

**THE STATE OF TEXAS
COUNTY OF TRINITY
CITY OF TRINITY**

The Regular Meeting of the City Council of the City of Trinity was held on October 9, 2014 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt and Billy Goodin

Councilman Absent: Chris Dennis

City Manager Absent: Buddy Drake

1. **Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting September 11, 2014 and the Special Meetings September 18, 2014 and September 25, 2014.** Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** – Councilman Clegg DeWalt made the motion to approve bills for payment. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of October 9, 2014 is \$500,704.71. Our checking account balance is \$395,189.62. Accounts payable are \$83,074.62. Account receivables are \$109,764.33. The Municipal Court collected \$6,722.00 for the month of September 2014 with the OMNI Program collecting \$2,212.00 of that total. The sales tax collected for October 2014 is \$49,536.15. The Fire Department donations for the month of September 2014 were \$219.00. The water collections for the month of September 2014 were \$106,352.34. Total deposits for the month of September 2014 were \$378,371.47.
5. **Old Business**
 - A. **Discussion and Action on any grant related business.**
6. **New Business**
 - A. **Discussion and Action passing Resolution #14-0007 to approve a time warrant for the purpose of one 2014 Chevrolet Tahoe for the Police Department.** Mayor Billy Slaughter stated the Police Department is getting 2 tahoes this fiscal year and one would be paid outright and the other would be purchased with a Time Warrant. Mayor Pro-Tem made the motion to approve the Resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
 - B. **Discussion and Action passing Resolution #14-0008 to designate administration and engineering service providers for the 2014 Texas Capital Fund Contract for the Nursing Home Project.** Mayor Billy Slaughter stated we received one proposal for administration services which was GrantWorks, Inc. Mayor Pro-Tem Wayne Huffman made the motion to award the administration service to GrantWorks, Inc. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried. Mayor Slaughter stated we received 2 proposals for engineering service from KSA Engineering and Goodwin, Lasiter and Strong Engineering. Mayor Slaughter recommended tabling the engineering services until the Special Meeting Tuesday, October 14, 2014 so the Council could have a chance to meet with Kevin Gee from Goodwin, Lasiter and Strong Engineering. Mayor Pro-Tem Wayne Huffman made the motion to

table until the Special Meeting Tuesday, October 14, 2014. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion Carried.

C. Discussion and Action concerning clean-up with Kenneth Newton. Mr. Newton stated he has received good responses in the clean-up process since the last council meeting.

7. Adjourn. The meeting was adjourned at 7:20 PM. to go into Executive Session.

8. Executive Session: 7:35 P.M.

A. Discussion concerning personnel and contracts under Gov. Code 551.074.

9. Reconvene in open session: 8:00 P.M.

A. Action necessary as a result of Executive Session. The Mayor and Council agreed to suspend Officer Barak without pay for 40 hours due to his wreck on Pinecrest Road that occurred on October 5, 2014.

10. Adjourn. 8:02 P.M.

Billy Joe Slaughter, Mayor

Wayne Huffman, Mayor Pro-Tem

**THE STATE OF TEXAS
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The Special Meeting of the City Council of the City of Trinity was held on October 14, 2014 at 6:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt and Billy Goodin

Councilman Absent: Chris Dennis

City Manager:

- 1. Call meeting to order.** Mayor Billy Joe Slaughter called the meeting to order at 6:00 p.m. and verified that a Quorum was present for the meeting.
- 2. Discussion and Action passing Resolution #14-0009 to designate an engineering service provider for the 2014 Texas Capital Fund Contract for the Nursing Home Project.** Mayor Pro-Tem made the motion to hire Goodwin-Lasiter-Strong for the 2014 Texas Capital Fund Contract for the Nursing Home. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.
- 3. Adjourn.** 6:02 p.m.

Billy Joe Slaughter
Mayor

Wayne Huffman
Mayor Pro-Tem

**THE STATE OF TEXAS
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The Regular Meeting of the City Council of the City of Trinity was held on November 13, 2014 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt Chris Dennis and Billy Goodin

Councilman Absent:

City Manager Absent: Buddy Drake

1. **Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting October 9, 2014 and the Special Meeting October 14, 2014.** Councilman Billy Goodin approved the minutes. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** – Councilman Clegg DeWalt made the motion to approve bills for payment. Councilman Chris Dennis 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of November 13, 2014 is \$677,111.30. Our checking account balance is \$564,451.09. Accounts payable are \$92,650.45. Account receivables are \$145,831,.80. The Municipal Court collected \$4,617.70 for the month of October 2014 with the OMNI Program collecting \$802.00 of that total. The sales tax collected for November 2014 is \$186,550.24. The Fire Department donations for the month of October 2014 were \$207.00. The water collections for the month of October 2014 were \$111,005.68. Total deposits for the month of October 2014 were \$188,970.42.
5. **Old Business**
 - A. **Discussion and Action on any grant related business.**
6. **New Business**
 - A. **Discussion and Action with Gary Smith regarding new electrical inspection laws.** Mr. Smith stated the State of Texas adopted the 2014 Edition on September 1, 2014 of the National Election Code. He stated some of the rules that would affect the city are the Arc-Fault Circuit-Interrupter and Branch Circuit Extension or Modifications in Dwelling Units. Mr. Smith needs to know if he the Council wants him to go by the 2011 National Election Code or the 2014 National Election Code. Mayor Pro-Tem Wayne Huffman said he is not ready to vote because he does not know enough about it yet. Mayor Slaughter suggested to table it so they can have time to study it.
 - B. **Discussion and Action with Councilman Billy Goodin concerning the parking at Trinity Cafe.** Councilman Billy Goodin stated he was approached by the owners of Trinity Café with issues they are having with the parking. Their main concern is the sidewalk is high on the ends and low in the center and people are pulling up on the sidewalk to park. The Mayor said curb stops could be put in to keep people from parking on the sidewalk Mayor Pro-Tem Wayne Huffman made the motion to put curb stops in if TxDot approves it. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion Carried.
 - C. **Discussion and Action passing Resolution #14-0010 regarding amending the Police**

Department 2014-2015 budget. Mayor Billy Slaughter stated the City just bought 2 new patrol vehicles that were not in the budget. Councilman Clegg DeWalt made the motion to approve the amendment. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.

D. Discussion and Action concerning clean-up with Kenneth Newton. Mr. Newton went over his monthly report.

Mrs. Julia McMichael stated this is her 11th year doing the Christmas at the Crossroads and this is the 16th year for the event that will be held on December 6, 2014. She asked for the Mayor and City Council to designate someone to light the Christmas Tree Saturday night.

