

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

On this the 7th day of January, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Toby Virden -**KRUN**, Ruben Cantu- **Ballinger Ledger**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Eloyed Fuentes was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Phillip Arp made the motion to approve the minutes of the December 3, 2012 meeting, with noted corrections. **Second by Comm. Jolene McBurney** and was unanimously approved.

**VISITORS:**

None

**HEAR THE MONTHLY POLICE ACTIVITY REPORT FROM CHIEF McNULTY:**

Chief Mark McNulty presented the Council with the monthly police activity report. The reports show that they had 10 arrest, 31 citations, 4 warnings, and 32 crimes reported, 3 accidents and 1 DWI/DUI. The department answered 331 calls and the patrol cars were driven 4,634 miles. The Council accepted the report as presented.

Mark also reported to the Council that he will possibly have another officer leaving by the end of the month. Officer Larry Nitsch reported that he has applied for another job.

The department will be doing blue gun training at the local schools. Ballinger ISD has received concerns from several parents and requested that the police department conduct a training practice run. The training practice run will make sure that everyone knows what to do and everything is in order just in case there was ever a severe crisis at one of the school campuses. He also reported to the Council that he had to order the blue guns at a cost of approximately \$500.00.

**DISCUSS AND CONSIDER REVISING THE COMMUNITY CENTER ORDINANCE AND OPERATING POLICY:**

The Council looked over the revised operating policy for the community center and made several other changes. They also discussed the prices that were set two months ago. Tommy reported to the Council that he felt that the prices were too high because people are not willing to pay the higher prices. He feels that

the Council should consider lowering the prices now and if they want to make another increase to consider doing that during budget workshop.

Mallory reported that he would have the revised copy ready for Council approval at the next meeting.

**DISCUSS AND CONSIDER APPROVAL OF THE AMENDED CONTRACT WITH A&J HOWCO SERVICES, INC. FOR PROFESSIONAL MANAGEMENT SERVICES ASSOCIATED WITH THE HOME INVESTEMENT PARTNERSHIP PROGRAM:**

Tommy explained to the Council that HOWCO has contacted him again about amending the contracts for the new HOME project. It was explained to him that the first contract that the Council approved was only for five new houses to be built. The State later informed HOWCO that funds were available to build five more homes. The City has received ten applications for new homes and to proceed the amended contracts have to be approved. After discussion, **Comm. Philip Arp** made the motion to approve the amended contract with HOWCO for professional management services. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Darlene Kelly** made the motion to approve the following building permits:

**Toliver Brothers, LLP**- Remodel existing building. No structure modification to existing building.-1.651 acres of JM Caldwell Survey 367, Abstract 374

\$450,000.00

**Jesse S. Rodriguez**-12'x13' Wood Deck- Lot 2, Block 1- Highland Addition. Located at 1004 14<sup>th</sup> Street between Hamilton and Largent Avenues \$1,000.00

**Second by Comm. Jolene McBurney** and was unanimously approved.

**CONSIDER A PROPOSAL FROM AIR EAVC LIFETEAM FOR INSURANCE FOR CITY EMPLOYEES:**

Tommy New reported to the Council that this company has approached him about offering this insurance to City employees. They explained that this insurance would give the employees coverage if they or any member of their family ever needed to be transported to a hospital by helicopter. They also explained that the employee would never receive a bill from them because what the health insurance coverage did not pay Air Evac would take care of the balance. The cost for the insurance is \$50.00 per year for the employee, \$55.00 for employee and one family member or \$60.00 for employee and two or more family members.

After discussion, **Comm. Phillip Arp** made the motion to authorize the payment for employee coverage, with the employee paying for dependent coverage. This cost would be paid for out of the contingency account. **Second by Comm. Darlene Kelly** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy informed the Council of the elected official conference to be held in Austin on February 1-3, 2013. He also informed them of the TMCN meeting on February 5, 2013.

**THE BALLINGER CITY COUNCIL SHALL MEET IN EXECUTIVE SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE, SECTION 551.071 CONSULTATIONS WITH CITY ATTORNEY (CONSULTATION WITH CITY ATTORNEY ON CONTRACT TERMS AND OFFER ON NON-DISCLOSURE AGREEMENT AND CONTRACT.)**

**Comm. Phillip Arp** made the motion to open the executive session at 6:10 p.m. **Second by Comm. Jolene McBurney** and was unanimously approved. The Council convened in session until 6:20 p.m. and **Comm. Jolene McBurney** made the motion to close the executive session. **Second by Comm. Darlene Kelly** and was unanimously approved.

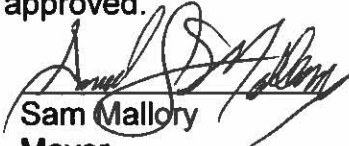
**ACTION FROM EXECUTIVE SESSION:**

None


**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**  
Nothing was presented.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 6:30 p.m. **Second by Comm. Phillip Arp** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary



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

On this the 21<sup>st</sup> day of January, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
J.B. Teters	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
J.C. Gore	Code Enforcement/Building Inspector

Others present: Ron Wood- **Rotary Club President**, Stanley Maresch- **Police Sergeant**, Ricky Bowman- **Auditor**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Jolene McBurney was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

**Comm. Jolene McBurney** made the motion to approve the minutes of the January 7, 2013 meeting, with noted corrections. **Second by Comm. Phillip Arp** and was unanimously approved.

**VISITORS:**

None

**DISCUSS AND CONSIDER THE REQUEST OF THE ROTARY CLUB CONCERNING COMMUNITY FEES:**

Ron Wood met with the Council to request that the Council consider waiving the community center fee for the Rotary Club's use for the annual pancake supper. Mr. Wood told the Council that the pancake supper is one of their main fundraisers, but they only make \$500-\$1,000 and paying the \$300.00 for rental fees would make a big difference in their proceeds. He also stated that the funds raised are used to issue scholarships to the youth of the community. Mr. Wood stated that the Rotary Club is looking at replacing the old picnic tables and benches in the city park. After discussion, **Comm. Phillip Arp** made the motion to waive the community rental fee for this year. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**DISCUSS AND CONSIDER APPROVAL OF THE ANNUAL AUDIT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012:**

Ricky Bowman met with the Council and presented the audit for the fiscal year September 30, 2012. He pointed out several items that he felt should be brought to the Council's attention. The Staff is still having a problem reconciling the bank statements on a monthly basis. The budget amendment should be addressed in the budget when they are approved by the Council, and not at the end of the year. The bond covenant requires that the City maintain 1.5% over the bond payments in the operating account. This balance was \$90,000 short last year. Mr. Bowman also pointed out to the Council that the City's overall fund balance is very



low. If the City had any serious problems, and needed a large amount of money at one time they would have to consider borrowing the funds. He indicated to the Council that they should really pay close attention to the fund balance and try to build it up. After discussion, **Comm. Phillip Arp** made the motion to accept the audit for the fiscal year ending September 30, 2012 as presented. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

No building permits were submitted.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy asked the Council if anyone wanted to attend the TMCN meeting in Austin in February, 2013. He also brought the Council's attention to the rate increase information that he had received from Atmos Energy.

**THE BALLINGER CITY COUNCIL SHALL MEET IN EXECUTIVE SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE; SECTION 551.074 PERSONNEL MATTERS (DISCUSS AN AGREEMENT WITH BALLINGER ISD.)**

**THE BALLINGEE CITY COUNCIL SHALL MEET IN EXECUTIVE SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE, SECTION 551.071 CONSULTATIONS WITH CITY ATTORNEY (CONSULTATION WITH CITY ATTORNEY ON CONTRACT TERMS AND OFFER ON NON-DISCLOSURE AGREEMENT AND CONTRACT.)**

**Comm. Phillip Arp** made the motion to enter into executive session at 6:24 p.m. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

The Council convened in session until 6:50 p.m., and **Comm. Jolene McBurney** made the motion to close the executive session. **Second by Comm. Darlene Kelly** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

No action taken on the consultation with the City Attorney.

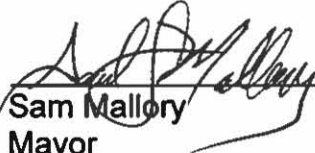
**Comm. Philip Arp** made the motion to allow J.C. Gore to work 1-2 hours per week at Ballinger ISD to make a walk through at all school campuses. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**HEAR REQUEST FOR FUTURE AGENDA ITEM FROM CITY COUNCIL:**

There were no items presented.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 6:55 p.m. **Second by Comm. Phillip Arp** and was unanimously approved.

  
Sam Mallory  
Mayor

ATTEST:

  
Bonita F. Shields  
City Secretary

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

On this the 4th day of February, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Terilyn Bowman, Elaine Paske, Christy Langston, Stacy Hopper- **City Park Board**, Scott Hay, Joshua Berryhill-**Enprotec/Hibbs & Todd**, Travis James- **USA**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:34 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Phillip Arp was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Jolene McBurney made the motion to approve the minutes of the January 21, 2013 meeting, with noted corrections. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**VISITORS:**

None

**HEAR THE MONTHLY POLICE ACTIVITY REPORT FROM CHIEF MARK McNULTY:**

Mark presented the Council with the monthly police activity report for the month. The report was in a different format, which gives more detail information of what the department does during the month. The Council accepted the report as presented.

**HEAR A REPORT FROM THE CITY PARK BOARD ON THE IMAGINATION STATION PROJECT:**

Terilyn Bowman, Elaine Paske and Stacy Hopper met with the Council to give them an update on the project. Terilyn reported to the Council that the Board talked to Tommy this morning and the City has a lot of the tools needed for this project. The Board reported that the plans are to move the old equipment that is presently at the park to the lake park. The Board still has approximately \$21,000 that has to be raised for the project. The Council thanked the Board members for all their hard work. The Board also told the Council they are in need of volunteers to help with the project during the build days on April 10-14, 2013. If the Council knows someone that would like to help, please have them contact one of the park board members.



**DISCUSS AND CONSIDER THE FINAL REVISION OF THE COMMUNITY CENTER ORDINANCE AND OPERATING POLICY:**

**Comm. Phillip Arp** made the motion to approve the final revised community center ordinance and operating policy, with the paragraph stating that all waivers have to be presented to the Council. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER SETTING UP A SEPARATE ACCOUNT FOR THE HOME PROJECT:**

Tommy explained that the bank now requires authorization from the City Council before a new checking account can be opened. Tommy told the Council it would be better to have all funds received for the HOME project in a separate account. After discussion, **Comm. Phillip Arp** authorized opening a new checking account for the HOME project. **Second by Comm. Jolene McBurney** and was unanimously approved.

**DISCUSS AND CONSIDER THE AMENDMENT TO THE DEPOSITORY CONTRACT WITH BALLINGER NATIONAL BANK:**

**Comm. Jolene McBurney** made the motion to approve the amendment to the guaranteed rate of interest paid on interest bearing checking account from 1.00% to .25%. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER RE-APPOINTING BOARD MEMBERS FOR THE BALLINGER HOUSING AUTHORITY:**

**Comm. Jolene McBurney** made the motion to re-appoint Clay Springer and Diane Miree to the Ballinger Housing Authority board for another two years. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**RECONSIDER THE CONDEMNATION OF PROPERTY LOCATED AT 901 SEALY AVENUE:**

Robert Niavez met with the Council to discuss the condemnation of the building located at 901 Sealy Avenue. Mr. Niavez told the Council the used tires that were left in the building have been properly disposed of. He also told the Council that he was still interested in keeping the building. The grounds around the building have been cleaned up, and his wife will be making arrangements to pay on the delinquent taxes next week. Mr. Niavez told the Council that he will possibly have to be incarcerated for a year, but he still wants to have access to the building for his auto repair shop. After discussion, **Comm. Darlene Kelly** made the motion to table any action on the condemnation until the next meeting. **Second by Comm. Jolene McBurney** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

No building permits were presented.

**DISCUSS AND CONSIDER THE REVISION OF CLEANING LIEN:**

Tommy reported to the Council that he has had two people contact him about cleaning liens that were put on their property. Arthur Martinez located at 1204 Avenue B has a \$1,560.00 lien on his property for the clean-up of a structure that was burned. Mr. Martinez paid \$1,000 on the lien and would like for the Council to waive the balance. Ballinger Co-op Gin has a \$4,246.00 lien attached to the property located at 300 Hutchings Avenue. The City cleaned the property when the previous owner abandon the property and filed bankruptcy. The lien was missed when the property was purchased by the current owners. After discussion, **Comm. Darlene Kelly** made the motion to waive the cleaning liens as requested. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy gave the Council a copy of a survey that the City staff conducted. The survey shows what other cities are charging for their monthly water bills.

**EXECUTIVE SESSION:**

**Comm. Phillip Arp** made the motion to enter into executive session at 6:10 p.m. as authorized by Texas Government code, section 551.071 consultations with city attorney on contract terms and offer on Non-Disclosure agreement and contract and consultation on contract terms with Enprotec/ Hibbs & Todd for engineering service. **Second by Comm. Jolene McBurney** and was unanimously approved.

The Council convened in session until 7:20 p.m., and **Comm. Phillip Arp** made the motion to close the executive session. **Second by Comm. Jolene McBurney** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

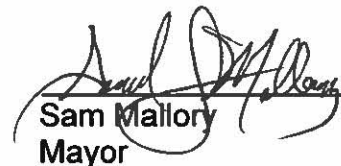
**Comm. Phillip Arp** made the motion to authorize Enprotec/Hibbs & Todd, Inc. to prepare a report to show the cost to run a twenty-two mile pipe line for alternate water source. **Second by Comm. Darlene Kelly** and was unanimously approved.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

**Comm. Eloyed Fuentes** made the request for the Council to consider replacing the last yield sign at the intersection on Crosson and Third Street around the community center to a stop sign.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 7:35 p.m. **Second by Comm. Eloyed Fuentes** and was unanimously approved.



