

STATE OF TEXAS §
COUNTY OF POLK §
CITY OF LIVINGSTON §

MINUTES
REGULAR MEETING
CITY COUNCIL
JULY 12, 2022
5:00 P.M.

The City Council of the City of Livingston, Texas convened in regular session in Council Chambers at City Hall at 5:00 P.M., July 12, 2022, with the following members present:

Judy B. Cochran	)	Mayor
Alan Cook	)	Councilmembers
Raymond Luna)	
Elgin Davis)	
Clarke Evans)	
Marion 'Bid' Smith)	
Billy S. Wiggins	)	City Manager
Ellie Monteaux	)	City Secretary/Assistant City Manager
James Wright	)	City Attorney

and the following others present:

Yvonne King	)	Livingston-Polk County Chamber of
Brenda Clifton	)	Commerce
Joyce Knierim)	
Craig Jones)	
Kim Jernigan)	

Ricky Taylor	)	Texan EMS
Josh Mohler	)	Fire Marshal/Code Enforcement Officer
Emily Wooten	)	Polk County Enterprise

Mayor Cochran called the meeting to order at 5:02 P.M. and called on Alderman Davis to open the meeting with prayer and the pledges.

Mayor Cochran welcomed members of the Livingston-Polk County Chamber of Commerce and recognized Yvonne King, Chamber Director, who provided a recap of the Smoke in the Pines BBQ Cookoff that was held at Pedigo Park in June. Chamber President Craig Jones expressed appreciation to the City of Livingston for support of this event. Discussion ensued relative to the number of teams participating in the event and positive comments received from attendees and participants.

(Yvonne King, Brenda Clifton, Joyce Knierim, Craig Jones and Kim Jernigan retired from the meeting.)

It was moved by Alderman Cook and seconded by Alderman Evans that the minutes of the regular meeting of June 14, 2022 be approved. All present voted aye.

The City Manager introduced a proposed resolution for the sale of the 1987 Ranger Femfab Walk-In Heavy Rescue Truck, VIN 1PGBE9UU2HRUB1150, on an as-is basis for \$19,000.00 to The Last Frontier Ga Dochais LLC and authorizing the City Manager to sign the appropriate documents upon receipt of the purchase funds. The City Manager advised Council that the fire truck is unserviceable to respond to fire calls, has no value for the purpose it was originally intended and is deemed salvage property. Discussion ensued relative to several attempts that have been made to sell the truck with no purchase offers being received and the intended use of the truck by the purchaser. It was moved by Alderman Smith and seconded by Alderman Davis that the resolution for the sale of the 1987 Ranger Femfab Walk-In Heavy Rescue Truck, VIN 1PGBE9UU2HRUB1150, on an as-is basis for \$19,000.00 to The Last Frontier Ga Dochais LLC and authorizing the City Manager to sign the appropriate documents upon receipt of the purchase funds be approved, as presented. All present voted aye. The resolution, as approved, is captioned as follows:

"RESOLUTION NO. 597

A RESOLUTION AUTHORIZING THE SALE OF 1987 RANGER FEMFAB WALK-IN HEAVY RESCUE FIRE TRUCK VIN 1PGBE9UU2HRUG1150."

The City Manager introduced a proposed ordinance granting a franchise agreement to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations. Discussion ensued relative to the 30-year term of the franchise agreement requested by CenterPoint and the 15-year term of previous agreements. It was moved by Alderman Cook and seconded by Alderman Davis that the ordinance be approved and adopted as presented including a 15-year term. Discussion ensued relative to the 15-year term and possibility of any positive or negative effect to customers. All present voted aye. The ordinance, as approved, is captioned as follows:

"ORDINANCE NO. A-832

AN ORDINANCE OF THE CITY COUNCIL, CITY OF LIVINGSTON, TEXAS, GRANTING TO CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF LIVINGSTON, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF NATURAL GAS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH."