7. Adjourn. The meeting was adjourned at 7:36 PM.

Billy Joe Slaughter, Mayor

Wayne Huffman, Mayor Pro-Tem

**THE STATE OF TEXAS
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The Regular Meeting of the City Council of the City of Trinity was held on December 11, 2014 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt and Billy Goodin

Councilman Absent: Chris Dennis

City Manager Absent: Buddy Drake

1. **Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting November 13, 2014.** Mayor Pro-Tem Wayne Huffman approved the minutes. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** – Councilman Clegg DeWalt made the motion to approve bills for payment. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of December 11, 2014 is \$472,573.85. Our checking account balance is \$353,513.70. Accounts payable are \$79,933.01. Account receivables are \$105,025.10. The Municipal Court collected \$7,423.50 for the month of November 2014 with the OMNI Program collecting \$3,431.00 of that total. The sales tax collected for December 2014 is \$58,486.45. The Fire Department donations for the month of November 2014 were \$228.00. The water collections for the month of November 2014 were \$101,886.23. Total deposits for the month of November 2014 were \$376,889.84.
5. **Old Business**
 - A. **Discussion and Action on any grant related business.**
6. **New Business**
 - A. **Discussion and Action to pass Resolution #14-0011 to designate authorized signators for the 2014 Texas Capital Fund Contract 7214132.** Mayor Billy Slaughter stated this is for the Nursing Home Grant and it is for the Mayor, Mayor Pro-Tem and City Manager to be authorized signers on paperwork and checks that this grant consists of. Councilman Billy Goodin made the motion to approve the Resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion Carried.
 - B. **Discussion and Action to pass Resolution #14-0012 to adopt Complaint and Grievance Procedures related to the TxCDBG Program.** Mayor Slaughter stated the state has always required the City to have a Complaint and Grievance Policy. GrantWorks noticed that the manual needed to be approved by the City Council and they would hold on to the Resolution for future grants and the City would not have to pass it again. Mayor Pro-Tem Wayne Huffman made the motion approve the Resolution. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion Carried.
 - C. **Discussion and Action to proclaim April as Fair Housing Month.** Mayor Billy Slaughter stated this Proclamation will help to fulfill Fair Housing activity obligations as required by the grant.

Councilman Clegg DeWalt made the motion to approve the Proclamation. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.

D. Discussion and Action concerning clean-up with Kenneth Newton. Mr. Newton answered a couple of questions the Council had.

Lois Saldana updated the Mayor and Council on the Christmas Luncheon she will have on December 21, 2014. She said they have raised \$1,821.00 so far and thanked the City for their contribution of \$1,000.00. She said they may not be able to have many carry outs this year because there is not enough funds but people can come to the Community Center to eat.

7. Adjourn. The meeting was adjourned at 7:19 PM.

Billy Joe Slaughter, Mayor

Wayne Huffman, Mayor Pro-Tem

**THE STATE OF TEXAS
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The Regular Meeting of the City Council of the City of Trinity was held on January 8, 2015 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt and Billy Goodin

Councilman Absent: Chris Dennis

City Manager Absent:

- 1. Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:09 p.m. and verified that a Quorum was present for the meeting.
- 2. Approval of minutes for the Regular Meeting December 11, 2014.** Councilman Billy Goodin approved the minutes. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
- 3. Approve bills for payment.** -- Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- 4. City Manager's Report** -- Our total funds as of January 8, 2015 is \$534,947.22. Our checking account balance is \$382,745.25. Accounts payable are \$74,293.22. Account receivables are \$105,073.91. The Municipal Court collected \$8,960.70 for the month of December 2014 with the OMNI Program collecting \$1,742.00 of that total. The sales tax collected for January 2015 is \$47,558.45. The Fire Department donations for the month of December 2014 were \$226.00. The water collections for the month of December 2014 were \$100,060.50. Total deposits for the month of December 2014 were \$249,129.55.
- 5. Old Business**
 - A. Discussion and Action on any grant related business.**
- 6. New Business**
 - A. Discussion and Action to pass Resolution #15-0001 to amend the Water/Sewer Department Budget.** Mayor Billy Slaughter stated this is for the claim the city had to file on the clarifier at the Waste Water Treatment Plant. Texas Municipal League covered \$31,491.56 of the damages so the General Fund Receipts line item Miscellaneous Revenue needs to be increased from \$10,000 to \$41,491.56 and the Water/Sewer Department line item Equipment Repair Expense needs to be increased from \$40,000 to \$71,491.56. Mayor Pro-Tem Wayne Huffman made the motion to approve the Resolution. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion Carried.
 - B. Discussion and Action with Reverend Coleman from Open Door Outreach Church concerning the alleyway beside the church.** Building Inspector Ken Newton stated Rev. Coleman would like to use the alleyway as a driveway to access the back of the Church because they are in the process of getting a parkinglot. Mr. Newton stated there is a truck that is broke down blocking the alleyway. Mayor Pro-Tem Wayne Huffman stated there are a few trees in the middle of the alleyway. Rev. Coleman stated he would take care of the trees if the Mayor and Council would give him clearance to use the alleyway as a driveway. Mayor Pro-Tem Wayne Huffman made the motion to let the Church take the trees down and use it as access to the back of

the property. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion Carried.

C. Discussion and Action concerning clean-up with Kenneth Newton. Mr. Newton asked if Mr. Jeffus would be protected by the grandfather clause. Mayor Slaughter stated Mr. Jeffus wants to put in thirteen camper pads where he already has four located. Mayor Pro-Tem Wayne Huffman asked what our Ordinance shows and Mr. Newton said he already had approval for the four he has there now but needs to know if he can keep adding to it. Mr. Huffman stated since he already had the approval he can add to it as long as they are up to par and each pad has its own water and electric meter.

Mr. Newton stated Public Works Director Shannon Rowe has been called out twice in the last two weeks to clean the sewer lines and all he has found that has stopped the lines up is a collection grease. Mr. Newton said there is thirty-nine places in town that can contribute to this problem. One problem was in the alleyway behind the bank and the other problem was off of West San Jacinto but it was the same line. Mayor Wayne Huffman stated the only way to correct this problem would be to put in a grease trap on the line that comes out of the establishment. Mr. Newton would like to have the business be required to put in a grease trap and would put it in the newspaper if the Council agrees to it. He also said the only way for the businesses to prove they have a grease trap is to provide the city a receipt every quarter showing the disposal of their grease. Mr. Huffman asked we have an Ordinance that requires businesses to have grease traps and Mr. Newton answered yes there is an Ordinance to abide by City Code and this is a City Code. Mayor Slaughter told Ken to go ahead and get this program started.