Sam Mallory  
Mayor

**ATTEST:**

Bonita F. Shields  
City Secretary



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

On this the 18<sup>th</sup> day of February, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector
Steve Nixon	Public Work Director

Others present: Stacy Hopper, Joy McDaniel, Terilyn Bowman, Elaine Paske-City Park Board, Scott Hay-Enprotec/Hobbs & Todd.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Jolene McBurney was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Phillip Arp made the motion to approve the minutes of the February 4, 2013 meeting, with note of corrections. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

None

**DISCUSS AND CONSIDER THE REQUEST OF THE CITY PARK BOARD:**

Several members of the city park board met with the Council. They gave an update on the Imagination Project. They told the Council that they are approximately \$19,020.00 short of the goal for the project. The board still has several projects and fundraising projects going on to help raise the remaining balance. They told the Council that San Angelo Health Foundation has awarded them a grant in the amount of \$40,000. San Angelo Health Foundation is requesting a letter of commitment from the City of Ballinger to guarantee that the project will be done. They need this letter before any funds will be released to the park board. After discussion, **Comm. Phillip Arp** made the motion to authorize the City staff to write a letter of commitment to San Angelo Health Foundation as requested. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**HEAR THE 2012 YEAR END POLICE DEPARTMENT REPORT FROM MARK McNULTY:**

Chief McNulty presented the Council with the 2012 year end police department report. Chief McNulty pointed out several areas of concern. He told the Council that the department did not have enough officers, and the experienced officers leave soon after they are trained because of the low pay. The department struggles to keep the shifts covered; there are no resources to address the drug problems in the community. In order to intervene the department needs additional

equipment, resources and manpower to build the type of cases required by the District and County Attorneys. Chief McNulty told the Council that the police department office was too small and causes problems with interviews and interrogations. There is no area set aside to make child friendly in order to facilitate questioning and interviews of children. The vehicles and weapons supplied to the department are also a big concern. Chief McNulty asked that the Council review the report and to consider addressing some of his concerns. The Council thanked him for the report.

**DISCUSS AND CONSIDER THE PURCHASE OF PROPERTY FROM JERRY BRUNSON:**

Tommy reported to the Council that if the sales tax received from the State Comptroller's office is the same amount as last year the City would collect \$150,646 over the amount that was budgeted. There has already been \$90,000.00 spent on the pool repair and the community center renovations. The amount that Mr. Brunson is asking for the property located along the Colorado River from the bridge on Highway 83 and Highway 67 is \$25,000.00 for approximately 23 plus acres. After discussion, **Comm. Phillip Arp** authorized the purchase of the property from Jerry Brunson in the amount of \$25,000.00 **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER THE APPROVAL OF A DEMOLITION ORDER ON PROPERTY OWNED BY STEVE ADAMS. LOT 6, BLOCK 11- MILLER ADDITION. LOCATED AT 1000 N. 11<sup>TH</sup> STREET:**

**Comm. Jolene McBurney** made the motion to authorize the Council to sign a demolition order allowing the City crew to dispose the mobile home on the property located at 1000 N. 11<sup>th</sup> Street. **Second by Comm. Phillip Arp** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Jolene McBurney** made the motion to approve the following building permits:

**Teresa Contreras-** 14'x8' addition to house- Lot 3, Block14 of the Wilke III Addition. Located at 1205 N. 6<sup>th</sup> Street between Largent and Hamilton Avenues  
\$1,500.00

**Manuel Contreras-** Move in modular home- Lots 8, Block 5- Powell Addition. Located at 806 13<sup>th</sup> Street between Sharp and Sargent Avenues  
\$25,000.00

**William Jones% WA & Betty Thomasson-** 16'x10'x8' portable storage building- Lot 6, Block 6- Park Heights Addition. Located at 703 N. 3<sup>rd</sup> Street Crosson and McCarver Drive  
\$5,000.00

**Second by Comm. Eloyed Fuentes** and was unanimously approved.

**DISCUSS AND CONSIDER A LEASE WITH JVA OPERATING COMPANY FOR SEISMIC PERMIT:**

The City attorney reported to the Council that he found several areas of the contract that would need to be addressed before he would recommend approval of the contract. **Comm. Phillip Arp** made the motion to authorize the City attorney to negotiate with JVA Operating Co. to correct and amend the contract for seismic permitting on airport land. **Second by Comm. Darlene Kelly** and was unanimously approved.

**THE BALLINGER CITY COUNCIL SHALL MEET IN EXECUTIVE SESSION AS AUTHORIZED BY TEXAS GOVERNMENT CODE, SECTION 551.071CONSULTATION WITH CITY ATTORNEY (CONSULTATION WITH CITY ATTORNEY ON CONTRACT TERMS WITH ENPROTEC/HIBBS AND TODD FOR ENGINEERING SERVICE :)**

**Comm. Darlene Kelly** made the motion to enter into executive session at 6:20 p.m. **Second Comm. Jolene McBurney** and was unanimously approved. The Council convened in session until 7:30p.m., and **Comm. Jolene McBurney** made the motion to close the executive session. **Second by Comm. Eloyed Fuentes** and was unanimously approved.



**CONSIDER ACTION FROM EXECUTIVE SESSION:**

No action taken.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**


Elm Creek Grain has approached him about giving up street right-of-ways on 1<sup>st</sup> and 2<sup>nd</sup> Street around the Ballinger Co-op Gin and the railroad tracks. This item will be put on the next agenda. JV Matthiesen has approached him about their interest in renewing the airport farm lease. The HOME project has one house left, and he would like for the City or the Industrial Board to consider trying to purchase the land from Ricky Barrow and helping him get a house. Mr. Barrow's property is located next door to the property that the City and Industrial board purchased in South Ballinger for the new motel project.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

None

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 7:40 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

  
Sam Mallory  
Mayor

ATTEST:

  
Bonita F. Shields  
City Secretary

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

On this the 4th day of March, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Toby Virden -**KRUN**, Ruben Cantu - **Ballinger Ledger**, Cathy Elliott, Alisa Plumley, Tammy Crabb, Riley West-**Ballinger Youth Baseball**, Billy Madrid-**Sensus Meters**. Joe Davis- **Ameresco**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Phillip Arp was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

**Comm. Jolene McBurney** made the motion to approve the minutes of the February 18, 2013 meeting, with noted corrections. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

None

**DISCUSS AND CONSIDER LEASE OF THE BASEBALL FIELD LOCATED ON THE CORNER OF S. 4<sup>TH</sup> AND SEALY AVENUE TO THE LITTLE LEAGUE ASSOCIATION:**

Several representatives of the Ballinger Little League Association met with the Council to request the use of the Indian field located on the corner of S. 4<sup>th</sup> Street and Sealy Avenue. They will use the field for practice only. They have 17 teams this year and not enough places for all teams to practice. The City presently has a contract with Henry Howell on the field. Mr. Howell was contacted and he did not have a problem with the Association using the field. The Association would like to lease the field for two years at no cost and the agreement that they will maintain the field for use. After discussion, **Comm. Phillip Arp** made the motion to lease the field to Ballinger Little League Association for two years at no cost with the Association maintaining the field. **Second by Comm. Jolene McBurney** and was unanimously approved.

**HEAR THE MONTHLY POLICE ACTIVITY AND RACIAL PROFILING REPORTS FROM CHIEF MARK McNULTY:**

Chief McNulty reported to the Council that calls were up this month. The shooter drill at the school went well. There were a few bugs to work on, but nothing major. The police department cleared up several of the burglary cases. The vehicle radios are still not working properly. He is working with the County to see if the



problem is with the radio tower and can be resolved. Mark told the Council that the department is still short one officer. There were no comments on the racial profiling report. The Council accepted both reports as presented.

**DISCUSS AND CONSIDER CHANGING THE LAST STOP SIGN AT THE COMMUNITY CENTER INTERSECTIONS FROM YIELD TO STOP:**

Comm. Eloyed Fuentes reported to the Council that he had been approached by one of the property owners that live across the street from this intersection. Comm. Fuentes feels that by changing the yield sign to a stop sign would help control the traffic in this area. After discussion, **Comm. Eloyed Fuentes** made the motion to change out the last yield sign at the intersection of 3rd and Crosson Avenue from yield to stop. **Second by Comm. Philip Arp** and was unanimously approved.

**DISCUSS AND RE-CONSIDER THE CONDEMNATION OF PROPERTY LOCATED AT 901 SEALY AVENUE:**

J.C. Gore reported to the Council that he had checked with Runnels County tax office and no one has been in contact with them to make arrangements to start paying the \$5,500 delinquent taxes owed on the property. After discussion **Comm. Phillip Arp** made the motion to condemn the building located at 901 Sealy Avenue. **Second by Comm. Eloyed Fuentes** and the motion carries with Comm. Phillip Arp, Eloyed Fuentes and Jolene McBurney voting "Aye" and Comm. Darlene Kelly "Nay".

**DISCUSS AND COSNIDER A PRESENTATION FROM BILLY MADRID ON SENSUS WATER METERS:**

Billy Madrid met with the Council to give a presentation on the Sensus water meters. He explained that this is a Flex Net System which could be connected to the billing system. The radio tower that the City has could be used to transfer the signals. The Sensus smart grid meters are built to last twenty years. The program is designed to show reading every hour and could help with complaints received by customers. The City has touch read meters installed in the down town area.

**DISCUSS AND CONSIDER THE FINANCING FOR THE SENSUS METERS FROM JOE C DAVIS WITH AMERESCO:**

Joe Davis presented the Council with a presentation from Ameresco. Ameresco enables public sector agencies to make infrastructure and operating improvements thorough contracts based upon the performance of technology and processes. Ameresco identify areas of cost savings which are reallocated to pay for improvements. As required by Local Government Code 302.001-004, Ameresco must identify enough savings to guarantee the return on investment. Mr. Davis told the Council that his company could to the preliminary assessment at no cost to the City. After discussion, **Comm. Phillip Arp** made the motion to authorize Ameresco to do a preliminary study at no cost to the City. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER RENEWAL OF THE AIRPORT FARM LEASE WITH JV MATTHIESEN:**

The contract with JV Matthiesen will expire December 31, 2013. Mr. Matthiesen has provided the City with a letter requesting that his contract with the City be renewed for another ten years. After discussion, **Darlene Kelly** authorized the City attorney to draw up another airport farm lease contract with JV Matthiesen. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**DISCUSS AND CONSIDER CASTING VOTES ON THE NORTH RUNNELS WATER CORPORATION BOARD:**

**Comm. Phillip Arp** made the motion to cast the City votes on Roeneal Boles, Steve McCulloch and Diane Quisenberry to serve on the North Runnels Water Corporation Board. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER THE CLOSING OF N. 1<sup>ST</sup> AND 2<sup>ND</sup> STREETS FOR ELM CREEK GRAIN:**

Tommy told the Council that this is an area that has never been open as a street. Elm Creek Grain has requested the land for their business located at 302 Hutchings Avenue. After discussion, **Comm. Phillip Arp** made the motion to authorize City Attorney to close N 1st and 2nd Streets between Hutchings and Railroad Avenues and deed the property to Elm Creek Grain. **Second by Comm. Jolene McBurney** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Jolene McBurney** made the motion to approve the following building permit:

**Lupe Martinez-** 16'x20'x8' carport- Lot 10, Block 14- Guion Addition. Located at 1407 Sharp Avenue between 14 & 15<sup>th</sup> Streets \$500.00

**Second by Comm. Eloyed Fuentes** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**


Tommy reported to the Council that the grant applications for the Clean Water and Drinking Water State Revolving Fund with the Texas Water Development have been submitted.

**HEAR REQUEST FOR FUTURE AGENDA ITEM FROM CITY COUNCIL:**

**Comm. Phillip Arp** requested that information be obtained to see if the City could rescind the non-disclosure agreement.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 7:00 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary



March 18





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

On this the 1st day of April, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Stanley Maresch	Police Sergeant
J.C. Gore	Code Enforcement/Building Inspector

Others present: Elaine Paske-City Park Board.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:33 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Philip Arp was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Jolene McBurney made the motion to approve the minutes of the March 18, 2013 meeting, with noted corrections. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**VISITORS:**

Elaine Paske met with the Council to make sure everything was in order for the Imagination Station build date next week.

**HEAR THE MONTHLY POLICE ACTIVITY REPORT FROM MARK McNULTY:**

Stanley Maresch met with the Council to present the monthly report. The report shows that the department answered 381 calls, took 38 reports, had a total of 6 arrests and the vehicles were driven 5,114 miles. Sergeant Maresch reported that the rifles came in today, and the department is now waiting on the ammo. Sergeant Maresch told the Council that he was told that a line item to discuss hiring another police officer was supposed to be on the agenda. He was told that the budget would have to be looked at to see if there are funds that could be moved to pay for another officer, and this would be put on the next agenda.

**OPEN/CLOSE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION OF 608 N. 16<sup>TH</sup> STREET- THOMAS RICO-LOT 10, BLOCK 5-GUION ADDITION.**

Comm. Phillip Arp made the motion to open the public hearing at 6:41 p.m. **Second by Comm. Jolene McBurney** and was unanimously approved.

J.C. Gore presented the Council with pictures of the house. The proper notices have been sent out. The property owner was not present at the meeting.

Comm. Darlene Kelly made the motion to close the public hearing at 6:43 p.m. **Second by Comm. Jolene McBurney** and was unanimously approved.

**Comm. Phillip Arp** made the motion to authorize the condemnation of the house located at 608 N. 16<sup>th</sup> Street belonging to Thomas Rico. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**OPEN A PUBLIC HEARING TO CONSIDER THE ZONING OF 61.145 ACRES OF THE SOUTH BALLINGER ADDITION.**

**Comm. Darlene Kelly** made the motion to open the public hearing at 6:45 p.m. **Second by Comm. Phillip Arp** and was unanimously approved. The City Attorney presented the City Council with a resolution that would zone the 61.145 acres of property that was annexed September 8, 2009. This would properly zone the acres as the Industrial District. **Comm. Jolene McBurney** made the motion to close the public hearing at 6:46 p.m. **Second by Comm. Phillip Arp** and was unanimously approved.

