

**CITY OF TEMPLE MINUTES  
TEMPLE CITY COUNCIL  
MONDAY, SEPTEMBER 13, 2010 – 6:30 PM  
TEMPLE CITY HALL**

**CALL TO ORDER:**

Mayor Ford called the meeting of the Temple City Council to order at 6:35 p.m. with the following members present constituting a quorum: Councilmember Richard Bracknell, Councilmember William Simmons, Councilmember Jay Mann, Councilmember Terron Bivins and Councilmember Hiley Miller.

**INVOCATION:** The invocation was given by Council Member Richard Bracknell

**CITIZENS COMMENTS:**

Mayor Ford opened the floor for citizen’s comments.

Gonzolo Melendez from El Tapatios Restaurant: Mr. Melendez wanted the Council and Mayor to reconsider the price of the license for liquor by the drink. Does not feel like the license should be \$1500 each he does not even sell that much wine in a year to make it feasible to pay that high of a price for the wine. Just wants the fees to be reconsidered so that he will be able to afford to purchase them.

**COMMITTEE MEETING REPORTS:**

**Public Safety:** No Committee Report

**Public Works:** No Committee Report

**Community Development:** No Committee Report

**Recreation:** No Committee Report

**Personnel:** No Committee Report

**Senior Center:** No Committee Report

**Financial:** No Committee Report

**CONSENT AGENDA:**

Council Member Jay Mann motioned to approve the consent agenda as presented; seconded by Council Member Terron Bivins. The motion carried 5-0.

## **OLD BUSINESS:**

- 1.) **2<sup>nd</sup> Read: City of Temple Golf Cart Ordinance:** Council Member Richard Bracknell motioned to amend the ordinance in section 9: Golf carts or motorized carts may be operated on City streets which has a posted speed limit of ~~(30)~~ to (35) miles per hour or less; seconded by Council Member Terron Bivins. Motion carried 5-0. Council Member Richard Bracknell then motioned to approve the Golf Cart Ordinance with the amendment; seconded by Council Member Terron Bivins. Motion carried 5-0
  
- 2.) **2<sup>nd</sup> Read: Combined Ordinance for Distilled Spirits, Beer and Wine for consumption on the premises only:** Council Member Richard Bracknell motioned to amend the ordinance to change ARTICLE II DISTILLED SPIRITS, BEER AND WINE BY THE DRINK, Section A Paragraph (1) to read: A full kitchen will consist of a three-compartment pot sink, a stove or grill permanently installed, and a refrigerator, all of which must be approved by the health and fire establishment is open and shall derive at least ~~55%~~ to 65% of sales from food; seconded by Council Member Jay Mann. Motion carried 3-2 with Council Member William Simmons and Council Member Terron Bivins opposing.

## **NEW BUSINESS:**

**1.) Presentation of Certificates for Citizen's of the Month:** The certificates were presented to Fletcher and Marilyn Yearty, Jean Lambert, John Stillwell, Ollie Carroll and Mike Ervin. These individuals use their personal cars and gas (with NO reimbursement) to deliver lunches to the indigent and home bound senior citizens in the Temple area. They do this daily and have done so for years with a smile and encouragement to those who receive the meals. They are all truly citizens of the month.

Council Member Richard Bracknell emphasized that these citizens see fit to make sure indigent or house bound citizens receive their meals on the 3-days the senior center operates and they never expect anything in return.

Mike Ervin – thank you to the Mayor and Council for allowing them to use the Senior Center for the benefit signing. It was a great success.

**2.) Resolution Authorizing the Director of the Senior Center to waive the annual fees for up to six individuals who deliver meals:** Recognition of the individuals who donate their time to deliver meals to the home bound or indigent in the Temple area. Council Member Richard Bracknell motioned to approve the resolution; seconded by Council Member Hiley Miller. Motion carried 5-0

**3.) Resolution to discontinue the rental of the Senior Center Kitchen Area:** Council Member Richard Bracknell said there is health and safety standards to keep up with while using the kitchen. Council Member Terron Bivins asked if we had any write ups from the Carroll County Health Department? Senior Center Director Sandra Stillwell stated none at this time. She also

added that before they can begin their day they have to come in on Tuesday morning and sanitize everything due to the Senior Center being used on the weekends. After discussion Council Member Richard Bracknell motioned to approve the resolution stating that the City desires to maintain a clean and healthy kitchen at all times that meets the health codes of the Carroll County Health Department; seconded by Council Member Hiley Miller. Motion carried 5-0