7. Adjourn. The meeting was adjourned at 7:58 PM.

Billy Joe Slaughter, Mayor

Wayne Huffman, Mayor Pro-Tem

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The Regular Meeting of the City Council of the City of Trinity was held on February 12, 2015 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt and Billy Goodin

Councilman Absent: Chris Dennis

City Manager Absent:

- 1. Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
- 2. Approval of minutes for the Regular Meeting January 8, 2015.** Mayor Pro-Tem Wayne Huffman approved the minutes. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.
- 3. Approve bills for payment.** – Councilman Billy Goodin made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- 4. City Manager's Report** -- Our total funds as of February 12, 2015 is \$733,175.46. Our checking account balance is \$529,373.04. Accounts payable are \$78,293.18. Account receivables are \$109,408.31. The Municipal Court collected \$10,208.30 for the month of January 2015 with the OMNI Program collecting \$2,193.00 of that total. The sales tax collected for February 2015 is \$164,565.35. The Fire Department donations for the month of January 2015 were \$216.00. The water collections for the month of January 2015 were \$105,849.68. Total deposits for the month of January 2015 were \$305,454.70.

5. Old Business

A. Discussion and Action on any grant related business.

Mayor Slaughter stated there are two new grants in progress, one is the water tower on Hwy 94 and the other is the Nursing Home. The contractors for the water tower have everything ready for Sheer to come put the tank up and the Nursing Home should start the first quarter of 2015 according to GrantWorks. Two grants are in the process of being closed which is the Urgent Need Water Well and XG Ventures.

6. New Business

Mayor Slaughter stated ETMC EMS is leaving Trinity County and Houston County March 14, 2015 and he and the council have been working the last two months to get another ambulance service to take over. They have listened to seven different companies and have unanimously agreed on Ventura EMS out of Huntsville because since they offered the best proposal upfront. Mayor Pro-Tem stated Ventura EMS has seven ambulances in Huntsville and has worked there for some time and they came in right off the bat and offered to come in just like ETMC EMS for no money, which means the city would not have to raise taxes or water rates to pay for the service. The lowest bid that was offered was for \$65,000 a year and that was just for this area.

- A. Discussion with Julia McMichael concerning the gun show that will be held at the Community center on March 28, 2015.** Julia McMichael stated the Lions Club needs assistance with advertising for the gun show because they want to advertise in a fifty mile radius so it will be

successful. They would like this to be an annual event that will promote and give a financial gain to the city. Mrs. McMichael stated when a gun is registered in Trinity the city will get the sales tax for it. She stated the Lion's Club motto is to serve, their primary purpose is to serve the blind and their secondary purpose is to serve the community. All the money the Lion's Club receives they give back to the community. Mrs. McMichael talked about several different things they do for the community and organizations. Mayor Pro-Tem Wayne Huffman asked if the city would furnish the Community Center at no charge for both days if that would be helpful and Mrs. McMichael stated that would be greatly appreciated. She also stated she was going to ask for free security since they are required to have an officer on the premises at all times. Mayor Slaughter asked how much money they needed for advertising and Mrs. McMichael stated \$500. Mayor Pro-Tem Wayne Huffman made the motion to donate \$500 and the building free of charge for both days. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion Carried.

- B. Discussion and Action with Vera Fransaw regarding the Trinity Middle School Student Council.** Mrs. Fransaw stated she is the Student Council's Sponsor and has officers from the Trinity Middle School Student Council here to speak to the Mayor and City Council. Each officer from the student council gave a speech on things they would like the city to do and have.
- C. Discussion and Action regarding Order of Election for the May 9, 2015 general election for the City of Trinity.** Mayor Slaughter stated his empty seat and Mr. Goodin's seat are up for election this year which is Council Position's #4 and #5. Early voting will start April 27, 2015 through May 5, 2015 and Election Day will be May 9, 2015. Mayor Pro-Tem Wayne Huffman made the motion to order the May 9, 2015 Election. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- D. Discussion and Action concerning what date the Fourth of July Fireworks will take place.** Mayor Slaughter stated July fourth falls on a Saturday this year. Mayor Pro-Tem Wayne Huffman made the motion to have the Fireworks display on Saturday, July 4, 2015. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion Carried.
- E. Discussion and Action to hire a City Administrator.** Mayor Slaughter stated his nomination for City Administrator is Jo Bitner. Mayor Pro-Tem made the motion to hire Jo Bitner as City Administrator. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion Carried. Mayor Slaughter said Monday, February 16, 2015 is a holiday so Ms. Bitner's start date will be Tuesday, February 17, 2015.
- F. Discussion and Action to pass Resolution #15-0002 to designate persons to act as agents to deposit and pick up the night depository bag.** Mayor Slaughter stated this allows an employee to pick up the deposit bag every morning from the bank. Mayor Pro-Tem made the motion to pass the resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion Carried.
- G. Discussion and Action to pass Resolution #15-0003 authorizing bank signatures.** Mayor Slaughter stated he thinks there should be four people to be able to sign which is the Mayor, Mayor Pro-Tem Wayne Huffman, City Administer Jo Bitner and Jennifer Priddy. Councilman Billy Goodin made the motion to approve. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
- H. Discussion and Action concerning clean-up with Kenneth Newton.** Mr. Newton stated there was discussion last month about the property that belongs to Open Door Outreach Ministry at 418 W. Main Street that lead him to believe there was a possibility the surveys that were used to make the decision last month were not exactly correct but that was not the case. Mr. Newton measured the property himself and everything was correct and matched the surveys and the right decision

was made.

7. Adjourn. The meeting was adjourned at 7:49 PM. to go into Executive Session.

Executive Session:

A. Discussion concerning personnel and contracts under Gov. Code 551.074. The Mayor and Council had a discussion with Librarian Melvin Shelly regarding concerns with employees at the Library. Adjourned from Executive Session at 8:26 p.m.

8. Reconvene in open session: 8:28 p.m.

A. Action necessary as a result of Executive Session.

9. Adjourn. 8:35 p.m.

Billy Joe Slaughter, Mayor

Wayne Huffman, Mayor Pro-Tem

**THE STATE OF TEXAS
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The Special Meeting of the City Council of the City of Trinity was held on February 17, 2015 at 6:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt, Chris Dennis and Billy Goodin

City Administrator: Jo Bitner

Councilman Absent:

- 1. Call meeting to order.** Mayor Billy Joe Slaughter called the meeting to order at 6:04 p.m. and verified that a Quorum was present for the meeting.
- 2. Discussion and Action to hire an Ambulance Service to take over the area ETMC EMS covered.** Keith Shelley with Ventura EMS stated the company is based out of Huntsville and is a private ambulance service. Mr. Shelley said this will be Ventura's first 911 contract and is very excited to take it on. Ventura EMS is a small ambulance service which will allow them to be quick on their feet and to make adjustments as needed. Each ambulance will be staffed with one Paramedic and one EMT and will be stationed at the same station as ETMC EMS. Councilman Clegg DeWalt asked if Ventura would honor the memberships that ETMC EMS provided and Mr. Shelley answered yes his company would have membership services and ETMC EMS would reimburse the members that had it with them. Ventura EMS will take over at midnight on March 15, 2015. Mayor Pro-Tem made the motion to hire Ventura EMS for a 5 year contract. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.
- 3. Adjourn.** 6:11 p.m.