The City Manager presented an engagement letter from Harper and Pearson Company to perform the audit for the fiscal year ending September 30, 2022. The City Manager announced that Finance Director Patricia Crawford will be retiring August 31, 2022 after 37 years of employment with the City. It was moved by Alderman Smith and seconded by Alderman Cook that Mayor Cochran be authorized to execute the engagement letter with Harper and Pearson Company for the audit for the fiscal year ending September 30, 2022 for an expected total fee of between \$27,000 and \$29,000. All present voted aye.

It was moved by Alderman Evans and seconded by Alderman Luna that Item III. D. Proposed Cost of Living Adjustment for Employee Salary Schedule to be Effective October 1, 2022 for Approval be discussed in Executive Session under Agenda Item VII. C. All present voted aye. Mayor Cochran moved Item III. D. to Executive Session Item VII. C. Personnel - Texas Government Code Section 551.074.

It was moved by Alderman Luna and seconded by Alderman Cook that Item III. E. Granting of One (1) Personal Leave Day for Full-time Regular Employees to be Effective January 1, 2023 for Approval be considered in Executive Session Item VII. C. All presented voted aye. Mayor Cochran moved Item III. E. to Executive Session Item VII. C. Personnel - Texas Government Code Section 551.074.

The City Manager presented the Accounts Over \$500 for approval. The City Secretary provided an overview of the second phase of the Kofile project that included restoration, preservation and archival digitization of 5,155 pages of minutes and ordinances. It was moved by Alderman Luna and seconded by Alderman Evans that the accounts over \$500.00, as submitted, be approved for payment. The motion prevailed by the following vote: AYES - Alderman Luna, Alderman Davis, Alderman Smith, Alderman Evans. NOES - None. ABSTAIN: Alderman Cook.

The City Manager reported on the following items:

A) Events for July 2022

Livingston Farmers & Artisan Market - Saturdays from 7:00 AM to 10:00 AM
at Anniversary Park

Friends of the Library Book Fair - Friday, July 15 at the Library

House of Mary Ribbon Cutting - Thursday, July 14 at 1:00 PM at 112 New
Hope Drive

B) Sales Tax - The July sales tax report from the State Comptroller for the month of May reflects \$411,296.50, an increase of 6.55% over May, 2021.

C) Update of Projects and Development - The City Manager provided an update of current projects and development.

(Josh Mohler and Ricky Taylor retired from the meeting.)

The City Manager presented Cyber Security Awareness Training as required by Texas Government Code Section 2054.5191. The video presentation was provided by Texas Municipal League Intergovernmental Risk Pool (TML-IRP) as approved by the Texas Department of Information Resources (DIR). The City Manager will complete the Cyber Security Training Certification for Local Governments form and submit it to DIR prior to the deadline of August 31, 2022 to verify that the training has been completed.

(Emily Wooten retired from the meeting.)

Mayor Cochran called the Council into executive session at 5:52 P.M., pursuant to Texas Government Code Section 551.086 (Livingston Electric System - Deliberation regarding competitive matters related to the operation of the City of Livingston Electric System, a public power utility) and Texas Government Code Section 551.074 (Personnel - Proposed Cost of Living Adjustment for Employee Salary Schedule to be Effective October 1, 2022 and Granting of One (1) Personal Leave Day for Full-time Regular Employees to be Effective January 1, 2023).

(Bill Wiggins, Ellie Monteaux and Jim Wright retired from Executive Session.)

Executive session continued pursuant to Texas Government Code Section 551.074 (Personnel - Performance Evaluation of City Manager.)

Council reconvened in open session at 6:42 P.M.

It was moved by Alderman Smith and seconded by Alderman Davis that a cost-of-living adjustment of 3.5% be approved for the employee salary schedule effective October 1, 2022. All present voted aye.

It was moved by Alderman Cook and seconded by Alderman Luna that each full-time regular employee shall receive one (1) Personal Leave Day annually, to be effective January 1, 2023. All present voted aye.

There being no further business to come before the City Council, it was moved by Alderman Cook and seconded by Alderman Luna that the meeting be adjourned at 6:45 P.M. All present voted aye.

SIGNED:


Judy B. Cochran, Mayor

ATTEST:


Ellie Monteaux, TRMC, MMC, CPM
City Secretary/Assistant City Manager