**CONSIDER THE RECOMMENDATION OF THE PLANNING & ZONING BOARD ON THE ZONING FOR 61.145 ACRES OF SOUTH BALLINGER ADDITION:**

After discussion, **Comm. Jolene McBurney** made the motion to accept the recommendation of the Planning & Zoning board as presented to zone the 61.145 acres of the South Ballinger Addition as Industrial District. **Second by Comm. Phillip Arp** and was unanimously approved.

**DISCUSS AND CONSIDER AUTHORIZING THE COUNCIL TO SIGN DEMOLITION ORDERS ON:**

- A. Nickalos Martinez-909 N.14<sup>th</sup> Street**
- B. Robert Niavez-901 Sealy Avenue**

J.C. Gore reported to the Council that the two listed properties have been condemned. The property owners have been notified and given the opportunity to make the necessary repairs to bring the structures up to standard. The Council needs to approve and sign the demolition orders which will allow the City to proceed with the disposal of the structures. Mr. Martinez has said that he would like to tear his house down himself. This is not a problem since the City waits ninety days before any disposal is done. After discussion, **Comm. Darlene Kelly** authorized the Council to sign the demolition orders for Nickalos Martinez-909 N. 14<sup>th</sup> Street and Robert Niavez-901 Sealy Avenue. **Second by Comm. Phillip Arp** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Jolene McBurney** made the motion to approve the following building permit:

**Larry Hays-23'x21'** cover patio- All of Block 9- West End Addition. Located at 1208 East Avenue between 12<sup>th</sup> and 13<sup>th</sup> Streets \$5,000.00

**Second by Comm. Phillip Arp** and was unanimously approved.

**DISCUSS AND CONSIDER THE 2013 CONSUMER PRICE INDEX ADJUSTMENT TO MUNICIPAL TELECOMMUNICATION RIGHT OF WAY ACCESS LINE RATE:**

This is a rate increase for the telecommunication right of way access line. The current rates are Residential \$1.65, Non-residential 3.76 and Point-to-Point \$5.67. The proposed increase would be Residential \$1.67, Non-Residential \$3.80 and Point to Point \$5.73.

The notice states if the Council does not decline the increase by April 30, 2013 the increased rates will be put into effect. After discussion, **Comm. Phillip Arp** made the motion not to respond and allow the rate increases on April 30, 2012. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER A PROCLAMATION TO DECLARE APRIL 14, 2013 AS COMMUNITY DAY OF PRAYER FOR RAIN:**

**Comm. Darlene Kelly** made the motion to approve a proclamation declaring April 14, 2013 as "Community Day of Prayer for Rain". **Second by Comm. Jolene McBurney** and was unanimously approved.



**CONSIDER A PROCLAMATION MAKING APRIL FAIR HOUSING MONTH:**

**Comm. Jolene McBurney** made the motion to approve a proclamation making April "Fair Housing Month. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER A RESOLUTION ESTABLISHING SECTION 3 POLICIES FOR HOME PROGRAM:**

**Comm. Phillip Arp** made the motion to pass a resolution establishing Section 3 policies for the Home Program. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DESIGNATION FORM FOR SECTION 504 EQUAL OPPORTUNITY/FAIR HOUSING OFFICER:**

The Mayor, Sam Mallory, appointed Tommy New as the Fair Housing/Equal Opportunity/Section 504 Standards Officer for the City of Ballinger. The Council agreed.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**


Tommy New reported to the Council that the City crews will be working in the city park next week on the Imagination Station Project. He informed the Council that the line item for minor tools in the street department will be over budget because of tools that have to be purchased for this project.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM THE CITY COUNCIL:**

There were no requests presented.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 6:15 p.m. **Second by Comm.** and was unanimously approved.

  
Sam Mallory  
Mayor

ATTEST:

  
Bonita F. Shields  
City Secretary

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

On this the 15<sup>th</sup> day of April, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Absent	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Toby Virden -**KRUN**, Tammie Virden-Chamber of Commerce, Terilyn Bowman, Elaine Paske- **City Park Board**, Carol Escamia-Citizen.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:35 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Darlene Kelly was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Jolene McBurney made the motion to approve the minutes of the April 1, 2013 meeting, with note of one correction. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

Terilyn Bowman and Elaine Paske met with the Council to inform them that the park build was completed on Sunday. They also gave a big "Thank you" to the great job they received from the City staff, Runnels County Precincts 1 & 4 and all the volunteers. The park board still needs to raise approximately \$13,000 and a big grand opening will be held after these funds are raised.

**OPEN/CLOSE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION OF 314 N. 14<sup>TH</sup> STREET:**

Comm. Phillip Arp made the motion to open the public hearing at 6:40 p.m. **Second by Comm. Jolene McBurney** and was unanimously approved. J.C. Gore presented the Council with pictures of the property to show the condition. There is a burnt trailer and another building that is used for storage. There are old tires, lumber, clothes and other items all over the property. The property owner was present at the meeting. She presented the Council with a list of times that she had gone to the property and spent time disposing of items on the property. She now lives in Winters, Texas, but she comes to Ballinger at least 3-4 times a week to work on the property. She promised the Council that if they would grant her a little of time she would get the property cleaned up and the trailer removed.

Comm. Darlene Kelly made the motion to close the public hearing at 6:46 p.m. **Second by Comm. Jolene McBurney** and was unanimously approved.

Comm. Phillip Arp made the motion to condemn the property located at 314 N. 14<sup>th</sup> Street, with a six months extension to allow Carol Escamia to clean up

the property. She was asked to report back to the Council in three months on her progress. **Second by Comm. Jolene McBurney** and was unanimously approved.

**DISCUSS AND CONSIDER HIRING ANOTHER POLICE OFFICER:**

The Council discussed hiring another police officer for the police department. This would make the department to consist of 1 chief, 5 police officers and 1 sergeant, and 1 animal control officer. Chief McNulty told the Council that even though the population has not increased the numbers of calls that the department has to take care of has increased considerably. The drug problem has increased and with that come more burglary cases. There are also more cases with sexual assault and DWIs. The extra officer would also cut down on the overtime use.

After discussion, **Comm. Phillip** authorized that the budget be revised to allow for the hiring of another police officer. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER A RESOLUTION TO ALLOW THE CHAMBER OF COMMERCE TO HAVE A PARADE ON APRIL 27, 2013:**

**Comm. Jolene McBurney** made the motion to pass a resolution required by TxDot to allow the Chamber of Commerce to have a parade on April 27, 2013 associated with the 38<sup>th</sup> Ethnic Festival activities. **Second by Comm. Darlene Kelly** and was unanimously approved.

**HEAR THE QUARTERLY TOURISM REPORT FROM TAMMIE VIRDEN:**

Tammie Virden presented the Council with tourism reports for the 4<sup>th</sup> quarter of 2012 and the 1<sup>st</sup> quarter of 2013. The report shows that the Chamber received \$5,504.41 for the 4<sup>th</sup> quarter 2012, and \$4,913.57 was spent on payroll-\$2,377.62, postage- \$189.30, promotional- 418.25 and advertising- \$1,885.40.

The funds for the 1<sup>st</sup> quarter of 2013 will not be received until May 2013. The expenses for the 1<sup>st</sup> quarter are as follows: Payroll- \$2, 815.82, postage- \$379.80, promotional- \$170.00 and advertising- \$794.50.

The Council accepted the report as presented.

**DISCUSS AND CONSIDER REVISING THE TRAILER ENTRANCE WAY ORDINANCE:**

The Council was presented with a copy of the current ordinance that pertains to trailer homes, trailer lots and parks in Ballinger. The ordinance addresses where they can be placed. It also states in the ordinance in section 16-51 that there shall be no mobile home or travel trailer or mobile home lot or trailer lot within two hundred (200) feet of any highway entrance to the city. The code enforcement officer feels that this clause needs to be revised because it does not explain where the entrances start or stop. After further review, there were several other items that the Council felt should be looked at. **Comm. Darlene Kelly** made the motion to table any action on the ordinance for further review. **Second by Comm. Jolene McBurney** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Jolene McBurney** made the motion to approve the following building permit:

Lori Nunn Holliway-10'x12'x9' Leland Storage building- Lot 2, Block 1- Grant Addition. Located at 902 N. 5<sup>th</sup> Street between Eubank and Pou Avenues

\$2,000.00

**Second by Comm. Phillip Arp** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported to the Council that the City received a big sales check this month in the amount of \$287,791.55 compared to \$47,221.35 last year.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

Nothing

**ADJOURN:**



**Comm. Darlene Kelly** made the motion to adjourn the meeting at 7:35 p.m.  
**Second by Comm. Jolene McBurney** and was unanimously approved.

  
Sam Mallory  
Mayor

ATTEST:

  
Bonita F. Shields  
City Secretary

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

On this the 6<sup>TH</sup> day of May, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Toby Virden -**KRUN**, Ruben Cantu- **Ballinger Ledger**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:35 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Eloyed Fuentes was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

**Comm. Jolene McBurney** made the motion to approve the minutes of the April 15, 2013 meeting, with note of two corrections. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

None

**HEAR THE MONTHLY POLICE ACTIVITY REPORT FROM CHIEF MARK McNULTY:**

Chief McNulty presented the Council with the monthly report. The reports shows that 29 reports were taken, 13 arrest made, 415 calls, 38 citations, 3 accidents, 2 DWIs, \$4,531.38 collected in court fines and the patrol cars were driven 5,955 miles. The Council accepted the report as presented.

**CONSIDER AN INTER-LOCAL AGREEMENT FOR PAVING SERVICES WITH RUNNELS COUNTY:**

**Comm. Phillip Arp** made the motion to approve the inter-local agreement with Runnels County for paving services. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER SUPPORTING THE TEXAS WATER SMART PROGRAM:**

**Comm. Jolene McBurney** made the motion to decline participation and support of the Texas Water Smart program. **Second by Comm. Phillip Arp** and was unanimously approved.

**CONSIDER APPROVAL OF THE INTER-LOCAL AGREEMENT WITH TxDOT:**

**Comm. Phillip Arp** made the motion to approve the inter-local agreement with TxDot for municipal maintenance of State highways within and through the city

limits of Ballinger. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER APPROVAL OF PROPOSED BUDGET ADMENDMENTS:**

The following report was presented to the Council as budget amendments for approval:

CITY OF BALLINGER 2013 BUDGET AMENDMENTS		
001-0000-4418	SALES TAX	239,000.00
EXPENSES:		
001-0500-5827	CAPITOL EXPENDITURES	-52,000.00
001-1000-5020	SALARIES-PATROLMAN	10,000.00
001-1000-5023	OVERTIME	5,000.00
001-1000-5058	AMMUNITION	500.00
001-1000-5140	NEW EQUIPMENT	1,000.00
001-1000-5152	SCHOOL/TRAINING	2,000.00
001-1000-5900	CAPITOL EXPENDITURES	4,600.00
001-1200-5182	POLICE/FIRE STATION BUILDING	3,000.00
001-1200-5185	PIONEER PLAZA	1,300.00
001-1300-5121	VEHICLE MAINTENANCE	2,000.00
001-1300-5054	OIL,GAS & FLATS	\$1,500.00
001-1300-5308	CODE ENFORCEMENT EXPENSE	\$2,500.00
001-1300-5410	CONTINGENT FUND	\$40,000.00
001-2000-5121	TRUCK REPAIRS	\$4,000.00
001-2300-5116	WATER PURCHASES	\$3,000.00
001-3000-5069	CLEANING SUPPLIES	\$200.00
001-3000-5113	HEAT/LIGHTS	\$2,000.00
001-4000-5020	SALARIES- STREET DEPT	-\$10,000.00
001-4000-5026	SIDEWALK IMPROVEMENTS	\$3,000.00
001-4000-5055	MINOR TOOLS	\$9,000.00
001-4000-5133	RECYCLING CENTER EXPENSE	\$1,400.00
001-4000-5830	PRINCIPAL ON NOTE PAYMENT	\$52,000.00
001-5000-5055	MINOR TOOLS	\$2,000.00
001-5000-5113	HEAT/LIGHTS	\$4,000.00
001-7000-5056	SWIMMING POOL IMPROVEMENTS	\$35,000.00
001-8000-5069	JANITOR SUPPLIES	\$1,000.00
001-8000-5113	HEAT/LIGHTS	\$2,000.00
001-8000-5124	OTHER, TABLES, ETC.	\$3,500.00
001-8000-5136	BUILDING MAINTENANCE	\$55,000.00
001-8000-5820	INTEREST ON INDEBTNESS	\$9,500.00
001-8000-5830	LOAN PAYMENT-PRINCIPAL	\$43,000.00
001-9000-5052	POSTAGE, OFFICE SUPPLIES	\$2,000.00
001-9000-5113	FINANCIAL ADVICE	-\$4,000.00
GENERAL FUND TOTALS		\$239,000.00
002-1100-5122	PUMPS & MACHINERY	\$7,000.00
002-1100-5128	LABORATORY EQUIPMENT MAINTNENANCE	\$3,000.00
002-1100-5132	ALTERNATIVE WATER SUPPLY	\$10,400.00
002-1100-5140	WATER TOWER MAINTENANCE	-\$19,000.00
002-2200-5020	SALARIES-MAINTENANCE	-\$11,000.00
002-2200-5023	OVERTIME	\$2,000.00
002-2200-5056	SAFETY EQUIPMENT	\$1,000.00
002-2200-5121	TRUCK REPAIRS	\$4,300.00
002-2200-5125	CUSTOMER SERVICE LINES	\$3,000.00
002-2200-5315	UNEMPLOYMENT TAX	-\$700.00
WATER FUND TOTALS		\$0.00

After review of the report, **Comm. Darlene Kelly** made the motion to approve the budget amendments as presented. **Second by Comm. Phillip Arp** and was unanimously approved.



