

**City of Post Oak Bend  
City Council Minutes ~ May 12, 2020**

**LOCATION: VIA TELEPHONIC & VIDEO CONFERENCE OPEN MEETING**

The May 12, 2020 7:00 p.m. City Council Meeting was held in accordance with order of the Office of the Governor issued on or about March 16, 2020, for local governments to meet by telephonic and video conference open meeting in order to comply with Governor Abbott's Executive Orders and to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the coronavirus COVID-19. The public was able to join the meeting with Zoom meeting information provided at City Hall and online.

1. Mayor Hank Warden called the May 12, 2020 City Council Meeting to order via open telephonic and video conference meeting at 7:07 p.m. Pledges to American and Texas flags were recited. Council Members Present: Dr. Stephen McMahon, Ronnie Sherrard, Alison Novak and Joey Wages (arrival shortly after meeting began) Not Present: Council Member Mike Parker. Also present: City Secretary Barbara Bedrick.

2. Consider and Act to approve: Minutes, April 14, 2020 Regular Council Meeting Minutes

Mayor Warden noted the April 14, 2020 minutes were very thorough, and noted all council members had advance chance to review them.

Motion to approve the April 14, 2020 Regular Council Meeting Minutes: Council Member Dr. McMahon

Second: Council Member Novak In Favor: All Motion to approve April 14, 2020 Council Minutes: PASSED

3. Consider and Act to approve April Financial Report / Disbursements - Dr. McMahon, Finance Officer / City Secretary-Treasurer

Mayor Warden noted Council received the financial report early so they'd have chance to review. He asked if there were any questions. The mayor asked about an expense. City Secretary Bedrick replied Bureau Veritas initially overcharged permit fee for CR 278 homeowner. Update: The expense will be deducted from the building permit fee income category. Bureau Veritas contacted City notifying the shop permit fee would be dependent on valuation versus square footage. .

Motion to approve financials and disbursements: Council Member Sherrard Second: Council Member Novak In Favor: All Opposed: None

Motion to approve the April 2020 Financial Report / Disbursements: PASSED

4. Consider and approve Secretary Update Report

City Secretary Bedrick updated Council on Kaufman County COVID-19 statistics received from Kaufman County Judge Hal Richard's Office. To date, 125 Kaufman County residents have tested positive for COVID-19. There has been one death reported. Sixty-five males and 60 females have tested positive. Kaufman recorded 9 persons positive for COVID-19. One person from a Forney-area nursing home has died. Texas COVID-19 figures, from Texas Department of Emergency Management, indicate 525,697 persons in Texas have been tested. Of those, 39,869 persons have tested positive for COVID-19. To date, 1,100 have died from the virus. Cases were reported in 219 Texas counties. This COVID-19 report is updated to city website. Other April and May city projects have included two subdivision plats on CR 280. We've worked with engineer Tyler Hendrickson on drainage plans and other council member requests. The Larry Dietrich CR 280/281 subdivision has required a lot of research and work with Tyler, Dietrich, the county and attorney, and discussions with the couple who purchased Tract 5. Three building plan reviews were completed and approved with three building permits issued for 1022 Scattered Oaks, 1920 Kandy Lane and 2665 CR 279. We processed more than 9 contractors for city registration. Mowing right of way estimates sought, along with setting up a road repair company with Ronnie to view the city roads for an estimate. Update: Suddenlink project at Alison request – is company planning to operate in the city. Barbara spoke with Suddenlink rep, who said there's interest from Suddenlink, but he said it could be a year or two before they could move in, if they decide to. Mayor Warden thanked Barbara for her report.

5. Citizen /Public Comments: There were no comments made.

6. Consider and Act on CR 280 minor subdivision plat and drainage plan for SAR Real Estate Invest, LLC

Mayor Warden said Barbara had sent four or five documents related to Item 6 including the memo from engineer Tyler Hendrickson recommending approval of the SAR Real Estate invest, LLC CR 280 subdivision

plat and drainage plan. SAR Real Estate did obtain a drainage plan, which was provided to council in advance for review.

