

MINUTES OF MARCH 10, 2025, REGULAR MEETING

On this, the 10th day of March 2025, beginning at 6:00 p.m., the City Council convened in regular session in the City Council Room. The meeting being open to the public and notice of said meeting having been given as prescribed by Chapter 51 of the Government Code with the following being present and in attendance to wit:

Mayor Joe Davis, Council Members Ed Bailey, Ray Dickson, Leslie Ivy, Melisa McIntosh, Woody Richardson, and Lloyd Roberts. Council Member David Gilbert was absent. Employees present were City Secretary Cindy Woodard, Public Works Director Jr Casas, Municipal Court Judge David Aleman, and Administrative Assistant Amalia Gaxiola. Others present were Kim Cloyd, Tracy Lambert, Viki Woodard, James McIntosh, Melissa Hibbitts, Regina Wood, and Curtis Perkins.

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Davis called the meeting to order at 6:00 p.m. and noted a quorum present. He asked Alderman Roberts to voice the invocation and Alderman Richardson to lead the Pledge of Allegiance.

PUBLIC COMMENT

Kim Cloyd invited all to attend the Chamber Banquet at 6:00 p.m. on Friday. Viki Woodard voiced her concern about the dumpster lids being too heavy at the N 6th Street Memphis Housing Authority apartments.

APPROVE CONSENT AGENDA ITEMS

The consent agenda items were presented for approval: the regular meeting minutes on February 10, 2025, accept collections & pay expenditures for February 2025. Alderman Bailey moved to approve the consent agenda items, seconded by Alderman Richardson. The vote was unanimous in favor.

PRESENTATION & ACCEPTANCE OF 2024 FISCAL YEAR AUDIT – TRACY LAMBERT

Alderwoman Ivy moved to accept the 2024 fiscal year audit as presented, seconded by Alderman Dickson. The vote was unanimous in favor.

DEPARTMENT HEAD REPORTS ON MONTHLY ACTIVITIES

Municipal Court Judge David Aleman read his written report. Mayor Davis asked how the transfer with Perdue is going and Aleman said he is about 30 percent done.

Public Works Director Jr Casas reported they have put up 42 street signs. The two street crossings for Austin are finished. Casas stated they've had trouble with trash trucks and David Morris repaired and did maintenance on them. Mayor Davis asked when he plans on getting the pool ready and Casas said the first of May. Davis asked about staff and Casas stated yes but in

CONTINUATION OF MINUTES MARCH 10, 2025

and out due to sickness and appointments. Mayor Davis mentioned a workday needs to be scheduled to help pick up, clean and fix the fence at the landfill. Casas mentioned seeing potholes while driving around and Davis asked about material he could get. James McIntosh let Casas know he can get him information on the material they used on Highway 256 that has held up. Alderwoman McIntosh asked when they would start going into alleys to pick up trash and Casas said they would be doing it with two trucks and with the way the weather is coming up they will start trimming soon.

City Secretary Cindy Woodard mentioned Chief Rex Plant sent her an email about being sick but that his report is on the table. Woodard mentioned there is a copy of the six-month revenue and expenditure report provided to them. They are doing good, and she went over some of the over budget line items. Woodard stated she submitted her official retirement letter to Mayor Davis if they'd like to read it. Mayor Davis thanked Cindy for her 20 years of service.

OLD BUSINESS

MOTION TO REMOVE THE TABLED ITEM FROM THE TABLE

Alderman Bailey made the motion to remove the tabled item from the table, seconded by Alderwoman McIntosh. The vote was unanimous in favor.

CONSIDER PERMIT AND LANDFILL FEES FOR DEMOLITION DISPOSAL FOR CODE COMPLIANCE

Mayor Davis suggested a couple ideas. Alderwoman Ivy made the motion to leave the landfill fees the same, seconded by Alderwoman McIntosh. The vote was unanimous in favor.

NEW BUSINESS

CONSIDER A RESOLUTION OF THE CITY OF MEMPHIS, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE TXCDBG DOWNTOWN REVITALIZATION PROGRAM FUND

Alderman Roberts made a motion to proceed, seconded by Alderman Richardson. The vote was unanimous in favor. A copy of Resolution 3-10-25A follows these minutes.

CONSIDER A RESOLUTION OF THE CITY COUNCIL OF MEMPHIS, TEXAS AUTHORIZING CITY REPRESENTATIVES IN MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT DOWNTOWN REVITALIZATION PROGRAM FUND

Alderman Roberts made a motion to approve the signatures and authorize the representatives which will be the Mayor and City Secretary, seconded by Alderman Dickson. The vote was unanimous in favor. Secretary Woodard mentioned a list of 10 potential projects was submitted which included different sidewalks to repair, decorative lighting and demolition of two unsafe buildings on the square. A copy of Resolution 3-10-25B follows these minutes.

