CONSIDER APPROVING A RESOLUTION APPROPRIATING $10,000 FOR LANDSCAPING THE ENTRANCE AND FLOWER BEDS AT THE LOTTIE & ARTHUR TEMPLE CIVIC CENTER AND AUTHORIZING THE CITY MANAGER TO EMPLOY RAVENSWORTH LANDSCAPE, LLC TO PROVIDE SAID LANDSCAPING SERVICES.**
3. **CONSIDER APPROVING A RESOLUTION ACCEPTING AN EASEMENT FOR PLACEMENT AND MAINTENANCE OF A WELCOME TO DIBOLL SIGN FROM WOODED ACRES APT, LC AND AUTORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.**
4. **CONSIDER APPROBING A RESOLUTION ACCEPTING AN EASEMENT FOR PLACEMENT AND MAINTENANCE OF A WELCOME TO DIBOLL SIGN FROM ARTHUR TEMPLE III AND CHARLOTTE ANN TEMPLE AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.**

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City manager, Dennis McDuffie reported that the Keeler Grant funding has provided funds for the electrical grid for Old Orchard Park. This will accommodate festivals, Diboll Day and so forth. The project should be completed in April in time for the Annual Tamale Festival. The Keeler Grant will fund $37,405 and the city will appropriate the remaining balance of $7,405 to complete the project.

Mr. McDuffie also reported that the Beautification Committee met this month on behalf of the Lottie & Arthur Temple Civic Center landscaping. A professional landscape company out of Tyler will complete the project that will improve the property by landscaping the entrance and flower beds from the entrance to the front of the facility. Concerns were also addressed from the council at this time regarding the lighting of the sign near FM 1818 road frontage. This has been non functional for some time and would like to see the sign repaired in the near future. Also for safety reasons the drive leading to the civic center needs to be lighted. In the past the path was lighted but due to dead trees following a lightning storm the lights and tress were removed in the year of 2013. This also needs to be repaired and attended to in the near future.

Mr. McDuffie briefed the council regarding the welcome signs on both South and North ends of town. The signs have been donated to the city. The North end welcome sign originally owned by Rufus Duncan will be taken care of by Mr. Duncan himself per conversation with himself and Mayor John McClain. The South end sign originally owned by Mr. Temple will need to be modified and changed. The modification of removing (8) eight feet of the sign will be the responsibility of the City. The design for Diboll will meet regarding the design of the new sign.

Lewis Ivey made the motion to approve consent items 1-4 and Robert Lewis second

All in favor none opposed

WORKSHOP AGENDA

5. DISCUSSION AND DIRECTION ON PROCEEDING WITH A PROJECT FOR A FIRE DEPARTMENT BUILDING, PUBLIC SAFTEY BUILDING REMODEL AND CITY HALL ADDITION AND PHASE III STREET IMPROVEMNTS.

City Manager, Dennis McDuffie reports to council the plan to economically improve city services. The police department is overcrowded and need more work space to better serve the citizens of Diboll. In order to renovate the police department the fire department project will need to be done first. This will include the addition of a steel building in the rear property of city hall. A 7,000 square foot space will be constructed. This will allow the police department to expand within the old fire department bays to add additional offices and training areas. The idea to add on to city hall is not as critical as the PD and VFD. In the future if more positions become available including item #6, Parks and Recreation Director the city doesn't have a space to put this employee. The court department is also a concern. The court clerk and Judge are in the same office with a wall petition that separated the two. This causes an issue with privacy and confidentiality between the Judge, her clients and the general public that is visiting with the court clerk. The current council chambers would be a great location to add additional offices for

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staff and to resolve the overcrowded issues within the departments. The council meetings that are held once a month would need to be relocated to other facilities until the decision to fund an additional structure to the rear of the existing council chambers becomes available. The idea of using the Temple Civic Center or the DISD Temple Theater for council meetings has been discussed as an alternative if needed. These items have been discussed but will be readdresses at a later date once more information is available.

KSA representative, Bob Thurber presented a map to the council and spoke on behalf of the Street Phase III project. Mr. Thurber proudly complimented the hard work and dedication of the Public Works Director, Dee Scarborough and Street Superintendent, Josh Richard and his street crew to the council. He added that in his opinion Diboll has the best streets for a town its size. The departments have maintained the streets well for what they have to work with. Mr. Thurber also mentioned there are streets that could be patched in certain areas to save on funding if needed. He said the general life of asphalt is 5-10 years and chip seal is 3-5 years. Chip and seal would be an option on certain streets and areas would work to further stretch funding for other streets with more needed attention. The drainage issue will need to be resolved at Willow Oak; the West end of Neil Picket also has some severe troubled areas that need attention along with office, Red Oak and Red Bud. Arrington Street is not quite finished; a (2) two foot strip remains to be completed but warmer temperatures are needed to complete this project. The street phase III will be carried over and discussed at the March meeting.

Public Works Director, Dee Scarborough reported to the council that the gas line removal performed by Center Point has been delayed (2) two weeks further. The work order has been made but approval to begin the project has been delayed. The Angelina County representative, Stan Hankins is in constant contact and will update once he receives more information.

City Manager, Dennis McDuffie presented the council with a financial spreadsheet that explains the funding for each project including the financial to fund all complete projects. The council discussed the financial levels and options and will report their decision at a later date. This will also require a tax increase to fund these projects but will better serve the community. To complete all projects needed this would increase taxes to approximately $30 per year. This would require no vote to move forward although the city would complete a certificate of obligation. Mr. McDuffie also reported that half of the funding from the water collections would be justifiable to use on the city hall project. This will be discussed further along with plans of rehabilitation of a water tank next year.

6. DISCUSSION AND DIRECTION ON CREATING A PARKS AND RECREATION DIRECTOR POSITION.

Mr. McDuffie explained the benefits of having a parks and recreation director. The parks and recreation board has discussed this position and its benefits. This would better serve and coordinate the community. A rough draft of the position was presented and discussed within the council. This would also open more opportunity of the use of the park in the future for example using the soccer fields. The option to fill the position in house was discussed verses creating a new position to save on budget. The responsibilities would be divided within existing employees,

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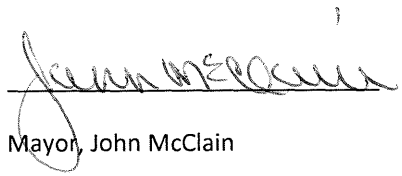
reorganize current staff with a pay increase for added duties. The council discussed this action and its benefits. The park is one of the city's best assets and currently provides no revenue. The baseball association alone would add revenue. A proposal for this position will be further discussed at the March meeting.

City Attorney, Jimmy Cassels addressed the red light camera committee to the council. Each member of the council shall provide (1) one to (2) two names at the February meeting to establish this committee. As discussed at the January 13th meeting, this committee will only meet as needed.

ADJOURN:

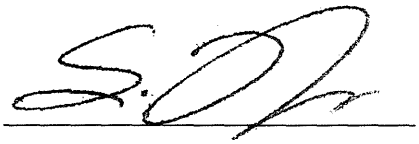
Robert Lewis made the motion to adjourn at 6:07 p.m. And Don Hendrick seconded.

All in favor none opposed



Mayor, John McClain

ATTEST:



City Secretary, Sarah Thompson

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, FEBRUARY 10, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney, Jimmy Cassels, Councilmember's, Mayor Pro Tem, Lewis Ivey, Robert Lewis, Veronica Hernandez, Tom Farley and Daniel Lopez

ABSENT

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner, Golf Manager Jimmy Mettlen, Civic Center Director Loretta Christmas and Code Inspection Officer Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION: NONE

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE JANUARY 13, 2014 AND JANUARY 27, 2014 CITY COUNCIL MEETINGS.**
2. **CONSIDER APPROVING A RESOLUTION DECLARING VARIOUS CITY EQUIPMENT AS SURPLUS AND ATHORIZING THE CITY MANAGER TO DISPOSE OF SAID SURPLUS.**
3. **CONSIDER RESCHEDULING THE MARCH 10, 2014 CITY COUNCIL MEETING TO MARCH 17, 2014 ON COORDINATION WITH SPRING BREAK DATES.**

City Manager, Dennis McDuffie addressed the council in regards of the above consent items. Mr. McDuffie explained a standard resolution will be established to surplus of said equipment and vehicles that have become non functional. The items will be listed on the city website for auction.

Mr. McDuffie also addressed the council that the regular scheduled meeting date fell on the Monday of Spring Break. He is requesting the meeting be rescheduled for a later date of March17, 2014. This has been done the last five years to better accommodate the council that travels.

Lewis Ivey made the motion to approve consent items 1 through 3 and Don Hendrick second.

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All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

4. CONSIDER APPOINTING A SEVEN MEMBER RED LIGHT CAMERA CITIZENS ADVISORY COMMITTEE.

Mr. McDuffie asked the council to appoint/ suggest one person for this committee at this time; Starting with council member followed by their nominee; Don Hendrick-Joe Gage, Lewis Ivey- Chris Walker, Tom Farley- Dave Martinez, Daniel Lopez- Gary Martel, John McClain- Teresa Stribling, Veronica Hernandez- Justin Barkley and Robert Lewis- Freddy Mae Henry.

Lewis Ivey made the motion to approve/appoint this committee and Don Hendrick second

All in favor none opposed

City Attorney Jimmy Cassels asked each council member to provide him with the name, address and phone number of their suggested member. He also explained that once the committee had been contacted a meeting would be held only on a as needed basis. A meeting will need to be held to notify the committee of the new cameras being installed and to get a recommendation for the council, at date TBA.

5. RECEIVE AND REVIEW POLICE DEPARTMENT ORGANIZATIONAL INFORMATION.

City Manager, Dennis McDuffie explained that the council had requested a survey of surrounding police departments based on the same criteria as Diboll. Eleven (11) cities were included in this survey including Huntington, Woodville, Hudson, Center, Rusk, Livingston, Carthage, Crockett, Jasper, and San Augustine. The survey analysis included population, number of sworn officers and annual budgets. Budget for each departments range from 1.1 million to1.2 million dollars; the average population is 5100; and the numbers of sworn officers are from 8 to 20. The council addressed Chief Ricky Conner on the findings of the survey. Livingston has a higher budget due to the salary of the chief and the officers also make more than Diboll. Carthage, Jasper and Crockett are more to our comparison in this survey. Mr. Conner also reports that the department is currently over budget on overtime salaries due to the change with ADP payroll system. Officers are actually getting paid for the hours they are working.

Mayor McClain asked Chief Conner the suspected revenue of the police department for the fiscal year of 2013-2014. Finance Director, Elvia Garza said the total revenue with the courts and PD is on average between $400,000 and $500,000 a year.

There was no further discussion on this matter.

