

**AGENDA
NOTICE OF MEETING OF THE CITY COUNCIL OF
CUMBY, TEXAS**

This notice is posted pursuant to the Texas Open Meetings Act. Notice hereby given that the City Council of the city of Cumby, Texas will conduct a Regular Meeting on Tuesday, February 9, 2021 6:30 p.m., at 100 East Main Street, Cumby, Texas, City Council Chambers.

SUPPLEMENTAL NOTICE OF MEETING BY LIVESTREAM/TELEPHONE CONFERENCE:

THIS MEETING WILL BE LIMITED TO APPROXIMATELY 10 IN-PERSON ATTENDEES IN ORDER TO MAINTAIN SOCIAL DISTANCING. ALL ATTENDEES MUST HAVE THEIR TEMPERATURE TAKEN, WEAR APPROVED FACIAL COVERINGS PROPERLY (OVER THEIR NOSE AND MOUTH) AT ALL TIMES. IF AN ATTENDEE DOES NOT FOLLOW THESE GUIDELINES THE MAYOR OR HIS/HER DESIGNEE WILL ASK THEM TO EXCUSE THEMSELVES FROM THE MEETING.

In accordance with Order of the Office of the Governor issued March 16th, 2020, the governor has suspended various provisions of the Open Meetings Act pursuant to his state disaster authority, which now authorize the participation of a meeting by live-video stream or telephone. The City of Cumby will conduct the Regular Meeting on Tuesday, February 9, 2021 at 6:30 p.m. at 100 East Main Street, Cumby, Texas, City Council Chambers in part by Livestream in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") and slow down the spread of the Coronavirus (COVID-19).

Livestream Participation. The livestream available via the Zoom website from your computer, tablet or smartphone at: <https://us02web.zoom.us/j/87817972138>

Meeting ID: 878 1797 2138

The public will be permitted to offer comments telephonically as provided by the agenda during Presentation by Citizens. Citizens who want to speak during this period, should sign up to speak prior to the beginning of the meeting by stating their intent and provide Name, Address, and Topic to be addressed. Follow the guidelines under agenda item 3. If unable to participate in the meeting, you may submit public comments by email to secretary@cityofcumby.com.

The meeting agenda and agenda packet are posted online at <https://www.cityofcumby.com/index.shtml>.

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. PRESENTATION BY CITIZENS

The City Council welcomes "Presentation by Citizens." If you wish to speak, you must follow these guidelines. **As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow these guidelines.**

- The Mayor will recognize those citizens who have signed up prior to the start of the meeting.
- Pursuant to Resolution No. 2020-12 Citizens are given three minutes (3:00) to speak during "Presentation by Citizens."
- Members of the public may only speak once and cannot pass the individual's time allotment to someone else.
- Direct your comments to the entire Council, not to an individual member.
- Show the Council members the same respect and courtesy that you expect to be shown to you.

The Mayor will rule any disruptive behavior, including shouting or derogatory statements or comments, out of order. Continuation of this type of behavior could result in a request by the Mayor that the individual leave the meeting, and if refused, an order of removal. In compliance with the Texas Open Meetings Act, no member of City Council may deliberate on citizen comments for items not on the agenda. (Attorney General Opinion – JC 0169)

4. CITY COUNCIL COMMENTS

Pursuant to TEX. GOV'T CODE 551.0415(b), the Mayor and each City Council member may announce city events/community interests and request that items be placed on future City Council agendas. "Items of Community Interest" include:

- Expressions of thanks, congratulations, or condolences;
- Information regarding holiday schedules;
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person's public office or public employment is not honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body or an official or employee of the municipality or county; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after posting of the agenda.

5. CONSENT AGENDA

All matters listed under this item are considered routine by the city Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Alderman on any item, that item will be removed from the consent agenda and will be considered separately.

5.1. Approval – City Council Minutes, January 12, 2021

5.2. Approval – City Council Special Minutes, January 28, 2021

6. DEPARTMENT REPORTS

All matters listed under this item are considered routine by the City Council and will only be considered at the request of one or more Aldermen. Coincident with each listed item, discussion will generally occur.

