

**AGENDA
NOTICE OF REGULAR 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 June 14, 2022, at 6:30 p.m., at 100 East Main Street, Cumby, Texas, City Council Chambers.

If the public desires to speak during a specific agenda item, they must email secretary@cityofcumby.com by 4:00 pm on the day of the meeting. The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made. You may also communicate and send your comments to the City Councilmembers directly by emailing; alderman1@cityofcumby.com, alderman2@cityofcumby.com; alderman4@cityofcumby.com; cumbyalderman5@gmail.com

The meeting agenda and agenda packet are posted online at www.cumbytx.com website.

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL & QUORUM REPORT

4. 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 guidelines posted at the bottom of this Agenda.**

5. 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 items posted at the bottom of this Agenda

- o Welcome to new aldermen: Ms. Amber Hardy, Place 1 and Ms. Katherine Flinn, Place 2
- o Thank you!! Sheryl Lackey for serving as Alderman 1 from 11/2021 to 05/2022.
- o November 8, 2022 Election for: MAYOR, ALDERMAN PLACE 1 AND PLACE 2.

6. CONSENT AGENDA & DEPARTMENT REPORTS

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.

6.1. Approval – City Council Minutes, Regular Meeting, May 10, 2022

6.2. Approval – 2022 May Financials

6.2.1. Review Messer Fort & McDonald March / April 2022 Bill

6.2.2. Repair for City Hall, Air Conditioner, Court-side & restructure vents in attic

6.3. Approval – 2021-2022 Vendor Balance Detail

6.4. Approval - Public Works Department Activity Report

6.5. Approval – Utility / Maintenance Work Order Update Reprot

6.6. Approval - Police Department Activity Report

6.7. Approval - Municipal Court Activity Report

6.8. Approval - Building Permit Activity Report

6.9. Fire Department Activity Report

7. OLD BUSINESS

- 7.1. **Discussion:** Alderman 4, Aly Crocker, Committee update regarding review of Ordinances / Resolutions
- 7.2. **Discussion:** Per the direction by Council in May, 2022, meeting, Cumby Municipal Court has connected with County Judge Newsom's office; inner-local agency agreement is in place; they will forward a copy of the document for Cumby files. Once secured, Cumby will send Truancy prevention diversion fund accumulated funds to Hopkins County auditor's office, Shanna Halsbrook, quarterly. All funds up to March 31, 2022, will be sent.

8. NEW BUSINESS

- 8.1. **Discussion:** New Aldermen seated May 16, 2022: Presentation by City Attorney regarding Open Meetings and (potential) Walking Quorum situations (Charles Anderson, City Atty)
- 8.2. **Discussion/Action:** Notice of Deadline to File Applications for Place on the Ballot (Mayor)
- 8.3. **Discussion/Action:** Resolution R-2022-06-1010 Calling for a General Election and Establishing the Procedure for the General Election for City Officers to be Held on November 8, 2022, in the City of Cumby, Texas; and Providing for Other Matters Related to the Election (Mayor)
- 8.4. **Discussion/Action:** Review Calendar for 2022-2023 Fiscal Year Budget and set Workshop date(s) (Mayor)
- 8.5. **Discussion/Action:** Resolution R-2022-06-1011 Amending City of Cumby Employee & Policy Manual as it Relates to: City of Cumby Participation with TML; Normal Working Hours, City Hall Staff and Maintenance Department Staff; Meal Periods; Overtime during a Week in which there is a City Holiday; Flex-time Work schedule (REMOVED); and Exempt Employees; Costs to the City Associated with Training programs for Staff; and Notification of Accident Incident to City Secretary (Mayor)
- 8.6. **Discussion/Action:** Ordinance O-2022-06-010 Repealing, revoking and replacing Ordinance No. 97-5; Establishing hours and use of Cumby City Park
- 8.7. **Discussion/Action:** Ordinance O-2022-06-011 Amending Drought Contingency Plan – City of Cumby, No. 2016-05-001

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.

Presentation by Citizens 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)

City Council Comment Guidelines:

- Expressions of thanks, congratulations, or condolences.
- Information regarding holiday schedules
- An honorary or salutory 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 salutory 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.

CERTIFICATE:

I hereby certify that the above Notice of Meeting was posted on the City Hall bulletin board on the June 10, 2022, at a place convenient and readily accessible to the general public at all times, and to the city’s website, <https://www.cumbytx.com>, in compliance with Chapter 551, Texas Government Code.



Betty Jo Hardman

Betty Jo Hardman, City Secretary