DEPARTMENTAL REPORTS/CITY MANAGER REPORTS: PRESENTATION/DISCUSSION

6. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

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City Manager, Dennis McDuffie reports to council that the weather has played a factor in several delays of projects within the city. The electrical grid in the park has been marked but is on hold due to the weather. The golf course is also being affected and projects are being delayed.

Civic Center Director, Loretta Christmas reports the civic center is doing great. The calendar is booked through mid October, excluding weekdays. Revenues are up from last year for this time of the year. The landscaping improvements are scheduled to start in March. The sign in the front of the property has been checked and Code Inspector Bryant McCollum said the electrical in the sign is no longer any good. If there is any power there the circuits are probably are no longer any good. The lighting of the sign and the entrance are on the to-do list in the near future.

Golf Course Manager, Jimmy Mettlen reported that due to the weather; projects have been placed on hold. New carts are in and are very nice. This past Sunday was a good day, great weather and there have been 8-9 new members from the Lufkin Country Club.

Public Works Director, Dee Scarborough reports that Center Point started the process to remove the gas lines on Hines St. The equipment shed in the park has been moved out and the new one is scheduled to be delivered March 1st. The pole has been set for the electric for the new restrooms; all he is waiting on is the electrician to complete the work. The lights on the pathway have been delayed due to the weather.

Code Inspector, Bryant McCollum reported there are new residential properties being added in the city.

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:33p.m.and Robert Lewis seconded.

All in Favor

None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON MARCH 17, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, MARCH 17, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

REVIEW AND RECEIVE THE FY 2012-2013 AUDIT REPORT

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE FEBRUARY 10, 2014 CITY COUNCIL MEETINGS.

2. CONSIDER APPROVING A RESOLUTION AMENDING THE CITY OF DIBOLL PURCHASING POLICY TO CONFORM TO STATE LAW AND THE CITY OF DIBOLL HOME RULE CHARTER.

3. CONSIDER APPROVING A RESOLUTION DECLARING THE RESULTS AND CERTIFYING AN ORDER OF CANCELLATION OF THE MAY 10, 2014 MUNICIPAL ELECTION.

4. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE LEASE OF A JOHN DEER ROUGH MOWER FOR THE NECHES PINES GOLF COURSE AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

5. REVIEW AND RECEIVE THE RED LIGHT CAMERA ADVISORY COMMITTEE'S LETTER OF SUPPORT FOR THE RED LIGHT CAMERA LOCATIONS AND INSTALLATION.

6. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF MOTOR VEHICLES FOR SCOFFLAW SERVICES.

7. CONSIDER APPROVING A RESOLUTION APPROVING ADDITIONAL FUNDING FOR THE ELECTRICAL GRID IN OLD ORCHARD PARK.

REGULAR AGENDA: DISCUSSION/ACTION

8. CONSIDER ACTION APPROVING THE FUNDING MECHANISM OF THE NEW FIRE STATION, PUBLIC SAFETY BUILDING REMODEL AND CITY HALL ADDITION AND AUTHORIZE THE CITY MANAGER TO PROCEED WITH REQUIREMENTS OF SAID FUNDING.

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9. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE HIRING OF A PART-TIME RECREATION DIRECTOR.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

10. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, March 14, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 14th day of February 2014.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, MARCH 17, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney, Jimmy Cassels, Councilmember's, Mayor Pro Tem, Lewis Ivey, Robert Lewis, and Daniel Lopez

ABSENT

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner, Golf Manager Jimmy Mettlen, Golf Superintendent Clayton Creel, Golf Manager, Luis Maldonado, and Code Inspection Officer Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Lewis Ivey gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

REVIEW AND RECEIVE THE FY 2012-2013 AUDIT REPORT:

Anthony Cardiel, CPA from Brooks Cardiel, PLLC, certified public accountants presented the 2012-2013 audit report. He presented the council with a packet that included basic information on full audit findings. The city received an unqualified opinion, meaning the city is in great standing. The total assets exceed the total liabilities, the total net position increased. This includes street/road repairs, drainage issues, etc. The city governmental funds reported a decrease. The unassigned fund balance for the general fund is 22% of total general expenditures which means the city could function financially with no income for (3) three months should there be a case of natural disaster. The recommended expenditure for a reserve account is (2) two months therefore the financials are in great standing. Charges for garbage service were the city's largest revenue source. Water and Sewer increased but is 7% lower than normal but still profitable.

AUDIENCE PARTICIPATION: NONE

Gary Gores reported that the new website for Neches Pines Golf Course is still under construction. It should be up and going in a few weeks. The website address will be nechespines.com.

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE FEBRUARY 10, 2014 CITY COUNCIL MEETINGS.

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2. **CONSIDER APPROVING A RESOLUTION AMMENDING THE CITY OF DIBOLL PURCHASING POLICY TO CONFORM TO STARE LAW AND THE CITY OF DIBOLL HOME RULE CHARTER.**

3. **CONSIDER APPROVING A RESOLUTION DECLARING THE RESULTS AND CERTIFYING AN ORDER OF CANCELLATION OF ELECTION OF THE MAY 10, 2014 MUNICIPAL ELECTION.**

4. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE LEASE OF A JOHN DEERE ROUGH MOWER FOR THE NECHES PINES GOLF COURSE AND AUTHORIZING THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.**

5. **REVIEW AND RECEIVE THE RED LIGHT CAMERA ADVISORY COMMITTEE'S LETTER OF SUPPORT FOR THE RED LIGHT CAMERA LOCATIONS AND INSTALLATION.**

6. **CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF MOTOR VEHICLES FOR SCOFFLAW SERVICES.**

7. **CONSIDER APPROVING A RESOLUTION APPROVING ADDITIONAL FUNDING FOR THE ELECTRICAL GRID IN OLD ORCHARD PARK.**

City Manager Dennis McDuffie explained the bidding process of the Home Rule Charter that has been set by the state. Levels of purchase and policies were discussed. Mr. McDuffie also reported that the city will not be having an election.

A cancellation of election will take place following an approval from council. There were no opposed opponents therefore there will be no election. Council officials will be sworn in at the May meeting.

A lease agreement for a rough mower has been recommended due to the acreage that is to be mowed and maintained on a daily basis. It is cheaper to lease the property rather than buy.

City Attorney Jimmy Cassels reported that the Red Light Camera Advisory Committee met and was joined in with American Traffic Solutions representative, Justin McDowel via conference call. The committee was given the opportunity to ask questions and voice any concerns of the plan to add additional cameras. The committee agreed to make a recommendation to the council for additional cameras to be installed. The cameras will be up and going within a few weeks. The committee will only meet on an as needed basis.

KSA Engineer Bob Thurber explained the bidding and funding of the electrical grid in Old Orchard Park. The original budget was $25,000 for a 20 amp pedestal. Further findings indicated that this would not be enough electric to host Diboll Day or Tamale Festival so a proposal to double the project size has been requested. This would increase the price and make the total $60.005.00. The Keeler Foundation has already funded $30,000 and the remaining funds will come from the city. Mr. McDuffie explained the electrical issues in the past Tamale Festivals and Diboll Day. This would make the festivals safer for the vendors and staff as well as the festival goers and visitors.

Lewis Ivey made the motion to approve consent items 1 through 7 and Don Hendrick second.

All in favor none opposed

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REGULAR AGENDA: DISCUSSION/ACTION

8. CONSIDER ACTION APPROVING THE FUNDING MECHANISM OF THE NEW FIRE STATION, PUBLIC SAFTEY BUILDING REMODEL AND CITY HALL ADDITION AND AUTHORIZE THE CITY MANAGER TO PROCEED WITH REQUIREMENTS OF SAID FUNDING.

Mr. McDuffie request that the projects be performed in phases. Starting with Phase I, this would include the building of the Fire Departments facility, Phase II, the remodel of the Police Department and last Phase III, the addition to city hall. The council recommends signing off on a basic design that was provided in the council packets, if satisfied with the plan and numbers they will move ahead at that time with the bond. If not satisfied the job would then be bided out, compare the bids and make appropriate decision at that time.

Lewis Ivey made the motion to approve the action and Don Hendrick second

All in favor none opposed

9. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE HIRING OF A PART-TIME RECREATION DIRECTOR.

City Manager, Dennis McDuffie suggested to the council to hire a part time employee in house with an existing employee for this position. Due to budget and the nature of the job, a part time position would be available until the duties had been accumulated into a full time position by next spring. The city would like to fill this position by the end of the month.

Lewis Ivey made the motion to negotiate a part time position and Don Hendrick second

All in favor none opposed

DEPARTMENTAL REPORTS/CITY MANAGER REPORTS: PRESENTATION/DISCUSSION

10. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Golf Course Manager, Jimmy Mettlen introduced his assistant Clayton Creel, he is the grounds superintendent. He is responsible for all the outside operations, labor, equipment and renovation projects. Mr. Creel obtained a degree from Texas A&M University and has worked at golf courses including Bryan, Houston and Beaumont Texas. Mayor McClain reported that Mr. Creel was doing an outstanding job since he arrived on board.

Public Works Director Dee Scarborough reported that the gas lines are being removed at Cross, Hines and Ohare street. The job should be complete in a couple of weeks depending on the weather. The Center Point workers also worked on the parking lot at the Methodist Church. The equipment shed has been delivered to the park and the fence should be put back up by next week.

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Civic Center Director Loretta Christmas was absent but Mayor McClain reported that the landscaping looks great. The sign has been repaired and it light up. Lighting along the entrance drive way still need to be installed.

Finance Director Elvia Garza reports she is very pleased and satisfied with Brooks and Cardiel Auditors. She reported that the city will need to plan ahead in any future projects to keep the financials in good standing. The water and sewer rates were increased last year 20%. Prior to this increase it had been many years since the city had increased rates. She recommends small increases yearly to maintain and meet yearly debt requirements. The city buys 25% of its water from Lufkin to ensure we are not short in case of a drought or natural disaster.

Chief Ricky Conner reports that a meeting was held today regarding the installation of the additional red light cameras. They plan to start the installation by Thursday and will be up and running by April 11th. The status on the tower is GP is waiting for a company to take down old tower in a couple of weeks.

Code enforcement officer Bryant McCollum reports that one residential home in deer trace has been started. There are two more but have not started construction at this time, possibly due to weather. The light for the seating area at the amphitheater has been installed. It will function via breaker and will need to be requested as the other electric in due of any events.

ADJOURN:

Don Hendrick made the motion to adjourn at 6:05p.m.and Lewis Ivey seconded.

All in Favor

None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON APRIL 14, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, APRIL 14, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

REVIEW AND RECEIVE THE FY 2012-2013 AUDIT REPORT

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE MARCH 17, 2014 CITY COUNCIL MEETINGS.