Billy Joe Slaughter
Mayor

Jo Bitner
City Administrator

**THE STATE OF TEXAS
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The Regular Meeting of the City Council of the City of Trinity was held on March 12, 2015 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt and Billy Goodin and Chris Dennis

City Administrator: Jo Bitner

Councilman Absent:

1. **Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting February 12, 2015 and Special Meeting February 17, 2015.** Councilman Clegg DeWalt approved the minutes. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** – Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of March 12, 2015 is \$858,913.98. Our checking account balance is \$640,989.64. Accounts payable are \$74,434.51. Account receivables are \$152,018.61. The Municipal Court collected \$18,777.29 for the month of February 2015 with the OMNI Program collecting \$10,324.50 of that total. The sales tax collected for March 2015 is \$54,237.18. The Fire Department donations for the month of February 2015 were \$219.00. The water collections for the month of February 2015 were \$103,860.22. Total deposits for the month of February 2015 were \$553,647.97.

5. Old Business

A. Discussion and Action on any grant related business.

City Administrator Jo Bitner stated Michael Smith with the Nursing Home came by and updated her on a status on the project. Mr. Smith said they would start work on the site in 60 days and it would take approximately 10 months to complete and should be open by the spring of 2016. The facility will have a 78 to 90 room capacity with an addition in the back they can add on to for assisted living in the future. The Nursing Home will be leased by Pillar Stone out of Baytown, TX and will generate 65 to 70 jobs.

Mayor Billy Slaughter stated the contractor for the water tower project will start the drilling of the tower on March 23, 2015.

6. New Business

A. Discussion and Action regarding the Certification of Unopposed Candidates for the City of Trinity General Election for May 9, 2015. Mayor Pro-Tem Wayne Huffman made the motion to approve the Certification of Unopposed Candidates. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

B. Discussion and Action concerning the Order of Cancellation of the City of Trinity General Election for May 9, 2015. Mayor Pro-Tem Wayne Huffman stated this is the first time since 1970 that the City of Trinity has not held an election due to having unopposed candidates. Mr. Huffman made the motion to order the cancellation of the May 9, 2015 Election. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

- C. Discussion and Action to pass a Proclamation to recognize National Service.** Mayor Slaughter stated this is a Proclamation for DETCOG to recognize National Service. Councilman Clegg DeWalt stated DETCOG is an acronym for Deep East Texas Council of Governments with a multi-million dollar budget. Mr. DeWalt and Mr. Drake went to Livingston on 2 occasions which resulted in the county receiving a multi-million dollar grant from the Ike 2.2 Hurricane money. The larger communities have more members than the smaller communities do and is pleased that Mr. Newton is a new member attending the events. Councilman Billy Goodin made the motion to pass the Proclamation. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion Carried.
- D. Discussion with Betty Godfrey regarding neighborhood clean-up.** Ms. Godfrey and Ms. Kay Henry stated their neighborhoods are slum areas. Ms. Henry has her property up for sale and has lost 3 sales so far due to what they have to drive thru to get to the property. Ms. Henry stated the disrepair and filth is attracting the wrong kind of people and is a health hazard and wants everyone to be proud of Trinity again. Ms. Godfrey said they are not here to complain but hopefully to problem solve these issues they are having. Mayor Slaughter stated people cannot go onto private property and mess with their belongings but we do have Ordinances and an Ordinance Officer to enforce the Ordinances. Mr. Newton stated he sent letters to the home owners on Bette Street and they are all guilty of being in violation of 5 ordinances. He hopes the letters will encourage them to clean their properties up and they have until April 1, 2015 to comply and if they do not there will be a \$100 fine per day until the property is cleaned.
- E. Discussion and Action concerning clean-up with Kenneth Newton.** Mr. Newton stated there are 2 lots on Israel Otis and Emily Street which involve removing trees. Mr. Newton stated we have a very small chance of getting the money back but can put a lien on the properties. He has received bids on the clean up and the low bidder was Jesse Grider. Mr. Newton stated no one can get these jobs unless they have a one million dollar insurance policy. Mayor Slaughter stated he wants Mr. Newton to inspect each job after they are completed to make sure they are cleaned and disposed the trash legally. Mr. Newton stated he will let the person awarded the bid he needs receipts for proof of proper disposal.

7. Adjourn. The meeting was adjourned at 7:45 PM. to go into Executive Session.

Billy Joe Slaughter, Mayor

Jo Bitner, City Administrator

**THE STATE OF TEXAS
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The Regular Meeting of the City Council of the City of Trinity was held on April 9, 2015 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt and Billy Goodin and Chris Dennis

City Administrator: Jo Bitner

Councilman Absent:

1. **Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting March 12, 2015.** Councilman Billy Goodin approved the minutes. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** -- Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of April 9, 2015 is \$792,823.46. Our checking account balance is \$568,860.87. Accounts payable are \$70,481.04. Account receivables are \$153,320.38. The Municipal Court collected \$10,318.90 for the month of March 2015 with the OMNI Program collecting \$4,485.00 of that total. The sales tax collected for April 2015 is \$51,687.70. The Fire Department donations for the month of March 2015 were \$219.00. The water collections for the month of March 2015 were \$102,863.96. Total deposits for the month of March 2015 were \$193,873.31.

5. Old Business

A. Discussion and Action on any grant related business.

City Administrator Jo Bitner stated the foundation for the water tower was completed last week and Schier Construction should have the water tower put up in three weeks. After the water tower is up it should take approximately three months to complete the project.

