

**WHITE OAK CITY COUNCIL
REGULAR MEETING
WHITE OAK CITY HALL
SEPTEMBER 14, 2010
6:00 P.M.**

MEMBERS PRESENT : Mayor Rick May, Mayor Pro-tem Dr. Barbara Ray, Lance Noll, Kyle Kutch, Kelly Mitchell, Charlie Owens

STAFF PRESENT : Charlie Smith, Sherry Roberts, Mike Self, Terry Roach, Randy Dodson
Andy Willeford, Tracey Fears, Nathan Holder, Chris Bullard, Dale Tuttle, Wendy Emmel, Jamie Guida, Joe Theriot

GUESTS PRESENT : Gracie Smith, Jenny Huckle, Tammy Theriot

CALL TO ORDER

Mayor May called the meeting to order at 6:05 p.m. then led the invocation and Pledge of Allegiance.

PROCLAMATION recognizing Assistant Police Chief Terry Roach for his initiation of lifesaving measures related to Champion EMS employees.

Mayor May made a statement regarding the proclamation commending Asst. Police Chief Roach for the lifesaving measures he performed that day and how blessed the City is for having Asst. Police Chief Roach as an employee.

City Coordinator/Police Chief Charlie Smith read the proclamation for the audience and presented the proclamation and a plaque to Asst. Police Chief Roach.

CONSENT AGENDA

- A. Consider and/or approve payment of bills.
- B. Consider and/or approve City Council minutes from August 10, August 16, August 31, & September 7, 2010
- C. Consider and/or approve WOEDCO minutes from July 27, 2010

Mayor Pro-tem Ray made the motion to approve, seconded by Councilmember Kutch. Carried unanimously.

CITIZEN COMMENTS

None.

CONSIDER AND/OR APPROVE engagement letter from Karen A. Jacks & Associates to perform the Fiscal Year 09/10 audit.

Mayor Pro-tem Ray questioned if the amount was the same as last year. City Secretary Sherry Roberts answered yes. Last year's amount was higher than what it will be this fiscal year only because the auditors had to provide more service than normal because of her being new to her

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position. Councilmember Kutch questioned if contract approval had been obtained from the city attorney. Ms. Roberts stated no because it is the same contract that is approved every year.

Councilmember Mitchell made the motion to approve, seconded by Councilmember Noll. Carried unanimously.

CONSIDER AND/OR APPROVE the board nominations of Don Anderson, Kenny Corbell, and Sondra Cunningham to the Planning & Zoning Commission.

Councilmember Mitchell made the motion to approve, seconded by Councilmember Owens. Carried unanimously.

CONSIDER AND/OR APPROVE Loans to Participants Amendment to employees' 457b deferred compensation plan with Nationwide Retirement Solutions.

City Secretary Sherry Roberts explained this is a contract adjustment to allow contributing employees the capability to borrow from their account.

Motion to approve made by Mayor Pro-tem Ray, seconded by Councilmember Noll. Carried unanimously.

CONSIDER AND/OR APPROVE nominations for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.

Mayor May explained City Coordinator Charlie Smith has recommended to nominate the current members because of their tenure on the board.

Councilmember Owens made the motion to nominate all incumbents, seconded by Councilmember Kutch. Carried unanimously.

CONSIDER AND/OR APPROVE Ordinance #2010-08 amending Chapter 50 of the Code of Ordinances by adopting Article III, entitled "Illegal Smoking Materials" to prohibit the sale or delivery of the possession of illegal smoking materials by persons; providing for repealing, savings and severability clauses; providing for a penalty for the violation of this ordinance; providing for the publication of the caption hereof; and providing for and effective date of this ordinance.

Mayor Pro-Tem Ray made the motion to approve, seconded by Councilmember Owens. Carried unanimously.

CONSIDER AND/OR APPROVE Ordinance #2010-09 budget amendment to the General Fund and Water & Sewer Fund.

City Coordinator Charlie Smith explained the adjustment is from the previous approval for the one-time salary adjustment for employees.

Motion to approve made by Mayor Pro-tem Ray, seconded by Councilmember Noll. Carried unanimously.

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CONSIDER AND/OR APPROVE Ordinance #2010-10 adopting a budget for the City of White Oak for the Fiscal Year October 1, 2010 to September 30, 2011 and providing for an effective date.

Councilmember Kutch made the motion to amend the agenda item to approve the budget with an addition of a 3% salary increase for employees. Councilmember Noll seconded the motion with the 3% salary increase addition.

Councilmember Mitchell stated he thinks this is great. Councilmember Noll stated in his opinion the city runs as a service organization and if excellent city service is expected, then it is necessary to have excellent employees. The citizens expect to have the best water and service. Councilmember Owens agreed. Councilmember Kutch stated he sees his job as to what is best for the community, not just the employees. There is no way to know what the economy will be like and this is a tough decision to make. Mayor Pro-tem Ray stated her agreement with everyone and the employees deserve a raise. However, she stated she has a problem raising the tax rate four cents and it has already been said that no raises would be given this year. She said she would be more comfortable raising the tax rate to .50/100 versus .52/100 and still have a surplus.

Councilmember Mitchell stated his disagreement with Mayor Pro-tem Ray. The employees have gone three years without a raise and revenue needs to be raised somehow. There are projects that will not be done as planned and all street capital has been put on hold because of the deficit. Mayor Pro-tem Ray explained the City has a healthy fund balance and realizes it cannot be utilized every year.

Carried unanimously.

CONSIDER AND/OR APPROVE Ordinance #2010-11 levying ad valorem taxes for use and support of the municipal government of the City of White Oak for the 2010-2011 fiscal year; providing for apportioning each levy and specific purposes; providing when taxes shall become due and delinquent if not paid and providing for an effective date.

Councilmember Mitchell made the motion to approve the ordinance with a tax rate of \$.52/100, seconded by Councilmember Owens. Mayor May stated this will increase taxes \$35.15 on a \$100,000 home. Carried unanimously.

CITY COORDINATORS ITEMS

A. Capital Projects Update

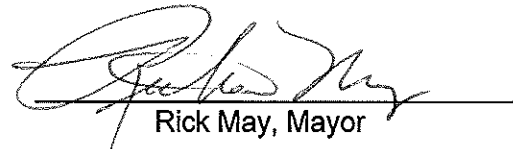
City Coordinator Charlie Smith stated the water plant project is going good. The standpipe is not filling up yet. There is a wait on the Smith Pumps. He and Mike Self met with a Siemens Industry representative about evaluating the City infrastructure and he would like to make a presentation to the City Council. The company will evaluate water meters, lighting, etc. There is no upfront cost. Councilmember Mitchell questioned if the company does all the work. Mr. Smith answered yes. Councilmember Owens questioned if they pull 70-80 meters and calibrate them all. Mr. Smith answered yes. Councilmember Ray stated the school did something similar through SWEPCO and as far as she knows, it worked well. Mr. Smith stated the company guarantees the savings. If the City does not realize the savings the company projected, the company reimburses the City the difference. Councilmember Mitchell would like to hear the company's presentation. The Mayor instructed Mr. Smith to add him to the October agenda.

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Mr. Smith read an invitation to the council regarding the quarterly TML Region 15 meeting on September 22, 2010 at 6:30 p.m. in Tyler. The newly appointed president of TML will be speaking about upcoming legislative issues.

ADJOURNMENT

Motion to adjourn at 6:50 p.m. made by Councilmember Noll, seconded by Councilmember Mitchell. Carried unanimously.


Rick May, Mayor

ATTEST:


Sherry Roberts, City Secretary