

CITY OF ENNIS COMMISSION REGULAR MEETING

OCTOBER 7, 2013

7:00 P.M.

Mayor Thomas called the meeting to order at 7:00 p.m. on October 7, 2013, in the City Commission Chambers of the City of Ennis Municipal Building, 115 W. Brown Street, Ennis, Texas 75119.

PRESENT: Mayor Thomas, Commissioners Salik, Frazier, Haupt, Walker, Searcy, and Holley, City Manager Howerton, City Attorney Wilson, Chief Erisman, City Secretary Batchler, and News Media.

INVOCATION: Commissioner Holley

PLEDGE OF ALLEGIANCE was led by Mayor Thomas.

ROLL CALL to determine the presence of a quorum: The City Secretary called the roll and determined that a quorum was present.

MINUTES of the September 16, 2013, workshop were approved as presented on a motion by Commissioner Holley, seconded by Commissioner Haupt with all members present voting AYE. Minutes of the September 16, 2013, regular meeting were approved as presented on a motion by Commissioner Salik and seconded by Commissioner Holley with all members present voting AYE.

BID AWARDS

“E 14-01” MISCELLANEOUS UTILITY DEPARTMENT MATERIALS. Twelve (12) bidders submitted bids for one or more items contained in the “E 14-01” request for bid proposal. City Manager Howerton recommended award to the low qualified bidders in the unit price amounts specified as follows:

Sand (2,000 Tons)	Hunter Excavation	\$13.50/Ton
Pea Gravel (2,000 Tons)	Trinity Materials	\$13.50/Ton
Gravel (3,000 Tons)	Trinity Materials	\$17.00/Ton
Wash Rock (1,000 Tons)	Trinity Materials	\$18.00/Ton
Water Meters, ¾” (500)	Aqua-Metric Sales	\$58.47/Ea.

Water Meters, 1” (50)	Aqua-Metric Sales	\$126.95/Ea.
Water Meters, 1.5” (30)	Aqua-Metric Sales	\$415.26/Ea.
Water Meters, 2” (50)	Aqua-Metric Sales	\$582.64/Ea.
Liquid Chlorine	DPC Industries Inc.	\$489.00/Ton
Liquid Sulphur Dioxide WWTP (275 150 lb Cylinders annually)	DPC Industries Inc.	\$138.00/Cyl
Sludge Dewatering Flocculent WWTP (6-270 Gal. containers)	Polydyne, Inc.	\$2,576.00/Tote
Aluminum Sulfide Flocculent Coagulant Water Plant (1.1 Billion Gals. Treatment)	Brenntag Southwest Inc.	\$0.2874/Lb
Activated Carbon (85,000 Lbs)	Southwest Chemical	\$1.20/Lb
12,000 gallons annually-MPOX 40	Musol LTD	\$6.97/Gal
15,000 pounds annually Anhydrous	Airgas Products	\$0.78/Lb
6,500 Lb-Potassium Permanganate (Water Plant)	Southwest Chemicals	\$1.67 Lb

Should the recommended low qualified bidders be unable to provide materials in accordance with required quantities or bid specifications, then the next low qualified bidders will be used.

Commissioner Haupt moved to accept the bids as recommended. Commissioner Frazier seconded with all members in attendance voting AYE.

“E 14-02” MISCELLANEOUS STREET DEPARTMENT MATERIALS Four (4) bidders submitted bids for one or more items contained in the “E 14-02” request for bid proposal. City Manager Howerton recommended award to the low qualified bidders in the unit price amounts specified as follows:

Cold Mix Asphalt 1,600 Tons Picked Up	APAC Texas, Inc. Tyler, TX 75703	\$72.00 per Ton
Cold Mix Asphalt 1,600 Tons Delivered	APAC Texas, Inc. Tyler, TX 75703	\$78.00 per Ton
Cushion Sand 500 Yards	Hunter Excavation Inc. Ennis, TX 75119	\$ 8.00 per Cubic Yard
Select Fill 800 Yards	Hunter Excavation Inc. Ennis, TX 75119	\$ 7.50 per Cubic Yard
White Masonry Sand 100 Yards	Hunter Excavation Inc. Ennis, TX 75119	\$65.00 per Cubic Yard
Limestone (Flexbase) 1,200 Tons	Trinity Materials, Inc. Ferris, TX 75125	\$17.00 per Ton
Hot Mix Asphalt 4,000 Tons Picked Up	APAC Texas, Inc. Tyler, TX 75703	\$69.00 per Ton
Hot Mix Asphalt 4,000 Tons Delivered	APAC Texas, Inc. Tyler, TX 75703	\$75.00 per Ton
5 Sack Concrete 350 Yards	Top Cat Ready Mix LLC Scurry, TX 75158	\$94.00 per Cubic Yard
6 Sack Concrete 350 Yards	Top Cat Ready Mix LLC Scurry, TX 75158	\$96.00 per Cubic Yard
8 Sack Concrete 350 Yards	Top Cat Ready Mix LLC Scurry, TX 75158	\$107.00 per Cubic Yard

Should the recommended low qualified bidders be unable to provide materials in accordance with required quantities or bid specifications, then the next low qualified bidders will be used.

Commissioner Salik moved to award the bids as presented and seconded by Commissioner Walker. All members in attendance voted AYE.

PUBLIC HEARING

ORDINANCE 13-10-01 APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION, REGARDING THE COMPANY'S 2013 ANNUAL RATE REVIEW MECHANISM.

