

AGENDA
NOTICE OF REGULAR MEETING
OF THE CITY COUNCIL OF
CUMBY, TEXAS
October 10, 2023 at 6:00 p.m.

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 October 10, at 6:00 p.m., at Cumby City Hall, 100 East Main Street, Cumby, Texas.

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 and Alderman5@cityofcumby.com .

The meeting agenda is 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, the Mayor, a City Council member and Staff may report on the following items of community interest:(1) expression of thanks, congratulations or condolences (2) information about holiday schedules (3) recognition of individuals (4) reminders about upcoming events organized or sponsored by the City Council (5) Information about community events and (6) announcements involving imminent threat to public health and safety. Additionally, pursuant to TEX. GOV'T CODE 551.042, the Mayor or Council members may request that items be placed on future City Council agendas.

- Report on National Night Out (10/3/2023)
- November 7, Election Day
- November 11, Veterans Day, celebrated FRIDAY Nov 10th – (City Hall will be closed)

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 September 19, 2023 Public Hearing & Special Meeting and September 19, 2023 Regular Council Meeting
- 6.2. Approval – City Council Minutes, September 29, 2023 Public Hearing & Special Meeting
- 6.3. Approval – 2023 September Financials (P&L)
- 6.4. Approval – Fiscal Year-to-Date 2022-2023 P&L
- 6.5. Approval – 2023 September Unpaid Bill Summary
- 6.6. Approval – September 2023 Municipal Court Monthly Collection Report
- 6.7. Approval - Police Department Activity Report
- 6.8. Approval - Public Works Department Activity Report
- 6.9. Approval - Fire Department Activity Report
- 6.10. Approval – Building Permit Report

7. EXECUTIVE SESSION – In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:

- a) § 551.071(1): Consultation with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding: i) Interim City Secretary, Miranda Randle.
- b) §551.074: (a) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee: i) Miranda Randle, Interim City Secretary and to have further discussion regarding salary.

8. RECONVENE INTO OPEN SESSION - In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into Open Session to consider action, if any, on matters discussed in Executive Session.

9. NEW BUSINESS

- 9.1. **Discussion/Action:** Report from Mayor Amber Hardy and (Interim) City Secretary Miranda Randle recent attendance at 2023 TML General Conference.
- 9.2. **Discussion/Action:** Burn Ban lifted for Hopkins County and City of Cumby, September 25, 2023, executed by City Secretary September 27, 2023 due to recent surgery. (Mayor)
- 9.3. **Discussion/Action:** Appoint advisory Variance Committee for 2015 IBC Code in relation to Water Pressure (PSI) available in City of Cumby for emergency systems at Cumby ISD. The Variance Committee would be further tasked as and when permitting situations arose wherein expertise and review is / maybe required. (Mayor and Public Works Supervisor, Brent Holbrook)
- 9.4. **Discussion/Action:** Use of budgeted funds for Animal Control services to City of Cumby. Services offered by NTACA. (Rosina Duckworth)

10. OLD BUSINESS

- 10.1. **Discussion/Action:** **Ordinance O-2023-023** – Reinstate City of Cumby City Council stipend / salary for the position of Mayor, Alderman 1 and Alderman 2. Mayor: recommend salary/stipend of \$250.00 per week. Alderman recommendation salary/stipend of \$75.00 per week. This salary/stipend will cover full part-time participation in the performance of duties required by Mayor for city business for a minimum of Twenty-Five to Thirty (25-30) hours each week. This stipend will be paid to Alderman 1 and Alderman 2 for monthly meeting and special meeting attendance and other projects for City of Cumby (Mayor)
- 10.2. **Discussion/Action:** RFP prepared for Council’s review regarding Depository Services. (Depository Services to establish reserve bank accounts beginning 2023-2024 Fiscal Budget (and onwards). (City Secretary)
- 10.3. **Discussion/Action:** Update regarding Master Meter, new agreement in place (if any). (Mayor and Brent Holbrook)
- 10.4. **Discussion/Action:** Update on various grant and other potential funding requests by City of Cumby (Mayor Pro Tem)

11. ADJOURNMENT

Executive Sessions Authorized – The City Council for the City of Cumby reserves 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)

CERTIFICATE:

I hereby certify that the above Notice of Meeting was posted on the City Hall bulletin board; website; and City Facebook page on October 6, 2023, 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, City Secretary