**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Jolene McBurney** made the motion to approve the following building permits:

**Veda Hill**- 25'x10'x5' carport- Lot 10, Block 5- Terry II Addition. Located at 1300 N. 8<sup>th</sup> Street between Largent and East Avenue \$600.00

**Jorge L. Jimenez**- 8'x10'x8' storage shed- Part of the Thos. Largent Survey. Located at 513 N. 12<sup>th</sup> Street between Harris & Pou Avenues \$3,000.00

**Second by Comm. Eloyed Fuentes** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported to the Council that demolition will start on Monday, May 13, 2013 on four of the property owners that will be receiving new homes. He has a meeting with Robin Burgess on Tuesday to discuss property that the City has cleaning liens on. The tax attorney has people interested in the property if the cleaning liens can be released.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

Nothing.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 6:10 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary

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

On this the 3<sup>rd</sup> day of June, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Tammie Virden –**Chamber of Commerce**, Joe Davis, Billy McCord- **Ameresco**, Billy Madrid- **Sensus Meters**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Jolene McBurney was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Jolene McBurney made the motion to approve the minutes of the May 6, 2013 meeting, with noted corrections. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

Chief McNulty gave the Council his monthly police activity report.

**CONSIDER THE REQUEST OF THE CHAMBER TO USE THE AIRPORT FOR THE FIREWORKS DISPLAY:**

Comm. Phillip Arp made the motion to approve the request of the Chamber to have the fireworks display at the Bruce Field airport on June 28, 2013. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER A RESOLUTION FROM ATMOS APPROVING AND ADOPTING THE RATE SCHEDULE RRM (RATE & REVIEW MECHANISM):**

Comm. Phillip Arp made the motion to approve the resolution to approve and adopt the rate schedule RRM as presented by Atmos. **Second by Comm. Jolene McBurney** and was unanimously approved.

**DISCUSS AND CONSIDER SUPPORTING ECHO COMPANIES TXDOT 5311(f) INTERCITY BUS GRANT:**

Comm. Phillip Arp made the motion to authorize the Mayor to sign a letter of support for Echo Companies TxDot 5311 (f) Intercity grant. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER THE REPORT FROM AMERESCO:**

Joe Davis and Billy McCord presented the Council with a report that shows they could save the City approximately \$75,000-\$100,000 annual by making several upgrades to the City infrastructures. This would include replacing the water meters. The new meters would be able to detect water leaks sooner, which in turn would cut down on water loss. The water pumps at the lake need to be replaced. The lighting system in several of the buildings could be replaced to conserve



energy. They also explained that the program is a Government 302, which guarantees the saving to the City at no cost. The next part of the project is for the Council to approve the request for qualification.

After discussion, **Comm. Phillip Arp** made the motion to solicit bids for Request for Qualification. **Second by Comm. Jolene McBurney** And was unanimously approved.

**DISCUSS AND CONSIDER REVISION OF CHAPTER 16 OF THE CODE BOOK- MOBILE HOMES AND TRAVEL TRAILERS:**

J.C. Gore presented the Council with copies of the current Chapter 16 of the code book that gives reference to mobile homes and travel trailers in the city limits of Ballinger. He reported to the Council that he felt there should be two separate ordinances for travel trailers and mobile homes. The Council should also consider making a better description on the entry way clause of the ordinance. The size of the lots for travel parks needs to be addressed. This ordinance will be presented to the Planning & Zoning board for their review and recommendations. Mr. Gore asked that the Council also review the ordinance and mark changes that they felt need to be made for further review. After discussion, **Comm. Darlene Kelly** made the motion to table any action for further review of the ordinance. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Darlene Kelly** made the motion to approve the following building permits:

**Robert W. Byler-** 36'x14' metal building w/finished inside- All of Lot 1, Part of Lots 2-5, Block 13- Wilke III Addition. Located at 602 Largent Avenue between N. 6<sup>th</sup> and 5<sup>th</sup> Streets \$18,000.00

**Connie Saucedo-** 8'x11'x8' extended storage area- Part of Lot 3-4, Block 3- Wilke Terrace Addition. Located at 406 East Avenue between 4<sup>th</sup> and 5<sup>th</sup> Streets \$2,000.00

**Sanders Storage-** 120'x12'x9' 12 mini storage units- Lots 3-8, Block 34- Clampitt Revision of West End. Located at 601 Avenue B between 5<sup>th</sup> and 6<sup>th</sup> Streets \$21,000.00

**Jolene McBurney-** 12'x8; metal building- Lots 4-5, Block 22- West End Addition. Located at 1408 Broad Avenue between 14<sup>th</sup> and 15<sup>th</sup> Streets \$4,000.00

**Margaret Lopez-** 32'x10'x10' carport- Lot 11-12, Block 32- Reed Addition. Located at 500 Broad Avenue between 5<sup>th</sup> and 6<sup>th</sup> Streets \$650.00

**Second by Comm. Jolene McBurney** and was unanimously approved.

**EXECUTIVE SESSION:**

**Comm. Phillip Arp** made the motion to enter into executive session at 6:30p.m. as authorized by Texas Government code, Section 551.071 Consultation with City Attorney on proposed contracts on purchased South Ballinger property and the wave of cleaning and paving liens. **Second by Comm. Jolene McBurney** and was unanimously approved.

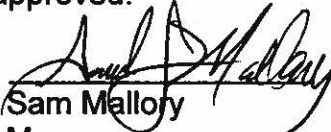
The Council convened in session until 7:00 p.m., and **Comm. Darlene Kelly** made the motion to close the executive session. **Second by Comm. Phillip Arp** and was unanimously approved.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

None

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 7:15 p.m. **Second by Comm. Phillip Arp** and was unanimously approved.

  
Sam Mallory  
Mayor

ATTEST:  
  
Bonita F. Shields  
City Secretary



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

On this the 17<sup>TH</sup> day of June, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Turner-Citizen, Randy Teague.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Darlene Kelly was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Jolene McBurney made the motion to approve the minutes of the June 3, 2013 meeting, with note of one correction. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

Jerry Turner met with the Council to discuss the arcade game room that he plans to open at 815 Hutchings Avenue. Mr. Turner explained to the Council that the games are not gambling machines. He explained to the Council that the kids would be allowed to play the X-Box or Play station games with kids all over the nation. They purchase time to play the games. They can earn points for free scholarships and free game time. If while competing they place 6<sup>th</sup> or higher in the games they would be able to travel to other places with a parent to play the games. All the computers are protected with a secure firewall and there is no exposure to the kids getting into any danger or problems while on the computers. The Mayor suggested that he get in contact with Code Enforcement to make sure that everything is in compliance with the City ordinance.

Randy Teague with Air Med Care met with the Council to inform them of a service that his company is offering to the customers of Ballinger. They are now able to offer air ambulance service to the citizens of Ballinger at the cost of \$5.00 per month for the entire household. This could be billed out and collected on the monthly water bills. The air ambulance service would be provided by Shannon Medical Center. The City would pay Air Med Care \$4.50 per month for each fee collected, and \$.50 would be kept by the City for administrative fees. The Council explained to Mr. Teague that this would have to be put on the next agenda for an official vote by the City Council.

**CONSIDER THE REQUEST TO CLOSE AND ABANDON THE ALLEY IN THE CLAMPITT REVISION OF WEST, BLOCK 34 BETWEEN LOTS 3-4-5-6-7-8. LOCATED BETWEEN BROADWAY AND 6<sup>TH</sup>/AVENUES A&B:**

This is the alley between the properties located at the storage buildings behind Beef Masters on 6<sup>th</sup> Street. There are no utility services located in this area and the City does not have any future plans for the alley, in closing the alley this



would allow Mr. Sanders to install a fence around the storage areas. Mr. Sanders has had problems with the storage building being broken into and he feels that the fence would help stop this problem. After discussion, **Comm. Phillip Arp** made the motion to close and abandon the alley between Lots 3-8, Block 34- Clappitt Revision of West End. **Second by Jolene McBurney** and was unanimously approved.

**CONSIDER THE REQUEST OF CARLTON BUCHANAN FOR A SPECIFIC USE PERMIT TO LOCATE A SNOW CONE STAND AT 509 N. 7<sup>TH</sup> STREET:**

Code enforcement has attempted to have a Planning & Zoning board meeting three times and can never get a quorum. Mr. Buchanan has requested a specific use permit to put up a snow cone stand at 509 N. 7<sup>th</sup> Street. People would be able to access the stand from 7<sup>th</sup> Street, and the stand would not cause traffic problems on Broadway. There were fourteen letters sent out to surrounding property owners within a 200' radius, and no opposition was received. After discussion, **Comm. Darlene Kelly** made the motion to approve the specific use permit as presented. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Darlene Kelly** made the motion to approve the following building permits:

**Carlton Buchanan-** Move in 8'x10' used building for snow cone stand- Part of the J.M. Caldwell Addition. Located at 509 N. 7<sup>th</sup> Street between Fields and Bonsall Avenues \$1,800.00

**Miriam V. Borrego-** Remodel- Lot 8, Block 4- Bowden Addition. Located at 704 N. 9<sup>th</sup> Street between Eubank and Murrell Avenues \$2,000.00

**Jessie/Carrie Flores-** Tear down existing carport and replace- Lot 7, Block 1- Baker Addition. Located at 402 N. 10<sup>th</sup> Street between Murrell and Harris Avenue \$1,500.00

**Second by Comm. Phillip Arp** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported to the Council that that the City had received the sales tax for the month. The revenue was up by \$3,000 compared to last year's figures. He has received a report that the City scored 7<sup>th</sup> of 43 on the sewer grant application. The water department has been working on water lines replacement starting at the 200 block of 9<sup>th</sup> Street. He has not received any information on the grant or loans on the water sites. Ballinger ISD would like to use the community center on August 15, 2013 for a new employee/faculty meeting. The Council agreed to let them use the center at no charge.

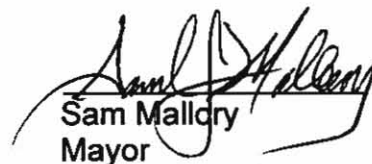
One of the police officers was involved in an accident recently. This leaves the department two cars short with the new officer that was recently hired. Tommy presented the Council with a quote for a Chevy Tahoe at \$38,995. They also have another one available if the Council decides to purchase two. A resolution would have to be approved for Ballinger National Bank to pay for these vehicles.

The Council needs to look at replacing some of the members on the Planning & Zoning board.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 6:15 p.m. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary

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

On this the 24<sup>th</sup> day of June, 2013 the Ballinger City Council met in special called session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney

Others present: Scott Hay, Keith Kindle-Enprotec/Hibbs & Todd, Inc.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:31 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Phillip Arp was asked to lead the group in a word of prayer and the pledge of allegiance.

**EXECUTIVE SESSION:**

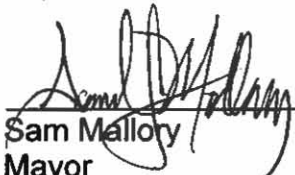
**Comm. Phillip Arp** made the motion for the Council to enter into executive session at 5:36 p.m. as authorized by Texas Government Code, Section 551.071 Consultation with the City Attorney to discuss the application and funding of loans with the Texas Water Development Board for alternative water source and sewer plant improvements. **Second by Comm. Darlene Kelly** and was unanimously approved. The Council convened in session until 6:40 p.m., and **Comm. Phillip Arp** made the motion to close the executive session. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

**Comm. Phillip Arp** made the motion to submit financial applications to Texas Water Development Board for the 2014 Drinking Water SRF for alternative water source and Clean Water SRF for sewer plant improvements. **Second by Comm. Darlene Kelly** and was unanimously approved.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 7:41 p.m. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary



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

On this the 22<sup>nd</sup> day of July, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Absent	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Absent	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Stan Maresch	Police Sergeant
J.C. Gore	Code Enforcement/Building Inspector
Steve Nixon	Public Works Director

Others present: Ruben Cantu - **Ballinger Ledger**, Randy Teague-**Air Med Vac.**, Julie Gray- **Citizen**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:35 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Darlene Kelly was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Darlene Kelly made the motion to approve the minutes of the July 22, 2013 meeting. **Second by Comm. Jolene McBurney** and was unanimously approved.

**VISITORS:**

None

**HEAR THE MONTHLY POLICE ACTIVITY REPORT FROM CHIEF MARK McNULTY:**

Mark was out of town. Sergeant Maresch was at the meeting. The new officer will be at the meeting to introduce himself. Stan reported that the radios and new website are working well. The department is planning to have an active shooter class on August 1<sup>st</sup>. The monthly report shows that the department answered 496 calls, 34 reports were taken, 10 arrest made, and 13 noise violations received mostly due to fireworks. The overtime is manageable now with the hiring of another officer. Officer Larry Nitsch had a fender binder in one of the patrol vehicles when he ran into a pole. Officer Ethan Farmer is out doing National Guard duty. The Council accepted the report as presented.

**CONSIDER AN AGREEMENT TO HIRE RICHARD BOWMAN TO AUDIT THE BOOKS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013:**

Comm. Jolene McBurney made the motion to approve the hiring of Richard Bowman as the auditor for the fiscal year ending September 30, 2013. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER THE REQUEST FROM JULIE GRAY TO APPLY FOR A GRANT WITH THE MAIN STREET PROJECT:**

Julie Gray reported to the Council that she has been working on the grant application for the Main Street project. She has finished the application and now needs the Council to approve a resolution authorizing the submission of the application. She told the Council that by submitting the application they are authorizing someone to be hired as a program manager for three years.

