

## CITY OF ENNIS COMMISSION REGULAR MEETING

September 8, 2015

7:00 P.M.

Mayor Thomas called the meeting to order at 7:00 p.m. on September 8, 2015, in the City Commission Chambers of the City of Ennis Municipal Building, 115 W. Brown Street, Ennis, Texas 75119.

PRESENT: Mayor Thomas, Commissioners Salik, Hernandez, Hackney, Walker, Searcy, and Holley, City Manager Ewing, City Attorney Wilson, City Secretary Batchler, Chief Erisman, Chief Aycock, Director of Finance Welch, Economic Development Coordinator Nelson, and Chief Building Inspector Richardson.

INVOCATION: Commissioner Hackney

PLEDGE OF ALLEGIANCE was led by Mayor Thomas.

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

### MINUTES

Minutes of the August 17, 2015, workshop were approved as presented on a motion by Commissioner Holley and seconded by Commissioner Hackney with all members in attendance voting AYE. Minutes of the August 17, 2015, regular meeting were approved as presented on a motion by Commissioner Searcy. Seconded by Commissioner Walker with all members present voting AYE. Minutes of the August 25, 2015, Special Workshop were approved as presented on a motion by Commissioner Searcy. Seconded by Commissioner Salik with all members present voting AYE. Minutes of the August 25, 2015, Special Meeting were approved as presented on a motion by Commissioner Holley. Seconded by Commissioner Searcy with all members present voting AYE. 7-AYES, 0-NOES Measures carried.

### CITIZENS REQUEST FOR PUBLIC HEARING

Alan Eddins: Spoke regarding EEDC budget to direct funds for a law enforcement facility and addressed the city's fund balance to be redirected to fund canine/narcotic officer and narcotic division as presented by Chief Erisman.

Gerald Collier: Spoke regarding the bicycle patrol placed at stadium to curtail drinking.

David Pagan: Spoke regarding the disconnect in communication within the city commission/city staff and expectations suggesting policy implemenations and setting goals.

Scott Hejny: Spoke regarding the resignation of the city manager. Stating we don't need a new city manager we need Mr. Ewings. He listed Ewings' accomplishments. Suggested that a separate board be set up to govern the CCPD. Called for commissioners to step down.

Steve Holsten: Spoke regarding decorum of previous meetings and the resignation of the city manager. Called for commissioners to step down.

Jerry Holland: Spoke regarding the accomplishments of the city manager. Urged the commission to ask Mr. Ewings to rescind his notice of resignation.

Jerold Nichols: Spoke regarding the city manager's resignation and urged the commission to ask him to rescind his notice. Suggested the commission should step down.

Lane Grayson: Spoke regarding the city manager's resignation and urged the commission to ask Mr. Ewings to rescind his notice.

Mike Montgomery: Spoke regarding the EEDC progress and relationship with the city commission. Requested that the commission consider the appointment of Betty Glaspy as Board Director of the Ennis Economic Development Commission.

Buck Marshall: Spoke regarding the city manager's resignation and urged the commission to ask Mr. Ewings to rescind his notice.

Dave Lindauer: Spoke regarding the city manager's resignation and urged the commission to ask Mr. Ewings to rescind his notice. Spoke on all the positive things that are happening in Downtown Ennis and the momentum that is building. He urged the commission to keep the ball rolling forward.

Pam Gentry: Spoke regarding the city manager's resignation and urged the commission to ask Mr. Ewings to rescind his notice.

Irene Vitovsky: Spoke regarding the city manager's resignation and urged the commission to ask Mr. Ewings to rescind his notice. Challenged all commissioners to attend all the meetings. Urged to them to work together. Asked Ennis Daily News to print the attendance of the commissioners.

Frank Weaver: Spoke regarding the city manager's resignation and urged the commission to ask Mr. Ewings to rescind his notice. Asked the commissioner to go back to the original CCPD board and honor the proposed budget of the CCPD.

Wes Poole: Spoke regarding the city manager's accomplishments and his resignation. Urged the commission to ask Mr. Ewings to rescind his notice.

Steve Fallen: Spoke regarding the city manager's resignation and urged the commission to ask Mr. Ewings to reconsider his notice.