2. CONSIDER APPROVING A PROCLAMATION DECLARING APRIL 2014 A FAIR HOUSING MONTH IN THE CITY OF DIBOLL.

3. CONSIDER APPROVING A RESOLUTION APPOINTING THE CITY MANAGER OR HIS DESIGNEE AS FAIR HOUSING OFFICER IN THE CITY OF DIBOLL.

4. CONSIDER APPROVING A RESOLUTION APPROVING AMENDING THE FAIR HOUSING ACTION STATEMENT TEXAS (FHAST) FORM TO REFLECT AN UPDATE COMPLETTION DATE OF 2014.

REGULAR AGENDA: DISCUSSION/ACTION

5. CONSIDER SELECTING TWO REPRESENTATIVES TO ATTEND THE AFFIRMATIVE FAIR HOUSING WORKSHOP ON WEDNESDAY APRIL 30, 2014 AT THE PITSER GARRISON CONVENTION CENTER.

6. CONSIDER ACTION APPOINTING A REPRESENTATIVE TO THE DEEP EAST TEXAS COUNCIL OF GOVERMENTS BOARD OF DIRECTORS BEGINNING JULY 1, 2014.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

7. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

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ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, April 11, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 11th day of April 2014.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, APRIL 14, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney, Jimmy Cassels, Councilmember's, Mayor Pro Tem, Lewis Ivey and Daniel Lopez

ABSENT

Robert Lewis and Veronica Hernandez

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Work Dee Scarborough, Police Chief Ricky Conner, Parks Director Luis Maldonado, and Code Inspection Officer Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

Pastor Kenny Hibbs announced the Easter sunrise service will be in Old Orchard Park at the Ample Theater at 7am Sunday, April 20th. The invitation is extended through the community.

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE MARCH 17, 2014 CITY COUNCIL MEETINGS.**
2. **CONSIDER APPROVING A PROCLOMATION DECLARING APRIL 2014 A FAIR HOUSING MONTH IN THE CITY OF DIBOLL.**
3. **CONSIDER APPROVING A RESOLUTION APPOINTING THE CITY MANAGER OR HIS DESIGNEE AS FAIR HOUSING OFFICER IN THE CITY OF DIBOLL.**
4. **CONSIDER APPROVING A RESOLUTION APPROVING AMENDING THE FAIR HOUSING ACTION STATEMENT TEXAS (FHAST) FORM TO REFLECT AN UPDATE COMPLETION DATE OF 2014.**

   City Manager Dennis McDuffie briefed the council on fair housing and how the city will declare the month of April as Fair Housing Month. There have been changes that will require the city to designate a proclamation, appoint officers for duties and complaints. The city holds a manual with all amendments and any information pertaining to fair housing.

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Lewis Ivey made the motion to approve consent items 1 through 4 and Don Hendrick second.

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

5. CONSIDER SELECTING TWO REPRESENTATIVES TO ATTEND THE AFFIRMATIVE FAIR HOUSING WORKSHOP ON WEDNESDAY APRIL 30, 2014 AT THE PITSER GARRISON CONVENTION CENTER.

Mr. McDuffie explained that the two representatives to attending the workshop will be himself and code enforcement officer, Bryant McCollumn.

Don Hendrick made the motion to approve the action and Lewis Ivey second.

All in favor none opposed

6. CONSIDER ACTION APPOINTING A REPRESENTATIVE TO THE DEEP EAST TEXAS COUNCIL OF GOVERNMENT BOARD OF DIRECTORS BEGINNING JULY 1, 2014.

City Manager, Dennis McDuffie suggested to the council that it is time to designate an individual to represent the city and serve on the board of director of DETCOG.

Councilman Daniel Lopez made the motion to designate Mayor John McClain and Tom Farley second

All in favor none opposed

DEPARTMENTAL REPORTS/CITY MANAGER REPORTS: PRESENTATION/DISCUSSION

7. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Chief Ricky Conner reports that the tower is down and he is now awaiting GP to either deed the property to the City of Diboll or provide an easement of right of way for the new tower location. He will also meet with DISD this week to update them with the PD with digital equipment.

Finance Director Elvia Garza reports the financials are all normal outside a few out of balances within the golf course and fire department. She also recommends that the funds be separated with the civic center, golf and garbage accounts. The Clean Sweep with start on Monday if you or anyone you know is interested they will need to make service orders before April 17th.

Code enforcement officer Bryant McCollum reports that planning and zoning commission chairman Charles Moses was elected to serve on the council starting in May. This conflicts his chairman seat for the planning and zoning commission. Mr. McCollumn asked that the council recommend someone to replace him. This board only meets on an as needed basis and will meet a few times per year.

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Public Works Director and Parks Director had nothing to report to the council.

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:33 pm and Don Hendrick seconded.

All in Favor None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON MAY 12, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, MAY 12, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

SWEARING IN: THE OFFICES OF MAYOR, COUNCIL MEMBERS REPRESENTING DISTRICTS 2 AND 4 AND AT-LARGE PLACE 6 FOR A TWO YEAR TERM.

PRESENTATION/DISCUSSION OF TEXAS TIMBERZ SOCCER TEAM USE OF SOCCER FIELD IN OLD ORCHARD PARK

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE APRIL 14, 2014 CITY COUNCIL MEETINGS.

2. CONSIDER APPROVING A DECLARING CERTAIN EQUIPMENT SURPLUS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT.

3. CONSIDER APPROVING A RESOLUTION REAPPOINTING CURRENT MEMBERS AND APPOINTING SERGIO ZAPATA AS A NEW MEMBER TO THE DESIGN FOR DIBOLL COMMITTEE.

4. CONSIDER APPROVING A RESOLUTION APPOINTING CHARLES WALKER AS AN ALTERNATE MEMBER OF THE PARKS AND RECREATION BOARD.

5. CONSIDER APPROVING A RESOLUTION APPOINTING CHRIS WALKER AS CHAIRMAN OF THE PLANNING OF PLANNING AND ZONING COMISSION.

REGULAR AGENDA: DISCUSSION/ACTION

6. DISCUSSION/REPORT ON PHASE II OF THE DIBOLL STREET REHABILITATION PROJECT.

7. CONSIDER APPROVING A RESOLUTION TO PURCHASE TWO POLICE CARS IN THE FY 2014-2015.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

8. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

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ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, May 9, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 9th day of May 2014.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, MAY 12, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney, Jimmy Cassels, Councilmember's, Mayor Pro Tem, Lewis Ivey, Don Hendrick, Tom Farley, Veronica Hernandez, Daniel Lopez and Charles Moses Sr.

ABSENT

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Works Director Dee Scarborough, Street Superintendent Josh Richard, Street Forman Matt Todd, Police Chief Ricky Conner, Parks Director Luis Maldonado, Civic Center Director Loretta Christmas and Code Inspection Officer Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

SWEARING IN: THE OFFICES OF MAYOR, COUNCIL MEMBERS REPRESENTING DISTRICTS 2 AND 4 AND AT-LARGE PLACE 6 FOR A TWO YEAR TERM.

City attorney Jimmy Cassels swore in elected officials; Mayor John McClain, Council member district 2 Lewis Ivey, district 4 Daniel Lopez and at large place 6 Charles Moses Sr.

PRESENTATION/DISCUSSION OF TEXAS TIMBERZ SOCCER TEAM USE OF SOCCER FIELD IN OLD ORCHARD PARK.

Team manager/founder Marco Morales, passed out packets of the Texas Premier Soccer League bylaws to each council member/official for review. Mr. Morales briefed everyone of his background; he is the manager of La Michoacana meat market in Lufkin, he is also very involved with the community of Angelina County. Mr. Morales explained that this is a semi pro soccer league that is seeking a field to play on for the soccer season from Mid to late August through March, 2014-2015. The Lufkin and Nacogdoches fields are too busy and not available. All games will be on Saturdays and will be during the day therefore there will be no electric needed and they will provide their own goals. There will be about 10 teams to play during the season and visitors will include teams from Houston, Galveston, College Station and Dallas. This is a great opportunity to bring individuals to Diboll and increase revenue within the city. Councilman, Daniel Lopez will discuss options of using the old football field with DISD. This may be an

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alternate location and better playing field. There will be open try outs and he welcomes, men, woman and youth Diboll citizens to attend. City Attorney Jimmy Cassels advised him to seek off duty officers to secure the games as a precaution. Mr. Morales' business partner Cynthia Aguliar explained that they can easily add the playing field on their insurance policy with no problem. The council agreed that this would be a great opportunity and welcomed Texas TImberz to use facilities as their home field.

AUDIENCE PARTICIPATION: NONE

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE APRIL 14, 2014 CITY COUNCIL MEETINGS.**
2. **CONSIDER APPROVING A RESOLUTION DECLARING CERTAIN EQUIPMENT FOR SURPLUS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT.**
3. **CONSIDER APPROVING A RESOLUTION REAPPOINTING CURRENT MEMBERS AND APPOINTING SERGIO ZAPATA AS A NEW MEMBER TO THE DESIGN FOR DIBOLL COMMITTEE.**
4. **CONSIDER APPROVING A RESOLUTION APPOINTING CHRIS WALKER AS AN ALTERNATE MEMBER OF THE PARKS AND RECREATION BOARD.**
5. **CONSIDER APPROVING A RESOLUTION APPOINTING CHRIS WALKER AS CHAIRMAN OF THE PLANNING OF PLANNIGN AND ZONING COMISSION.**

City manager Dennis McDuffie explained the consent items. Surplus equipment: the computers will not be sold due to the cost to cleanse the city files, they will be destroyed. Mr. Sergio Zapata will take the only vacant position on the Design for Diboll committee. Mr. Zapata is the youth pastor at the Bautista of Diboll. Parks and Recreation board appointed Chris Walker as an alternate member in order to hold a quorum for meetings. Reappointment of Sandra Poland, Jan Wilkerson and Gary Martel also took place. Mr. Walker has also been appointed Chairman of the Zoning and Planning Commission due to newly unopposed elected councilman Charles Moses Sr. Mr. Moses was chairman of the Planning and Zoning Commission until he had to resign to serve on city council.

Lewis Ivey made the motion to approve consent items 1-5 and Don Hendrick second.

All in favor none opposed

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REGULAR AGENDA: DISCUSSION/ACTION

6. DISCUSSION/REPORT ON PHASE II OF THE DIBOLL STREET REHABILITATION PROJECT.

KSA Engineer Bob Thurber explained the issues that have arose within the phase II project on Arrington Street. The road is coming up due to the temperatures when the oil was poured. Once the oil was poured we had two nights of freezing temperatures which caused the oil not to set. The contractor, Drewery Construction which was not present at the meeting explained to Mr. Thurber that the problem will be corrected once the temperatures reach 90 degrees for several days allowing the oil to heat. It will require heating the existing oil and add rock and seal. Signs have been put up to alert drivers of wet oil. Other streets including south first have the same issues but he rest the council assured that this would all be taken care of and corrected. Hines Street is also being prepared at this time and due to the upcoming weather construction will be delayed. Mr. Thurber is working close with the contractors to assure there are no problems.

