

Regular Meeting Minutes of the City Council of the City of Cumby

Tuesday, December 8, 2020

Cumby City Hall

PRESENT:

Doug Simmerman      Sheryl Lackey      Amber Hardy

Betty McCarter      Julie Morris

- I. Mayor Doug Simmerman called the meeting to order at 6:30 p.m.
- II. Invocation was led by Mayor Doug Simmerman
- III. Pledge was recited by Mayor, Council, and all Citizens in attendance.
- IV. Announcements
  - A. Mayor Simmerman announced that the M & R lift station received a low bid of 283,000.00 and the grant allocated 233,000. He spoke with the grant managers and there are 2 options. Option 1 is to have the line item for the generator removed at 60,000.00 by all bidders and submit a change order. Option 2 would be to accept the lowest bid as is and the City would be responsible for the difference in cost out of pocket. Mayor Simmerman stated that he feels that Option 1 is the best route for the City to follow. The council agreed.
- V. There were no citizens that addressed the council.
- VI. Reports
  - A. Chief Paul Robertson submitted the Police Report.
  - B. Monty Lackey submitted the Fire Dept Report.
  - C. Mayor Doug Simmerman submitted the Maintenance Report.
  - D. Judge Lana Adams submitted the Municipal Court Report
- VII. Consent Agenda
  - A. Sheryl Lackey motioned to accept the November 10, 2020 Regular Meeting minutes. Julie Morris seconded the motion. The motion passed 4-0.

- B. Betty McCarter motioned to accept the November 17, 2020 Canvass Meeting minutes. Amber Hardy seconded the motion. The motion passed 4-0.
- C. Sheryl Lackey motioned to accept the November financials. Betty McCarter seconded the motion. The motion passed 4-0.

VIII. Old Business

- A. The Council discussed adopting a policy for the storage of all personnel files. Judge Adams stated that the only records for officers that would be in the personnel file is an application. Sheryl Lackey asked if we could change Section V. Item D. to say council instead of mayor. Amber Hardy agrees. Mayor Simmerman stated that it does not say change but monitor. Amber Hardy stated that under delegation it does. City Attorney Jay Garrett stated the reason for only the application being stored is to avoid an open record request for a terrorist attack or criminal attack. Judge Adams stated that the state does monitor all police officers' records. Betty McCarter motioned to accept the policy. Sheryl Lackey seconded the motion. Amber Hardy Motioned to make amendment to section V. item D and Section VI. with correction of mayor to say council. Sheryl Lackey seconded the motion. The motion passed 4-0.
- B. Betty McCarter motioned to approve Ordinance 2020-11-01 Establishing Rates for Domestic and Commercial Water and Sewer Service. Julie Morris seconded the motion. The motion passed 4-0.
- C. Sheryl Lackey motioned to table discussion of creating a park ordinance until February 2021. Betty McCarter seconded the motion. The motion passed 4-0.
- D. Betty McCarter motioned to approve adoption of House Bill 2840 City Policy No. 2020-12 with the correction of Section 4 Item b. reflecting the agenda wording Presentation by Citizens. Amber Hardy seconded the motion. The motion passed 4-0.
- E. Julie Morris asked Doug if he had asked his school class to build a book exchange box. Doug Simmerman stated he had not due to the fact he had been on leave. He asked her to remind him the following day. Betty McCarter stated to postpone until January to give Doug time to get with the class. No action was taken at this time.
- F. The council discussed the activities committee that was approved at the February Council Meeting. Betty McCarter thinks it should be a couple council members and a few citizens. Mayor Doug Simmerman asked Betty to put a committee together and present it to the council for approval and get with the churches to include them. Sheryl Lackey stated she would like to see

activities for the community as a whole and not just focus on the kids. No action was taken at this time.