## SECOND READING

### ORDINANCE 15-09-06

#### AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, ADOPTING THE BUDGET AND APPROPRIATING RESOURCES FOR THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE

|  |              |
|--|--------------|
| 001 General Fund                             | \$13,593,792 |
| 005 Debt Service Fund                        | 3,550,096    |
| 111 Crime Control & Prevention District Fund | 695,800      |
| 214 Tourism Fund                             | 280,257      |
| 225 LEOSE Fund                               | 2,000        |
| 235 Police Forfeiture Fund                   | 54,240       |
| 236 Police Narcotics Fund                    | 14,240       |
| 258 Court Technology Fund                    | 12,685       |
| 302 Water & Sewer Fund                       | 8,562,418    |
| 303 Water and Sewer Capital Projects         | 4,010,000    |
| 312 Airport Fund                             | 193,130      |
| 357 Sanitation Fund                          | 1,308,572    |
| 401 Street Reconstruction Fund               | 807,000      |
| 402 Capital Project Bond Fund                | 6,615,000    |
| 506 Library Endowment                        | 10,500       |
| 520 Museum Endowment                         | 600          |

554 Fallen Library Trust

6,915

Total Expenditures

39,717,245

Commissioner Salik stated: "I move to adopt the Budget and appropriating resources for the 2015-2016 Fiscal Year commencing October 1, 2015." Commissioner Holley seconded and Mayor Thomas, Commissioners Salik, Hernandez, Hackney, Walker, Searcy, and Holley voted AYE. 7-AYES, 0-NOES Measure carried. Passed, Approved and Adopted on second and final reading.

RATIFICATION OF PROPOSED TAX INCREASE

Commissioner Salik stated: "I move to ratify the property tax increase in revenue by an amount of \$134,931.00 which is a 1.37648 percent increase from last year's budget." Commissioner Hackney seconded the motion and Mayor Thomas, Commissioners Salik, Hernandez, Hackney, Walker, Searcy and Holley voted AYE. 7-AYES, 0-NOES Measure carried.

ORDINANCE 15-09-07

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, FIXING THE TAX RATE FOR THE CITY OF ENNIS, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; PROVIDING FOR COLLECTION DATES AND PENALTIES; PROVIDING AN EFFECTIVE DATE

|                                 |                    |
|---------------------------------|--------------------|
| For the General Fund            | \$ 0.439891        |
| For the Interest & Sinking Fund | <u>\$ 0.229283</u> |
| TOTAL                           | \$ 0.669174        |

Commissioner Salik stated: "I move that the property tax rate be increased by the adoption of a tax rate of \$0.669174 which is effectively a 1.45640 percent increase in the tax rate." Commissioner Walker seconded the motion and Mayor Thomas, Commissioners Salik, Hernandez, Hackney, Walker, Searcy, and Holley voted AYE. 7-AYES, 0-NOES Measure carried. Passed, Approved and Adopted on second and final reading.

ORDINANCE 15-09-08

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, APPROVING THE ENNIS CRIME CONTROL AND PREVENTION DISTRICT FY 2015-2016 BUDGET AND APPROPRIATING FUNDS FOR RELATED PROGRAMS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Specific Control and Prevention Programs FY 2016

|  |               |
|--|---------------|
| Law Enforcement Facility                 | \$ 580,910.00 |
| Bicycle Patrol                           | 48,800.00     |
| Crime Prevention                         | 97,000.00     |
| Totals                                   | \$ 726,710.00 |
| Estimated Revenue from Sales and Use Tax | \$ 726,710.00 |

Estimated Balance at the end of the year                      \$ 141,600.00

Sales tax rate of .025% or one-fourth of one percent.

Commissioner Holley stated: "I move to approve the Crime Control and Prevention District budget as submitted tonight by the CCPD Board of Directors." Seconded by Commissioner Hackney. Commissioners Hernandez, Hackney, Walker, Searcy, and Holley voted AYE. Mayor Thomas and Commissioner Salik voted NO. 5-AYES, 2-NOES Measure carried. Passed, Approved, and Adopted on second and final reading.

ORDINANCE APPROVING THE FY 2015-2016 ENNIS ECONOMIC DEVELOPMENT CORPORATION BUDGET.

No action was taken

NEW BUSINESS

RESOLUTION 15-09-01

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, APPROVING AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE, TEXAS CAPITAL FUND.

*Award for Sterilite Corporation Public Infrastructure Improvements \$750,000.00*

Commissioner Salik moved to Pass and Approve the Resolution. Commissioner Walker seconded and all members in attendance voted AYE. 7-AYES, 0-NOES Measure carried.

RESOLUTION 15-09-02

A RESOLUTION AWARDING THE ROOF REPAIR BIDS, KPOST ROOFING AND NATIONS ROOFING IN THE TOTAL AMOUNT OF \$85,694; PROVIDING AN EFFECTIVE DATE.