7. CONSIDER APPROVING A RESOLUTION TO PURCHASE TWO POLICE CARS IN THE FY 2014-2015.

Chief Ricky Conner has request to purchase two new cars in the next budget year. The police department had not bought cars in several years when Mr. Conner took the chief position. Last year two cars were purchased with Keeler Grant funds and the city purchased one. Mr. Conner would like to replace cars every two to three years to keep mileage down. The police department has six cars/units now. Chief Conner has requested to order the cars now in order to receive them within sixty to ninety days.

Don Hendrick made the motion to purchase two new police cars and Tom Farley second.

All in favor none opposed

DEPARTMENTAL REPORTS/CITY MANAGER REPORTS: PRESENTATION/DISCUSSION

8. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Chief Ricky Conner reports that he is still waiting on the tower to be installed. He is also still waiting on the paperwork from GP regarding the easement to the location of the new tower. He expects to see results by the end of the month. He also explained the fire department is having communication issues with the existing tower. Several VFD firefighters live in Beulah and are not available to receive call outs.

Civic Center director Loretta Christmas reports that the civic center is busy this week. There are several banquets each night this week then the Tamale Festival is on Saturday. As of now there are 29 food vendors and 18 craft vendors. There will be new entertainment this year including Mirachi bands, dancers and wrestling, then ending the evening at 4pm with a Tejano concert.

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ADJOURN:

Lewis Ivey made the motion to adjourn at 5:54 pm and Tom Farley seconded.

All in Favor None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JUNE 16, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JUNE 16, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE MAY 12, 2014 CITY COUNCIL MEETINGS.

2. CONSIDER APPROVING A DECLARING CERTAIN EQUIPMENT SURPLUS AND AUTHORIZING THE CITY MANAGER TO DISPOSE OF SAID EQUIPMENT.

REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER APPROVING A RESOLUTION APPROVING A DONATION AGREEMENT WITH GEORGIA PACIFIC FOR 7.7022 ACRES FOR USE AS A RADIO TOWER SITE AND AUTHORIZE THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

4. CONSIDER APPROVING DATE(S) FOR A FY 2014-2015 BUDGET WORKSHOP.

5. CONSIDER APPOINTING A MEMBER TO THE DIBOLL CIVIC CENTER BOARD.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

6. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, June 13, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 13th day of June 2014.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, JUNE 16, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney, Jimmy Cassels, Councilmember's, Mayor Pro Tem, Lewis Ivey, Don Hendrick, Tom Farley, Veronica Hernandez, Daniel Lopez and Charles Moses Sr.

ABSENT

Veronica Hernandez

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Works Director Dee Scarborough, Police Chief Ricky Conner, Civic Center Director Loretta Christmas and Code Inspection Officer Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION: NONE

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE MAY 12, 2014 CITY COUNCIL MEETINGS.**

2. **CONSIDER APPROVING A DECLARING CERTAIN EQUIPMENT SURPLUS AND AUTHORIZING THE CITY MANAGER TO SIGN ALL REALATED DOCUMENTS.**

   City manager, Dennis McDuffie briefed the council on the said surplus equipment. The civic center golf cart was struck by a motor vehicle while the prisoners were using it to replace the lettering of the event sign near FM 1818. The cart suffered a significant amount of damage which totaled the cart. There has been no decision if the cart will be replaced at this time.

   Lewis Ivey made the motion to approve consent items and Don Hendrick second.

   All in favor none opposed

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REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER APPROVING A RESOLUTION APPROVING A DONATION AGREEMENT WITH GEORGIA PACIFIC FOR 7.7022 ACRES FOR USE OF A RADIO TOWER SITE AND AUTHORIZE THE CITY MANAGER TO SIGN ALL RELATED DOCUMENTS.

Mr. McDuffie reported that the agreement had been reviewed and cleared by city attorney, Jimmy Cassels. The previous tower has been removed and now that the contract agreement has been approved the project should move along. The communications equipment behind city hall has been repaired and once the new tower is in place, all should be efficient.

Lewis Ivey made the motion to approve the donation agreement and Tom Farley second.

All in favor none opposed

4. CONSIDER APPROVING DATE(S) FOR A FY 2014-2015 BUDGET WORKSHOP.

Finance Director, Elvia Garza will have the 2014-2015 Budget draft prepared and available the first of July. The certified tax roll is not available therefore at this time the revenues and final expenditures are not accurate. The council will email for dates once the calendars have been checked due to summer travel and conflict.

5. CONSIDER APPOINTING A MEMBER TO THE DIBOLL CIVIC CENTER BOARD.

Mr. McDuffie announced that the Civic Center board chairman Kathy Sample resigned on April 26, 2014. The council has been asked to reappoint an individual and bring forth at the July 14th council meeting.

DEPARTMENTAL REPORTS/CITY MANAGER REPORTS: PRESENTATION/DISCUSSION

6. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Mr. McDuffie presented a spreadsheet including the total funds being disbursed by departments and description of changes. The civic center will receive $84,000 to install a new sound board and lighting. The golf course will receive $75, 000 to remodel and add on to the club house. An additional $10,000 will be for pads and a shelter for the driving range. The police department will receive new cameras and radars with the amount of $30,000. The communications tower being installed will be $70,000. The repair of the welcome to Diboll signs will be funded $25,000. A joint wireless and technical project partnered with Diboll ISD will receive $40,000.

Police Chief, Ricky Conner reported that Keeler Grant funds will also fund new bullet proof vest for the police department.

No other department heads had anything to report at this time.

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Tom Farley reported that citizens have made complaints to him regarding the street project on Arrington. City Manager, Dennis McDuffie reported that Bob Thurber, Engineer with KSA has talked to the contractor with Drewery Construction. They are still waiting on 95 degree temperatures to repair the street.

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:39 pm and Don Hendrick seconded.

All in Favor

None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JULY 14, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JULY 14, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE JUNE 16, 2014 CITY COUNCIL MEETINGS.

2. CONSIDER APPOINTING CAROL METTLEN AND THERESA STRIPLING TO THE CIVIC CENTER BOARD.

REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR REMODELING THE NECHES PINES GOLF COURSE CLUB HOUSE TO TODD HORTON CONSTRUCTION FOR $70,750.

4. CONSIDER APPROVING THE DESIGN OF THE NORTH AND SOUTH WELCOME TO DIBOLL SIGNS AS RECOMMENDED BY THE DESIGN FOR DIBOLL COMMITTEE.

5. CONSIDER SETTING MONDAY, AUGUST 18, 2014 AS THE DATE FOR A BUDGET WORKSHOP AND SETTING A PROPOSED TAX RATE.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

6. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, July 11, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 11th day of July 2014.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, JULY 14, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney, Jimmy Cassels, Councilmember's, Mayor Pro Tem, Lewis Ivey, Don Hendrick, Tom Farley, Veronica Hernandez, Daniel Lopez and Charles Moses Sr.

ABSENT

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Works Director Dee Scarborough, Police Chief Ricky Conner, Civic Center Director Loretta Christmas, Parks Director Luis Maldonado and Code Inspection Officer Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

Gary Gores with the Design for Diboll spoke on behalf of the golf course promotional items. He presented the council with new coupon and pamphlet for the golf course. Pamphlets have been placed in numerous facility and offices throughout the surrounding counties for advertisement. Some include the visitor's bureau, hotels, and the chamber of commerce of Angelina County.

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE JUNE 16, 2014 CITY COUNCIL MEETINGS.**

2. **CONSIDER APPOINTING CAROL METTLEN AND TERESA STRIBLING TO THE CIVIC CENTER BOARD.**

   City Manager, Dennis McDuffie asked the council if there were any other nominations for the civic center board selection. No further nominations therefore the selected nominations will be appointed to sit on the board for the following year.

   Lewis Ivey made the motion to appoint the new members and Don Hendrick second

   All in favor none opposed

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

REGULAR AGENDA: DISCUSSION/ACTION

3. CONSIDER APPROVING A RESOLUTION AWARDING THE BID FOR REMODELING THE NECHES PINES GOLF COURSE CLUB HOUSE TO TODD HORTON CONSTRUCITON FOR $70,750.00

Dennis McDuffie explained to the council that $75,000 was awarded for the renovation from the Keeler Foundation. The club house was built in 1960 and is long overdue for updates and repairs. Renovation includes the closing of both sides of the pro shop to expand. The right side will be a sitting and visiting area where the left would be updated restrooms. The city received three bids for this project, Todd Horton at $70,750, Jim McClain at $72,500 and Gary Jones at $88,760.00. The renovation will also include two new air units. All contractors bid the same project from a plan drawn to scale provided by Gary Jones.

Lewis Ivey made the motion to accept the bid and Don Hendrick second

All in favor none opposed

4. CONSIDER APPROVING THE DESIGN OF THE NORTH AND SOUTH WELCOME TO DIBOLL SIGNS AS RECOMMENDED BY THE DESIGN FOR DIBOLL COMMITTEE.

Mr. McDuffie explained the process to update the signs to the council. Keeler funds are also being used for this area of project. $25,000 will be used to raise the roof, change appearance of signs, addition of lighting and landscaping.

Lewis Ivey made the motion to approve the design of the welcome signs and Don Hendrick second.

All in favor none opposed

5. CONSIDER SETTING MONDAY, AUGUST 18, 2014 AS THE DATE FOR A BUDGET WORKSHOP AND SETTING OF PROPOSED TAX RATE.

Dennis McDuffie proposed to the council that due to summer travel Monday, August 18, 2014 is the best date to have the budget workshop and setting of proposed tax rate.

Lewis Ivey made the motion to select this date and Don Hendrick second.

All in favor None opposed

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DEPARTMENTAL REPORTS/CITY MANAGER REPORTS: PRESENTATION/DISCUSSION

6. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Loretta Christmas said the civic center is going good. Renovations of lighting and sound are starting and all is going well.

Gary Jones spoke on behalf of the VFD. The bylaws are out of date and are being reviewed and updated at this time. Applications are being accepted due to being short on fire fighters. At this time the department is 5 men short. This apparently is a nationwide issue, not only in Diboll. Four members of the VFD will travel to college station for fire training school next week. Keeler funds in the amount of $60,000 has been awarded to the VFD. Plans are underway to purchase a new thermal imaging camera, Jaws of Life, replacement of grass truck lift and tires and communication radios. An inventory of all equipment is also being done to pin point what equipment is missing and or out of date. In the future he predicts that trucks will need to be replaced due to the age and mileage of vehicles. Volunteers are paid $7 per fire, the city has taken very good care of the VFD in the past years. The city grants them $40,000 to dispense through the department. The chief, mayor and city manager meet on a once a month basis to review the status of the department. An inspector was on site last month to review the equipment and perform a full survey to see what the department needs.