At 7:07 p.m., Mayor Thomas opened the Public Hearing on Ordinance 13-10-01 approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, regarding the company's 2013 Annual Rate Review Mechanism. Atmos Mid-Tex RRM sought a \$22.7 million rate increase system wide. The Atmos Cities Steering Committee proposed a \$16.6 million system-wide increase under the Annual Rate Review Mechanism. Under the settlement the expected increase to the average residential customer's bill is approximately \$0.74 per month. Ordinance 13-10-01 approves the ARRM increase of \$16.6 million system-wide. Caption of Ordinance 13-10-01 follows:

ORDINANCE NO. 13-10-01

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2013 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; REPEALING CONFLICTING RESOLUTIONS OR ORDINANCES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; PROVIDING A MOST FAVORED NATIONS CLAUSE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL

Commissioner Walker moved to pass and approve the Ordinance on first reading and Commissioner Haupt seconded the motion. The Mayor stated that the motion was made under the public hearing and asked for public comment. There was none. All members in attendance voted AYE.

At 7:08 p.m. Commissioner Holley moved to close the Public Hearing and Commissioner Searcy seconded the motion. All members in attendance voted AYE.

NEW BUSINESS

RESOLUTION 13-10-02 NOMINATING A CANDIDATE FOR THE BOARD OF DIRECTORS OF THE ELLIS APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE YEARS 2014-2015.

Commissioner Haupt moved to nominate C. T. (Tom) Abram as a candidate for the Board of Directors of the Ellis Appraisal District for the years 2014-2015. Commissioner Salik seconded the motion and all members in attendance voted AYE.

AMENDMENT NO. 2 TO WATER TOWER LEASE AGREEMENT DALLAS MTA, dba VERIZON WIRELESS.

Verizon Wireless is proposing to increase their antenna array by twenty-one percent. The city is currently receiving \$2990.00 per month, \$35,880.00 annually, under the amended agreement the city will be receiving a twenty-one percent increase. The amended agreement will allow for Extension Rentals as follows: 2nd five year extension the rental will increase to \$49,956.00, 3rd five year extension the rental will increase to \$57,449.40, and the 4th five year extension the rental will increase to \$66,066.81 City staff recommended approval of Amendment No. 2 to the Water Tower Lease Agreement with Verizon Wireless.

Commissioner Salik moved to approve the amendment and Commissioner Walker seconded the motion. All members in attendance vote AYE.

PUBLIC FACILITIES USE PERMIT 2013 CHRISTMAS PARADE – ENNIS CHAMBER OF COMMERCE AND LIGHTS OF ENNIS.

The Ennis Chamber of Commerce and the Lights of Ennis have made application for a Public Facilities Use Permit for the 2013 Christmas Parade for Thursday, December 5, 2013 with the Lighting at 5:00 p.m. and the Parade following at 6:00 p.m. The Lighting will be West. Knox St. to West Ennis Ave. The parade route will be North Clay St. to West Ennis Ave. to Northwest Main St. to West Denton St. to the corner of North Dallas St. and West Knox St. The Ennis Chamber of Commerce will provide liability insurance naming the City of Ennis as insured.

Commissioner Haupt moved to approve the permit, seconded by Commissioner Holley and all members in attendance voted AYE.

PUBLIC FACILITIES USE PERMIT DAMASCUS ROAD FELLOWSHIP CHURCH

The Damascus Road Fellowship Church has made application for a Public Facilities Use Permit for December 1, 2013 and December 8, 2013 between the hours of 10:00 a.m. and 1:00 p.m. for the use of the corner of 116 West Ennis Ave. and Dallas Street (sidewalk and curb). Liability insurance naming the City of Ennis as insured has been provided.

Commissioner Salik moved to approve the Public Facilities Use Permit, seconded by Commissioner Haupt. All members in attendance voted AYE.

EXECUTIVE SEARCH FIRM RECRUITMENT OF CITY MANAGER.

Three Executive Search Firms submitted proposals for the recruitment of City Manager. They were Chris Hartung Consulting, LLC of Arlington, Texas, Strategic Government Resources of Keller, Texas, and Ralph Anderson & Associates of Rocklin, California.

Mayor Thomas moved that the city contract with Chris Hartung Consulting LLC to be the Executive Search Firm to find a new city manager for the City of Ennis. Commissioner Holley seconded and all members in attendance voted AYE.

EXECUTIVE SESSION PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE, ANN. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS – NATIONAL REGISTER HISTORIC DOWNTOWN DISTRICT REDEVELOPMENT PROJECT.

At 7:16 p.m. the Mayor requested a motion to adjourn into Executive Session pursuant to Section 551.087 of the Texas Government Code, Ann. deliberations regarding Economic Development negotiations for a National Register Historic Downtown District Redevelopment Project. Commissioner Haupt moved to adjourn and Commissioner Frazier seconded, with all members in attendance voting AYE.

At 8:26 p.m. the Mayor reconvened the meeting into Regular Session and stated after deliberations during Executive Session under Section 551.087 of the Texas Government Code, Ann. regarding Economic Development negotiations for a National Register Historic Downtown District Redevelopment Project no action will be taken.

OLD BUSINESS

APPOINTMENTS TO CITY OF ENNIS BOARDS AND COMMISSIONS: The was no action taken.

REQUEST FROM CITY COMMISSION AND ROUNDTABLE: Commissioner Haupt requested that the grass surrounding the bridge near the Country Club be mown more often. Commissioner Walker asked if there are any plans to replace the lighting on the tennis courts at Jaycee's Park. City Manager Howerton responded that we have not budgeted for replacement this year.

With no further business, Mayor Thomas adjourned the meeting at 8:27 p.m.

ATTEST:

Russell R. Thomas, Mayor

Donna Batchler, City Secretary