

REGULAR MEETING
MONDAY, JULY 11, 2011
6:00 P.M.

A Regular Meeting of the Anahuac City Council was held in the Council Chambers of Anahuac City Hall located at 501 Miller Street, Anahuac, Texas on Monday, July 11, 2011 at the above noted time.

There were present:

Sue Hawthorne
Linda Palmer
Danny Thompson
Hall Whitley
Lance Nauman
Kimberly Upston
Richard Baker
Dan Irby

Mayor
Councilwoman
Councilman
Councilman
City Administrator
City Secretary
City Attorney
Public Works Director

Those not present:

Cheryl Sanders
Sharon Brown

Mayor Pro Tem
Councilwoman

Guests:

Dana Evans
A. Lynette Parsons
Dayna Haynes
Bruce Corner

Citizen
Citizen
The Progress
Fire Chief

At 6:00 p.m. Mayor Hawthorne called the regular meeting to order and led the invocation. Councilman Thompson led the pledges to the American and Texas flags.

Under Citizens' Comments, Dana Evans spoke about citizen's names being disclosed in connection with complaints and other personnel issues.

Bruce Corner spoke about the fire hydrant maintenance and markers.

Sealed bids on the following surplus items were opened and awarded.

- a. Tool Shed/Lab House
- b. Above Ground Diesel Storage Tank
- c. EZ Golf Cart #1
- d. EZ Golf Cart #2
- e. EZ Golf Cart #3

Lance Nauman announced each bidder's bid amount. The following are the highest bids on the surplus items:

- a. Tool Shed/Lab House - Earl Abshier \$204.00 - Councilman Whitley made a motion to accept Mr. Abshier's bid. Councilwoman Palmer seconded the motion. All in favor and motion carried.
- b. Above Ground Diesel Storage Tank - Earl Abshier \$154.00 - Councilman Whitley made a motion to accept Mr. Abshier's bid. Councilwoman Palmer seconded the motion. All in favor and motion carried.
- c. EZ Golf Cart #1 - Earl Abshier \$699.00 - Councilman Thompson made a motion to accept Mr. Abshier's bid. Councilman Whitley seconded the motion. All in favor and motion carried.
- d. EZ Golf Cart #2 - Earl Abshier \$797.00 - Councilman Thompson made a motion to accept Mr. Abshier's bid.

Councilman Whitley seconded the motion. All in favor and motion carried.

- e. EZ Golf Cart #3 - Earl Abshier \$809.00 - Councilman Thompson made a motion to accept Mr. Abshier's bid. Councilman Whitley seconded the motion. All in favor and motion carried.

Discussion was held on using the excess fill dirt from the Belton Lane Drainage Project to fill in Len Hughes's swimming pool on his property. Lance Nauman explained that Mr. Hughes has asked that the dirt be used to fill in his swimming pool and other low lying areas in his yard. The dirt would be from the easement on his property when the drainage project was underway.

Mr. Nauman's recommendation was to have a contract with Mr. Hughes to hold harmless and indemnify the City. Councilman Whitley asked what the plans were for the dirt if not used for Mr. Hughes's swimming pool. Mr. Nauman said there are a couple of options. One option being to haul the dirt to our land on Belton Lane then possibly selling it and the other option being giving it to Chambers County Navigation District. They need dirt for their levy project.

Councilman Whitley asked if Mr. Hughes expected the dirt to be leveled. Mr. Nauman said he does not. Mayor Hawthorne said we have an easement on the property and what is decided does not have any bearing on whether the project goes forward or not.

Richard Baker says he agrees with Mr. Nauman and there does need to be some kind of contract between the City and Mr. Hughes to hold harmless and indemnify the City. He also said he would like this done before anything is done on the property.

Councilwoman Palmer asked if the cost was more to place the dirt on our property that it would to dump it in Mr. Hughes's pool. Lance Nauman said there is no cost difference between the two options.

Councilman Thompson made a motion to allow City Administrator Lance Nauman to decide whether or not to give Len Hughes the dirt to fill his swimming pool. Councilman Whitley seconded the motion. All in favor and motion carried.

The water bill of the Chamber of Commerce at 603 Miller Street was discussed next. Lance Nauman explained that Robbie King with the Chamber had come in and asked about the bill. The bill had grown to be rather large. Also, he said the usage was the reason for the bill growing. He said the water usage was unaccounted for and the City had performed an investigation in to the matter. They did conduct tests on their pipes and fixtures at the location.