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:46 pm and Tom Farley seconded.

All in Favor

None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON AUGUST 11, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, AUGUST 11, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE JULY 14, 2014 CITY COUNCIL MEETING.

REGULAR AGENDA: DISCUSSION/ACTION

2. CONSIDER APPROVING A RESOLUTION ADOPTING A FAIR HOUSING POLICY AS REQUIRED BY THE GENERAL LAND OFFICE FAIR HOUSING ACTIVITY STATEMENT

3. CONSIDER APPROVING A RESOLUTION ADOPTING AN ANTI-NYMBY PLAN AS REQUIRED BY THE GENERAL LAND OFFICE FAIR HOUSING ACTIVITY STATEMENT.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

4. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

CLOSED SESSION

1. RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

§ 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

REGULAR AGENDA: DISCUSSION/ACTION

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, August 8, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 8th day of August 2014.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON AUGUST 18, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, AUGUST 18, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

WORKSHOP AGENDA: DISCUSSION DIRECTION

1. DISCUSSION AND DIRECTION THE FISCAL YEAR 2014-2015 DIBOLL MUNICIPAL BUDGET.

REGULAR AGENDA: DISCUSSION/ACTION

2. CONSIDER APPROVING A RESOLUTION ADOPTING A PROPOSED TAX RATE OF $0.59 PER $100 OF ASSESSED EVALUATION FOR FISCAL YEAR 2014-2015.

3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION WITH THE TEXAS ALCOHOL AND BEVERAGE COMMISSION FOR THE SALE OF ALCOHOL AT THE NECHES PINES GOLF COURSE.

ADJOURN

By _____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, August 15, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 15th day of August 2014.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON AUGUST 11, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, AUGUST 11, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE JULY 14, 2014 CITY COUNCIL MEETING.

REGULAR AGENDA: DISCUSSION/ACTION

2. CONSIDER APPROVING A RESOLUTION ADOPTING A FAIR HOUSING POLICY AS REQUIRED BY THE GENERAL LAND OFFICE FAIR HOUSING ACTIVITY STATEMENT

3. CONSIDER APPROVING A RESOLUTION ADOPTING AN ANTI-NYMBY PLAN AS REQUIRED BY THE GENERAL LAND OFFICE FAIR HOUSING ACTIVITY STATEMENT.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

4. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

CLOSED SESSION

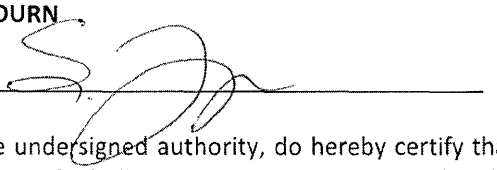
1. RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

§ 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

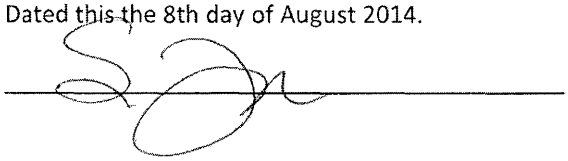
REGULAR AGENDA: DISCUSSION/ACTION

ADJOURN

By 

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, August 8, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 8th day of August 2014.



Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, AUGUST 11, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, City Attorney, Jimmy Cassels, Councilmember's, Mayor Pro Tem, Lewis Ivey, Don Hendrick, Tom Farley, Veronica Hernandez, Daniel Lopez and Charles Moses Sr.

ABSENT

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Works Director Dee Scarborough, Interim Police Chief Steve Baker, Civic Center Director Loretta Christmas, and Code Inspection Officer Bryant McCollum.

Mayor McClain called the meeting to order and Pastor Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION:

NONE

CONSENT ITEMS/ACTION: Items listed in the Consent agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING MINUTES OF THE JULY 14, 2014 CITY COUNCIL MEETINGS.**

   Don Hendrick made the motion to approve the minutes and Lewis Ivey second

   All in favor none opposed

   REGULAR AGENDA: DISCUSSION/ACTION

2. **CONSIDER APPROVING A RESOLUTION ADOPTING A FAIR HOUSING POLICY AS REQUIRED BY THE GENERAL LAND OFFICE FAIR HOUSING ACTIVITY STATEMENT.**

   City Manager, Dennis McDuffie reported to the council that this is a state program that covers certain criteria. A fair housing officer has been appointed for any complaints as well as to fulfill the mandated requirements.

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Lewis Ivey made the motion to adopt the policy and Don Hendrick second

All in favor none opposed

3. CONSIDER APPROVING A RESOLUTION ADOPTING AN ANTI-NYMBY PLAN AS REQUIRED BY THE GENERAL LAND OFFICE FAIR HOUSING ACTIVITY STATEMENT.

Mr. McDuffie explained the (NYMBY) not in my back yard. This will help neighborhoods that are unhappy with projects that are taken place and designate an institute to make complaints and meet at.

Lewis Ivey made the motion to approve the NYMBY plan and Don Hendrick second.

All in favor none opposed

DEPARTMENTAL REPORTS/CITY MANAGER REPORTS: PRESENTATION/DISCUSSION

4. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Loretta Christmas said the civic center is going good. There are a few more events to end the summer season then they will begin with preparing for Diboll Day. Cleaning tables and chairs etc, to be prepared for September 4th kick off lunch.

Steve Baker reported that the police department is watching the high crime areas in town. Hamner and Office Street have been hit with criminal mischief several times. The PD is trying to take control of these violations. No word on the tower at this time.

Dee Scarborough reported normal operation within the public works.

Gary Jones reported on behalf of the VFD. Keeler grant funds are being spent on new thermal cameras, Jaws of Life and communication equipment. Will meet on Friday with city manager and mayor to discuss direction of upcoming year.

CLOSED SESSION

RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

Closed session began at 5:19pm and returned at 6:41pm.

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City Attorney, Jimmy Cassels made the statement that the former police chief, Ricky Conner had been placed on administrative leave with pay on August 7, 2014 at 1:30pm. Since his suspension the TMPA, Texas Municipal Police Association had begun an investigation regarding allegations from the police department officers against Chief Conner. TMPA also visited the council during the closed session and reported that there were no criminal actions against Mr. Conner at this time. Mr. Conner along with his attorney Paul Robbins were present at the meeting. During the closed session Mr. Conner presented his resignation. His departure from the department would allow himself as well as the fellow officers and the City of Diboll to move on and go forward. Due to Mr. Conner's resignation the investigation will not continue. Steve Baker will remain the interim Chief for the time being. Mr. Cassels also reported that the City Manager would give a statement to the press following the meeting.

ADJOURN:

Lewis Ivey made the motion to adjourn at 6:40 pm and Tom Farley seconded.

All in Favor

None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON AUGUST 18, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, AUGUST 18, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

WORKSHOP AGENDA: DISCUSSION DIRECTION

1. DISCUSSION AND DIRECTION THE FISCAL YEAR 2014-2015 DIBOLL MUNICIPAL BUDGET.

REGULAR AGENDA: DISCUSSION/ACTION

2. CONSIDER APPROVING A RESOLUTION ADOPTING A PROPOSED TAX RATE OF $0.59 PER $100 OF ASSESSED EVALUATION FOR FISCAL YEAR 2014-2015.

3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION WITH THE TEXAS ALCOHOL AND BEVERAGE COMMISSION FOR THE SALE OF ALCOHOL AT THE NECHES PINES GOLF COURSE.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, August 15, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 15th day of August 2014.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, AUGUST 18, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, , Councilmember's, Mayor Pro Tem, Lewis Ivey, Don Hendrick, Tom Farley, Veronica Hernandez, Daniel Lopez and Charles Moses Sr.

ABSENT

City Attorney, Jimmy Cassels

STAFF PRESENT

City Manager Dennis McDuffie, City Secretary Sarah Thompson, Finance Director Elvia Garza, Public Works Director Dee Scarborough, Interim Police Chief Steve Baker, Civic Center Director Loretta Christmas, Parks Director Luis Maldonado, Street Superintendent Josh Richard, Water Superintendent Ronnie Lyles, Golf Course Manger Jimmy Mettlen and Code Inspection Officer Bryant McCollum.

Mayor McClain called the meeting to order and Lewis Ivey gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

WORKSHOP AGENDA: DISCUSSION/DIRECTION:

1. **DISCUSSION AND DIRECTION THE FISCAL YEAR 2014-2015 DIBOLL MUNICIPAL BUDGET.**

   City Manager Dennis McDuffie reported that the reserve funds are down due to unexpected expenditures. There were 10,000 rounds of golf projected last year that didn't take place. The improvements to the course taken place over the past year are expected to increase rounds this year. The city also expected the appraisal value to be up this year but the value is down from last year. The plan to contract out the police departments dispatch service to a county wide dispatch service fell through also. The Keeler grant funded several projects this year that helped save some of the reserve funds; the electric grid and restroom in the park.

   Finance Director, Elvia Garza reported the changes and assumptions for the 2014-2015 fiscal year by department. Starting with the Golf Course; increase membership fees, discount auto draft and senior citizens. Members will not pay for cart use. The expenditures have increased over the past two years but items are not reoccurring. Per the auditors request we have started showing the golf course financials separate than in general funds.

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Next in the general account includes the garbage to increase. A slight increase in sales tax but no change in electric usage or franchise contributions. Court revenue will increase due to the new collection service. There will be no change in employee raises. A 2% cost of living increase and a 2% incentive is included along with a new retirement matching ratio. Budget does include a 25% expected increase in health insurance for the 2014-2015 enrollment year. The city currently pays for employee's dental coverage but will not in the next enrollment year.

The electrical contracts and rates will remain the same.

The street department is right on target and no projects are planned for the upcoming year. The parks department had a change in salary and benefits due to the new director position. A trailer is being purchased to haul equipment. The police department has purchased a new car. It should be delivered next week.

The civic center landscape was not in original budget plan but has no plans of any changes for the upcoming year.

The water and sewer departments are healthy. Plans to repaint the ground storage tank are in the budget for this fiscal year. Remaining funds from bond and left over savings of decrease of budget has allowed the funds to do so. The tank is in dire need of being repainted. No other unexpected cost are expected at this time.

REGULAR AGENDA: DISCUSSION/ACTION

2. CONSIDER APPROVING A RESOLUTION ADOPTING A PROPOSED TAX RATE OF $0.59 PER $100 OF ASSESSED EVALUATION FOR FISCAL YEAR 2014-2015.