**4.) Resolution by the City of Temple Regarding Deposit Requirements for City Facilities:** Mayor and Council would like to have a standardize check and balance worksheet that will have to be filled out and completed before and after the rental of the senior center to ensure that it has been cleaned up properly. Council Member Richard Bracknell motioned to approve the resolution; seconded by Council Member Hiley Miller. Motion carried 5-0

**5.) Change Order for Deer Creek Project Order #3:** The net change order (deduct) in the amount of \$8,352.44 which will bring the new total to \$511,636.92. Council Member Hiley Miller motioned to accept the change order with the deduction of \$8,352.44; seconded by Council Member Richard Bracknell. Motion carried 5-0

**6.) Recommendation to add TJ Lyle to our approved vendors list:** Public works director Sam Russell is requesting to add TJ Lyle to the approved vendors list. T.J. Lyle Company has met the aforementioned criteria in dealing with them in ongoing projects for the City within the past few months. Mr. Russell recommends that the City approves the addition of T.J. Lyle Company to our approved vendors list. Council Member Hiley Miller motioned to approve T.J. Lyle to the approved vendors list; seconded by Council Member Richard Bracknell. Motion carried 5-0

**7.) FOG Ordinance to waive the fees until 2011: Discussion:** Council Member Hiley Miller stated that since it is so late in the year and we are just now sending out the manifest she would like to waive the fees until the first of the year. Council Member Hiley Miller motioned to waive the fees for the FOG Ordinance until January 2011; seconded by Council Member Richard Bracknell. Motion carried 5-0

**8.) Hiring of Cook at the Senior Center: Rebecca Williamson:** Senior Center director Sandra Stillwell made a request to rehire cook Rebecca Williamson. She is a great cook, who has several years of cooking experience. After discussion, Council Member Richard Bracknell motioned to rehire Rebecca Williamson; seconded by Council Member Terron Bivins. Motion carried 5-0

**9.) 1<sup>st</sup> Read: Political Sign Ordinance:** Mayor and Council added an amendment to the ordinance before the first read to add SECTION 38-501(e).

#### **MAYOR AND COUNCIL CLOSING COMMENTS:**

**Bivins:** Very disappointed in all of the Council. The people voted for the liquor ordinance, we passed it, we had a 2<sup>nd</sup> read and now it is a dead issue. If we are not in agreement, we need to get into an agreement. We voted to raise the percentages and then lower the percentages and let it die.

**Mann:**

**Simmons:** Agrees with Council Member Terron Bivins.

**Bracknell:** Either one (Council Member Terron Bivins or Council Member William Simmons) could have 2<sup>nd</sup> the motion and brought it to vote.

Founders Day Festivals this weekend: A festival is what a town makes out of it; we join together and make the best of it. If you don't come out it is your choice. There will be a Pancake breakfast at the Methodist Church, the High School will hold a 5k run, and the Parade will start at 10 with opening ceremonies to follow. The pavilion will be dedicated to Mr. Luke and Mr. Powell in honor of their legacy established in Temple. The Senior Center will have hamburger and hotdogs; there will be kid's games and entertainment all day. Let's celebrate what we have here and I am very proud Temple is my home.

**Mayor Ford:** There will be a lot more exhibitors and booths this year. Please come out and enjoy

**EXECUTIVE SESSION:** Bracknell motioned to adjourn at 7:15 pm in order to go into executive session for the purpose of discussing personnel, legal, and real estate; seconded by Bivins. The motion carries 5-0.

**RETURN TO REGULAR SESSION:** Bivins motioned to return to regular session at 8:05p.m.; seconded by Simmons. The motion carried 5-0.

Council Member Richard Bracknell motioned to amend the agenda for personnel action:

Council Member Richard Bracknell motioned to combine the part time position and the contract labor position at the recreation department into a full time position; seconded by Council Member Terron Bivins. Motion carried 5-0

Council Member William Simmons motioned to appoint Interim Police Chief Tim Shaw to Police Chief; seconded by Council Member Hiley Miller. Motion carried 5-0

**ADJOURNMENT:** With no further business to discuss; Bracknell motioned to adjourn at 8:20 pm; seconded by Bivins. The motion carries 5-0.

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Rick Ford - Mayor

Attest:

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Angie Costner – City Clerk