

Regular City Council Meeting  
September 10, 2018

STATE OF TEXAS  
COUNTY OF MONTAGUE  
CITY OF BOWIE

On this the 10th day of September, 2018, the council convened in a regular meeting open to the public as advertised with four Councilors present. Councilor Gunter and Mills were absent.

Presiding: Mayor Burris  
Councilors: Bell, Bishop, Malone, and Stallcup  
City Secretary Page  
City Manager Cunningham  
City Attorney Jennings

Mayor Burris called the meeting to order at 6:00 p.m.

**Public Comments**

Donny Dun resides outside the city limits but receives city water. He is angry over being forced to take service from Waste Connections just because he has city water.

**Public Hearing**

**1. 2<sup>nd</sup> Public Hearing for 2018 Tax Rate.**

Mayor Burris opened the public hearing at 6:05 p.m.

Mayor Burris stated this public hearing is to inform the public on the proposed tax rate of \$0.525000 per \$100 in property value. This is a decrease of 1% over last year. The meeting in which the tax rate will be adopted will be the September 24<sup>th</sup> City Council meeting at 6:00 p.m. in the Council Chambers.

With no questions asked, Mayor Burris closed the hearing at 6:06 p.m.

**City Manager Report**

City Hall will be one of the first on the list for Comcell to install Fiber Optic Cable and we should be on the internet within 2 or 3 weeks. Comcell will be working from the middle of town out and those closest to downtown will be the first to have high speed internet.

Schneider Engineering said we should have a Power Purchase Agreement price from the solar developers within the next couple of weeks. Bluestem Energy Solutions will also have a price for us before the next council meeting. The proposals will be brought to council to see if we will proceed with the solar array or some other type of generation in order to save the city more money on the electric utility.

City Manager and Councilman Bell will be attending the Watershed Program Procedures and Policies Seminar and Listening Session in Decatur next week.

Water Tight Roofing has been inspecting the roofs on City Hall, Police Station, Library, Community Center, and Fire Station. There has been some damage found and a claim will be filed with TML Insurance. If new roofs are required, Water Tight Roofing will replace the roofs at no cost to the City. Insurance money is the only reason we do not pay roofing company.

Nortex will have its meeting on Thursday the 13<sup>th</sup>. There was a scheduling conflict with the meeting being on the regular scheduled day.

Burkburnett will hold the TML Region 5 meeting on the 20<sup>th</sup> at 6:00 p.m.

We are trying to get a grant through Nortex for a collapsed sewer line that runs on Mill Street from Wise Street south beyond the railroad.

**Consent Agenda Items: Approval of Minutes –August 27, 2018 Regular Meeting.**

Councilor Malone moved, with a second from Councilor Bell, to approve the Consent Agenda items as presented. Motion carried four with Councilors Bell, Bishop, Malone, and Stallcup voting Aye.

**Nortex-Mitigation Plan Project Update.**

It is very important for us to continue to meet and discuss the plan as it is our pathway to grants in the future and we get in-kind dollars for meeting and discussing the Mitigation Plan. The next meeting will be in Montague.

**Actual Electric Rate Announcement.**

Mayor Burris announced the final electric rate revision from BTU. The new rate is 11.14 cents per kilowatt hour. This is a reduction from the present 15.17 rate. This is about a 25% reduction with 90% of that going to residential and 10% to industrial. The new rate begins on December 1, 2018.

**Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.**

Councilor Bell moved, with a second from Councilor Stallcup, to approve the City Managers selection of Place 11 Randy Criswell, Place 12 Jana Traxler, Place 13 Byron Black, and Place 14 David Rutledge. Motion carried four with Councilors Bell, Bishop, Malone, and Stallcup voting Aye.

**Resolution 2018-22-A resolution of the City Council of the City of Bowie, Texas approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2018 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC'S reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC'S legal counsel.**

Councilor Bell moved, with a second from Councilor Malone, to approve Resolution 2018-22. Motion carried four with Councilors Bell, Bishop, Malone, and Stallcup voting Aye.

**Resolution 2018-23-A resolution authorizing continued participation with the ATMOS Cities Steering Committee; and authorizing the payment of two cents per capita to the ATMOS Cities Steering Committee to fund regulatory and related activities related to ATMOS Energy Corporation.**

Councilor Malone moved, with a second from Councilor Stallcup, to approve Resolution 2018-23. Motion carried four with Councilors Bell, Bishop, Malone, and Stallcup voting Aye.