Dennis McDuffie reported that the current tax rate is $0.56725 will increase to $0.59 per $100. The procedure in to have three (3) public hearings prior to adopting new rates. The dates were discussed and will be 8/25/14, 9/2/14, and 9/8/14.

Lewis Ivey approved the rate increase and Tom Farley second

All in favor none opposed

3. CONSIDER APPROVING A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION WITH THE TEXAS ALCOHOL AND BEVERAGE COMMISSION FOR THE SALE OF ALCOHOL AT THE NECHES PINES GOLF COURSE.

City Manager Dennis McDuffie reported to the council that most golf courses around the state sale alcohol. This would also increase revenue to a possible increase of $30 to $35,000.00 a year. To submit an application the council should first pass a resolution and forward the resolution along with the application to the Texas Alcohol and Beverage Commission.

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Mayor John McClain commented that the golf course is aware of the alcohol being consumed while visiting the course. This would allow more control and be more aware of the amount of alcohol being consumed while on the premises.

Don Hendrick made the motion to approve the resolution and Tom Farley second

All in favor none opposed

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:46 pm and Don Hendrick seconded.

All in Favor None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON AUGUST 25, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, AUGUST 25, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

PUBLIC HEARING

1. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.59 PER $100 OF ASSESSED EVALUATION FOR FISCAL YEAR 2014-2015.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, August 22, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 22nd day of August 2014.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, AUGUST 25, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor Pro Tem, Lewis Ivey, Don Hendrick, Tom Farley, Veronica Hernandez, Daniel Lopez and Charles Moses Sr.

ABSENT

Mayor John McClain, City Attorney, Jimmy Cassels and City Secretary, Sarah Thompson

STAFF PRESENT

Finance Director Elvia Garza

Mayor pro tem, Lewis Ivey called the meeting to order and Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

CALL TO ORDER

PUBLIC HEARING

1. **HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.59 PER $100 OF ASSESSED EVALUATION FOR FISCAL YEAR 2014-2015.**

   City manager Dennis McDuffie briefed the council of the proposed tax increase. This is the first of three public hearings prior to adoption. No objections at this time. Next public hearing is scheduled for Tuesday, September 2, 2014.

ADJOURN:

Don Hendrick made the motion to adjourn at 5:18 pm and Tom Farley seconded.

All in Favor None Opposed

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Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON SEPTEMBER 2, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; TUESDAY, SEPTEMBER 2, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

PUBLIC HEARING

1. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.59 PER $100 OF ASSESSED EVALUATION FOR FISCAL YEAR 2014-2015.

CLOSED SESSION

1. RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   § 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

REGULAR AGENDA

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, August 29, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 29th day of August 2014.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON TUESDAY, SEPTEMBER 2, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Mayor Pro Tem, Lewis Ivey, City Attorney, Jimmy Cassels, Don Hendrick, Tom Farley, Veronica Hernandez, Daniel Lopez and Charles Moses Sr.

ABSENT

STAFF PRESENT

Finance Director Elvia Garza and Public Works Director Dee Scarborough

CALL TO ORDER

Mayor John McClain called the meeting to order and Mayor pro tem, Lewis Ivey gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is place on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

PUBLIC HEARING

1. HOLD A PUBLIC HEARING ON THE PROPOSED TAX RATE OF $0.59 PER $100 OF ASSESSED EVALUATION FOR FISCAL YEAR 2014-2015.

   No responses from the public

CLOSED SESSION

1. RETIRE TO A CLOSED METING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   551.074. DICUSSION AND DELIBERATION ON PERSONNEL MATTERS.

   The council retired to closed session at 5:17pm and returned at 6:35pm.

ADJOURN:

Don Hendrick made the motion to adjourn at 6:37 pm and Lewis Ivey seconded.

All in Favor None Opposed

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Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON SEPTEMBER 8, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, SEPTEMBER 8, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING THE MINUTES OF THE AUGUST 11, AUGUST 18, AUGUST 25 AND SEPTEMBER 2, 2014 CITY COUNCIL MEETINGS.

2. CONSIDER REVIEWING AND APPROVING THE INVESTMENT POLICY FOR THE CITY OF DIBOLL.

PUBLIC HEARING:

3. HOLD A PUBLIC HEARING ON THE PROPOSED CITY OF DIBOLL BUDGET FOR FISCAL YEAR 2014-2015.

REGULAR AGENDA: DISCUSSION/ACTION

4. CONSIDER APPROVING A RESOLUTION ADOPTING THE CITY OF DIBOLL BUDGET FOR FISCAL YEAR 2014-2015.

5. CONSIDER APPROVING A TAX LEVY ORDINANCE FOR 2015 OF $0.59 PER $100 OF ASSESSED EVALUATION

6. CONSIDER APPROVING AN ORDINANCE SETTING WATER AND SEWER RATES FOR FISCAL YEAR 2014-2015.

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DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

7. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

CLOSED SESSION

1. RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

§ 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

REGULAR AGENDA: DISCUSSION/ACTION

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, September 5, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 5th day of September 2014.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON TUESDAY, SEPTEMBER 8, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Mayor Pro Tem, Lewis Ivey, City Attorney, Jimmy Cassels, Councilmembers; Don Hendrick, Tom Farley, Veronica Hernandez and Charles Moses Sr.

ABSENT

Daniel Lopez

STAFF PRESENT

Park Director Luis Maldonado, Public Works Director Dee Scarborough, Civic Center Director, Loretta Christmas, Police Interim Chief, Steve Baker and Code Enforcement Officer, Bryant McCollum.

CALL TO ORDER

Mayor John McClain called the meeting to order and Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is place on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

Kenny Hibbs approached the council with a word of prayer followed by his concerns of the alcohol ordinance for the Neches Pines Golf Course. Mr. Hibbs is the minister of the First Baptist Church of Diboll. He along with his congregation is concerned of the outcome of the alcohol ordinance. He ask the council to reconsider their decision and not complete the application with TABC. Mr. HIbbs also indicated he will be attending the next school board meeting and voice his concerns to the school board due to the attendance and participation the Diboll ISD students have at the golf course. Mr. Hibbs also voiced his biblical belief and concern for the community.

Council member Tom Farley addressed the council and audience that he has been questioned of the reasoning of the alcohol ordinance. He said he has been approached by citizens that are concerned that the only reason for sale of alcohol at the golf course is to bring in more revenue to the city. He advised that was not true. He explained that the sale of alcohol in a controlled area inside the pro shop would be a more controlled environment rather than BYOB.

Mayor John McClain stated that was not the reason of alcohol sales. Alcohol revenue is a minor issue and would be less than a 3% increase. He also explained by doing so would stop uncontrollable drinking at the pavilion and on the course.

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Leonard Robertson a member of the Diboll Baptist Church also stated that he is a firm believer that no alcohol or tobacco use should be used on city property at any time. He stands behind Bro Kenny Hibbs and supports him to the fullest.

Marcel Jones also addressed his concerns of the alcohol sales. He helped bring the first alcohol sales to Diboll. He said it was more controlled at family affairs and the arrest and crime rates went down. Mr. Jones advised the council to do things in a decent way and it was up to them to choose what they thought was in the best interest of the city. Mr. Jones also addressed the council regarding issues he has been having at 305 Elm and 304 Neil Pickett. He said the city fixed two sidewalks but didn't complete the job. He explained to the council that he had been told that the city ran out of money after repairing FM 1818. He also said he was told if he bought the materials that the city would fix it. He is needing to know whose responsibility it is to fix the problems he is having.

Mayor McClain explained to Mr. Jones that he and Mr. McDuffie would check on the problems and let him know something tomorrow.

Minnie Jones reported that south first street was left incomplete this summer. She asked if there was an inspector that visits job sites once jobs have been completed. Ms. Jones reported issues on the corner of Ash and Elm. She states there is a curve that the pavement is incomplete and when it rains it causes mud to run on the street. She said she has reported this issue on several occasions and no one came out to check the problem. Her complaint is that taxes are being raised and the streets are not being tended to.

Mayor McClain said he and Mr. McDuffie would check this issue out along with Mr. Jones tomorrow.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING THE MINUTES OF THE AUGUST 11, AUGUST 18, AUGUST 25 AND SEPTEMBER 2, 2014 CITY COUNCIL MEETINGS.**

   Mayor McClain stated that there were a few issues with the August 18 minutes that have already been addressed to City Secretary, Sarah Thompson. The minutes will be corrected.

2. **CONSIDER REVIEWING AND APPROVING THE INVESTMENT POLICY FOR THE CITY OF DIBOLL.**

   City Manager Dennis McDuffie explained that the investment policy is a standard policy that requires an annual review and there have been no changes. Mayor McClain asked if the finance director, Elvia Garza is the investment officer for the city and if she attends any training. Mr. McDuffie replied that she is the investment policy officer and she does attend trainings every (2) two years.

   Tom Farley made the motion to approve consent items and Lewis Ivey second.

PUBLIC HEARING

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

3. **HOLD A PUBLIC HEARING ON THE PROPOSED CITY OF DIBOLL BUDGET FOR FISCAL YEAR 2014-2015.**

   No responses from the public

REGULAR AGENDA: DISCUSSION/ACTION

4. **CONSIDER APPROVING A RESOLUTION ADOPTING THE CITY OF DIBOLL BUDGET FOR FISCAL YEAR 2014-2015.**

   Lewis Ivey made the motion to approve the resolution to adopt the budget and Don Hendrick second.

5. **CONSIDER APPROVING A TAX LEVY ORDINANCE FOR 2015 OF $0.59 PER $100 OF ASSESSED EVALUATION.**

   Mayor McClain made the formal motion to move that the property tax rate be increased by the adoption of a tax rate of $0.59 per $100 of assessed evaluation, which is effectively 4.2% increase in the tax rate and Don Hendrick second.

6. **CONSIDER APPROVING AN ORDINANCE SETTING WATER AND SEWER RATES FOR FISCAL YEAR 2014-2015.**

   Mr. McDuffie explained that the recommended increase in water and sewer rates will continue to pay the debt on the Diboll-Lufkin water project. This project solved a decade long search for a secondary water source for the city.

   Lewis Ivey made the motion to approve the ordinance and Tom Farley second.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

7. **THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.**

   Interim Police Chief reports that the tower has been delivered. There are a few trees that need to be cut. He and Public works director Dee Scarborough visited the location and said that the city would not be able to cut the trees due to the placement and liability. He and Mr. McDuffie will be in search of a company to contract the job out. Mr. Baker reports that the propane and electrical are all hooked back up and running. A gate has also been placed to secure the equipment with new locks.

   The Angelina Police Academy cadets normally work the Diboll Day traffic but will not be able to attend this year. Mr. Baker reports that the director notified him and stated their attendance is low and will not be helping this year.