6. New Business

- A. Discussion and Action with Dianne Sollock of Davis, Heinemann and Company regarding the 2013-2014 Fiscal Year Audit.** Mrs. Sollock stated the independent auditor's report states the financial statements within the audit present fairly, in all material respects, the financial position of City of Trinity as of September 30, 2014 is an unmodified opinion, which is the best you can get. The balance sheet for the general fund had almost two million in total assets at year end and total liabilities of about one million which left a fund balance of a little over a million at year end. The majority of liabilities in the general fund are the due to other funds which we have to work on to get the due to and due froms working properly in the system to reduce that. The total revenues in the general fund were a little over 1.7 million for the year, expenditures were almost the same, and there was an increase in fund balance for the year of a little over \$25,000.00. Water, Sewer and Solid Waste Funds total equity for all the enterprise funds at year is was about two million. The Water/Sewer Fund had a deficit, it decreased the equity in the water/sewer fund by almost \$133,000 and the Solid Waste Fund increased the equity by \$74,000. Mrs. Sollock stated the

depreciation is not being budgeted and taking into consideration when doing the budget for the water/sewer fund which is almost \$151,000 which is the majority of the deficit. There were several grant projects during the fiscal year so in the general fund construction in progress increased by 1.5 million. The budget to actual comparison for the general fund which showed the City's total expenditures were within the budget by \$77,000. There were no findings or issues on internal control and compliance this year. Mayor Pro-Tem Wayne Huffman made the motion to accept the 2013 – 2014 Fiscal Year Audit. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

B. Discussion and Action to approve/disapprove Resolution #15-0004 supporting CSHB 1535 and CSSB 841 to encourage timely investment in electric infrastructure. Doug McCormick with Entergy stated the customer load growth in industrial commercial and residential sectors in Texas and in the south in general has created a need for Entergy Texas and three other non-ERCOT electric utilities in Texas to look for ways to more timely meet the growing customer demand. Non-ERCOT is the name of the electric grid that covers about ninety percent of Texas that all the utilities on that bid went to competition here in the state a number of years ago. There were three or four utilities around the perimeter of the state that crossed state lines and because of that they were not allowed to go to competition when the others did so primarily they do cross state lines and that brought the interstate rules into play for competition which are not all worked out yet to put it in the simplest terms. Entergy Texas will need an additional 2,000 megawatts by the end of 2016 to keep up with demand and an additional 8,000 megawatts by 2025. The current lag time for when the major infrastructure is put in place to serve the customers and when the utility can start recovering the expenditure is too long, it hinders the utility's abilities to timely built the infrastructure and creates a higher debt service on that infrastructure. Senate bill 841 which is sponsored by Senator Brandon Creighton from Montgomery County and House Bill 1535 sponsored by Chairman John Frullo from the panhandle area will better synchronize the timing of the investment and the recovery of those investments. This bill will make modifications to the Public Utilities Regulatory Act which is the statute the Public Utilities Commission of Texas goes by in regulating them those few utilities that are still fully regulated as opposed to being in a competitive market and the bill will not do reduce in anyway the Public Utility Commission's oversight of these regulated utilities and will not inhibit in anyway the cities original jurisdiction in all rate making processes, it will not change the right of other parties to intervene in rate cases Entergy files or any other issues before the Commission, it will not raise rates. The bill will do reduce the time between when the infrastructure improvements are put in place and put into service and when the utility can start recovering the cost. It will allow for faster development of needed infrastructure to help cities in the non-ERCOT areas to meet the growing demand there, it will allow for better financing terms and fewer expensive rate cases, it will support economic development by timely meeting customer's needs for service and it will put non-ERCOT utilities on a more even playing field with the EROCT utilities. Mayor Pro-Tem Wayne Huffman made the motion to pass the Resolution. Councilman Chris Dennis 2nd the motion. All remaining members voted yea. Motion carried.

C. Discussion and Action concerning Ventura EMS installing an antenna on top of the water tower for better communication. Keith Shelley with Ventura EMS stated he is happy to report that after taking over the 911 service everything is going well and as expected. However, Mr. Shelley said they are having poor radio communication which is key to their operations. Ventura EMS signed on with Nalcom Wireless to get a trunk system which allowed Ventura to utilize Nalcom's resources and they were told they would have excellent service in the City of Trinity and outside the limits of Trinity but that has not been the case. They have had to resort to cell phones which is not ideal and is usually only used for emergency services. Mr. Shelley contacted Nalcom about building their own system and in order to do that they would have to have their own antenna and repeater. Mayor Pro-Tem Wayne Huffman made the motion to let Ventura EMS put an antenna on the City of Trinity water tower. Councilman Clegg Dewalt 2nd the motion. All

remaining members voted yea. Motion Carried.

- D. Discussion and Action regarding the appointment of Susan Madeley Stevenson, Jessica Parrish and LaRuth Gates to the Blanche K. Werner Library Commission to replace Selma Rippey, Polly Simmons and Marty Shaw.** Mayor Pro-Tem Wayne Huffman made the motion to approve. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yea. Motion Carried
- E. Discussion and Action to pass a Proclamation for National Day of Prayer.** Mayor Slaughter said this is the Proclamation they pass every year. Councilman Chris Dennis made the motion to pass the Proclamation. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yea. Motion Carried.
- F. Discussion and Action to prohibit food and drinks in the Council Chamber.** Mayor Pro-Tem Wayne Huffman stated we finally got new carpet in the chamber and would like to make the motion to prohibit food and drinks in the Council Chamber. Councilman Clegg Dewalt 2nd the motion. All remaining members voted yea. Motion Carried.
- G. Discussion with Julia McMichael concerning the gun show that was hosted by Trinity Lion's Club.** Mrs. McMichael wanted to thank the City of Trinity very much and it was the most wonderful thing the city has done for the Lion's Club. They grossed \$11,800, they gave \$3,000 to the Inspirational Village, \$3,000 to the Boy Scouts, \$600 to their Kerrville Camp and the expenses were for the guns that were rifled and security for the gun show. It was a very successful event and Mrs. McMichael thinks it raised a lot of sales tax money. Since this was the first gun show there were evaluation forms handed out to the vendors and they received high ratings from nearly all the vendors and suggestions on what could be done if there is another gun show. The advertisements were good but needed to be put on gun show websites. The President of Trinity Lion's Club presented a Certificate of Appreciation to the Mayor and Council.
- H. Discussion and Action concerning clean-up with Kenneth Newton.** Mr. Newton went over the DETCOG meeting he attended on March 19, 2015.

7. Adjourn. The meeting was adjourned at 7:45 PM. to go into Executive Session.

Billy Joe Slaughter, Mayor

Jo Bitner, City Administrator

**THE STATE OF TEXAS
COUNTY OF TRINITY
CITY OF TRINITY**

The Regular Meeting of the City Council of the City of Trinity was held on May 14, 2015 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt, Billy Goodin and Phillip Morrison

City Administrator: Jo Bitner

Councilman Absent: Chris Dennis

1. **Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting April 9, 2015.** Mayor Pro-Tem Wayne Huffman approved the minutes. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** – Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of May 14, 2015 is \$942,352.18. Our checking account balance is \$715,571.32. Accounts payable are \$88,522.17. Account receivables are \$158,633.24. The Municipal Court collected \$13,981.00 for the month of April 2015 with the OMNI Program collecting \$7,660.00 of that total. The sales tax collected for May 2015 is \$125,190.97. The Fire Department donations for the month of April 2015 were \$223.00. The water collections for the month of April 2015 were \$95,848.57. Total deposits for the month of April 2015 were \$188,952.85.

