

Regular City Council Meeting  
August 28, 2023

STATE OF TEXAS  
COUNTY OF MONTAGUE  
CITY OF BOWIE

On this the 28th day of August, 2023, the council convened in a regular meeting open to the public as advertised with all Councilors present.

Presiding: Mayor Burris  
Councilors: Bates, Gunter, Love, Post, Shaw, and Sproles  
City Secretary Page  
City Manager Cunningham

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

**Invocation**

Invocation was given by Fire Chief Doug Page.

**Items of Community Interest**

City Offices will be closed September 4<sup>th</sup> for Labor Day.  
September 8, 9, and 10<sup>th</sup> will be Second Monday.

**Public Hearing:**

**2023 Tax Rate.**

Mayor Burris opened the public hearing at 6:01 p.m.

With no questions asked, Mayor Burris closed the public hearing at 6:02 p.m.

**Consent Agenda Items: Approval of Minutes –August 14, 2023 Regular Meeting; Resolution 2023-30 Authorizing City Manager to write off uncollected utility account receivables over 15 months delinquent; and Resolution 2023-31- Authorizing City Manager to write off uncollected library overdue fines over 15 months delinquent; and Financial Statement ending June 2023.**

Councilor Post moved, with a second from Councilor Sproles, to approve the consent agenda items. Motion carried with Councilors Bates, Gunter, Love, Post, Shaw, and Sproles voting Aye.

**Request from Helen Farabee Center for a monetary contribution.**

Councilor Gunter moved, with a second from Councilor Shaw, to table this item. Motion carried with Councilors Bates, Gunter, Love, Post, Shaw, and Sproles voting Aye.

**Resolution 2023-33 – A resolution authorizing participation in the State of Texas SmartBuy Membership Program of the Texas Comptroller of Public Accounts.**

Councilor Post moved, with a second from Councilor Shaw, to approve the SmartBuy Membership. Motion carried with Councilors Bates, Love, Gunter, Post, Shaw, and Sproles voting Aye.

**Consider recommendation from Parks Board on the renaming of Jaycee Park to City of Bowie Southside Park.**

Councilor Sproles moved, with a second from Councilor Bates, to approve renaming Jaycee Park to City of Bowie Southside Park. Motion carried with Councilors Bates, Gunter, Love, Post, Shaw, and Sproles voting Aye.

**Resolution 2023-22 – 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 2023 Rate Review Mechanism filing; 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 attachment establishing a benchmark for pensions and retiree medical benefits; 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 Gunter moved, with a second from Councilor Bates, to approve the ATMOS resolution. Motion carried with Councilors Bates, Love, Gunter, Post, Shaw, and Sproles voting Aye.

**Ordinance 2023-03-An ordinance adopting an annual budget for the City of Bowie for the fiscal year beginning October 1, 2023 and ending September 30, 2024. 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 Love moved, with a second from Councilor Post, to approve Ordinance 2023-03. Motion carried with Councilors Bates, Gunter, Love, Post, Shaw, and Sproles voting Aye.

**Public Comments**

Several city employees expressed their support for City Manager Cunningham due to negative rumors floating around about his annual evaluation.

Glenda Durham and Laramie Truax both spoke on a Code issue about a carport. Durham has asked for this item to be on the agenda and Mayor Burris stated this will not go on an agenda as long as there is litigation ongoing. The city will not do anything until after October 5<sup>th</sup>.

**EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.074-Personnel Matters.**

**1. Discuss employment, evaluation and duties of Municipal Court Judge.**

Mayor Burris moved into executive session at 6:45 p.m.

Mayor Burris closed the executive session at 6:57 p.m.

**EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.074-Personnel Matters.**

**2. Discuss employment, evaluation and duties of City Secretary.**

Mayor Burris moved into executive session at 7:03 p.m.

Mayor Burris closed the executive session at 7:13 p.m.

**EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.074-Personnel Matters.**

**3. Discuss employment, evaluation and duties of City Manager.**

Mayor Burris moved into executive session at 7:17 p.m.

Mayor Burris closed the executive session at 7:55 p.m.

**ACTION FOLLOWING EXECUTIVE SESSION: Pursuant to Texas Government Code Section 551.074-Personnel Matters.**

**1. Discuss employment, evaluation and duties of Municipal Court Judge.**

No action taken.

**2. Discuss employment, evaluation and duties of City Secretary.**

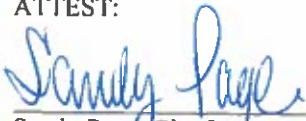
No action taken.

**3. Discuss employment, evaluation and duties of City Manager.**

No action taken.

Mayor Burris adjourned the regular meeting at 8:02 p.m.

ATTEST:

  
Sandy Page, City Secretary

  
Gaylyn Burris, Mayor