**Resolution 2018-24- A resolution for the City of Bowie, Texas contingent on receiving a Texas Community Development Program (TxCDBG) Block Grant of \$275,000 to help fund a Sewer Improvement Project from the Texas Department of Agriculture (TDA).**

Councilor Bell moved, with a second from Councilor Stallcup, to approve Resolution 2018-24. Motion carried four with Councilors Bell, Bishop, Malone, and Stallcup voting Aye.

**Interlocal Governmental Cooperation Contract for Application and Administration Services Texas Community Development Program.**

Councilor Malone moved, with a second from Councilor Bell, to approve the Interlocal Contract. Motion carried four with Councilors Bell, Bishop, Malone, and Stallcup voting Aye.

**Ordinance 2018-10-Adopting an Annual Budget for the City of Bowie for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019 adopting a referenced document as said budget and establishing appropriations for the various activities and functions of the City, establishing an effective date and repealing all ordinances and regulations in conflict herewith.**

Councilor Stallcup moved, with a second from Councilor Bishop, to table Ordinance 2018-10. Motion carried three with Councilors Bell, Bishop, and Stallcup voting Aye. Councilor Malone voted Nay. Mayor Burris vetoed the motion.

**Ordinance 2018-11-An ordinance amending Chapter 11, Section 11.801 (a) (1), (2), (3), (4), and (5) of the Code of Ordinances of the City of Bowie, Texas increasing water rates; Adding the Fee Schedule for the water rates to Appendix "C" of the Bowie Code of Ordinances; providing a savings clause, a repealer clause; and providing an effective date.**


Councilor Stallcup moved, with a second from Councilor Bishop, to table Ordinance 2018-11. Motion carried four with Councilors Bell, Bishop, Malone, and Stallcup voting Aye.

**Ordinance 2018-12-An ordinance amending Chapter 11, Section 11.802 (a) (1), (2), and (3), of the Code of Ordinances of the City of Bowie, Texas increasing sewer rates; Adding the Fee Schedule for the sewer rates to Appendix "C" of the Bowie Code of Ordinances; providing a savings clause, a repealer clause; and providing an effective date.**

Councilor Stallcup moved, with a second from Councilor Bishop, to table Ordinance 2018-12. Motion carried four with Councilors Bell, Bishop, Malone, and Stallcup voting Aye.

Mayor Burris adjourned the meeting at 7:09 p.m.

ATTEST:

  
Sandy Page, City Secretary

  
Gaylyn Burris, Mayor

Special City Council Meeting  
September 14, 2018

STATE OF TEXAS  
COUNTY OF MONTAGUE  
CITY OF BOWIE

On this the 14th day of September, 2018, the council convened in a special meeting open to the public as advertised with all Councilors present.

Presiding: Mayor Burris  
Councilors: Bell, Bishop, Gunter, Malone, Mills, and Stallcup  
City Secretary Page  
City Manager Cunningham

Mayor Burris called the meeting to order at 5:00 p.m.

Mayor Burris called to go into Executive Session at 5:07 p.m.

**EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.074-Personnel Matters.**  
**1. City Manager Salary.**

Mayor Burris closed Executive Session at 5:12 p.m.

Mayor Burris convened into Open Session at 5:14 p.m.

**CONSIDER ANY OFFICIAL ACTION REGARDING EXECUTIVE SESSION;-Pursuant to Texas Government Code Section 551.074-Personnel Matters.**  
**1. City Manager Salary.**

No action was taken on this item.

**Ordinance 2018-11-An ordinance amending Chapter 11, Section 11.801 (a) (1), (2), (3), (4), and (5) of the Code of Ordinances of the City of Bowie, Texas increasing water rates; Adding the Fee Schedule for the water rates to Appendix "C" of the Bowie Code of Ordinances; providing a savings clause, a repealer clause; and providing an effective date.**

Councilor Stallcup moved, with a second from Councilor Bell, to approve Ordinance 2018-11. Motion carried with Councilors Bell, Gunter, and Malone voting Aye. Bishop, Mills, and Stallcup voted Nay. Mayor Burris broke the tie by voting Aye.