Comm. Darlene Kelly stated that she felt that was why the Council hired Tammie Virden and there were no funds in the budget for this project. The other Council members felt the same and felt that this is something that will have to be discussed in next year's budget. After further discussion, **Comm. Jolene McBurney** made the motion to table any action for more information and approval of the advisory board for this project. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER THE REQUEST OF THE BALLINGER ROTARY CLUB TO USE THE COMMUNITY CENTER FOR THE ANNUAL PANCAKE SUPPER:**

**Comm. Jolene McBurney** made the motion to authorize the use of the community center by the Rotary Club for their annual pancake supper free of charge. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER THE REQUEST OF AIR MED CARE TO OFFER THEIR SERVICES TO THE CITIZENS OF BALLINGER THROUGH THE MONTHLY BILLING:**

Randy Teague met with the Council to offer the Air-Med service to the citizens of Ballinger through the water billing. He explained that the customer would be charged \$5.00 per month for the air ambulance service, and \$.50 would be kept by the City for administrative fees and the other \$4.50 would be collected by Air-Med Service. After discussion, **Comm. Darlene Kelly** made the motion to allow Air-Med Service to provide their ambulance service through the water billing. **Second by Jolene McBurney** and was unanimously approved.

**CONSIDER A RESOLUTION AUTHORIZING THE CITY TO BECOME A RESERVATION SYSTEM PARTICIPATE TO ACCESS HOME FUNDS OF THE HOME PROGRAM TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS:**

Tommy explained that the Home Project's contract has expired effective July 21, 2013 and in order for the City to continue in the program a resolution has to be passed for the City to become a Reservation System Participate. This would allow the other four houses to continue in the program. After discussion, **Comm. Jolene McBurney** made the motion to pass a resolution authorizing the City to become a Reservation System participate in the Home Program project. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER THE REVISION OF THE MOBILE HOME/RV ORDINANCE:**

J.C. Gore asked the Council if they had any question or changes that they would like to see in the ordinance for mobile homes and RV's. Jolene told J.C. that she had questions on part of the ordinance, but she did not have them with her. She would go by city hall next week to discuss. After further discussion, **Comm. Jolene McBurney** made the motion to table any action on the ordinance for further revision. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER SIGNING A DEMOLITION NOTICE ON THOMAS RICO- 608 N. 16<sup>TH</sup> STREET- LOT 10, BLOCK 5- GUION ADDITION:**

**Comm. Darlene Kelly** made the motion to sign the demolition notice as presented for Thomas Rico- 608 N. 16<sup>th</sup> Street. **Second by Comm. Jolene McBurney** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Jolene McBurney** made the motion to approve the following building permit:



**John Hallford-** 12'x24' storage building- Lot 5, Block 10- Shell Addition. Located at 1309 Broad Avenue between East and Broad Avenues \$1,500.00

**Second by Comm. Darlene Kelly** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported that the city received about 1.2 inches of water from the recent rains, and the lake level is at 41%. The sales tax revenue was up this month. The staff has been receiving calls about the tinted water and the problem is being addressed. It was caused because of Lake Ivie turning over and causing dirty water to be delivered to the plant and more chemicals having to be used to clear it up.

**EXECUTIVE SESSION:**

**Comm. Jolene McBurney** made the motion to enter into executive session at 6:35 p.m. as authorized by Texas Government Code, Section 551.071 consultation with the City Attorney concerning the contract with John Hagan c/o Golden Chick. **Second by Comm. Darlene Kelly** and was unanimously approved.

The Council convened in session until 6:40 p.m., and **Comm. Darlene Kelly** made the motion to close the executive session. **Second by Comm. Jolene McBurney** and was unanimously approved.

**CONSIDER ACTION FROM EXECUTIVE SESSION:**


**Comm. Jolene McBurney** made the motion to authorize the Mayor to execute the contract and warranty deed with John Hagan c/o Golden Chick. **Second by Comm. Darlene Kelly** and was unanimously approved.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

None

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 6:45 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

  
Sam Mallory  
Mayor

ATTEST:

  
Bonita F. Shields  
City Secretary



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

On this the 29th day of July, 2013 the Ballinger City Council met in a special called session at 12:00 noon, in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Absent	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney

Others present: None

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 12:00 noon.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Phillip Arp was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER ALL MATTERS INCIDENT AND RELATED TO REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD AND AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE, INCLUDING THE ADOPTION OF A RESOLUTION PERTAINING THERETO FOR THE DWSRF APPLICATION:**

Comm. Phillip Arp made the motion to pass a resolution requesting financial assistance from the Texas Water Development Board for the DWSRF project. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER ALL MATTERS INCIDENT AND RELATED TO REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD AND AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE, INCLUDING THE ADOPTION OF A RESOLUTION PERTAINING THERETO FOR THE CWSRF APPLICATION:**


Comm. Darlene Kelly made the motion to pass a resolution requesting financial assistance from the Texas Water Development Board for the CWSRF project. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER ALL MATTERS INCIDENT AND RELATED TO APPROVING AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR BOND COUNSEL SERVICES, FINANCIAL ADVISOR AND ENGINEERING SERVICES FOR TEXAS WATER DEVELOPMENT FUNDED PROJECTS:**

Comm. Phillip Arp made the motion to pass a resolution approving and authorizing a contract for bond counsel services, financial advisor and engineering services for Texas Water Development funded projects. **Second by Comm. Darlene Kelly** and was unanimously approved.

**ADJOURN:**

Comm. Darlene Kelly made the motion to adjourn the meeting at 12:14 p.m. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

  
Sam Mallory  
Mayor

ATTEST:

  
Bonita F. Shields  
City Secretary

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

On this the 19<sup>th</sup> day of August, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

- |               |                  |
|---------------|------------------|
| Sam Mallory   | Mayor            |
| Phillip Arp   | Commissioner # 1 |
| Darlene Kelly | Commissioner # 2 |
| Absent        | Commissioner # 3 |
| Absent        | Commissioner # 4 |

City Staff:

- |                |                                     |
|----------------|-------------------------------------|
| Bonita Shields | City Secretary                      |
| Tommy New      | City Manager                        |
| Ebb Grindstaff | City Attorney                       |
| Mark McNulty   | Chief of Police                     |
| J.C. Gore      | Code Enforcement/Building Inspector |
| Steve Nixon    | Public Works Director               |

Others present: Toby Virden -**KRUN**, Ruben Cantu- **Ballinger Ledger**, Bobby & Lana Jones- **Citizen**, Billy Madrid-**Sensus Meter**, Billy McCord-**Ameresco**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:35 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Phillip Arp was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

**Comm. Darlene Kelly** made the motion to approve the minutes of the July 22, 2013 meeting. **Second by Comm. Phillip Arp** and was unanimously approved.

**VISITORS:**

None

**HEAR THE MONTHLY POLICE ACTIVITY REPORT FROM CHIEF MARK McNULTY:**

Mark McNulty reported that the department answered 433 calls. They had 10 arrest and 2 DWI's. One of the new patrol cars still needs the graphics put on. The department participated in active shooter school on August 1, 2013. The radios are working well. The Council accepted the report as presented.

**CONSIDER PASSING AN ORDER TO CALL THE CITY OFFICER'S ELECTION FOR NOVEMBER 5, 2013:**

**Comm. Phillip Arp** made the motion to pass an order to call the City Officer's election for November 5, 2013. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER APPROVING A CONTRACT WITH RUNNELS COUNTY FOR JOINT ELECTION ON NOVEMBER 5, 2013:**

**Comm. Phillip Arp** made the motion to approve a contract with Runnels County to hold a joint election for November 5, 2013. **Second by Comm. Darlene Kelly** and was unanimously approved.



**PRESENTATION OF CERTIFICATION OF VERIFICATION OF LOCAL OPTION ELECTION PETITION:**

Bonita Shields reported to the Council that the request for a petition was turned into her office on May 29, 2013 for the sale of alcoholic beverages including mixed drinks. She informed Julie Gray that the petition had to be back in her office by July 30, 2013 with 395 signatures of qualified voters for this option to be placed on the November 5, 2013 ballot. On Friday, August 9, 2013 Mrs. Gray informed Ms. Shields that they had not collected the necessary signatures on the petition.

**DISCUSS AND CONSIDER AN ORDINANCE FOR ORDERING ELECTION ON LOCAL OPTION ELECTION FOR THE SALE OF ALL ALCOHOLIC BEVERAGES INCLUDING MIXED BEVERAGES ON PREMISE:**

No action necessary because the petition was not turned in by the due date of July 30, 2013 and the City Secretary was informed that the necessary signatures had not been collected.

**DISCUSS AND CONSIDER HIRING TIM GLENDENING & ASSOCIATES AS THE GRANT CONSULTANT ON THE SEWER IMPROVEMENT GRANT:**

**Comm. Phillip Arp** made the motion to approve hiring Tim Glendening & Associates as the grant consultant for the sewer improvement grant in the amount of \$275,000 and the City match of \$60,000. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER THE REQUEST OF RUNNELS COUNTY VETERAN SERVICES TO HAVE A PARADE ON MONDAY, NOVEMBER 11, 2013:**

**Comm. Darlene Kelly** made the motion to approve the request of Runnels County Veteran Services to have a parade on Monday, November 11, 2013. **Second by Comm. Phillip Arp** and was unanimously approved.

**CONSIDER RENEWING THE CONTRACT WITH AEP FOR THE LEASE ON EIGHT PARKING SPACES ON 8<sup>TH</sup> STREET:**

**Comm. Phillip Arp** made the motion to approve the renewal of the contract with AEP for the lease of eight parking spaces in the parking lot next to First Community Federal Credit Bank on 8<sup>th</sup> Street. **Second by Darlene Kelly** and was unanimously approved.

**CONSIDER A RESOLUTION REQUESTING THE FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE; MAKING CERTAIN FINDINGS IN CONNECTION HEREWITH:**

**Comm. Darlene Kelly** made the motion to pass a resolution requesting financial assistance from the Texas Water Development Board to finance the cost of constructing improvements and extensions to the City's waterworks system in an amount not to exceed a total of \$10,800,000. **Second by Phillip Arp** and was unanimously approved.

**CONSIDER THE REQUEST FOR QUALIFICATIONS FOR PERFORMANCE CONTRACTING SERVICES WHICH HAS BEEN COMPLETED IN ACCORDANCE WITH SECTION 1, SUBTITLE C, TITLE 9-LOCAL GOVERNMENT CODE CHAPTER 302- ENERGY CONSERVATION MEASURES FOR LOCAL GOVERNMENTS:**

**Comm. Phillip Arp** made the motion to select Ameresco, Inc. as the performance contractor to provide the City with a comprehensive program to reduce costs and upgrade facilities. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER BUDGET AMENDMENTS:**

**Comm. Darlene Kelly** made the motion to approve the following budget amendments to allow for the purchase of three 2013 Chevy Tahoe for the police department;

001-0000-4425	Grant Proceeds	25,000.00
001-0000-4491	Loan Proceeds	<u>100,000.00</u>

Totals	125,000.00
001-1000-5121 Vehicle Repairs	8,000.00
001-1000-5900 Capital Expenditures	125,000.00
001-1000-5021 Patrolman Salary	- 8,000.00
Totals	125,000.00

**Second by Comm. Phillip Arp** and was unanimously approved.

**OPEN/CLOSE A PUBLIC HEARING ON THE CONDEMNATION OF PROPERTY FOR:**

**MT. MORIAH BAPTIST CHURCH- 601 S. BROADWAY- LOT 10, BLOCK 75-ORIGINAL ADDITION**

**ROOSEVELT M. KELLY- 600 S. 6<sup>TH</sup> STREET- LOTS 1-2, BLOCK 75-ORIGINAL ADDITION**

**Comm. Darlene Kelly** made the motion to open the public hearing at 5:50 p.m. **Second by Comm. Phillip Arp** and was unanimously approved.

J.C. Gore reported to the Council that both properties have structures on them that are in bad shape. They both have windows broken out and open to the weather and a harboring place for animals. The property owners have been contacted and made aware of the public hearing. Mr. Kelly has stated that he would like to make the necessary repairs to bring the house up to standard. This property is located in the floodway and that only allows the property owner to make improvements that would amount to 50% of the value of the house. This would not be enough to bring the house up to standard.

**Comm. Phillip Arp** made the motion to close the public hearing at 5:51 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

**Comm. Phillip Arp** made the motion to authorize the City staff to proceed with the condemnation of property located at 601 S. Broadway and 600 S. 6<sup>th</sup> Street. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Darlene Kelly** made the motion to approve the following building permits:

**Ray & Janie Martinez-** 14'x12'x8' Bedroom- Lot 3, Block 35- Original Addition. Located at 1005 Strong Avenue between S. 10<sup>th</sup> and S 11<sup>th</sup> Streets \$2,000.00

**Kim & Linn Grady-** Single Family Residence and storage building- Lots 1-3, Block 6 and Lots 4-6, Block 7-Fariview Addition. Located at 2005 N. 9<sup>th</sup> Street between Avenue E and Live Oak \$120,000.00

**Bobby D. Jones-** 10'x20'x12' Dersken portable building- Lot 7, Block 1- Elm Heights Addition. Located at 608 Broadway between Harris and Eubank Avenue \$4,000.00

**Second by Comm. Phillip Arp** and was unanimously approved.

**EXECUTIVE SESSION:**

**Comm. Phillip Arp** made the motion to enter into executive session as authorized by Texas Government Code, Section 551.074 Personnel Matters (Section 2.01 Recruitment of the personnel policy). **Second by Comm. Darlene Kelly** and was unanimously approved.

The Council convened in session until 6:19 p.m., and **Comm. Phillip Arp** made the motion to close the executive session. **Second by Comm. Darlene Kelly** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

There was no action taken.

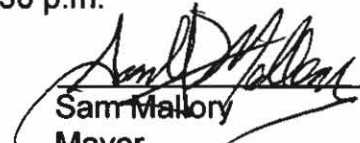
**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

The Council requested that the executive session be put on the next agenda.

**ADJOURN:**

**Comm. Darlene Kelly** made the motion to adjourn the meeting at 6:20 p.m.  
**Second by Comm. Phillip Arp** and was unanimously approved.

The Council convened in budget workshop until 6:50 p.m.