5. Old Business

A. Discussion and Action on any grant related business.

City Administrator Jo Bitner stated Michael Smith with the Nursing Home came by last week and introduced the administrator that will be leasing the building after it is built. They are waiting on it to dry up enough to do a soil test and after that it should take approximately 9 months to build. Ms. Bitner also stated the paint crew is ready to paint the water tower but it is too wet right now.

6. New Business

- A. Swearing in of Council Positions 4 and 5.** Mayor Pro-Tem Wayne Huffman made the motion to swear in Council Positions 4 and 5. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried. Mayor Billy Joe Slaughter swore in Council Position 4 Billy Goodin and Council Position 5 Phillip Morrison.
- B. Comments from Council Positions 4 and 5.** Councilman Phillip Morrison stated it had been a long absence but is glad to be back and hopes he can help out and do the best he can. Councilman Billy Goodin stated the last two years went by fast and has learned a lot and is looking forward to the next two years.
- C. Discussion and Action concerning appointment of elected official to serve on DETCOG Board of Directors.** Mayor Billy Slaughter stated Councilman Clegg DeWalt has been serving on the Board and asked if he would like to continue to be on the Board. Councilman Clegg DeWalt agreed to serve on the Board of Directors. Mayor Pro-Tem Wayne Huffman made the motion to

let Councilman Clegg DeWalt serve on DETCOG Board of Directors. Councilman Phillip Morrison 2nd the motion. All remaining members voted yea. Motion Carried.

- D. Discussion and Action with Chad Seamans to pass Ordinance #15-0001 regarding a No Pet Ordinance at sporting events.** Mayor Billy Slaughter stated there are people bringing pitbulls on a leash to the little league games and Mr. Seamans' is afraid one of those dogs may jump on the kids. Councilman Phillip Morrison made the motion to pass the Ordinance. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion Carried.
- E. Discussion with LC Courtney to present a United States Flag that flew over the State Capital from Trent Ashby.** Mr. Courtney stated that on May 7, 2015 there was a ceremony at the Community Center to celebrate the National Day of Prayer. Representative Ashby graciously presented them with a Texas Flag that flew at the State Capital. In view of the City of Trinity allowing the use of the Community Center and other measures of support, Mr. Courtney wanted to present the flag to the City to be displayed as they desire.
- F. Discussion and Action with Stephen Zolecki concerning installing speed bumps on E. Madison Street.** Mr. Zolecki stated he has lived on E. Madison Street since 2002 and has an issue with the amount of traffic that is on the road and how fast the traffic is. Mr. Zolecki would like 2 speed humps to be put on E. Madison Street. Mayor Pro-Tem Wayne Huffman stated he does not think the City of Trinity needs any speed bumps anywhere and does not want the liability issues for the City of Trinity. Police Chief Steven Jones stated there is an occasional vehicle that will speed but the majority of the people are going the speed limit or less but it may not appear they are with the naked eye. Mr. Jones said there is a high volume of traffic on this road and they do conduct traffic stops but it is not usually for speeding. Mayor Pro-Tem Wayne Huffman made the motion to not install speed bumps. Councilman Phillip Morrison 2nd the motion. All remaining members voted yea. Motion Carried. Councilman Clegg DeWalt made the motion to put up two 30 mph speed limit signs at each end of E. Madison Street. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
- G. Discussion and Action to pass Resolution #15-0005 to amend the Fair Housing Action Plan to reflect that any outstanding activities will be undertaken on or before December 31, 2015.** Mayor Pro-Tem Wayne Huffman stated this is something that has to be passed every year for GrantWorks and made the motion to approve the Resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- H. Discussion and Action to adopt an Anti-NIMBYism Action Plan which establishes actions that the City will take to mitigate potential anti-NIMBYism that might arise from proposed future development.** Mayor Pro-Tem Wayne Huffman stated this is part of the Fair Housing also with GrantWorks. Councilman Clegg DeWalt made the motion to adopt the Anti-NIMBYism Action Plan. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
- I. Discussion and Action to pass a Proclamation to declare April as Fair Housing Month.** Mayor Pro-Tem Wayne Huffman made the motion to approve the Proclamation. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- J. Discussion and Action to pass Resolution 15-0006 to amend the 2014-2015 Fiscal Year Budget.** Mayor Billy Slaughter stated this is due to the Police Department's tahoe being wrecked and the insurance company reimbursing the city for the repair costs. Councilman Clegg DeWalt made the motion to pass the Resolution. Councilman Phillip Morrison 2nd the motion. All remaining members voted yea. Motion carried.

K. Discussion and Action to amend the Miscellaneous Nuisance Ordinance in Chapter 7 Article 7.100 Miscellaneous Nuisances to provide for the addition of Jake Braking Ordinance #15-0002. Mayor Pro-Tem Wayne Huffman stated he had a citizen ask him about the big trucks using the Jake Brake and he noticed the City of Groveton has had it in their ordinance for years and would like to see the City of Trinity have it in theirs. Councilman Phillip Morrison made the motion to approve the Ordinance. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried. Mayor Billy Slaughter stated we would get the signs ordered and put them at the ends of the town.

J. Discussion and Action concerning clean-up with Kenneth Newton. Mr. Newton stated he is in the process of filing a summons with the Police Department to appear before the judge on properties he has not had any responses on.

7. Adjourn. The meeting was adjourned at 7:49 PM.

Billy Joe Slaughter, Mayor

Jo Bitner, City Administrator

**THE STATE OF TEXAS
COUNTY OF TRINITY
CITY OF TRINITY**

The Regular Meeting of the City Council of the City of Trinity was held on June 11, 2015 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt, Billy Goodin, Chris Dennis and Phillip Morrison

City Administrator: Jo Bitner

Councilman Absent:

1. **Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting May 14, 2015.** Councilman Clegg DeWalt made the motion to approve the minutes. Mayor Pro-Tem Wayne Huffman 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** -- Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of June 11, 2015 is \$741,408.05. Our checking account balance is \$511,468.29. Accounts payable are \$87,957.82. Account receivables are \$161,496.16. The Municipal Court collected \$10,825.00 for the month of May 2015 with the OMNI Program collecting \$4,664.00 of that total. The sales tax collected for June 2015 is \$48,019.27. The Fire Department donations for the month of May 2015 were \$225.00. The water collections for the month of May 2015 were \$94,889.70. Total deposits for the month of May 2015 were \$393,140.25.

