



# Minutes

## Regular City Council Meeting

**CITY OF WOLFE CITY**

**November 13, 2023**

### Regular Session Minutes

1. Call to Order

*Meeting was called to order by Mayor Malone @ 6:00 pm*

2. City Council Roll Call to determine quorum

*City Clerk, Lisa McKenzie, called the roll and a quorum was determined to be present.*

*Present: Anthony Cruz, Amy Pickering, Joel Hodge, Cory McElwrath*

3. Invocation

*Invocation by Anthony Cruz*

4. Pledge of Allegiance

5. Presentations

*No presentations*

6. Citizens to be Heard – *The City Council invites citizens to address the Council on any topic not already scheduled for a Public Hearing. Citizens wishing to speak must sign in on the available sheet prior to the meeting. Speakers are limited to 3 minutes and should conduct themselves in a civil manner. In accordance with the Texas Open Meetings Act, the City Council cannot take action on items not listed on the agenda. However, your concerns will be addressed by City Staff; they may be placed on a future agenda or may be addressed by some other course of response.*

*#1 – David Victorson addressed the City Council and said he and his wife Lindsey are Integrity Real Estate and they are here to revitalize the city. They built one house in town on Greenville St and needs approve for a replat. They want to redo the lot lines in order to better utilize the lot and build a new build next to the one already built.*

7. Discussion and/or action to vote for interim city council member to fill vacant council seat.

*Motion by Cory McElwrath to appoint Deana Williams as interim city council member to fill vacant council seat.*

*2<sup>nd</sup> by Anthony Cruz*

*All in favor*

*Motion passed*

8. Approve/accept Consent Calendar

*City Council Meeting Minutes – Regular Meeting minutes October 9, 2023*

*Motion by Cory McElwrath to approve the City Council Meeting Minutes – Regular Meeting October 9, 2023.*

*2<sup>nd</sup> by Anthony Cruz*

*All in favor*

*Motion passed*

9. Approve/accept City Staff/City Council Reports or Proposed Agenda Items *(Non-agenda items may only be discussed by Councilmembers if the Councilmembers do so for the purpose of proposing that those items be placed on a future agenda.)*

Police Department Report; Court Clerk/Water Clerk report.  
Public Works Dept., including work order report.  
City Secretary report & financial reports; Mayor's reports

***Motion by Cory McElwrath to approve the Police Department Report; Court Clerk/Water Clerk report; Public Works Dept, including work order report; City Secretary report & financial reports; Mayor's reports as presented***

***2<sup>nd</sup> by Anthony Cruz***

***All in favor***

***Motion passed***

10. Ordinances and Resolutions

- A. Discussion and/or action Ordinance No. 2023-1113 Solicitation Permits

***Motion by Joel Hodge to approve Ordinance No. 2023-1113***

***AN ORDINANCE OF THE City of Wolfe City, TEXAS AMENDING CHAPTER 111 OF THE CODE OF ORDINANCES OF THE City of Wolfe City BY ADDING SUBCHAPTER 111.08; PROHIBITING SOLICITATION BY COERCION; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE OF THE ORDINANCE.***

***2<sup>nd</sup> by Amy Pickering***

***All in favor***

***Motion passed***

11. City Council Discussion

- A. Discussion and/or action to approve proposed rate increase from Sanitation Solutions

***Motion by Joel Hodge to accept the increase from Sanitation Solutions.***

***2<sup>nd</sup> by Amy Pickering***

***For: Joel Hodge, Cory McElwrath, Amy Pickering***

***Against: Anthony Cruz***

***Motion passed***

- B. Discussion and/or action to approve EDC Mural draft and location

***Motion by Cory McElwrath to approve EDC Mural draft and location.***

***2<sup>nd</sup> by Amy Pickering***

***For: Joel Hodge, Cory McElwrath, Amy Pickering***

***Abstained: Anthony Cruz***

***Motion passed***

- C. Discussion and/or action to approve Public Works utility truck purchase.

***Motion by Cory McElwrath to approve Public Works utility truck purchase.***

***2<sup>nd</sup> by Joel Hodge All in favor***

***Motion passed***



D. Discussion and/or action City Secretary contract.

***Motion by Anthony Cruz to approve City Secretary contract appointing Lisa McKenzie as City Secretary.***

***2<sup>nd</sup> by Cory McElwrath All in favor Motion passed***

E. Discussion and/or action to appoint Assistant City Secretary.

***Motion by Anthony Cruz to approve Part-Time Assistant City Secretary as Sondra LaFavers.***

***2<sup>nd</sup> by Joel Hodge All in favor Motion passed***

## 12. Executive Session

***Adjourned into Executive Session @ 6:12 pm***

A. Section 551.071 (1) & (2) Consultation with City Attorney on any regular session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed). Daniel Ray, City Attorney

B. Section 551.071 - seek advice from City Attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act; Overdue Utility Accounts; Status update and legal advice on Shawn Lucas pending litigation - Daniel Ray, City Attorney

C. Section 551.071 - seek advice from City Attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act; Overdue Utility Accounts; Status update and legal advice on Shawn Lucas pending litigation - Daniel Ray, City Attorney

D. As permitted by Texas Government Code §551.071 (1) and (2), Consult with Attorney Concerning any Pending or Contemplated Litigation, by or against Wolfe City, and/or discussion of Firefly lawsuit settlement and American Safety litigation-Daniel Ray, City Attorney

E. Govt. Code §551.074 - discuss/deliberate the appointment, employment, evaluations, or dismissal of City Employees, compensation, reassignment, duties, discipline, or dismissal of a public officer or city employee with respect to payroll and contract labor considerations.

F. Govt. Code §551.072 - deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city negotiations with respect to city utility lines.

***Reconvened into Regular Session @ 6:33 pm***

13. Take action on any item discussed in Executive Session.

***No action on Executive Session***

14. Discussion of take aways and assigned tasks.

***Lisa McKenzie to follow up with status on Auto Read Meters. Put ad in Fannin County Leader for additional Public Works employee. Special Council Meeting November 17, 2023 for replat and add regular meters. Public Works to obtain cost for fixing sewer machine vs. purchasing.***

15. NEXT MEETING DATE - **December 11, 2023**

16. Adjourn

***Motion by Anthony Cruz to adjourn.***

***2<sup>nd</sup> by Amy Pickering***

***All in favor***

***Meeting adjourned @ 7:58 pm***



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*Lisa McKenzie*, City Secretary