

## **TOLAR CITY COUNCIL MINUTES – MARCH 16, 2009 – REGULAR MEETING**

The City of Tolar Council met on March 16, 2009 at 7:00 P.M.

Present: Terry Johnson, Mayor  
Charles Carroll  
Lindsay Morgan  
Barbara Gilliam  
Kevin Fron

Absent: Matt Hutsell

City Staff Present: Joyce Johnson, City Secretary  
Jeff Mackey, Director of Public Works  
David Dodd, City Attorney

Citizens Present: Bill Haynes  
Scott & Michele Knapp  
Clint Bissett  
Gandolf Burrus  
Cheryl Merritt  
Caroline McLane

### **CALL TO ORDER**

A quorum was established and the regular meeting/planning and zoning was called to order at 7:00 P.M.

### **ROLL CALL**

Lindsay Morgan, Barbara Gilliam and Kevin Fron were all present.  
Charles Carroll arrived at 7:10 p.m. Matt Hutsell was absent.

Note: Agenda was not presented in order as written

### **NEW BUSINESS**

F. Discuss and accept reports from city attorney David Dodd concerning sexually oriented business study.

This study was presented to the Planning and Zoning/Council members in verbal and written form.

Motion by Lindsay Morgan, second by Barbara Gilliam to accept study as presented to the Planning and Zoning Commission.

Motion carried 3-0

Motion by Kevin Fron, second by Lindsay Morgan to accept study as presented to the Council.

Motion carried 3-0

G. Discuss and consider approval of Ordinance 09-02 regulating the operation of sexually oriented businesses

This ordinance was presented to the Planning and Zoning/Council members in verbal and written form.

Motion by Barbara Gilliam to accept Ordinance 09-02 as presented to the Planning and Zoning Commission.

Motion carried 4-0

Motion by Lindsay Morgan, second by Kevin Fron to accept Ordinance 09-02 as presented to the Council.

Motion carried 4-0

D. Presentation regarding option for utilization on unexpended grant funds under CDBG WWTP 727490.

Gandolf Burrus presented council with written background information concerning the unexpended grant funds. At present time there is \$ 106,750.00 dollars in left over funds that need to be spent for improvements to the wastewater plant. Engineer Clint Bissett has been in contact with Jeff Mackey concerning new blowers for the wastewater plant. New blowers would run quieter, and be more energy efficient.

E. Discuss and possibly take action on engineering proposal for engineering cost incurred in connection with plans and design for unexpended grant funds under CDBG WWTP 727490.

Gandolf Burrus will be doing the administration for budget amendment for CDBG WWTP 727490 for an additional \$ 1500.00 and requested permission from council to do so.

Motion by Charles Carrroll, second by Kevin Fron to request that Gandolf Burrus administer grant for additional \$ 1500.00 dollars.

Motion carried 4-0

Clint Bissett presented council with a proposal of \$ 3750.00 dollars for additional engineer fees to procure bids and oversee the installation of new blowers.

Motion by Charles Carroll, second by Barbara Gilliam to accept proposal from Clint Bissett for engineering services.

Motion carried 4-0

A. Discuss and consider request by Scott Knapp for utility service for property located on Tolar Cemetery Rd.

Mr. Knapp is not going to build duplexes as originally planned, instead would like to build one home. Requesting to tap into the existing 2" existing line in lieu of laying news line as originally required. Jeff Mackey has done pressure testing on existing lines and they were not affected. Recommends that council grant request for utility service.

Motion by Lindsay Morgan, second by Barbara Gilliam to approve request for utility service.

Motion carried 4-0

B. Discuss and consider appointing Bill Haynes as Interim Chief of Police.

Council member Lindsay Morgan has checked references, all were good. Mr. Haynes is highly recommended. Mr. Haynes would be able to start now, with existing reserves we should have 24 hour protection. Hours to be worked and pay amount was discussed. Council agreed to pay \$ 20.00 per hour for thirty hours a week and appoint Mr. Haynes as Interim Chief of Police and to review situation at a later date and decide what they want to do at that time.

Motion by Charles Carroll, second by Lindsay Morgan to appoint Bill Haynes as Interim Chief of Police.

Motion carried 4-0

C. Presentation and approval of 2008 fiscal year audit by Merritt, McLane & Hamby CPA's

Audit was presented by Cheryl Merritt. Finances briefly discussed, all in good standing. There were no management recommendations, corrections or discrepancies that needed to be addressed.

Motion by Barbara Gilliam, second by Charles Carroll to accept audit as presented.

Motion carried 4-0

### **CITIZENS APPEARANCE**

None

### **APPROVAL OF MINUTES**

A. 02-09-09 Regular meeting

Motion by Barbara Gilliam, second by Kevin Fron to approve minutes as presented.

Motion carried 4-0

### **OLD BUSINESS**

A. Discuss and take necessary action for the JD Neely Community Center

Mayor Johnson updated council on the construction progress. Partitions for the restrooms was discussed. Council would like to use the plastic partitions. Electricians will be contacted to see what needs to be done to complete all of the electrical.

B. Discuss and possibly take necessary action concerning zoning of the city.

No discussion

### **NEW BUSINESS**

H. Discuss and consider approval of pass thru charge water rate increase of twenty-two (.22) cents per thousand gallons used for Upper Trinity Groundwater Conservation District water use and transport fees to be paid annually.

Increase would be effective immediately and be on bills going out April 01, 2009.

Motion by Charles Carroll, second by Lindsay Morgan to approve twenty-two (.22) cent increase.

Motion carried 4-0

I. Discuss and approve bank reconciliations, accounts payable and financial reports for the months of January and February.

Motion by Lindsay Morgan second by Barbara Gilliam to approve as presented.  
Motion carried 4-0

**EXECUTIVE SESSION**

A. Discuss wages for Interim Chief of Police

This item was discussed in open meeting.

**ACTION ON ITEMS TAKEN UP IN EXECUTIVE SESSION**

None

**ANNOUNCEMENTS**

April 20, 2009 regular meeting @ 7:00 p.m.  
Office closed April 10th for Good Friday

**ADJOURN**

Motion by Charles Carroll, second by Barbara Gilliam to adjourn meeting at 7:50 p.m.  
Motion carried 4-0

**APPROVED:**

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Terry Johnson, Mayor

**ATTEST:**

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Joyce Johnson, City Secretary