5. Old Business

A. Discussion and Action on any grant related business.

Michael Smith with the Nursing Home stated they are waiting on the final approval on the environmental assessment. The facility will have 78 beds and should employ 65-70 full time employees and the grant only calls for employing 20 full time employees so he does not see a problem with fulfilling that. Mr. Smith said once the construction starts it is approximately a 9 to 10 month process from start to finish, weather permitting. Mayor Billy Joe Slaughter stated having this nursing home in town will boost the city's tax rate.

City Administrator Jo Bitner stated the crew has been painting the water tower and then they will start the plumbing work.

6. New Business

- A. Discussion and Action to approve Resolution #15-0007 authorizing the submission of a contract amendment request for TCF CDBG No. 7214132 which will change the contracted business to Pillar Stone Healthcare Company, LLC.** Mr. Smith stated his company will maintain the ownership of the bricks and mortar but GrantWorks has to deal with the company creating the jobs which will be Pillar Stone. Mayor Pro-Tem Wayne Huffman made the motion to approve the Resolution. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.

- B. Discussion and Action to pass Resolution #15-0008 to amend the 2014-2015 Fiscal Year Budget.** City Administrator Jo Bitner stated this is due from a transfer from the Municipal Court Technology Fund to the General Fund for a new phone system for the City Hall and Police Department. Mayor Pro-Tem Wayne Huffman made the motion to approve the Resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- C. Discussion and Action to pass Ordinance #15-0003 to prohibit organized gaming establishments within the boundaries of Trinity, Texas including the extra-territorial limits of the City of Trinity.** Frank with the gaming establishment stated he has establishments in Harris County and LaMarque and would like to have one in the City of Trinity. All of his eight liner machines are registered with the State Comptroller's Office. Police Chief Steven Jones stated they can only pay out 10% of what they gamble so if the establishments pay out more than 10% on a dollar that is a criminal activity. Councilman Phillip Morrison made the motion to table the Ordinance until next month. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion Carried.
- D. Discussion and Action to pass Ordinance #15-0004 to amend the probationary period for employees from one year to ninety days.** Mayor Billy Slaughter stated one year is too long to not give the benefits to employees and usually within ninety days you will know if the employee is going to work out. Councilman Clegg DeWalt made the motion to pass the Ordinance. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion Carried.
- E. Discussion and Action to pass Ordinance #15-0005 to increase the late charge on water bills from \$5.00 to \$10.00.** Mayor Billy Joe Slaughter stated he wants to increase the late charge because the city has started sending out past due notices to customers who have not paid their water bill by the 15th of the month and it is costing the city money to buy, print and mail the cards. He said this would not affect the customers who pay their bills by the 15th, it would only affect the ones who do not pay by the 15th. Mayor Pro-Tem Wayne Huffman made the motion to approve the Ordinance. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.
- F. Discussion and Action concerning clean-up with Kenneth Newton.** Mr. Newton stated he has sent a summons to Tommy Johnson regarding his property on Foreman Street and he is dealing with Frank Drone on his property on Elm Street.

7. Adjourn. The meeting was adjourned at 7:39 PM.

Billy Joe Slaughter, Mayor

Jo Bitner, City Administrator

**THE STATE OF TEXAS
COUNTY OF TRINITY
CITY OF TRINITY**

The Regular Meeting of the City Council of the City of Trinity was held on July 9, 2015 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt and Phillip Morrison

City Administrator: Jo Bitner

Councilman Absent: Chris Dennis and Billy Goodin

1. **Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting June 11, 2015.** Councilman Clegg DeWalt made the motion to approve the minutes. Councilman Phillip Morrison 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** -- Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of July 9, 2015 is \$677,495.17. Our checking account balance is \$443,385.85. Accounts payable are \$101,105.51. Account receivables are \$101,129.99. The Municipal Court collected \$14,762.00 for the month of June 2015 with the OMNI Program collecting \$7,888.00 of that total. The sales tax collected for July 2015 is \$52,067.73. The Fire Department donations for the month of June 2015 were \$233.00. The water collections for the month of June 2015 were \$97,805.00. Total deposits for the month of June 2015 were \$185,956.78.
5. **Old Business**
 - A. **Discussion and Action on any grant related business.**

City Administrator Jo Bitner stated the ground work and plumbing should have been started this week on the Water Tower but no crews have showed up yet. As far as the Nursing Home, we are still doing paperwork and there is a Resolution on the agenda tonight that should move it along.
6. **New Business**
 - A. **Discussion and Action to approve Resolution #15-0009 authorizing the submission of a contract amendment request for TCF CDBG No. 7214132 which will change the contracted business to Trinity RHC, LLC dba Trinity Rehabilitation & Healthcare Center.** This Resolution changes Pillar Stone from being the payroll company to Trinity RHC. Mayor Pro-Tem Wayne Huffman made the motion to approve the Resolution. Councilman Phillip Morrison 2nd the motion. All remaining members voted yea. Motion carried.
 - B. **Discussion and Action with Joe Colvin concerning gaming establishments.** Mr. Colvin explained what he does for the community and described how the eight-liner machines help him continue to help the community.
 - C. **Discussion and Action to pass Ordinance #15-0003 to prohibit organized gaming establishments within the boundaries of Trinity, Texas including the extra-territorial limits of the City of Trinity.** Councilman Clegg DeWalt stated he talked to County Attorney Joe Bell

and he referenced Section 47 in the Texas State Penal Code regarding gambling which is a nine page legal statute. Mr. DeWalt feels that the City Council does not possess proper legal expertise to interpret the statute. He believes they do not have the authority to supersede state law. The City Council cannot grant this concession for our grandfather actions done in the past or to be done in the future that could be viewed as being in violation of the Texas State Penal Code. Councilman Clegg DeWalt made the motion to table the Ordinance so they can get the District Attorney's opinion on this matter to grandfather the gaming machines in Trinity County. Councilman Phillip Morrison 2nd the motion. All remaining members voted yea. Motion Carried.

D. Discussion and Action with Doug McCormick to pass Ordinance #15-0006 to decline the change in rates requested in Entergy Texas, Inc.'s. Mr. McCormick said they always come to the cities first and the cities have the right to accept the rate proposal which rarely happens, the right to suspend up to 90 days or the right to decline. Mayor Pro-Tem Wayne Huffman made the motion to approve the Ordinance. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

E. Discussion and Action concerning clean-up with Kenneth Newton. Mr. Newton went over his report for the month of June 2015.