  
Sam Mallory  
Mayor

ATTEST:

  
Bonita F. Shields  
City Secretary



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

On this the 9th day of September, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Absent	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Absent	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Ruben Cantu- **Ballinger Ledger**

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Jolene McBurney was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

**Comm. Jolene McBurney** made the motion to approve the minutes of the July 29 and August 19, 2013 meetings. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

None

**HEAR THE MONTHLY POLICE ACTIVITY REPORT FROM CHIEF McNULTY:**

Mark McNulty presented the monthly police activity report to the Council. The report shows they answered 498 calls, took 27 reports, 9 arrests and 8 accidents. He has hired Travis Baird as a patrolman. The traffic at the elementary school is going good. The Council accepted the report as presented.

**DISCUSS AND CONSIDER THE REQUEST OF DAVID NGUYEN TO OPEN A STORE FRONT GAME ROOM:**

There was no discussion because Mr. Nguyen did not show up.

**DISCUSS AND CONSIDER APPOINTING NEW MEMBERS TO THE PLANNING & ZONING BOARD:**

**Comm. Darlene Kelly** made the motion to appoint Elaine Paske, Johnny Fulton and Penny Grissom to the Planning and Zoning Board and to re-appoint Carol Stokes and Max Pratt. **Second by Comm. Jolene McBurney** and was unanimously approved.

**OPEN A PUBLIC HEARING TO CONSIDER THE SPECIFIC USE PERMIT REQUEST IF RAMON MOTA- 904 BROADWAY-RETAIL STORE-THOS LARGENT ABSTRACT 357, SURVEY 366:**

No action taken. J.C. Gore reported to the Council that Mr. Mota withdrew in request.

**DISCUSS AND CONSIDER APPROVAL OF THE MOBILE HOME AND RV ORDINANCE:**

J.C. Gore reported that Comm. Jolene McBurney found some corrections that needed to be made to the ordinance and it was not ready for approval at this meeting.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Darlene Kelly** made the motion to approve the following building permits:

**Rumaldo Jalomo-** 16'x10x13' room addition- Lot 3, Block 124- First Railroad Addition. Located at 505 N. 3<sup>rd</sup> Street between Field and Bonsall Avenues \$15,000.00

**Billy Waldrop-** 20'x12'x7' awning- Lot 5, Block 12- college Heights Addition. Located at 1010 N. 8<sup>th</sup> Street between Sargent and Sharp Avenues \$500.00

**Second by Comm. Jolene McBurney** and was unanimously approved.

**DISCUSS AND CONSIDER THE DEMOLITION ORDER FOR MT. MORIAH BAPTIST CHURCH- 601 S. BROADWAY ROOSEVELT KELLY- 600 S 6<sup>TH</sup> STREET**

**Comm. Jolene McBurney** made the motion to approve the Council signatures to the demolition orders for 601 S. Broadway and 600 S. 6<sup>th</sup> Street. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER APPROVAL OF THE 2.9% RATE INCREASE FROM REPUBLICSERVICE FOR TRASH DISPOSAL:**

**Comm. Jolene McBurney** made the motion to approve the 2.9% rate increase from Republic Service for trash disposal. **Second by Comm. Darlene Kelly** and was unanimously approved.

**OPEN A PUBLIC HEARING ON THE PROPOSED 2014 FISCAL YEAR BUDGET:**

**Comm. Darlene Kelly** made the motion to open the public hearing at 5:50 p.m. **Second by Comm. Jolene McBurney** and was unanimously approved.

Chief McNulty has requested that Sharon Bowen be transferred to clerical for the police department and someone else be hired as the animal control officer. McNulty told the Council that there needs to be someone in the office during the day to answer the telephone, sell dog tags and help with the filing of reports. He also felt that someone needs to be hired as the animal control officer so that Sharon could train them, because none of the police officers would know what to do if something was to happen to Sharon.

Tommy explained the changes that had been made to the budget which include the additional revenue added to ad valorem taxes because of the increase to the certified property values. He also moved Sharon's salary to the police department, added the salary for a new animal control officer, made the adjustments to the benefits in both departments and reduced the funds in the street department capital expenditures to cover these changes and the asphalt zipper was paid off in the 2013 fiscal year.

There were not any citizens at the public hearing.

**Comm. Jolene McBurney** made the motion to close the public hearing at 6:10 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER ADOPTING THE 2014 FISCL YEAR BUDGET:**

**Comm. Darlene Kelly** made the motion to adopt the 2014 fiscal year budget as presented. **Second by Comm. Jolene McBurney** and was unanimously approved.

**CONSIDER AN ORDINANCE TO SET THE CITY TAX RATE FOR 2013:**

**Comm. Jolene McBurney** made the motion to pass an ordinance to set the City tax rate of \$0.405773 per \$100 valuation. **Second by Comm. Darlene Kelly** and was unanimously approved.



**DISCUSS AND CONSIDER ACCEPTING THE CERTIFICATION AND PASSING AN ORDINANCE TO CANCEL THE CITY OFFICER'S ELECTION FOR NOVEMBER 5, 2013:**

**Comm. Jolene McBurney** made the motion to pass an ordinance to cancel the City Officer's election for November 5, 2013 due to no one running against the incumbents. **Second by Comm. Darlene Kelly** and was unanimously approved.

**HEAR CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported that the City crew has started tearing down the building on 8<sup>th</sup> Street next door to Willingham Insurance. The water level at the lake is getting close to the Stage III point, but Randy has looked at the gallons pumped when customers are allowed to use their sprinklers vs. hand held only and there's not that much difference.

Tommy reported to the Council that Ameritas is the dental company for city employees. They have stated they will be going up 2.7%. He has looked at other companies and Guardian has given a quote that would be less than the Ameritas quote and would include vision coverage.

Millersview Doole has given a quote for the water they sell the City of \$1.22 per thousand which is \$.07 cent lower than the present rate.

**EXECUTIVE SESSION:**

**Comm. Darlene Kelly** made the motion for the Council to enter into executive session at 6:25 p.m. as authorized by Texas Government Code, Section 551.074 Personnel Matters( Discuss plans to hire a new City Manager) and Section 551.071 Consultation with City Attorney (Proposed contracts with Ameresco and USA International Explorations. **Second by Comm. Jolene McBurney** and was unanimously approved.

The Council convened in session until 6:50 p.m., and **Comm. Jolene McBurney** made the motion to close the executive session. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER ACTION FROM EXECUTIVE SESSION:**

**Comm. Darlene Kelly** made the motion to authorize the Mayor to sign a contract with Ameresco for an energy audit of the City's infrastructures. **Second by Comm. Jolene McBurney** and was unanimously approved.

**Comm. Jolene McBurney** made the motion to authorize the City Attorney to contact Lloyd Gosselink, a water rights attorney, about the proposed alternative water source information. **Second by Comm. Darlene Kelly** and was unanimously approved.

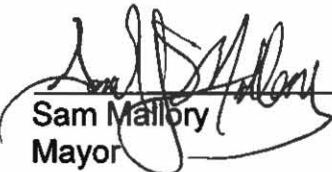
**Comm. Jolene McBurney** made the motion to table any action on hiring a new City Manager. **Second by Comm. Darlene Kelly** and was unanimously approved.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

None

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 7:00 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary



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

On this the 23<sup>rd</sup> day of September, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Absent	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Travis Baird- **New Patrolman**, Elroy Moore, Betty Moore- **Citizens**, Elizabeth Cook, Kellye Porter, Jennifer Korn- **Curing Cancer**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Phillip Arp was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

**Comm. Jolene McBurney** made the motion to approve the minutes of the September 9, 2013 meeting with noted corrections. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

Elroy and Betty Moore met with the Council to voice their concerns about the sewer gas smells that are coming from the City's sewer lift station located on the corner of Bronte Highway and Avenue E. Mr. Moore told the Council that he was not complaining, but wanted to make the Council aware of the problem. The smell is so bad sometimes that they cannot work in the yard nor do anything outside or in their garage.

Tommy told the Council that the City staff is in the process of getting a carbon filter and sealing the lid to help with the smell problem.

**DISCUSS AND CONSIDER CHANGING INSURANCE COMPANIES FOR DENTAL COVERAGE AND ADDING VISION COVERAGE FOR EMPLOYEES:**

**Comm. Phillip Arp** made the motion to authorize the staff to change the insurance coverage for dental coverage from Ameritas to Guardian effective October 1, 2013. **Second by Jolene McBurney** and was unanimously approved.

**DISCUSS AND CONSIDER RESCINDING THE 2.9% RATE INCREASE VOTED ON AT THE SEPTEMBER 9, 2013 MEETING:**

Tommy explained to the Council that the letter from Republic Services was read wrong and the requested rate increase was 2.4% and not 2.9%.

**Comm. Jolene McBurney** made the motion to rescind the vote made on September 9, 2013 to increase the garbage collection fees by 2.9%. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER APPROVAL OF S 2.4% RATE INCREASE FOR REPUBLIC SERVICE:**

**Comm. Phillip Arp** made the motion to approve the 2.4% rate increase request from Republic Services for garbage collection effective October 1, 2013. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**DISCUSS AND CONSIDER RENEWAL OF THE PAVING CONTRACT WITH RUNNELS COUNTY:**

**Comm. Darlene Kelly** made the motion to approve the renewal paving contract with Runnels County. **Second by Comm. Phillip Arp** and was unanimously approved.

**DISCUSS AND CONSIDER RENEWAL OF THE RURAL FIRE PROTECTION CONTRACT WITH RUNNELS COUNTY:**

**Comm. Darlene Kelly** made the motion to approve the rural fire protection contract with Runnels County. **Second by Comm. Eloyed Fuentes** and was unanimously approved. The Council noted that the County's annual contribution was reduced from \$21,000 last year to \$10,500.

**DISCUSS AND CONSIDER AMENDING THE LEASE AGREEMENT WITH DAVID VINSON:**

Tommy reported that David Vinson has requested the permission to hunt on the property that he leases from the City. This property is not accessible to the public. The Council questioned if the property would be subleased for this purpose. A City ordinance states there is no hunting on City property.

After discussion, **Comm. Phillip Arp** made the motion to amend the lease contract that would allow David Vinson to hunt on the property with no subleasing. **Second by Comm. McBurney** and was unanimously approved.

**DISCUSS AND CONSIDER APPROVAL OF THE 2014 PROPOSED BUDGET FOR THE RUNNELS COUNTY APPRAISAL DISTRICT:**

**Comm. Phillip Arp** made the motion to approve the 2014 proposed budget for the Runnels County Appraisal District as presented. **Second by Comm. Darlene Kelly** and was unanimously approved. The City's contribution will be \$4,543.74 per quarter.

**DISCUSS AND CONSIDER THE REQUEST OF ELIZABETH COOK TO USE THE COMMUNITY CENTER FOR THE ANNUAL CURING CANCER DANCE:**

Elizabeth Cook met with the Council to request the use of the airport. The dance will be May 9-10, 2014. They are planning to have a cook off this year. They are offering a \$2.00 discount on tickets for can goods to help the food pantry. Mayor Mallory explained to Mrs. Cook that her request would have to be tabled until the next meeting because it was put on the agenda for a request to use the community center.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

None

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported to the Council that the TMCN meeting will be October 23, 2013 if anyone wanted to attend at the Abilene Civic Center in Abilene.

The new homes are coming along fine. Three houses have been bricked and they should all be finished by the last of October.

**EXECUTIVE SESSION:**

**Comm. Darlene Kelly** made the motion to open the executive session at 6:10 p.m. as authorized by Texas Government Code, Section 551.074 (Personnel Matters Job Notice for City Manager) and Section 551.071 Consultation with City Attorney (Texas Water Development Board contracts for proposed water/sewer

loans and water rights attorney). **Second by Comm. Jolene McBurney** and was unanimously approved.

The Council convened in session until 7:45 p.m., and **Comm. Jolene McBurney** made the motion to close the executive session. **Second by Comm. Phillip Arp** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

**Comm. Phillip Arp** made the motion to approve sending a letter to Region F requesting a waiver to amending the Region F Regional Water plan. **Second by Comm. Jolene McBurney** and was unanimously approved.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 7:50 p.m. **Second by Comm. Phillip Arp** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary



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

On this the 30<sup>th</sup> day of September, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police

Others present: Ruben Cantu- **Ballinger Ledger**, Brett Willborn, Tammie Virden- **Citizens**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:35 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Eloyed Fuentes was asked to lead the group in a word of prayer and the pledge of allegiance.

**DISCUSS AND CONSIDER AMENDING THE COST FOR ALL CLEANING LIENS ON FILE:**

Tommy explained to the Council that the realtors are having a hard time selling property that the City has cleaning liens on. We reduced two liens several months ago. The Council needs to amend all cleaning liens on file to \$250.00 in order for the property to be sold and put back on the tax roll.

After discussion, **Comm. Phillip Arp** made the motion to amend cost for all cleaning liens to \$250.00 each. **Second by Comm. Darlene Kelly** and was unanimously approved.

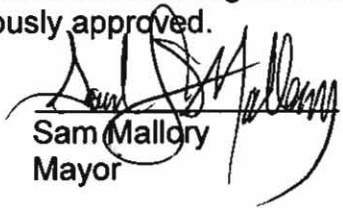
**DISCUSS AND CONSIDER THE JOB DESCRIPTION AND JOB NOTICE FOR THE CITY MANAGER POSITION:**

The Council looked over several job descriptions listed on the TML website.

