

City of Post Oak Bend
Minutes
June 11, 2019 - Regular City Council Meeting

1. Mayor Hank Warden called the June 11, 2019 City of Post Oak Bend City Council Meeting to order at 7:00 p.m. Tuesday, June 11, 2019. A quorum was established. Present: Mayor Warden, Councilmembers Joey Wages, Ronnie Sherrard, Alison Novak, and Mayor Pro Tem Dr. Stephen McMahon. Also present: Pct. 1 Commissioner Mike Hunt, City Secretary Barbara Bedrick,
 2. Pledges to United States and Texas flags were recited.
 3. Mayor's Statement/Rules of Decorum (Moved to later in meeting)
 4. Consider and Act to approve May 18, 2019 Special Council Meeting minutes
Mayor Warden noted this was a short meeting that included the May 4th vote canvass.
Motion to approve the May 18, 2019 Special Post Oak Bend City Council Meeting minutes as drafted: Joey Wages
Seconded by: Alison Novak In favor: All Opposed: None Motion: Passed
 5. Consider and Act to approve May 2019 Financial Reports, disbursements
Mayor Warden stated the City Secretary provided the financial report to council members in advance, and asked council if they had time to review, and had any questions. Dr. Stephen McMahon, City Financial Officer, then reported for month of May we had approximately \$4,100. Most of that was from Atmos franchise fees and sales tax income. He said May 2019 expenses were primarily to Kaufman County for city elections and contractors, including Bureau Veritas. He said these are the income and expenses for May, and leaves City \$46,970 in checking account. He said a CD is due August 7th. Mayor Warden asked if there was any further discussion.
Motion to approve the May 2019 Financial Reports, disbursements: Joey Wages.
Seconded by: Ronnie Sherrard In favor: All Opposed: None Motion: Passed
 6. City Secretary Report
Barbara Bedrick reported 1) two building permits had been issued for two houses, one in Scattered Oaks subdivision, one in Pebble Creek subdivision. Bureau Veritas approved both in May. 2) City's new sales tax increase has been sent to the Texas Comptroller. 3) Updates on road repairs now available on the website, post oak bend.org, Sections of road on CR 279 will be closed while construction crews move forward. Company officials say the roadwork should be complete by Thursday. 4) City map superseding priors has been filed at the Clerk's office. Mayor Warden asked if there was any further discussion. Alison inquired whether the Pebble Creek permit was for the person who came before council and didn't get permit for adding on. Barbara reported no, it was for a new home going up in the undeveloped 4-acre lot on Kandy Lane. The case of that resident is pending. She hasn't responded to City since last council meeting. Mayor Warden asked how best to enforce this? Barbara suggested next step would be to get attorney to send resident a letter. Joey asked if City had required fees from others. Mayor Warden said yes. Barbara noted two cases where builders had paid double fees because of failure to follow city building codes. Mayor Warden said let's contact city attorney to send letter. Motion to approve Secretary Report: Joey 2nd: Steve In Favor: All Motion: Passed
 3. * (Return to Item #3) Mayor Warden thanked council, citizens and visitors, or coming to the Council meeting. He welcomed new council members Joey Wages and Ronnie Sherrard, and expressed appreciation to City Secretary. Mayor Warden also thanked retired Mayor Raymond Bedrick for all he has done for this wonderful community. Warden stated Mr. Bedrick is one of the early pioneers who created Post Oak Bend City in the late 70s, along with other families. Mayor Warden praised Mr. Bedrick for working tirelessly, using his own assets and resources to help the citizens of Post Oak Bend, including patching potholes, and smoothing roads, and lining up estimates and road contracts. "Thank you Mr. Bedrick for all you have done to serve the citizens of Post Oak Bend." Mayor Warden said he's grateful for Mr. Bedrick's guidance, leadership and service as Mayor of Post Oak Bend. "Your service will not be forgotten." (Applause) Mayor Warden also thanked Pct. 2 Commissioner Mike Hunt for the work his crews did on CRs 280 and 281. He said he looked forward to working with him.
- Mayor Warden stated that Kaufman County is one of the top 5 fastest growing counties in the nation, and he said this means people are moving here, and from all over the country. "The City must plan for this growth that is coming south from Forney and Terrell." He pointed to Kaufman's growth, and how new planned subdivisions with \$300,000 homes could translate to \$83 million in new property tax values. Warden named three future options for the City, 1) Dissolve. "What, he asked would this area look like, if Post Oak Bend was never incorporated?" He emphasized the importance of zoning to keep out sexually-oriented businesses. He noted it's not likely the County would come in and fix roads immediately. They have more than 200 miles two repair. Option 2) Do nothing. Warden said he's also against this, and is grateful the City has had leaders who properly managed city franchise fees and sales tax income so some funds exist now. He added, we're fortunate our roads exceed even though no one is paying anything. Option: 3 Implement a property tax. Mayor Warden said funds aren't available to take care of the infrastructure that's in dire need of it. He added his initiative, Vision 2020, will allow us to pay for this, and, if needed, borrow funds to maintain almost 6 miles of roads once repaired. "Vision 2020 will fund paid city staff positions, to run the city, starting with a part time city manager and part-time city secretary." Mayor Warden said the "Council and I cannot run the day to day operations of our growing city so we have to have proper people in place." He cited key issues facing the city: #1 issue is roads, 2nd is ditches and drainage, and third, is tree and brush removal. Some of property tax collected will be for debt retirement, and the remainder will be used to run the city. Warden also told citizens future meetings will be conducted as the structured government meetings they are, not town halls. He added that casual conversations and discussions during council meetings must not continue. The meetings must follow the laws of the State of Texas and Roberts Rules of Order. We're here to conduct business. Citizens will still have 3 minutes to address council by signing up prior to meetings with City Secretary. Before closing, Warden encouraged council to be actively engaged in our mission, to have a voice and share that at meetings. He said we may disagree, but let's not attack. The mayor also said he also doesn't want to blame the past and point the finger at others who came before us. We appreciate everything our past leaders have done for us and embrace the future. "We're a team, and have a lot of work to do" and he asked for "God's blessings."
7. Citizen Comments: Business owner Michelle Sjerven spoke briefly again about maps.
 8. Consider and Act on 2019-2020 Mayor Pro Tem
Mayor Warden said he'd like to put Alison's name forward, and he asked for a vote. Motion made by current mayor pro team Dr. Stephen McMahon to appoint Alison Novak as 2019-2020 Mayor pro tem. Motion was seconded by Joey. In favor: All Opposed: None. Motion Passed.
 9. Consider and Act on placing mayor on bank account as signatory.
City Secretary Bedrick said Texas General Laws require an official vote. Motion by Dr. McMahon to add Mayor Warden as signatory on city bank accounts. Second: Joey. In Favor: All Opposed: None Motion: Passed

