

STATE OF TEXAS §
COUNTY OF RUNNELS §
CITY OF BALLINGER §

On the 20th day of May 2024, the Ballinger City Council meet 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
Richard "Rick" Morrish
Ken Manley
Ryan Lange
Steve Gray

Mayor
Mayor Pro-Tem
Councilmember Place #1
Councilmember Place #3
Councilmember Place #4

Staff Present:

Marty Akins
Lindsey Byler
Sharon Hicks
Cord Bowman
Ray Cornutt

Interim City Manager
Assistant City Secretary
City Attorney
Public Works Director
Chief of Police

1. **Call meeting to Order:** Mayor Seymore called the meeting to order at 5:32 p.m.
2. **Prayer and Pledges:** Councilmember Lange gave the invocation and lead the pledges.
3. **Citizen Presentations for Items not on the Agenda:** None
4. **Public Comment on Agenda Items other than a Public Hearing:** None
5. **Consent Agenda:**
 - a. Approve Minutes from the April 29, 2024, City Council Meeting.
Councilmember Manley made a motion to approve the minutes. Councilmember Gray seconded the motion. The motion carried unanimously.
6. **Regular Agenda Items for Discussion, Consideration and/or Action:**
 - a. REMOVE FROM THE TABLE: Elm Creek Water Control District Watershed Agreement. Councilmember Lange made a motion to remove Elm Creek Water Control District Watershed Agreement from the table. Councilmember Gray seconded the motion. The motion carried unanimously. City Attorney Hicks indicated she had met with Attorney for Elm Creek who stated that the letter requesting interest in the project could be modified affirming that the City of Ballinger was not committing funds and incurring no obligation to NRCS. Councilman Gray made a motion to accept the terms of Attorney Hicks modifications. Councilman Lange seconded the motion. The motion carried unanimously.
 - b. Approve Community Center usage fee for non-profits. Interim City Manager Akins reported there are several nonprofits. He wants more time to get a fee for nonprofits to get a daily rate and will report at a later date. Councilman Morish asked about the 4-H paying.

Interim Manager Akins will look into the agreement further with the Runnels County Livestock Association. No action was taken.

- c. Approve AEP Parking Lot lease for 1-year period. Interim Manager Marty is requesting permission to approve a lease for \$1 per space per month for one year while working on a 5-year lease. Councilman Manley made a motion to accept the \$1 per space per month for one year. Councilman Morish seconded the motion. The motion carried unanimously.
- d. Ordinance amending Ordinance 2024-04-002 to prohibit glass containers on city property (including streets and right of ways) City Attorney Hicks reported on amending the ordinance to include all City property. Councilman Lange made the motion to amend the Ordinance 2024-04-002. Councilman Gray seconded the motion. The motion carried unanimously.

7. City Manager's Report:

- a. Update on blocking off back of park for Tamale fest.
Interim City Manager asked for approval to block off the back side of the park for the Tamale Fest on October 5, 2024. Councilman Lange made the motion to approve this. Councilman Gray seconded the motion. The motion carried unanimously.
- b. FY 2025 Budget calendar and process
Interim City Manager Akins reported the budget process is on task. The budget process includes necessities as well as items that are helpful but may not be approved depending on cost. Staff and City Manager Akins are speaking with Doug and discussing wish lists as well as necessities and priorities for the City. Councilman Lange stated that as funds are seeming to decrease that emphasis should be for roads, fire, and police.
- c. Public Works Update
Public Works Director Bowman sent 2 employees to Dallas to get certification for applicator licenses. Employees have been treating water areas with mosquito granules. The street department is currently working on Sharp and Broadway due to emergency washout from storms. Bowman reported of meeting with Runnels County Pct 1 to get a plan on paving. Councilman Gray asked about the trees downtown and they discussed the removal plan of these trees.
- d. Public Utilities Update
Interim City Manager Akins reported crews are working hard on leaks.
- e. Police Department, Animal Control, Fire Department
Chief Cornutt reported 363 total calls. The fire department is working on the inspection of fire hydrants. The non-working tops have been painted black for easy recognition. The city shop is currently working on the tanker. Tornado alert sirens are now in working condition including the one by Allsup's which needs new wire for telephone signal vs manual turn on. Update on the ladder truck, wrong motor was ordered by the company, and most parts are on backorder.
- f. Financial Report
Bond payments, financial position, and accounts payable worksheets were given to each Councilmember to review.

8. Future Agenda Items – Discuss and Consider:

Councilmember Lange requested a preliminary flood zone change process.

9. **Executive Session:** Council Adjourned into Executive Session at 6:16 p.m. pursuant to Texas Government Code.

- a. **Section 551.071 Consultation with the 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).

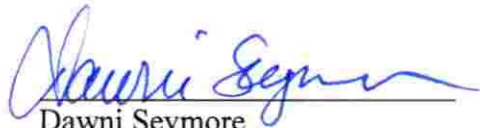
Lake property purchase

- c. **Section 551.074 Personnel Matters.** The City Council may consider appointment, employment, compensation, reassignment, duties, discipline or dismissal of public officers or employees.
 - i. City Manager
 - ii. City Secretary
 - iii. eHT Contract/Randy Everett, terminating Interim City Manager to Water Utility Class B License

10. **Reconvene and take Action if needed from Executive Session:** The City Council reconvened in open session at 7:20 p.m. Mayor Seymore stated that no votes or action was taken in executive session.

Attorney Hicks reported that the EHT contract would be reworked to remove Randy Everett as interim city manager but continuing to retain him for his Class B license.

11. **Adjourn:** Councilmember Manley made a motion to adjourn. Councilmember Lange seconded the motion. The motion carried unanimously. The meeting was adjourned at 7:21 p.m.


Dawni Seymore
Mayor

ATTEST:


Lindsey Gayoso
Asst City Secretary