- G. Sheryl Lackey asked Mayor Simmerman where we were at on the Depot Street sewer repairs. The minutes stated that it had been approved. Mayor Simmerman asked Sheryl Lackey to send him an email reminder to follow up with Hayter. Mayor Simmerman will give update in January. No action was taken at this time.
- H. Mayor Doug Simmerman stated that SmpIsgnl was going to provide free Wi-Fi with their bid. Griffin is hard to get to call back. He stated that he would like to get some more bids. Mayor Simmerman stated that we need cameras at the well house and inside the council room. Mayor Simmerman stated that we should open it back up bids and make it more competitive. The council will discuss in January. No action was taken at this time.
- I. The council asked if any repairs had been done to the city park bathrooms. David stated that they had not but had taken down some broken swings. Mayor Simmerman asked if we could handle the repairs and David feels we can. BJG Daughters were going to help with cost. Sheryl Lackey will contact Kendra to discuss. The council will discuss in January. No action was taken.
- J. Sheryl Lackey asked where we were at on the purchase of a lawn mower. Mayor Doug Simmerman stated that he will go over and talk with Bryan Fox over his Christmas break. Julie Morris will text reminder. No action was taken.
- K. Julie Morris asked where we are at on the fire hydrant list. David stated that the whole city has not been done yet. She asked how many are left to be repaired. David stated about 7 and out of the 7 they all probably need to be replaced. To replace the cost is about 1500.00\$ each. Some of them are very old and parts are not available. Julie Morris asked how often are they being checked? She would like monthly checks. David stated with 2 guys that is difficult. Citizen and Volunteer Fire Fighter, Monty Lackey stated that a quarterly check would be enough, and he can get the fire department to assist. Mayor Simmerman thinks quarterly would work. Julie Morris would like to receive a quarterly report and have Kelsie create a list for council packet. No action was taken.
- L. Sheryl Lackey stated that the correct address is 204 and was posted to the public as 214. We will need to move to January agenda as 204 Mill St. No action was taken.

IX. New Business

- A. The council discussed a holiday social for council and staff. Due to the Pandemic the council felt it best to cancel this year's event.
- B. Betty McCarter motioned to adopt Ordinance 2020-12-01 with the correction of adding Guy Butler, amending ordinance 2019-08-01 establishing signature authorities and the release of account information and revoking all previous authorities in and for the City of Cumby, Texas bank accounts and setting an effective date. Sheryl Lackey seconded the motion. The motion passed 4-0.
- C. Mayor Doug Simmerman stated that Hot Rods by JSK is going to be adding another building and the existing water line runs across property with no easement. Maintenance is moving the line to where it should have been place in to begin within the City's easement down the road ditch on the service road. Citizen Wayne Mobley stated that it should have been done months ago. The City is waiting on a permit from the State. The State approved it and then came back and said to halt work until we provide the coordinates. Mr. Mobley also stated they are wasting money as they have already ordered the building and can't place it. Mayor Simmerman stated that the coordinates can be provided by Hopkins County CAD. JSK will call and get coordinates to provide to the State. No action was taken at this time.
- D. Sheryl Lackey stated that she would like to see a message board implemented by the council especially after what was going on with JSK. It is difficult for the council to discuss issues that arise in between meetings without having a walking quorum. The message board would provide a platform for discussion. No action could be taken on the message board and only council would be able to engage, but the public would be able to see what was being discussed. There would need to be a link on the website that takes citizens directly to the message board. City Attorney Jay Garrett stated this could be problematic as you are putting city business out for all to see. Sheryl Lackey stated according to Local Government Code 551.006 it is 100 % legal. Sheryl Lackey motioned to approve a City of Cumby Message Board. Betty McCarter seconded the motion. The motion passed 4-0.
- E. Mayor Doug Simmerman asked City Attorney Jay Garrett if the Governor's orders for not disconnecting past due water accounts applied to businesses. Mr. Garrett stated it did not. City Secretary Reynolds stated that at this time there are no past due business accounts. No action was taken.
- F. Brynn Smith, Local Health Authority Nurse for Hopkins County stated that literature has been sent out with guidelines for Covid-19 exposure. There are 229 active cases in Hopkins County. Going by the 15% rule Hopkins County fell under the new restrictions set by the Governor. Amber Hardy asked how the

molecular test are different than the PCR test and Brynn stated they are the same. Sheryl Lackey will verify email addresses with Brynn and to make sure the city is receiving updates.