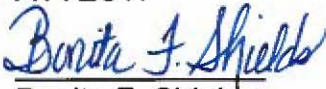
The description for a City Manager that is in the City Charter was read to the Council. After discussion, **Comm. Darlene Kelly** authorized that a job description be written up using the summary of position and essential duties, except for the last statement from the City of Dimmitt. The job requirements from the City of Eagle Lake and a part of the general information from City of Olmos Park. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 6:15 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary

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

On this the 7<sup>th</sup> day of October, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Toby Virden -**KRUN**, Ruben Cantu - **Ballinger Ledger**, Brett Willborn, Michael Herd-**Citizens**, Steven Todd-**Utility Services, Inc.**

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Jolene McBurney was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Phillip Arp made the motion to approve the minutes of the September 23, and September 30, 2013 meetings, with noted corrections. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

None

**HEAR THE MONTHLY POLICE ACTIVITY REPORT FROM CHIEF McNULTY:**

Chief McNulty reported to the Council that the department answered 387 calls, took 29 reports and made 14 arrests last month. The Council accepted the report as presented.

**DISCUSS AND CONSIDER RENEWING THE CURFEW ORDINANCE:**

Bonita Shields reported to the Council that State law requires that the City review the curfew ordinance every three years and make any changes necessary to keep in in effect. Chief McNulty told the Council that the present ordinance was working well and he did not know of any changes that needed to be made.

Comm. Phillip Arp made the motion to approve the curfew ordinance as presented. **Second by Comm. Darlene Kelly** and was unanimously approved.

**HEAR A REPORT FROM UTLITY SERVICES ON THE STAND PIPE:**

Steven Todd met with the Council to present a report on the maintenance agreement that his company is offering for the up keep of the City standpipe located on 13<sup>th</sup> Street behind the schools. He reported that the standpipe is in good condition at this point, but will possibly need painting in about three years. The inside of the standpipe needs to be cleaned. Mr. Todd presented the Council with an agreement at the cost of \$21,497 per year for five years and \$10,303 annual



thereafter. This process would take care of the visual inspection and emergency services for years 2013, 2015, 2017 and 2019. The wash out and emergency service would be done in years 2014, 2016 and 2018. The Council requested that Mr. Todd come back to the next Council meeting with a contract and proposed fees for the Council to review.

**CONSIDER A RESOLUTION TO NOMINATE A CANDIDATE TO SERVE ON THE BOARD FOR THE RUNNELS COUNTY APPRAISAL DISTRICT:**

**Comm. Phillip Arp** made the motion to nominate Alvin Dunn as a candidate to serve on the Board for Runnels County Appraisal District. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER SELECTING A REALTOR TO SELL CITY OWNED LOTS:**

Tommy reported that the City has several lots that could be sold. He also reported that the City has the right to allow a local realtor permission to have the lots appraised and sell them for the City. After discussion, **Comm. Eloyed Fuentes** made the motion to allow the local realtors permission to have the City owned lots appraised and sold for the City of Ballinger. **Second by Comm. Philip Arp** and was unanimously approved.

**DISCUSS AND CONSIDER A PROCLAMATION DESIGNATING NOVEMBER AS REPORT ANIMAL ABUSE MONTH:**

**Comm. Darlene Kelly** made the motion to pass a proclamation designating November as "Report Animal Abuse Month. **Second by Comm. Phillip Arp** and was unanimously approved.

**DISCUSS AND CONSIDER A BALLOT FOR ELECTING AN EXECUTIVE COMMITTEE MEMBER FOR THE WEST TEXAS COUNCIL OF GOVERNMENTS:**

**Comm. Phillip Arp** made the motion to cast the City's vote for Mayor Kay Joffrion, Coleman to serve on the West Central Texas Council of Government Executive Committee. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER SELECTING AN ATTORNEY FOR LEGAL COUNSEL SERVICES ON WATER RIGHTS:**

**Comm. Darlene Kelly** made the motion to select Lloyd Gooselink for legal counsel service on the water rights. **Second by Comm. Phillip Arp** and was unanimously approved.

**OPEN/CLOSE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION OF PROPERTY OWNED BY CAROLINA GONZALES- 313 HUTCHINGS AVENUE- LOTS 6-7, BLOCK 22- ORIGINAL ADDITION:**

**Comm. Phillip Arp** made the motion to open a public hearing at 6:14 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

J.C. reported that Ms. Gonzales passed away about 2 years ago and has no relatives to take care of the property. The taxes have not been paid in two years and the house is getting in bad shape and recommends that it be condemned.

**Comm. Phillip Arp** made the motion to close the public hearing at 6:16 p.m. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**Comm. Darlene Kelly** made the motion to authorize the condemnation of property located at 313 Hutchings Avenue. **Second by Comm. Jolene McBurney** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Darlene Kelly** made the motion to approve the following building permits:

Harry & Rachel Galvan- 20'x25'x10' carport- Lots 3-4. Block 1- Elm Heights Addition. Located at 709 N. 6<sup>th</sup> Street between Harris and Crosson Avenues

\$750.00

Johnny Garcia-14'x35'x10'carport- Lot 8, Block 1- Baker Addition. Located at 404 N. 10<sup>th</sup> Street between Murrell and Harris Avenues

\$1,200.00



Hans Borm- 15'x20'x10' carport- Lot 3, Block 10- Bowden I Addition. Located at 1105 N. 9<sup>th</sup> Street between Hamilton and Sharp Avenues \$5,000.00  
**Second by Comm. Jolene McBurney** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported to the Council about the damages made to the Willingham Insurance building located on S. 8<sup>th</sup> Street. The City crew was trying to tear down the roof from the wall that is shared with the insurance company. Part of the wall gave way and fell on the roof of the insurance company causing major damages. The insurance adjuster has been contacted and should be here this week. The City crew helped Mark move into his other building on S 7<sup>th</sup> Street,

Tommy reported to the Council that he received another letter from the Texas Water Development Board showing \$86,700 loan forgiveness on a Disadvantaged communities funding with a remainder of total cost of approximately \$205,000 with a 1.85% loan origination fee. This loan would be for the new pond that would have to be built at the sewer plant.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

The Council would like for the Alcoholic beverage ordinance to be put back on the agenda for consideration after the six month trial period.

**EXECUTIVE SESSION:**

**Comm. Phillip Arp** made the motion to enter into executive session at 6:25 p.m. as authorized by Texas Government Code, Section 551.074 Personnel matters to discuss the job description and job notice to be used for the City Administrator's position. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

The Council convened in executive session until 6:50 p.m., and **Comm. Jolene McBurney** made the motion to close the session. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

**Comm. Jolene McBurney** made the motion to table any action until the next meeting concerning the City Administrator's job position and description. **Second by Comm. Philip Arp** and was unanimously approved.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 6:50p.m. **Second by Comm. Phillip Arp** and was unanimously approved.

  
 Sam Mallory  
 Mayor

**ATTEST:**

  
 Bonita F. Shields  
 City Secretary

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

On this the 21<sup>ST</sup> day of October, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
J.C. Gore	Code Enforcement/Building Inspector

Others present: Elaine Paske-Park Board, Ruben Cantu- Ballinger Ledger, Billy McCord- Ameresco, Steven Todd- Utility Services.

CALL TO ORDER:

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE:

Comm. Darlene Kelly was asked to lead the group in a word of prayer and the pledge of allegiance.

CONSIDER APPROVAL OF MINUTES:

Comm. Jolene McBurney made the motion to approve the minutes of the October 7, 2013 meeting, with note of one correction. Second by Comm. Phillip Arp and was unanimously approved.

VISITORS:

Elaine Paske met with the Council to ask them to consider appointing Betty Battle to the Park Board. DeeDee Peterson has moved outside the city limits and cannot serve on the board anymore. The Council did not have a problem with the request and told Elaine this would be put on the next agenda for consideration.

DISCUSS AND CONSIDER THE PROPOSAL FROM UTILITY SERVICES FOR STANDPIPE MAINTENANCE:

Steven Todd with Utility Service Group presented the Council with a contract for the annual inspection and maintenance of the standpipe that is located on 13<sup>th</sup> Street behind the high school. The contract states they will maintain the standpipe with a washout and inspection. Utility Service Group will clean and repaint the interior and/or exterior as needed.

The tank shall receive a chemical clean washout and repairs prior to the end of Contract Year 1. The tank shall receive an exterior renovation and interior renovation prior to the end of contract year 3. The first two annual fees shall be \$1,750.00 per contract year. The annual fees for contract years 3,4,5,6 and 7 shall be \$24,773.00 per contract year. The annual fee for contract year 8 and each subsequent annual fee shall be \$11,042.00 per contract year; however contract year 11 and each third anniversary thereafter, the annual fee shall be adjusted to reflect current cost of service. The adjustment of the annual fee shall be limited to a maximum of 5% per annum.

Comm. Phillip Arp made the motion to approve and authorized signing of the contract with Utility Service Group. Second by Comm. Eloyed Fuentes and was unanimously approved.



**DISCUSS AND CONSIDER THE REVISION TO CHAPTER 4-ALCOHOLIC BEVERAGES, SECTION 4.2:**

Chief McNulty reported to the Council that they have had only 3-5 incidents within the eight months trial period, nothing major happened.

The ordinance now reads Section 4-2. Consumption at community center, City Park.

It shall be unlawful for any person to drink, or to bring into or have in his possession for the purpose of drinking, any alcoholic beverage, distilled spirit, liquor, wine and vinous liquor, ale, malt liquor or beer in or upon the premises of the Ballinger Community Center or in or upon the premises of the Ballinger City park.

After discussion of the ordinance, **Comm. Phillip Arp** made the motion to remove and repeal Section 4.2 of the code of ordinance. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

None

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported to the Council that they have been having problem with the RO system, and it is back up working. The City crew is still working on tearing down the building on 8<sup>th</sup> Street. He is still trying to get on the agenda to meet with Region F on the water issues.

**EXECUTIVE SESSION:**

**Comm. Phillip Arp** made the motion to enter into executive session at 5:55 p.m. as authorized by Texas Government Code, Section 551.074 Personnel Matters (City Administrator position). **Second by Comm. Jolene McBurney** and was unanimously approved.


The Council convened in session until 6:15 p.m., and **Comm. Phillip Arp** made the motion to close the executive session. **Second by Comm. Darlene Kelly** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

**Comm. Jolene McBurney** made the motion to remove the word police from the job description. Get the IT Tech to set up an email for receiving application/resume and publish the job notice in the Ballinger Ledger on Thursdays and the Abilene Reporter News and Angelo Standard Times on Sundays for the month of November and TML website until the position is filled. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**ADJOURN:**

**Comm. Darlene Kelly** made the motion to adjourn the meeting at 6:16 p.m. **Second by Comm. Phillip Arp** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary



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

On this the 4th day of November, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police

Others present: Elaine Paske- **City Park Board** Sharon Bowen, Michael Herd, Christy Langston, Robert Langston, Allen Cole- **Citizens**.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:32 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Jolene McBurney was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Jolene McBurney made the motion to approve the minutes of the October 21, 2013 meeting, with noted corrections. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

None

**HEAR THE MONTHLY POLICE ACTIVITY REPORT FROM CHIEF MARK MCNULTY:**

Mark McNulty reported to the Council that the police department took 36 reports, had 13 arrests and answered 417 calls. There was \$4,672.00 collected in court fines. The Council accepted the report has presented.

**DISCUSS AND CONSIDER THE RENEWAL OF THE DISPATCHING CONTRACT WITH RUNNELS COUNTY:**

Mark McNulty reported to the Council that the County has considered hiring another dispatcher to help carry the load of calls that are received from all law enforcement agencies of the County. He feels that this is something that needs to be done, because his officers are put on hold at times and this could sometimes be dangerous. The Council requested that Chief McNulty keep them updated on the process of hiring another dispatcher for the County.

**Comm. Phillip Arp** made the motion to approve the contract with Runnels County for dispatching service. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER APPOINTING BETTY BATTLE TO SERVE ON THE PARK BOARD:**

**Comm. Eloyed Fuentes** made the motion to appoint Betty Battle to serve on the Park Board. **Second by Comm. Jolene McBurney** and was unanimously approved.

**DISCUSS AND CONSIDER SELECTING AN ENGINEER FOR THE TEXAS COMMUNITY DEVELOPMENT SEWER IMPROVEMENT GRANT:**

Tommy reported to the Council that we received four RFP proposals for the engineering service on the \$225,000.00 sewer improvement grant. They have been scored and he recommends that the Council select Enprotec/ Hibbs & Todd, Inc. After further discussion, **Comm. Darlene Kelly** made the motion to hire Enprotec/Hibbs & Rodd, Inc. as the engineers for the sewer improvement grant. **Second by Comm. Jolene McBurney** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Darlene Kelly** made the motion to approve the following building permits:

**New Life Refuge Church-** Move in sea container, Lot 11-12, Block 12- Original Addition. Located at 104 N. 12<sup>th</sup> Street between Hutchings and Railroad Avenues  
\$3,000.00

**Thomas & Tammie Williams-** 10'x20'x8' addition. Lot 6, Block 113- First Railroad. Located at 408 Murrell Avenue between 4<sup>th</sup> and 5<sup>th</sup> Streets  
\$4,445.42

**Conrad Jarmillo-** 20'x20'x7' carport- Part of Lot 2, All of Lot 3, Block 14- Guion Addition. Located at 805 14<sup>th</sup> Street between Sharp and Sargent Avenues  
\$3,000.00

**Second by Comm. Eloyed Fuentes** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported that the five homes should be finished next week and the property owners should be able to move in after signing their final papers. The tractor shredder has been delivered. He received a proposal from Blair Realty for the sale of three lots located at 1505-1507 and 1509 Avenue C. This will have to be put on the next agenda for final approval.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

Consider the proposal for sale of City lots.

**EXECUTIVE SESSION:**

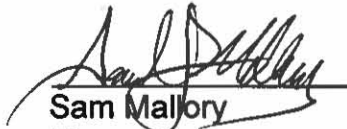
**Comm. Phillip Arp** made the motion to enter into executive session at 6:45 p.m. as authorized by Texas Government Code, Section 551.071 (Consultation with City Attorney (Discuss water right contract with Lloyd Gooselink. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

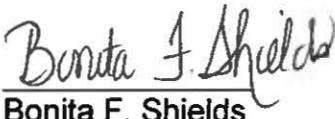
**Comm. Jolene McBurney** made the motion to authorize Lloyd Gooselink to hire INTERA, a hydrologist to review the information from the Thornhill Group, Inc. on the water wells project. **Second by Comm. Phillip Arp** and was unanimously approved.