**Ordinance 2018-12-An ordinance amending Chapter 11, Section 11.802 (a) (1), (2), and (3), of the Code of Ordinances of the City of Bowie, Texas increasing sewer rates; Adding the Fee Schedule for the sewer rates to Appendix "C" of the Bowie Code of Ordinances; providing a savings clause, a repealer clause; and providing an effective date.**

Councilor Malone moved, with a second from Councilor Gunter, to approve Ordinance 2018-12. Motion carried with Councilors Bell, Gunter, and Malone voting Aye. Bishop, Mills, and Stallcup voted Nay. Mayor Burris broke the tie by voting Aye.

**Ordinance 2018-10-Adopting an Annual Budget for the City of Bowie for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019 adopting a referenced document as said budget and establishing appropriations for the various activities and functions of the City, establishing an effective date and repealing all ordinances and regulations in conflict herewith.**


Ordinance 2018-10 died for lack of a motion.

**Ordinance 2018-13-Adopting an Annual Budget for the City of Bowie for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019 adopting a referenced document as said budget and establishing appropriations for the various activities and functions of the City, establishing an effective date and repealing all ordinances and regulations in conflict herewith.**

Councilor Gunter moved, with a second from Councilor Bell, to approve Ordinance 2018-13. Motion carried with Councilors Bell, Gunter, Mills, Malone, and Stallcup voting Aye. Councilor Bishop voted Nay.

Mayor Burris adjourned the meeting at 5:36 p.m.

ATTEST:

  
Sandy Page, City Secretary

  
Gaylynn Burris, Mayor

Special City Council Meeting  
September 18, 2018

STATE OF TEXAS  
COUNTY OF MONTAGUE  
CITY OF BOWIE

On this the 18th day of September, 2018, the council convened in a special meeting open to the public as advertised with all Councilors present.

Presiding: Mayor Burris  
Councilors: Bell, Bishop, Gunter, Malone, Mills, and Stallcup  
City Secretary Page  
City Manager Cunningham

Mayor Burris called the meeting to order at 5:00 p.m.

**Second reading of Ordinance 2018-11-An ordinance amending Chapter 11, Section 11.801 (a) (1), (2), (3), (4), and (5) of the Code of Ordinances of the City of Bowie, Texas increasing water rates; Adding the Fee Schedule for the water rates to Appendix "C" of the Bowie Code of Ordinances; providing a savings clause, a repealer clause; and providing an effective date.**

Councilor Bell moved, with a second from Councilor Malone, to approve the second reading of Ordinance 2018-11. Motion carried with Councilors Bell, Gunter, and Malone voting Aye. Bishop, Mills, and Stallcup voted Nay. Mayor Burris broke the tie by voting Aye.

**Second reading of Ordinance 2018-12-An ordinance amending Chapter 11, Section 11.802 (a) (1), (2), and (3), of the Code of Ordinances of the City of Bowie, Texas increasing sewer rates; Adding the Fee Schedule for the sewer rates to Appendix "C" of the Bowie Code of Ordinances; providing a savings clause, a repealer clause; and providing an effective date.**

Councilor Malone moved, with a second from Councilor Gunter, to approve the second reading of Ordinance 2018-12. Motion carried with Councilors Bell, Gunter, and Malone voting Aye. Bishop, Mills, and Stallcup voted Nay. Mayor Burris broke the tie by voting Aye.

**Second reading of Ordinance 2018-13-Adopting an Annual Budget for the City of Bowie for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019 adopting a referenced document as said budget and establishing appropriations for the various activities and functions of the City, establishing an effective date and repealing all ordinances and regulations in conflict herewith.**


Councilor Malone moved, with a second from Councilor Bell, to approve the second reading of Ordinance 2018-13. Motion carried with Councilors Bell, Gunter, Mills, Malone, and Stallcup voting Aye. Councilor Bishop voted Nay.

**Ordinance 2018-14-An ordinance levying an annual ad valorem tax rate for the City of Bowie, Texas for the tax year 2018.**

Councilor Gunter moved, with a second from Councilor Bell, that the property tax rate be increased by the adoption of a tax rate of 0.525, which is effectively a 7.56 percent increase in the tax rate. Motion carried with Councilors Bell, Gunter, Mills, Malone, and Stallcup voting Aye. Councilor Bishop voted Nay.

Mayor Burris adjourned the meeting at 5:05 p.m.

ATTEST:

  
Sandy Page, City Secretary

  
Gaylyn Burris, Mayor