7. Adjourn. The meeting was adjourned at 7:26 PM.

Billy Joe Slaughter, Mayor

Jo Bitner, City Administrator

**THE STATE OF TEXAS
COUNTY OF TRINITY
CITY OF TRINITY**

The Regular Meeting of the City Council of the City of Trinity was held on August 13, 2015 at 7:00 p.m. in the City Hall in Trinity, Texas. The following Council members were present:

Mayor: Billy Joe Slaughter

Mayor Pro-Tem: Wayne Huffman

Councilman Present: Clegg DeWalt, Chris Dennis, Billy Goodin and Phillip Morrison

City Administrator: Jo Bitner

Councilman Absent:

1. **Call meeting to order.** -- Mayor Billy Joe Slaughter called the meeting to order at 7:00 p.m. and verified that a Quorum was present for the meeting.
2. **Approval of minutes for the Regular Meeting July 9, 2015.** Councilman Phillip Morrison made the motion to approve the minutes. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion carried.
3. **Approve bills for payment.** -- Mayor Pro-Tem Wayne Huffman made the motion to approve bills for payment. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
4. **City Manager's Report** -- Our total funds as of August 13, 2015 is \$567,357.85. Our checking account balance is \$376,762.26. Accounts payable are \$83,126.33. Account receivables are \$112,043.42. The Municipal Court collected \$8,923.50 for the month of July 2015 with the OMNI Program collecting \$2,305.00 of that total. The sales tax collected for August 2015 is \$118,465.61. The Fire Department donations for the month of June 2015 were \$194.00. The water collections for the month of July 2015 were \$112,983.43. Total deposits for the month of July 2015 were \$237,153.80.

5. Old Business

A. Discussion and Action on any grant related business.

City Administrator Jo Bitner stated there is suppose to be a bore done for the water tower this week then they will tap into TRA's line which will distribute water to the City's 6 inch line for the water tower.

6. New Business

- A. Discussion and Action to pass Ordinance #15-0003 to prohibit organized gaming establishments within the boundaries of Trinity, Texas including the extra-territorial limits of the City of Trinity.** District Attorney Bennie Schiro stated he has had a few prosecutions on the 8-liners since he's been in office due to the businesses running illegal operations. The machines are illegal unless they operate under the "fuzzy animal exception." This exception is found in the Texas Penal Code §47.01(4) and it reads as "any electronic, electromechanical, or mechanical contrivance designed, made, and adapted solely for bona fide amusement purposes if the contrivance rewards the player exclusively with noncash merchandise prizes, toys, or novelites, or a representation of value redeemable for those items, that have a wholesale value available from a single play of the game or device of not more than 10 times the amount charged to play the game or device once or \$5, whichever is less." There appears to be a belief among game room operators that as long as they do not pay out cash, their operation is perfectly legal – or at least they would not raise suspicions with local authorities. This argument has been struck down several times, most clearly by the Texas Supreme Court in 2003, holding that "devices, known as '8-liners,' that

dispense tickets redeemable for cash, even if used only for additional play, or for gift certificates redeemable at local retailers do not, as a matter of law, meet the gambling device exclusion under §47.01(4)(B). Councilman Clegg DeWalt stated Mr. Joe Colvin gives Joe Bucks for his prizes which is gift certificates for food at his restaurant and asked if this was legal. Mr. Schiro referenced a case in which gift certificates were used as a medium of exchange at various retail outlets. As the court of appeals correctly noted, gift certificates, like those awarded here, are an equivalent of money; five dollar gift certificates, redeemable for merchandise at Walmart, may be used in precisely the same manner as five-dollar bills. The ease with which the Game Time certificates can be converted to cash distinguishes them from five-dollar stuffed animals or other novelty items for which there is no readily marketable value. If, as here, the reward operates in the same manner as legal tender in a retail establishment, it does not qualify as a noncash merchandise prize, toy or novelty item. This interpretation comports with the plain language of the statute because the 8-liners at issue here rewarded the players with “cash” or its equivalent, the machines do not satisfy the section 47.01(4)(B). Councilman Phillip Morrison asked Mr. Schiro the machines themselves are not illegal because they are licensed by the state but it is how they are operated that can make them illegal, correct? Mr. Schiro stated that is correct. Councilman Phillip Morrison stated it is not up to the Council to say whether or not they can have the machines or not have them it is up to the law or the District Attorney to enforce it. Mr. Schiro stated he was not prepared for that but said that he is pretty sure if the City of Trinity does not want the machines in the city they could do away with them. Mayor Pro-Tem Wayne Huffman stated people that are not making money from it are not going to have it for what it is designed for and said the City of Trinity does not need them and need to be out of here. Mayor Pro-Tem Wayne Huffman made the motion to approve the Ordinance. Councilman Billy Goodin 2nd the motion. Councilman Phillip Morrison opposed the Ordinance. All remaining members voted yea. Motion carried.

- B. Discussion and Action to pass Resolution #15-0010 to amend the 2014-2015 fiscal year budget.** Mayor Billy Slaughter stated this is for the \$4500.00 Hochhiem Insurance donated to the Library to help fix the a/c unit at the Library. Mayor Pro-Tem Wayne Huffman made the motion to approve the Resolution. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion Carried.
- C. Discussion and Action to pass Resolution #15-0011 to certify the Tax Roll by the Trinity County Appraisal District.** Mayor Billy Slaughter stated he reviewed the tax roll with Chief Appraiser Gary Gallant and the taxes are decreasing this year. Mayor Pro-Tem Wayne Huffman made the motion to approve the Resolution. Councilman Billy Goodin 2nd the motion. All remaining members voted yea. Motion Carried.
- D. Discussion and Action regarding the proposed tax rate, take record vote and to schedule a public hearing.** Mayor Billy Slaughter suggested going with 6% above the effective tax rate which will generate more income for the City of Trinity because the value will be higher this year. The tax rate for 2014 was .006573 and it will decrease to .006571 in 2015. Mayor Slaughter stated there will be two public hearings regarding this and they are scheduled for August 27, 2015 at 6pm and September 3, 2015 at 6pm. Mayor Pro-Tem Wayne Huffman made the motion to approve the proposed tax rate of .006571. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.
- E. Discussion and Action regarding supporting Trinity County hiring a part-time Election Administrator.** City Administrator Jo Bitner stated the County Clerk called and she is trying to get the support of the entities in the County to hire a part-time Election Administrator and wanted to know if the City of Trinity would be interested in this program or not. Mayor Pro-Tem Wayne Huffman stated he is not for it and likes for the City to be over their elections and made the motion to not go that route. Councilman Clegg DeWalt 2nd the motion. All remaining members voted yea. Motion carried.

F. Discussion and Action concerning clean-up with Kenneth Newton. Mr. Newton went over his report for the month of July 2015.

7. Adjourn. The meeting was adjourned at 7:36 PM.

Billy Joe Slaughter, Mayor

Jo Bitner, City Administrator