KPost Roofing is awarded roof repairs to buildings water treatment plant, waste water treatment plant, railroad museum, and baggage building in the amount of \$40,284. Nations Roofing is awarded roof repairs to buildings located at the wastewater treatment plant and the visitor center in the amount of \$45,410.

Commissioner Hackney moved to Pass and Approve the Resolution. Commissioner Holley seconded and all members in attendance voted AYE. 7-AYES, 0-NOES Measure carried.

RESOLUTION 15-09-03

RESOLUTION OF CANDIDATE NOMINATIONS FOR THE ELLIS APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE YEARS 2016-2017

The City of Ennis, Texas submits the following nominations(s) for Board of Directors of the Ellis Appraisal District for 2016-2017: TOM ABRAM

Commissioner Walker moved to Pass and Approve the Resolution nominating Tom Abrams to the Board of Directors of the EAD for 2016-2017. Commissioner Holley seconded and all members in attendance voted AYE. 7-AYES, 0-NOES Measure carried.

#### RESOLUTION 15-09-04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, AUTHORIZING THE FINAL PAYMENT IN THE AMOUNT OF \$8,458.26 UNDER THE HISTORIC PRESERVATION GRANT PROGRAM FOR PROPERTY IMPROVEMENTS AT 210 NORTH DALLAS.

Commissioner Salik moved to Pass and Approve the Resolution approving final payment on the Historic Preservation Grant for the property at 210 N. Dallas. Commissioner Walker seconded and all members in attendance voted AYE. 7-AYES, 0-NOES Measure carried.

#### RESOLUTION 15-09-05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS, AUTHORIZING A GRANT IN THE AMOUNT OF \$29,222.38 UNDER THE HISTORIC PRESERVATION GRANT PROGRAM FOR PROPERTY IMPROVEMENTS AT 204 WEST KNOX.

Commissioner Salik moved to Pass and Approved the Resolution authorizing the Historic Preservation Grant to the property located at 204 W. Knox. Commissioner Searcy seconded and all members in attendance voted AYE. 7-AYES, 0-NOES Measure carried.

#### BOARDS AND COMMISSION APPOINTMENTS

Commissioner Walker moved to approve the appointment of J'Layna Betik to the Library Board. Commissioner Holley seconded and all members in attendance voted AYE. 7-AYES, 0-NOES Measure carried.

Commissioner Salik moved to approve the appointment of Betty Glaspy to the Ennis Economic Development Corporation Board of Directors. Commissioner Walker seconded and all members in attendance voted AYE. 7-AYES, 0-NOES Measure carried.

#### EXECUTIVE SESSION

Executive Session pursuant to the Texas Government Code, Ann. §551.074 Texas Open Meetings Act-Personnel Matters-City Secretary; City Manager. Mayor Thomas adjourned into Executive Session at 8:00 p.m.

#### RESULTS OF EXECUTIVE SESSION

At 8:25 p.m. Mayor Thomas reconvened into open session. Mayor Thomas entertained a motion to accept the agreements for interim city secretary and an interim city manager. Commissioner Walker moved to accept the agreements and Commissioner Holley seconded. Commissioners Hernandez, Hackney, Walker, Searcy, and Holley voted AYE. Mayor Thomas and Commissioner Salik voted NO. 5-AYES, 2-NOES Measure carried.

CITY COMMISSION REQUEST AND ROUNDTABLE

Commissioner Salik stated this commission is like planting a crop. You get your good seeds, you get your bad seeds. You get your good seeds to grow and you throw the bad seeds out. That's how I see us getting a new city manager. I very upset. Commissioner Hernandez thanked each and everyone for coming and voicing your opinions and thoughts. Commissioner Hackney thanked everyone for coming out. He offered his phone number and email to those in attendance that would like to speak with him. Commissioner Walker stated that he is sorry that it came to this. He urged the commissioners to rally together and put our differences to the side. We need to unite, we need to communicate and to continue to push forward to do what is best for our city and citizens. Thank you for coming. Commissioner Searcy thanked everyone for coming out. She said she is disappointed that Mr. Ewings is leaving and wishes him the best. Commissioner Holley stated he could not be sadder for the situation that the city, the citizens and commission find themselves in tonight. He wished proactive steps could have been taken to avoid us getting here. Every single person here should put aside their differences they may have. We know we have to find a new city manager. We know it is a very important decision and it is incumbent upon all of us to unify and do exactly that. Again thank you for being here especially those that spoke tonight. Mayor Thomas stated thanks to all of you, I am proud to live in Ennis, Texas.

Mayor Thomas adjourned the meeting at 8:30 p.m.

ATTEST:

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Russell R. Thomas, Mayor

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Donna Batchler, City Secretary