X. Entered Executive Session

The City of Cumby Council entered Executive Session (Closed Meeting) at 8:02 p.m. pursuant to the provisions of Section 551.071 and 551.074 of the Texas Government Code, to discuss the following:

- A. Discuss and Consider possible action regarding City Attorney.
- B. Discuss and Consider possible action regarding Water Clerk.
- C. Discuss and Consider possible action regarding City Secretary.


XI. Exited Executive Session

The City of Cumby Council reconvened into Regular Session (Open Meeting) at 8:29 p.m. pursuant to the provisions of Section 551.071 and 551.074 of the Texas Government Code, to discuss the following:

- A. Sheryl Lackey motioned to terminate City Attorney Jay Garrett effective immediately. Julie Morris seconded the motion. The motion passed 4-0.
- B. Sheryl Lackey motioned to cross train court clerks Alexis Pryor and Rita Graham for utility clerks upcoming maternity leave. Julie Morris seconded the motion. The motion passed 4-0.
- C. Sheryl Lackey motioned to give City Secretary Codi Reynolds a 1.00\$ raise effective on the new pay period. Julie Morris seconded the motion. The motion passed 4-0.

XII. Mayor Doug Simmerman adjourned the meeting at 8:31 p.m.

Approve:

  
Doug Simmerman, Mayor

Attest:

  
Codi Reynolds, City Secretary





CUMBY POLICE DEPARTMENT

100 E. Main Street Cumby, TX 75433

## November 2020 Activity

Calls for Service-----	92
Warning Citations Issued-----	44
Citations Issued-----	245
Crash Reports-----	0
Incident Reports-----	0
Offense Reports-----	3
Arrest Reports-----	5
Death Report-----	1

Arrest

- 1- Warrant for Conspiracy to Commit Fraud
- 2- Warrant for Conspiracy to Commit Money Laundering
- 3- DWI
- 4- Poss. Controlled Substance
- 5- Public Intoxication

MONTH	CITY	COUNTY	ACREAGE	GRASS FIRE	CAR FIRE	STRUCTURE FIRE	MEDICAL	MVA	INVESTIGATION / STAND BY	WATER USAGE	MAN/HOURS
JAN	6	12	5	2	0	1	7	6	2	0	70.47
FEB	5	10	20	3	0	0	5	4	3	0	29.35
MAR	1	11	0	0	0	0	4	4	4	0	36.18
APR	1	5	0	0	0	0	2	3	1	0	19.38
MAY	5	16	0	4	1	1	10	4	1	150	35.72
JUN	4	15	1	3	0	1	7	6	2	200	41.98
JULY	3	16	0.1	6	1	1	2	5	4	1140	46.83
AUG	1	27	16.75	14	1	2	5	5	1	6355	95.77
SEPT	5	15	1.5	3	1	1	10	5	0	200	40.12
OCT	5	20	14	4	0	2	10	8	1	500	56.32
NOV	10	10	2.25	4	1	1	9	3	1	750	76.27

# MAINTENANCE REPORT

FOR THE MONTH OF NOVEMBER THE MAINTENANCE DEPARTMENT:

COMPLETED 26 WORK ORDERS

REPAIRED 3 POTHOLES

BLEW OUT 3 SEWER MAINS

REPAIRED 2 SEWER MAINS

REPAIRED 2 WATER MAINS



# **Cumby Municipal Court**

## **Collections Report November, 2020**

For the month of November the court collected \$45,081.34 total.

**City:** \$26813.29

**State & Omni:** \$14282.65

**GHS:** \$3985.40