6.1. Police Department Activity Report

6.2. Municipal Court Activity Report* - See New Business

6.3. Maintenance Activity Report

- 6.4. Building Permit Activity Report
- 6.5. Fire Department Activity Report

7. OLD BUSINESS

- 7.1. Action – Vote on Ordinance 2021-01 authorizing Office Holders as signators. (Leigh Thompson, City Attorney)
- 7.2. Presentation/Action - Mr. Jeff Kinsey to address Council on property located at 11282 Black Jack Road. Possible Executive Session pursuant to Texas Government Code 551.071, Consultation with Attorney – (Sheryl Lackey, Mayor Pro Tem – Alderman 1)
- 7.3. Discuss/Action - Consideration for repairs on Cumby Park Restrooms. Possible Executive Session pursuant to Texas Government Code 551.071, Consultation with Attorney (Betty McCarter, Alderman 3)
- 7.4. Discuss/Action – Ordinance 2021-02 Accepting City of Cumby Park Ordinance (Sheryl Lackey, Mayor Pro Tem – Alderman 1)
- 7.5. Discuss/Action - on property located at 204 Mill Street, Cumby, TX 75433 – (Betty McCarter, Alderman 3)
- 7.6. Discuss/Action – Presentation of Proposed New Employee Handbook. (Employee Handbook Committee)

8. NEW BUSINESS

- 8.1. Presentation/Action - Mrs. Shelly Slaughter, Superintendent of CISD, to address Council regarding request for easement on section of Sayle Street during school hours.
- 8.2. Discuss/Action – Changing official paydays to Friday instead of Thursdays. (Sheryl Lackey, Mayor Pro Tem – Alderman 1)
- 8.3. Discuss/Action – Potential Ordinance regarding Property Maintenance and Substandard Structure Ordinance (Mayor, Doug Simmerman)
- 8.4. Discuss/Action – Proposed Ordinance 2021-04 Regarding Disqualification of Elected Officials (Amber Hardy, Alderman 2)
- 8.5. Discuss/Action – Proposed Resolution 2021-02. Regarding Reduction in Elected Official Salary (Amber Hardy, Alderman 2)
- 8.6. Discuss/Action – Moving March Regular Meeting due to Mayoral Absence – (Mayor, Doug Simmerman)
- 8.7. Discuss – Social Media (Ryan Horne, Alderman 5)
- 8.8. Presentation – Municipal Court Report – (Judge Lana Adams)
- 8.9. Discuss/Action – Consider action on Update to Court Security Plan – (Judge Lana Adams)
- 8.10. Discuss/Action – Selecting New Person as contact person with Public Management for 21/22 Grant per request of Public Management. (Mayor, Doug Simmerman)
- 8.11. Discuss/Action – Create hiring committee for the City Secretary position – (City Attorney, Leigh Thompson)

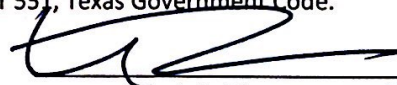
9. ADJOURNMENT

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of TEX. GOV'T CODE CHAPTER 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy TEX. GOV'T CODE 551.144(c) and the meeting is conducted by all participants in reliance on this opinion. The Council may vote and/or act upon each of the items set out in this agenda. In addition, the city Council for the City of Cumby has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter authorized by Texas Government Code Sections 551.071 (Consultation with Attorney); 551.072 (Deliberations related to Real Property); 551.073 (Deliberations related to prospective gifts or donations); Section 551.074 (Personnel Matter); 551.076 (Deliberations regarding the deployment of security devices or the implementation of security policy); and 551.087 (Deliberations regarding Economic Development negotiations).

Attendance by Other Elected or Appointed Officials – NOTICE OF POTENTIAL QUORUM: It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commission and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also notices as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

CERTIFICATE:

I hereby certify that the above Notice of Meeting was posted on the City Hall bulletin board on the (insert date and time) at a place convenient and readily accessible to the general public at all times, and to the city's website, <https://www.cityofcumby.com>, in compliance with Chapter 551, Texas Government Code.



Leigh Thompson, City Attorney