CLOSED SESSION

1. **RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.**

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551.074. DICUSSION AND DELIBERATION ON PERSONNEL MATTERS.

The council retired to closed session at 5:34pm and returned at 6:38pm.

ADJOURN:

Don Hendrick made the motion to adjourn at 6:37 pm and Veronica Hernandez seconded.

All in Favor None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON OCTOBER 13, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, OCTOBER 13, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING THE MINUTES OF THE SEPTEMBER 8, 2014 CITY COUNCIL MEETINGS.
2. CONSIDER APPOINTING FOUR MEMBERS TO THE CIVIC CENTER BOARD
3. CONSIDER APPOINTING TWO MEMBERS TO THE PARKS BOARD.
4. CONSIDER DECLARING SIX REMINGTON MODEL 870 SHOTGUNS AS SURPLUS.

REGULAR AGENDA: DISCUSSION/ACTION

5. CONSIDER APPROVING A RESOLUTION AMENDING THE FEE SCHEDULE FOR GREEN FEES AND MEMBERSHIPS AT THE NECHES PINES GOLF COURSE.
6. CONSIDER AND POSSIBLY TAKE ACTION AMENDING THE SEWER CONTRACT WITH THE ANGELINA WATER DISTRICT 4 AND THE CITY OF DIBOLL, INCLUDING SETTING OF SEWER RATES AND TERMINATION OF CONTRACT PROVISIONS.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

7. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

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CLOSED SESSION

1. RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

   § 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

REGULAR AGENDA: DISCUSSION/ACTION

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, October 10, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 10th day of October 2014.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, OCTOBER 13, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Mayor Pro Tem, Lewis Ivey, City Attorney, Jimmy Cassels, Councilmembers; Don Hendrick, Daniel Lopez, Tom Farley, Veronica Hernandez and Charles Moses Sr.

ABSENT

STAFF PRESENT

Finance Director, Elvia Garza, Park Director Luis Maldonado, Public Works Director Dee Scarborough, Civic Center Director, Loretta Christmas, Police Interim Chief, Steve Baker, Golf Course Manager, Jimmy Mettlen and Code Enforcement Officer, Bryant McCollum.

CALL TO ORDER

Mayor John McClain called the meeting to order and Lewis Ivey gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is place on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

Mr. Alvin Faskee a resident of Diboll presented the council with several questions and concerns regarding animal control. Mr. Faskee asked the council to confirm that the city has a Leash Law Ordinance and if it is enforced. City Manager, Dennis McDuffie explained that the city does have an ordinance and the duties are being shared within the police department and the street department. The animal control officer resigned in August and due to the budget the position is being evaluated and discussed. The city is exploring options at this time and possibly attempting to possibly contract with the county. Mr. Faskee reported that there are several stray dogs roaming his neighborhood in the Ryan Chapel area. Some stray animals were found making residence in Milford Ruby's storage shed. Mr. Faskee also mentioned he had spoken to Interim Chief Steve Baker about the issue and his concerns. Chief Baker provided Mr. Faskee with traps to apprehend the stray animals. Once the dogs are captured Mr. Faskee has been instructed to contact the police department and someone will pick the animals up. Mr. Faskee also is concerned of the safety of the drivers due to the dogs crossing the busy roadway. Mayor McClain explained to Mr. Faskee that the position will be discussed and advised him to contact the city if he had any further problems.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the Consent Agenda for separate discussion and action.

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1. **CONSIDER APPROVING THE MINUTES OF THE SEPTEMBER 8, 2014 CITY COUNCIL MEETINGS.**

2. **CONSIDER APPOINTING FOUR MEMBERS TO THE CIVIC CENTER BOARD.**

3. **CONSIDER APPOINTING TWO MEMBERS TO THE PARKS BOARD.**

4. **CONSIDER DECLARING SIX REMINGTON MODEL 870 SHOTGUNS AS SURPLUS.**

City manager Dennis McDuffie explained to the council that the six (6) shotguns are no longer dominantly used. The shotgun is an "old fashion" approach in which is not commonly used today. The AR15 is more effective in this modern time. The police department will keep one shotgun on hand and one has been converted into a bean bag gun. Interim Chief Steve Baker also addressed the council that the officers will be purchasing the guns at $250 each. These guns are 20 years in age and have wear and tear and have lost appearance value. Officers that purchase these weapons will keep the serial number in personnel file in case of theft.

Lewis Ivey made the motion to approve consent items1-4 and Don Hendrick second.

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

5. **CONSIDER APPROVING A RESOLUTION AMENDING THE FEE SCHEDULE FOR GREEN FEES AND MEMBERSHIPS AT THE NECHES PINES GOLF COURSE.**

City manager, Dennis McDuffie explained to the council that due to the improved course the rates can now be negotiated and increased. There have been no changes to weekday or weekend changes except for the charge for late hours; $13 for weekday and $15 for weekend. Membership fees have increased; family increased from $900 to$1050, senior (62 and up) from $525 to 700, ages 18-61 $750 to 900, ages 9-17 from $150 to 250 and the range membership is set at $200. All increases and rates are per year. Golf manager, Jimmy Mettlen reported to the council that fees have not been adjusted in four (4) years. Due to research done by Mr. Mettlen, Neches Pines is still below but gradual step increases is the plan. In comparison to Lufkin Country Club Neches Pines is still slightly lower due to food services but by far still the best deal around.

Lewis Ivey made the motion to approve resolution amending fee schedule and Don Hendrick second.

All in favor none opposed

6. **CONSIDER AND POSSIBLY TAKE ACTION AMENDING THE SEWER CONTRACT WITH THE ANGELINA WATER DISTRICT 4 AND THE CITY OF DIBOLL, INCLUDING SETTING OF SEWER RATES AND TERMINATION OF CONTRACT PROVISIONS.**

City Attorney addressed the council regarding the sewer contract. Mr. Cassels states there is an issue with the water district and the City of Diboll due to the billing and water usage. There

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seems to be an issue with the understanding of how water is being charged and rates outside the city limits. Tim Karczewski, attorney for Angelina County approached the council in regards of the issue. Mr. Karczewski explained there is a budget average state wide for return flow. He said he is looking for a more constant rate and more consistent to remain within the budget. He also stated that it appears the citizens outside the city limits are being treated differently. It appears that there may be a problem with the system that is causing such drastic changes in bills from month to month. City Attorney, Jimmy Cassels replied that could be possible. The system could be being contaminated with storm water. There could be problems with the lift station, causing it to back up, the electrical outage could also be a factor. Public Works Director, Dee Scarborough reported A study will be performed to determine whether storm water is contaminating the system. Also the meter was not set up correctly. In April the city figured out the meter was not multiplying. It appears that the water is being contaminated when it rains, causing the alarm to sound. There also appears to be an issue with the electrical causing the power to trip and the alarm sounds for days at a time. The city will further investigate to see if contaminated water is causing backups. There is not enough information at this time to make a decision. The city will continue to monitor the readings and re-evaluate. The council assures Mr. Karczewski there will be resolution in this matter and make any adjustments needed.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

7. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

Interim Police Chief reports that there have been a few changes in the department. One officer has been transferred to investigation to help the detective. They both are doing a really good job and have been closing cases. The Deer Trace and South Meadows burglars have been caught. The tower will go up as soon as the land has been cleared. JR Pouland is looking for someone to come in and cut timber. The slab will need 3 weeks to cure prior to installing the tower. This should be done so the location will be ready once the tower can be delivered. The logging equipment can work around the slab.

Civic Center Director, Loretta Christmas reports all is well at the civic center. The lighting and sound boards have been installed and is complete. They have had several conferences during the week. Diboll Day was a great success.

Code Officer, Bryant McCollum reports that there is a lot of interest in the housing industry. Qualified applicants have been inquiring new home lots. Inspections of new properties are almost complete.

Golf Manager, Jimmy Mettlen report he is searching for furniture for the new addition to the club house. He is in search of tables and chairs. The restrooms are almost complete. The drainage is doing well due to the heavy rainfall. There appears to be no problems.

Parks Director, Luis Maldonado reports that the department has been busy weed eating and mowing. All areas of the city looking great. Mayor McClain reports all departments did a great job during Diboll Day.

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Finance Director, Elvia Garza reports she is working on year end numbers. The auditors will be back in sometime in December or January.

CLOSED SESSION

1. **RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.**

   551.074. DICUSSION AND DELIBERATION ON PERSONNEL MATTERS.

   The council retired to closed session at 5:55pm and returned at 6:38pm.

ADJOURN:

Lewis Ivey made the motion to adjourn at 6:39 pm and Don Hendrick seconded.

All in Favor None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON NOVEMBER 10, 2014

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON MONDAY, NOVEMBER 10, 2014 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING THE MINUTES OF THE OCTOBER 13, 2014 CITY COUNCIL MEETINGS.

2. CONSIDER APPROVING A RESOLUTION APPOINTING DANIEL LOPEZ AS REPRESENTATIVE TO THE ANGELINA COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.

3. CONSIDER APPROVING A RESOLUTION ADOPTING A HEALTH AND INSURANCE PLAN FOR CITY EMPLOYEES.

REGULAR AGENDA: DISCUSSION/ACTION

4. CONSIDER AND POSSIBLY TAKE ACTION AMENDING THE SEWER CONTRACT WITH THE ANGELINA WATER DISTRICT 4 AND THE CITY OF DIBOLL, INCLUDING SETTING OF SEWER RATES AND TERMINATION OF CONTRACT PROVISIONS.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

5. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, November 7, 2014, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 7th day of November 2014.

_____

Copied from originals held at Diboll City Hall www.thehistorycenteronline.com 2026:006

MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, NOVEMBER 10, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Mayor Pro Tem, Lewis Ivey, City Attorney, Jimmy Cassels, Councilmembers; Don Hendrick, Daniel Lopez, Tom Farley, Veronica Hernandez and Charles Moses Sr.

ABSENT

STAFF PRESENT

Finance Director, Elvia Garza, Park Director Luis Maldonado, Public Works Director Dee Scarborough, Civic Center Director, Loretta Christmas, Police Interim Chief, Steve Baker, and Code Enforcement Officer, Bryant McCollum.

