

STATE OF TEXAS)(
COUNTY OF RUNNELS)(
CITY OF BALLINGER)(

On this the 15th day of November 2021 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of City Hall located at 700 Railroad Avenue with the following members present:

Dawni Seymore	Mayor
Ken Manley	Council Member # 1
Richard "Rick" Morrish	Mayor Pro-tem
Ryan Lange	Council Member #3
Steven Gray, Jr.	Council Member # 4

City Staff:

Bonita Shields	City Secretary
Brian Frieda	City Manager
Sharon Hicks	City Attorney
Ray Cornutt	Chief of Police
Cord Bowman	Code Enforcement
John Pierik III	Finance Director

Others present: Chad Hardy, Jeff Smith, Rachelle Williams, Bill Hancock, Travis Walston-**Citizens**.

CALL TO ORDER:

Mayor Dawni Seymore called the meeting to order at 5:34 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

Council Member Steven Gray, Jr. was asked to lead the group in a word of prayer and the pledge of allegiance and pledge to the Texas flag.

PUBLIC COMMENTS:

Chad Hardy met with the Council concerning the \$2.50 brush disposal fees that customers are being charged each month. It was his understanding that this was a temporary fee to help get the old brush truck repaired or purchase a new brush truck. He also asked that the exact size of the brush piles be reviewed. Brian Frieda told Mr. Hardy that he had been reviewing the past minutes and ordinance and it does not state anywhere that this is a temporary fee. John Pierik also state that the previous report was made concerning the size of the piles of brush to help control the piles from being placed on sidewalks and in the streets. He also noted that one resident had a pile so big that it took the brush truck three to dispose of all the brush and limbs.

CONSENT AGENDA

Minutes: Approval of the minutes of the October 18, 2021 meeting.

City's official newspaper: Runnels County Register to be shown as the official newspaper.

Council Member Ryan Lange made the motion to approve the items listed in the consent agenda as presented. **Second by Council Member Steve Gray, Jr.** and was unanimously approved.

REGULAR AGENDA ITEMS FOR DISCUSSION AND/OR CONSIDERATION: Unless specifically noted, Council may take action on any item.

Canvassing of votes, other related election, and Council related items

Canvass votes from the November 2, 2021 City officer's election. Bonita Shields reported to the Council that there was a total of 42 votes cast for the Single Member District seat # 1. Ken Manley received 28 votes and Rachelle Williams received 14 votes Mayor Dawni Seymore was unopposed and Council Member District 2, Rick Morrish was unopposed. **Council Member Steve Gray, Jr.** made the motion to accept the canvass of the votes as presented. **Second by Comm. Ken Manley** and was unanimously approved

Resolution declaring election results true and correct:

Council Member Steven Gray, Jr. made the motion to approve a resolution declaring the election results to be true and correct. **Second by Council Member Rick Morrish** and was unanimously approved.

Oath of office for Mayor and Council members:

Bonita F. Shields administered the oath of office to the newly elected officers Dawni Seymore- Mayor, Ken Manley- Single Member District # 1, and Rick Morrish- Single Member District # 2.

Setting time and place for regular and special council meetings:

Council Member Ryan Lange made the motion to leave the Council meeting time at the 1st and 3rd Monday at 5:30 p.m. and special meetings to be scheduled as needed. **Second by Council Member Steven Gray, Jr.** and was unanimously approved.

Setting the salaries for Mayor and council members:

Council Member Ken Manley made the motion to leave the salary for the Mayor at \$500.00 annually and the four City Council Members at \$250.00 annually. **Second by Council Member Rick Morrish** and was unanimously approved.

Appointment of Mayor Pro-tem:

Council Member Ken Manley made the motion to leave Council Member Rick Morrish as the Mayor Pro-tem. **Second by Council Member Steven Gray, Jr.** and was unanimously approved.

Resolution pertaining to equipment lease:

Council Member Rick Morrish made the motion to approve three resolutions for the lease of three pieces. All pieces of equipment have a bumper-to-bumper warranty for the life of the lease. This includes the equipment from JCB, a skid

steer and a replacement backhoe. **Second by Council Member Steven Gray, Jr.** and was unanimously approved.

Resolution concerning joining opioid settlement:

Consider approving a resolution of the City council of Ballinger, Texas joining with the State of Texas and political subdivisions of the State as a party in the Texas opioid settlement agreements secured by Office of the Attorney General; authorizing the City Manager to execute settlement participation forms; and establishing an effective date.

Sharon Hicks explained to the Council that this resolution would allow the City of Ballinger to participate in the Texas opioid settlements secured by the Office of the Attorney General. The funds could be used to combat the health issues from the use the opioid drug and the amount allocated for the City is approximately \$6,000.

After further discussion, **Council Member Steven Gray, Jr.** made the motion to approve the resolution allowing the city to participate in the Texas opioid settlement. **Second by Council Member Ken Manley** and was unanimously approved.

FUTURE AGENDA ITEMS:

Hear request for future agenda items.

There were no items request to be placed on the next agenda.

EXECUTIVE SESSION:

The City Council reserves the right to adjourn into executive session at any time during the meeting to discuss any matters listed, as authorized by Texas Government Code.

- a. **Section 551.071 Consultation with City Attorney** (To seek the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with the Texas Open Meetings Act).
- b. **Section 551.072 Deliberations about real property** (The Council may consider the purchase, exchange, lease, or value of real property).
- c. **Section 551.074 Personnel Matters.** The City Council may consider appointment, employment, compensation, reassignment, duties, discipline or dismissal of public officers or employees, and commission members.

The convened in executive session at 5:56 p.m. and closed the executive session at 6:15 p.m. The mayor stated no votes or actions were taken in executive session.

RECONVENE AND TAKE ACTION IF NEEDED FROM EXECUTIVE SESSION:

Council Member Steven Gray, Jr. made the motion to accept the bid of **\$3,010.00** received from Jerry Ware for the purchase of property located at 708 N. 10th Street. Legal description- Lot 10, Block 6 of the Bowden I Addition. **Second by Council Member Ken Manley** and was unanimously approved.

ADJOURN:

Council Member Rick Morrish made the motion to adjourn the meeting at 6:18 p.m. **Second by Council Member Ryan Lange** and was unanimously approved.

Dawni Seymore
Mayor

ATTEST:

Bonita F. Shields
City Secretary