10. Consider and Act to amend 2019 Budget for increase in CPA professional services account, elections amount
City Secretary prepared the amended budget spreadsheet with a \$5,900 increase for CPA services from budgeted \$1600 to \$7,500 for a two-year audit. Barbara added since the city voted to have County to conduct elections and the expense was \$1,432 more than budgeted, for total of. \$3,432. To offset some of the increase, an insurance refund will help. Overall, the budget will be increased by \$7,032 and amended budget is \$58, 232. Mayor Warden asked if there were any questions. Joey made a motion to amend the budget as it was presented. Seconded by: Dr. McMahon In favor: All Opposed: None. Motion: Passed
11. Consider and Act on Kaufman County's proposed new City of Post Oak Bend and Kaufman County Interlocal Agreement on ETJ Subdivision Regulation.
Mayor Warden called on City Secretary to update this. She said the attorney had provided a case that specifically addressed a general law city, and the ruling was that a City did not have the authority to regulate building construction and require building permits in the city's ETJ. The County could regulate building permits possibly under a law passed nearly two years ago. Commissioner Hunt said now they are only doing fire codes for commercial structures. Mayor Warden asked if the county has someone doing inspections for homes. Comm. Hunt said no. Hunt cautioned the council about the flood plain manager. The City Secretary said in meetings with Mayor Bedrick last year, the County had proposed handling this, but reversed that in its latest interlocal. More research on this was discussed. Mayor Warden asked if this is something we need to ask our lawyers. Barbara agreed, and noted we also may want to talk to an engineer. Then, Alison mentioned two options on possible city building code enforcement. Motion to table the interlocal for more research: Joey. Second: Alison. In Favor: All. Opposed: None. Agenda item tabled.
12. Consider and Act to purchase projector and screen per Mayor Warden's request
Mayor Warden asked that this be tabled for more information and costs. Motion to table: Ronnie. Second: Joey. Motion Passed
13. Adjournment
Ronnie made a motion to adjourn the June 11, 2019 Council Meeting. Second: Dr. McMahon. The June 11, 2019 City Council meeting was adjourned at 7:45 p.m

ATTEST:

Barbara Bedrick
City Secretary
City of Post Oak Bend

Approved by Council:

Hank Warden
Mayor
City of Post Oak Bend