CALL TO ORDER

Mayor John McClain called the meeting to order and Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is place on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

Gary Gores congratulated the council on the welcome to Diboll signs. He also reported that the civic club along with community volunteers did a great job during the 2014 calendar year. He anticipated that 2015 could be even better and we could see more things happening in our community. The civic center received $84000.00 for updated lights and sound. This should offer greater options for the upcoming year.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING THE MINUTES OF THE OCTOBER 13, 2014 CITY COUNCIL MEETINGS.**
2. **CONSIDER APPROVING A RESOLUTION APPOINTING DANIEL LOPEZ AS REPRESENTATIVE TO THE ANGELINA COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.**
3. **CONSIDER APPROVING A RESOLUTION ADOPTING A HEALTH AND INSURANCE PLAN FOR THE CITY OF DIBOLL EMPLOYEES.**

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City Manager, Dennis McDuffie explained to the council that the insurance has been bided between BC/BS and United Health Care. UHC provided the lowest bid therefore they will be the provider for this calendar year. The dental that previously had been discussed to not continue in the upcoming year has been awarded to Metlife. The group accidental insurance will remain with Dearborn National. There will be an additional option for employees, telemedical services provided by Ameridoc. This is a 24/7 service that accesses physicians via telephone. This is not an insurance plan; it's an affordable service that encourages employees to seek quick treatment for common ailments without missing work or paying copays. This plan is $10 per month and will be available to part time employees.

Lewis Ivey made the motion to approve consent items1-3 and Tom Farley second.

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

4. **CONSIDER AND POSSIBLY TAKE ACTION AMENDING THE SEWER CONTRACT WITH THE ANGELINA WATER DISTRICT 4 AND THE CITY OF DIBOLL, INCLUDING SETTING OF SEWER RATES AND TERMINATION OF CONTRACT PROVISIONS.**

City manager, Dennis McDuffie explained that there are 50 plus residents that are on this sewer system. The water is provided by the City of Lufkin and they are billed for the amount of usage. A recent investigation by the Public Works Director, Dee Scarborough was performed. The investigation indicated that man holes are below the crown of the road and rain water is contaminating the system. Mr. Scarborough also reports that the red light that indicates an alarm is on most of the time. The city suggest that the man holes to be smoked tested for areas that need to be sealed and possibly install risers to stop rain water from leaking inside. Once the problem is corrected the residents will be billed for the usage. Rates are calculated in the months of January through March. City Attorney, Jimmy Cassels will report information to the Angelina County Water District and the council will meet again when more information is available.

No action has been taken on this matter.

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

5. **THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.**

Parks Director, Luis Maldonado reports that a company in Houston will be visiting this month to look at the basketball court. The surface is slick and a hazard to the public. The company will paint and stripe the court and should be complete the first week of December.

Interim Police Chief reported all is going well. The PD had their regular staff meeting last week. The tree company should be in this week to start cutting trees so the tower project can get moving. They are having issues with the walkie talkies, low communications.

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Code Enforcement Officer, Bryant McCollum reported that there are 5 new houses being constructed and one on hold. Things are going great.

There were no other reports from other department heads at this time.

ADJOURN:

Don Hendrick made the motion to adjourn at 5:44 pm and Lewis Ivey seconded.

All in Favor None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson

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NOTICE OF A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS ON JANUARY 12, 2015

NOTICE IS HEREBY GIVEN THAT A MEETING OF THE GOVERNING BODY OF THE CITY OF DIBOLL WILL BE HELD ON; MONDAY, JANUARY 12, 2015 AT 5:15 P.M., AT 400 KENLEY STREET AT WHICH TIME THE FOLLOWING ITEMS WILL BE DISCUSSED:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATION: DIBOLL POLICE DEPARTMENT OFFICER OF THE YEAR AWARD

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is placed on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items be removed from the Consent Agenda for separate discussion and action.

1. CONSIDER APPROVING MINUTES OF THE DECEMBER 8, 2014 CITY COUNCIL MEETING.

2. CONSIDER CALLING AND PUBLISHING A NOTICE OF A GENERAL ELECTION TO BE HELD SATURDAY, MAY 9, 2015 IN THE CITY OF DIBOLL.

3. CONSIDER APPROVING A RESOLUTION APPROVING DIBOLL CITY HALL, 400 KENLEY STREET, AS THE VOTING LOCATION FOR EARLY VOTING AND ELECTION DAY VOTING FOR THE MAY 9, 2015 GENERAL ELECTION.

4. CONSIDER APPROVING A RESOLUTION AUTHORIZING A JOINT ELECTION TO BE HELD MAY 9, 2015 WITH THE CITY OF DIBOLL AND THE DIBOLL INDEPENDENT SCHOOL DISTRICT.

REGULAR AGENDA: DISCUSSION/ACTION

5. DISCUSSION REGARDING CONTRACT FOR SEWER SERVICES WITH THE ANGELINA WATER CONTROL AND IMPROVEMENT DISTRICT.

6. CONSIDER APPROVING A RESOLUTION AMENDING THE CITY OF DIBOLL PERSONNEL POLICIES MANUEL, CHAPTER 5.00 EMPLOYEE COMPENSATION AND ADVANCEMENT, SECTION 5.02. PAYDAYS, MONDAY AS PAYDAY FOR CITY EMPLOYEES. b

7. BOARD AND COMMITTEE VACANCIES

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DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

8. THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.

CLOSED SESSION:

1. RETIRE TO A CLOSED MEETING PURSUANT TO THE FOLLOWING SECTIONS OF THE TEXAS LOCAL GOVERNMENT CODE.

§ 551.071. DISCUSSION AND DELIBERATION WITH CITY ATTORNEY REGARDING PENDING LITIGATION.

§ 551.074. DISCUSSION AND DELIBERATION ON PERSONNEL MATTERS.

REGULAR AGENDA

ADJOURN

By_____

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the above named City Council of the City of Diboll is a true and correct copy of said Notice and that I have posted a true and correct copy of said Notice at the City Hall of the City of Diboll, Texas, a place convenient and readily accessible to the general public at all time, and the Notice was posted on Friday, January 9, 2015, at 1:00 p.m. and remained so posted for at least 72 hours preceding the schedule time of said meeting.

Dated this the 9th day of January 2015.

_____

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MINUTES OF THE GOVERNING BODY OF THE CITY OF DIBOLL, TEXAS MEETING ON MONDAY, DECEMBER 8, 2014, AT 5:15 PM, DIBOLL CITY HALL

COUNCIL PRESENT

Mayor John McClain, Mayor Pro Tem, Lewis Ivey, City Attorney, Jimmy Cassels, Councilmembers; Don Hendrick, , Veronica Hernandez and Charles Moses Sr.

ABSENT

Daniel Lopez, Tom Farley

STAFF PRESENT

Finance Director, Elvia Garza, Public Works Director Dee Scarborough, Street Superintendent Josh Richard, Police Interim Chief, Steve Baker, and Code Enforcement Officer, Bryant McCollum.

CALL TO ORDER

Mayor John McClain called the meeting to order and Kenny Hibbs gave the invocation.

Pledge of Allegiance was coordinate by those in attendance.

PRESENTATION: PROPOSED MEMORIAL HONORING DR. MARTIN LUTHER KING, JR.

City Manager, Dennis McDuffie explained to the council that Thelma Scott along with three other Black Heritage members met with him earlier this afternoon. Ms. Scott had an appointment in Houston therefore she would not be available to attend the council meeting. The conclusion of the meeting is as followed; Mr. McDuffie will meet with the booster club regarding the property. He also will be in search of and to appoint a chairperson to coordinate plans with Ms. Scott. Once more information is provided the council will be addressed.

AUDIENCE PARTICIPATION: At this time citizens who have pre-registered before the Call to Order will be allowed to speak on any matter not on the agenda, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until it is place on an agenda and posted in accordance with law. Citizens wishing to speak on agenda items will be allowed to speak when that item is called.

There was no audience participation.

CONSENT ITEMS/ACTION: Items listed in the Consent Agenda are considered routine and are generally enacted with one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the Consent Agenda for separate discussion and action.

1. **CONSIDER APPROVING THE MINUTES OF THE NOVEMBER 10, 2014 CITY COUNCIL MEETINGS.**
2. **CONSIDER APPROVING A RESOLUTION AMMENDING THE 2014 CHRISTMAS HOLIDAY SCHEDULE.**

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City manager, Dennis McDuffie addressed the council with reasons to amend the holiday schedule. Christmas Eve is on Wednesday and Christmas Day is on Thursday. Rather than having employees return on Friday; the city suggest employees working on Wednesday until noon and remaining closed on Friday. The early release will allow travelers to get on the road and the Friday for more time to spend with family.

Don Hendrick made the motion to amend the holiday schedule and Lewis Ivey second the motion

All in favor none opposed

REGULAR AGENDA: DISCUSSION/ACTION

3. **REPORT ON HINES STREET**

Bob Thurber with KSA engineers spoke on behalf of the Hines Street issues. Mr. Thurber reported that he is unsure of why the roadway has cracked to this extent. He has went over all procedures that was taken place during this construction including the roots of the oak trees, testing of the soil and so forth. He has also looked at the contractors reports that show nothing out of the normal other than one test performance showed a higher moisture volume than the others. Nothing of the sort that would have caused the roadway to crack. The council discussed possible reasons and ways to improve and correct this from happening again such as concrete drainage or valley gutters to keep the soil dryer. No action was taken at this time in reference to this matter.

4. **CONSIDER APPROVING A RESOLUTION OF INTENTION TO ABANDON THE EAST SECTION OF PINEWOOD STREET AND THE CORNER OF PINEWOOD AND WELLS STREET AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO PREPARE THE NECESSARY DOCUMENTS FOR ABANDONMENT.**

City Manager Dennis McDuffie explained to the council that the property has been sold. The new property owners have suggested that the city abandon the street. This would allow the owners an opportunity to use the street as a personal driveway. There are two residents on each side of the property that will not be affected either way. The property will be surveyed and return to the council to approve an ordinance of releasing the property. This street was never developed, it is a dead end to the property. The council saw no reason not to approve the resolution.

Lewis Ivey made the motion to approve the resolution and Don Hendrick second

All in favor none opposed

DEPARTMENTAL REPORTS: PRESENTATION/DISCUSSION

5. **THE CITY MANAGER AND DEPARTMENT HEADS MAY PRESENT REPORTS AND INFORMATION CONCERNING THEIR DEPARTMENTS.**

Interim Police Chief reported all is going wells. Still waiting on the logging company to start cutting timber at tower site. No equipment has been brought in. Still in need of communications.

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Street Superintendent Josh Richard reports the street department has been working on the slab for the transit service canopy in front of the Dollar General. His crew is also getting equipment ready to seal crack streets during the next few months.

VFD Gary Jones reports 15 sets of bunker gear has been purchased. The Texas Forest Service provided the FD with a grant to purchase a skid unit for a new truck. The FD also paid off a 1 ton and paid for a Chasity that will also attach to the new truck. The new truck is fully equipped and ready to go for grass fires. The old truck will be donated to the forest service. The FD also received four (4) new members.

There were no other reports from other department heads at this time.

ADJOURN:

Lewis Ivey made the motion to adjourn at 5:43 pm and Don Hendrick seconded.

All in Favor None Opposed

Mayor, John McClain

ATTEST:

City Secretary, Sarah Thompson