Motion to approve the CR 280 subdivision plat and drainage plan for SAR Real Estate Invest, LLC: Council Member Wages Second: Council Member Dr. McMahon In favor: All Opposed: None

Motion to approve the CR 280 subdivision plat and drainage plan for SAR Real Estate Invest, LLC: PASSED

7. Consider and Act on Larry Dietrich CR 280 plat and affidavit (Chapter 212, Subchapter A, §212.004 (a) )

(Requested by Secretary Bedrick)

Mayor Warden said City Secretary Bedrick has spent a lot of time on this subdivision situation with Mr. Dietrich. Barbara provided Dietrich's survey plat, and two related affidavits to council prior to meeting for review. Barbara said 39 acres were divided into 5 tracts of land, all greater than 5 acres each. After much research and discussion with Dietrich and Kaufman County, with review of Local Government Code Chapter 212, Subchapter A, under 212.004 (a), it was determined the City did not have the authority to require a plat of the subdivision. Barbara said according to attorney because lots were more than 5 acres, no access was needed, existing roads were being used, and no road improvements were to be made, that Section 212.004 requires City to exempt the property owner from city plat requirements.

Motion to approve the CR 280 Affidavit of Exemption: Council Member Wages Second: Council Member Dr. McMahon In Favor: All Opposed: None

Motion to approve the CR 280 Affidavit of Exemption for Larry Dietrich's CR 280/281 subdivision: PASSED

8. Consider and Act on mowing project on CR 277, 278, 279, 280, 281 – Mayor Warden

Mayor Warden said he received a county quote to mow ditches - \$2400 for three mows this year. He asked City Secretary to secure two comparison bids. Barbara said Ninja Cut of Terrell came to view the roads, growth and ditches, and asked about weed eating, but she hasn't received its bid yet. She reached out to K&G Ag Services who uses batwing mower to reach across and mow ditches. The Ennis area owner came this past weekend to view roads, and agreed to cut the grass to at least 3-inch level, the same height Ninja Cut recommended. K&G Ag estimate was \$1,500 for first mow on five city / county roads, with extra to weed eat.. Mayor Warden asked for a motion to approve Kaufman County for the mowing project on CR 277, 278, 279, 280 and 281.

Motion to approve: Council Member Wages Second: Council Member Sherrard In favor: All Opposed: None

Motion to approve paying Kaufman County \$2,400 for three mows this year on CR 277, 278, 279 280 & 281: PASSED

9. Consider and Act on ditch at CR 279 at Kandy Lane – Ronnie Sherrard

Mayor Warden called on Council Member Sherrard. Sherrard said he had visited with Jimmy Vrzalik about the best way to address the ditch issue at CR 279 and Kandy Lane. He said concrete sections placed in ditch with smaller rocks also would help. Sherrard said \$1,000 would address this problem, he thinks.

Motion to approve \$1,000 to purchase materials to address the ditch issue at CR 279 & Kandy Lane: Council Member Wages Second: Council Member Novak

In Favor: All Opposed: None

Motion to approve \$1,000 to purchase materials and place at unsafe ditch ~ CR 279 and Kandy Lane: PASSED

10. Consider and Act on major potholes on CR 277, CR 280 - Ronnie Sherrard

Council Member Sherrard attempted to meet with a road repair vendor to tour Cr 277 and Cr 280, but the vendor couldn't make the meeting in time for council. City Secretary Bedrick also tried to set up a Terrell vendor. Barbara obtained a bid for CR 277 and CR 280 for pothole repairs. The same company said to improve the road, flex base would need to be added, but would increase the cost.

Mayor Warden tabled item so more estimates on repairs could be done. If the estimates come in, the mayor said he'd like to call a special meeting to get the roads addressed.

11. Consider and Act on purchase of "Illegal Dumping" signs on city roads – Mayor Warden

Mayor Warden talked about the dumping of a piano and loveseat on CR 280, and explained he removed them on a trailer. He asked City Secretary to get some expense information on "No Dumping" Signs to put up to prevent dumping. Barbara contacted two reputable companies, Rice Signs and Pathmark Signs of Texas who sent quotes. She gave council an update, providing quotes. Mayor Warden said he recently learned the county may have a few signs. Mayor Warden tabled Item #11.

12. Adjournment

Prior to adjournment, Council Member Novak said she had submitted a request to city to remove her name from the November election ballot. Motion to adjourn: Council Members Sherrard and Dr. McMahon Second; Council Member Wages

The May 12, 2020 City Council Meeting adjourned at 7:54 p.m.

Approved: \_\_\_\_\_

Mayor Hank Warden

Attest: \_\_\_\_\_

City Secretary Barbara Bedrick