**ADJOURN:**

**Comm. Darlene Kelly** made the motion to adjourn the meeting at 7:00 p.m. **Second by Comm. Jolene McBurney** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary



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

On this the 18<sup>th</sup> day of November, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
Steve Nixon	Public Works Director

Others present: Sharon Bowen, Michael Herd- **Ballinger Police Dept.**

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:33 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Eloyed Fuentes was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

**Comm. Jolene McBurney** made the motion to approve the minutes of the November 4, 2013 meeting, with noted corrections. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

None

**DISCUSS AND CONSIDER ACCEPTING AN OFFER TO SALE PART OF LOT 3, BLOCK 44-BURKHART SUBDIVISION OF WEST END:**

**Comm. Phillip Arp** made the motion to accept the bid of \$500.00 for the sale of Part of Lot 3, Block 44 of the Burkhardt Subdivision of the West End Addition to Lisa Garcia. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**DISCUSS AND CONSIDER ACCEPTING AN OFFER TO SALE LOTS 1-2-3, BLOCK 53- BURKHART SUBDIVISION OF THE WEST END ADDITION:**

**Comm. Phillip Arp** made the motion to accept the bid of \$4,000 for the sale of Lots 1-2-3, Block 53 of the Burkhardt Subdivision of West End Addition to John and Amanda Kinsey with them being responsible of the title policy and survey. **Second by Comm. Darlene Kelly** and was unanimously approved.

**DISCUSS AND CONSIDER HIRING A MANAGEMENT CONSULTANT FOR THE 2012 HOME PROGRAM CONTRACT ACTIVITES:**

Tommy reported to the Council that we received two RFP'S for a management consultant from KWA Management LLC and Tim Glendening & Associates. Howco sent a letter stating that they could not participate. Tommy recommends to the Council to hire Tim Glendening & Associates.

**Comm. Darlene Kelly** made the motion to hire Tim Glendening & Associates as the management consultants for the 2012 HOME project. **Second by Comm. Eloyed Fuentes** and was unanimously approved.



**CONSIDER APPROVAL OF BUILDING PERMITS:**

**Comm. Jolene McBurney** made the motion to approve the following building permits:

**Mark & Carla Bruha-** Move in 12'x28'cabin/office building- Lots 6-7-8, Block 25- Cameron Subdivision of West End. Located at 1100 Broad Avenue between 11<sup>th</sup> and 12<sup>th</sup> Streets \$6,225.00

**Jian & Xin Zhung-** 49'x60'x30' new home- Lot 1, Block 1- Park Heights Addition. Located at 508 McCarver Drive between Third Street and city park bluff \$100,000.00

**Jerry Brown-** Storage building- Lot 10, Block 3- Vista Grande Addition. Located at 1906 N. 11<sup>th</sup> Street between Sierra Camino and Mesa Del Rey \$1,700.00

**Second by Comm. Phillip Arp** and was unanimously approved.

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy told the Council about the letter from Atmos concerning their rates. The owner of the Executive Inn has requested the City to consider reimbursing them for the cost of applying hot mix/cold lay on the alley between his motel business located between Hutchings and Strong Avenues. The cost for these improvements would be \$12,500.00. The Council was not in favor of doing this. The five homes have been completed and all property owners have moved in.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FROM CITY COUNCIL:**

Nothing suggested.

**EXECUTIVE SESSION:**

**Comm. Phillip Arp** made the motion to enter into executive session at 6:50 p.m. as authorized by Texas Government Code, Section 551.074 Personnel Matters (Review application received for City Administrator's position). **Second by Comm. Jolene McBurney** and was unanimously approved.


The Council convened in session until 7:10 p.m., and **Comm. Jolene McBurney** made the motion to close the executive session. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

No action taken.

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 7:30 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

  
Sam Mallory  
Mayor

**ATTEST:**

  
Bonita F. Shields  
City Secretary

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

On this the 2<sup>nd</sup> day of December, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

City Staff:

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
Steve Nixon	Public Works Director

Others present: Sam Batts, Sharon Bowen, Michael Herd-Police Dept., Tom Briley-Texas Disposal Systems.

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:35 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Phillip Arp was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Jolene McBurney made the motion to approve the minutes of the November 18, 2013 meeting. **Second by Comm. Darlene Kelly** and was unanimously approved.

**VISITORS:**

Tom Briley with Texas Disposal Systems met with the Council to inform them that their company is now open in San Angelo with their garbage disposal business. They have contracted with ASU and have a meeting tonight with the City of Mertzon. He understands that our contract with Republic is still in effect for several more years, but he wanted to introduce the company and let the Council know that they would like the opportunity to serve the City of Ballinger.

Mark McNulty presented the Council with the monthly police activity report. The report shows that they took 33 reports, 20 arrests, 6 drug cases. The report also shows burglary of homes and businesses which the department feels are associated with the drug cases. Mark also questioned if the Council was aware of the Chamber having a parade at night on December 19, 2013.

Tommy reported that they had two companies look at the building at 607 Strong Avenue to give estimates for the repair to the foundation. The police department would like to get the building and convert it for the police department offices. The building belongs to the United Methodist Church and they are asking \$5,000.00 for it. Mark stated that he felt with the proper changes, it would work and give the police department the space they need. The Municipal court office could also move to this building.

**CONSIDER A RESOLUTION DECLARING THE ELECTION RESULTS TO BE CORRECT:**

The resolution shows Sam Mallory for Mayor was unopposed, Philip Arp for Single Member District #1, and Darlene Kelly for Single Member District # 2 were



also unopposed. The election was cancelled and the candidates were declared elected to their seats for another two years.

**Comm. Phillip Arp** made the motion to approve the resolution as presented. **Second by Comm. Darlene Kelly** and was unanimously approved.

**THE NEWLY ELECTED OFFICERS WILL BE ADMINISTERED THE OATH OF OFFICE BY THE CITY SECRETARY:**

Sam Mallory, Phillip Arp and Darlene Kelly were administered the oath of office by City Secretary Bonita F. Shields.

**CONSIDER SETTING THE TIME AND PLACE FOR THE REGULAR AND SPECIAL COUNCIL MEETINGS:**

**Comm. Darlene Kelly** made the motion to leave the meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Mondays of each month at 5:30 p.m. in the Council Chamber of City hall. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER SETTING THE SALARY FOR THE MAYOR AND COMMISSIONERS OF THE COUNCIL:**

**Comm. Phillip Arp** made the motion to leave the salary for the Mayor at \$500.00 annually and for the Commissioners at \$250.00 annually. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER APPOINTING A MAYOR PRO-TEM:**

**Comm. Phillip Arp** made the motion to leave Darlene Kelly as the Mayor Pro-tem. **Second by Comm. Jolene McBurney** and was unanimously approved.

**DISCUSS AND CONSIDER THE PURCHASE OF CHURCH LOCATED AT 607 STRONG AVENUE:**

**Phillip Arp** made the motion to purchase the building located at 607 Strong Avenue from the United Methodist Church for the amount of \$5,000.00. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

None

**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy reported to the Council that Ameresco had finished their survey of the City facilities and the accuracy of the water meters. They found that the water meters are 98-99% accurate and they could not find an area that would save the City any money, therefore; the City does not have to pay for the surveys. Ameresco stated that if the City decided to install the electronic read meters in the future, they would be interested in being the project manager.

Tommy stated that the report on the trihalomethanes for the quarter came in good. The reading at the airport was 74% and at J. B. Teters house was 66%. This is evidence that the R/O system is working. The City will have to get two more quarters with good readings before the City can stop having sending out the violation letters.

The building on S 8<sup>th</sup> Street is completely down. Mark Willingham will be working with the City's insurance company for the damages that were made to his building.

**HEAR REQUEST FOR FUTURE AGENDA ITEMS FRO THE COUNCIL:**

The mobile home ordinance needs to be drawn up and presented to the Council for finalization.

**EXECUTIVE SESSION:**

**Comm. Darlene Kelly** made the motion to enter into executive session at 6:00 p.m. as authorized by Texas Government Code, Section 551.075 Personnel Matters (Review the applications for City Administrator's position). **Second by Comm. Jolene McBurney** and was unanimously approved.

The Council convened in session until 6:25 p.m., and **Comm. Jolene McBurney** made the motion to close the executive session. **Second by Comm. Eloyed Fuentes** and was unanimously approved.


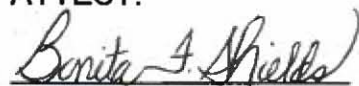


**ACTION FROM EXECUTIVE SESSION:**

None

**ADJOURN:**

**Comm. Jolene McBurney** made the motion to adjourn the meeting at 6:26 p.m. **Second by Comm. Darlene Kelly** and was unanimously approved.

  
\_\_\_\_\_  
Sam Mallory  
Mayor**ATTEST:**  
\_\_\_\_\_  
Bonita F. Shields  
City Secretary

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

On this the 16<sup>th</sup> day of December, 2013 the Ballinger City Council met in regular session at 5:30 p.m., in the Council Chamber of the City Hall located at 700 Railroad Avenue with the following members present:

Sam Mallory	Mayor
Phillip Arp	Commissioner # 1
Darlene Kelly	Commissioner # 2
Jolene McBurney	Commissioner # 3
Eloyed Fuentes	Commissioner # 4

**City Staff:**

Bonita Shields	City Secretary
Tommy New	City Manager
Ebb Grindstaff	City Attorney
Mark McNulty	Chief of Police
Steve Nixon	Public Works Director

Others present: Ruben Cantu- **Ballinger Ledger**, Martin Rochelle, Cristina Ramage- **Lloyd, Gooselink, Rochelle & Townsend, P.C.**, Scott Hay-**Enprotec/Hibbs & Todd, Inc.**

**CALL TO ORDER:**

Mayor Sam Mallory called the meeting to order at 5:30 p.m.

**PRAYER AND PLEDGE OF ALLEGIANCE:**

Comm. Darlene Kelly was asked to lead the group in a word of prayer and the pledge of allegiance.

**CONSIDER APPROVAL OF MINUTES:**

Comm. Jolene McBurney made the motion to approve the minutes of the December 9, 2013 special called meeting, with noted corrections. **Second by Comm. Eloyed Fuentes** and was unanimously approved.

**VISITORS:**

None

**CONSIDER A RESOLUTION REGARDING ACCEPTANCE OF CONTRACT WORK AND REQUEST FOR RELEASE OF FINAL PAYMENT ON 2006 DWSRF PROJECT # 61114:**

Comm. Phillip Arp made the motion to pass a resolution accepting the contract work and request the release of final payment on 2006 DWSRF project # 61114. **Second by Comm. Jolene McBurney** and was unanimously approved.

**DISCUSS AND CONSIDER APPROVAL OF THE REVISED MOBILE HOME AND TRAILER PARK ORDINANCE:**

Ebb Grindstaff told the Council the only changes made were references and the distance allowed to place a mobile home or trailer park from the City limits. Comm. Jolene McBurney questioned the wording for extra storage space at trailer parks or mobile home sites. She also noted a few typing correction 16B-20, 16B-66. **Comm. Jolene McBurney** made the motion to table any action on the revised mobile home /trailer park ordinance until the next meeting. **Second by Comm. Darlene Kelly** and was unanimously approved.

**CONSIDER APPROVAL OF BUILDING PERMITS:**

None



**HEAR THE CITY ADMINISTRATOR'S BI-WEEKLY REPORT:**

Tommy requested that the City employees be given an extra day off for Christmas. They will be off Wednesday and Thursday per the personnel policy, and he asked that they be allowed to be off Friday December 27<sup>th</sup>. After discussion, the Council agreed to grant the extra day off.

**HEAR REQUEST FOR FUTURE AFENDA ITEMS FROM CITY COUNCIL:**

The Council requested to receive the financial statement.

**EXECUTIVE SESSION:**

**Comm. Phillip Arp** made the motion to enter into executive session at 5:45p.m. as authorized by Texas Government Code, Section 551.071- Consultation with City Attorney and Section 551.072 the Deliberation regarding real property exception ( Discuss alternative water source with Enprotec/Hibbs & Todd and Lloyd Gooselink, Rochelle & Townsend, P.C. and Section 551.074 Personnel matters to review applications received for the City Administrator's position.) **Second by Comm. Eloyed Fuentes** and was unanimously approved.

The Council convened in executive session until 7:50 p.m., and **Comm. Jolene McBurney** made the motion to close the session. **Second by Comm. Phillip Arp** and was unanimously approved.

**ACTION FROM EXECUTIVE SESSION:**

**Comm. Jolene McBurney** made the motion to authorize Martin Rochelle with Lloyd, Gooselink, Rochelle & Townsend, P. C. to meet with the attorney for USA International to discuss issue that were found from the Lloyd, Gooselink's study to see if USA International could provide more information on the availability of water and if USA International would be interested in hiring another hydrologist to do more testing at their expense to clarify the City's water right attorney's finding in the report they were provided. **Second by Comm. by Eloyed Fuentes** and was unanimously approved.

**Comm. Darlene Kelly** made the motion to select Peter Kampfer, Brent McCellan, Victor Pena, Jason Battle, Lynn Barrett, Steve Nixon to interview for the City Administrator's position starting January 8, 2014, and ask Steve Nixon to be the Interim City Administrator effective January 1, 2014 until final selection for the City Administrator's position has been made. **Second by Comm. Jolene McBurney** and was unanimously approved.

**ADJOURN:**

**Comm. Darlene Kelly** made the motion to adjourn the meeting at 7:55 p.m. **Second by Comm. Jolene McBurney** and was unanimously approved.

  
 Sam Mallory  
 Mayor
**ATTEST:**
  
 Bonita F. Shields  
 City Secretary