Mr. Nauman said the investigation proved there was unauthorized usage of water. The Chamber has requested for an adjustment. He said they have disconnected their outside faucet. Mayor Hawthorne said their bill looks to be an average of \$75.00.

Councilman Whitley asked which months the adjustment would be for. Mr. Nauman said it would be for the month of May and part of June. Councilman Whitley asked why they had only paid \$125.00 of the bill. Mr. Nauman said he instructed them to pay that amount to give the City time to investigate the water usage.

Councilman Thompson stated that usual procedure is to adjust the sewer of the bill and charge the actual water usage in the case of leaks. He also asked if staff felt this would become a problem with others wanting their bills adjusted. Mr. Nauman said he agreed with Councilman Thompson's statement but, in this case there was a thorough investigation. Mayor Hawthorne said we do know that one person is in the office and we do know the business hours.

Mayor Hawthorne asked what the adjustment would be to the bill. Lance Nauman said he believed it would be around \$75.00 to \$80.00 off of the sewer portion of the bill.

Councilman Whitley made a motion to adjust the water bill at 603 Miller Street according to the standard adjustment process used for a leak adjustments and to also waive the late charges on the bill. Councilman Thompson seconded the motion. All in favor and motion carried.

Discussion moved to accounts payable. Councilwoman Palmer asked about the rental of a mini excavator. Lance Nauman said they rent one because the big equipment that the City owns would cause damage to citizen's yards. Councilman Thompson asked if the City planned to purchase a mini excavator. Mr. Nauman he plans to find money in the budget to purchase one.

Mayor Hawthorne asked how much a mini excavator would cost. Mr. Nauman said it would be around \$20,000. Councilwoman Palmer made a motion to approve accounts payable. Councilman Thompson seconded the motion. All in favor and motion.

The Bookkeepers Report for the month of May 2011 was discussed. Lance Nauman said he has created a template that will be a monthly income statement. He said it would condense the report to one or two pages. He also said it would show profit and loss for the month. He said the regular report would continue to be produced but, the condensed version will be included.

Mr. Nauman said he had spoken to the accounting firm and they are on board with everything. He said they are working to upload the information into the report. He said with the report he will be able to show a snap shot a few days into the month and show all of the accrued liabilities. He said by the next Council meeting the report should be ready to use. He said it would show month to month, quarterly, and yearly profit and loss along with the rest of the financials.

Councilwoman Palmer made a motion to approve the Bookkeepers report for the month of May 2011. Councilman Whitley seconded the motion. All in favor and motion carried.

Discussion moved to the minutes from the Special Meeting held on May 24, 2011 and the Public Hearing/Regular Meeting held on June 13, 2011. Mayor Hawthorne asked that the time of dismissal be checked on the May 24th meeting. The Mayor also stated the judge would not be available to meet with Council until August.

Councilman Whitley made a motion to approve the minutes from the Special Meeting held on May 24, 2011 and the Public Hearing/Regular Meeting held on June 13, 2011. Councilwoman Palmer seconded the motion. The motion carried with one abstention from Councilman Thompson.

The reports from the staff were discussed next. Dan Irby said there had been many water leaks in the city. Lance Nauman said he had spoken to Trinity Bay Conservation District and there has been no response to the request for repairs to their sewer plant but, contract negotiations were going well. He said collection notices had gone out for the past receivables about two weeks ago and he is going to send out seconded notices and turn them over to the collection agency soon.


Mr. Nauman said the bids for the Belton Lane project look good and there is going to be some left over funds. He said during an audit of the sewer treatment bills for the Trinity Bay Conservation District (TBCD) plant it was found that the invoices were figured wrong. He said the flow analysis was only

being billed for one day instead of 30 days. He said there were other items the City was looking into in regards to TBCD.


Mr. Nauman said Chambers Liberty County Conservation District (CLCND) has asked the City for a temporary construction easement through our 1.86 acres along Lake Anahuac for their levy project. He said in the course of the project they would clear the land of the trees. He said the water rationing notices had gone out and the City was following the rationing itself.

Councilman Thompson asked if the trees on the cities land on the lake would be cleared before the drainage project got started. Mr. Nauman said he did not anticipate CLCND to start before our project. He said he would think they would start their project in the fall or winter.

With no other business to come before Council, Councilman Thompson made a motion to adjourn. Councilwoman Palmer seconded the motion. At 6:55 p.m. the Regular Meeting of the City of Anahuac City Council was adjourned.



Kimberly Upston, City Secretary
City of Anahuac



Sue Hawthorne, Mayor
City of Anahuac