CONTINUATION OF MINUTES MARCH 10, 2025

DISCUSS RETAINING ADDRESS AT 100 BERRY AVENUE

Public Works Director Casas mentioned that Regina Wood has come up with four different addresses pertaining to her father's property. After discussion with PRPC, they would have to make it a through street, put up a sign, take and upkeep the driveway. Casas informed the council that after further discussion, he and Regina agreed the driveway will remain as is, she will take care of the sign, and he will contact PRPC so it can be plated that way. A legal agreement will be made. Alderman Bailey made the motion to leave it 100 Berry Avenue, seconded by Alderwoman Ivy. The vote was unanimous in favor.

CANCELLATION OF MAY 3, 2025, CITY OFFICERS GENERAL ELECTION IN WARDS 3 AND 4

Secretary Woodard stated there is only one candidate in Ward 3 which is Leslie Ivy and one candidate in Ward 4 which is Melisa McIntosh so the election can be cancelled in those 2 wards. Woodard mentioned there will be an election in Ward 1 with candidates being Mark Sweatt and Melissa Hibbitts and there were two write in candidates in Ward 2 being Zack Altman and Ed Bailey, but she informed that Bailey withdrew his application. Altman will still need to be on the ballot since he's a write in. Alderwoman Ivy made the motion to cancel the election in Wards 3 and 4, seconded by Alderwoman McIntosh. The vote was unanimous in favor.

CONSIDER ELECTION SERVICES AGREEMENT WITH HALL COUNTY FOR CITY OFFICERS GENERAL ELECTION IN WARDS 1 AND 2, MAY 3, 2025

Secretary Woodard informed that this is a standard agreement with the County Clerk which outlines the responsibilities of the City and the County. Pat Snider will be the early voting clerk which will be held at the Annex, but the Election Day voting will be at the Community Center. Alderwoman McIntosh made the motion to proceed with the election services agreement, seconded by Alderman Dickson. The vote was unanimous in favor.

CONSIDER APPOINTMENT OF ELECTION JUDGE AND CLERKS FOR GENERAL ELECTION MAY 3, 2025

Mayor Davis let the council know that Randy Phillips and Sarah Casas are clerks with Casas being the bilingual clerk and Nancy Chastain is the election judge. Alderwoman Ivy made a motion to proceed with the above clerks and judge, seconded by Alderman Roberts. The vote was unanimous in favor.

CONSIDER ORDINANCE CREATING CITY ADMINISTRATOR POSITION

Alderwoman McIntosh made a motion to approve Ordinance 701 for City Administrator position with the order of authority going to the Mayor, City Council, and then the City Administrator, seconded by Alderman Dickson. The vote was unanimous in favor. A copy of Ordinance 701 follows these minutes.

CONTINUATION OF MINUTES MARCH 10, 2025

CONSIDER JOB DESCRIPTION FOR CITY ADMINISTRATOR

A sample job description was provided in the council packets. Alderwoman McIntosh brought up the concern of residency for the City Administrator. Alderwoman Ivy brought up the water certification requirements. Public Works Director Casas mentioned it does not hurt to have those certifications since two more employees will retire soon who hold water certifications that are required to operate but also informed that others in the water department are also working on getting their required licenses. Alderwoman Ivy made the motion to accept the job description provided with the changes of bachelor's degree preferred, add ability to obtain licenses, if necessary, remove the minimal 5-year experience, and add salary depending on qualifications, seconded by Alderwoman McIntosh. The vote was unanimous in favor.

CONSIDER HIRING ADDITIONAL POLICE OFFICER

Alderwoman McIntosh made the motion to not hire additional police officer, seconded by Alderman Dickson. The vote was approved by the majority, with Alderwoman Ivy objecting.

MAYOR AND COUNCIL ITEMS OF COMMUNITY INTEREST

Alderwoman McIntosh thanked Cindy for all she's done over the years and hates seeing her go. She looks forward to working with Amalia and thanks to Jr Casas for all he does. McIntosh also thanked everyone for having patience with her absence. Alderman Dickson on thanking everybody and everyone doing a good job. Alderman Roberts thanking Cindy on making things easy over the last year. Roberts on there's room for improvement and they're getting there little by little. Mayor Davis agrees to get along but everyone should have their own ideas and bring up different thoughts even with people bringing up things around town to him. Mayor will talk more with David Morris on the tire situation. Glad to have street signs put up. Alderman Richardson on Secretary Woodard going to be missed and Amalia will make a good follow up since she's been here a while. Alderman Bailey thanked Cindy, Jr, and everyone. Alderwoman Ivy quoted, from the Dallas conference, that your city council should not always be unanimous and that they do a great job. Ivy let Amalia know she trusts that she will do great, let Cindy know she can write a resume for City Administrator, and thanked Jr for all he does.

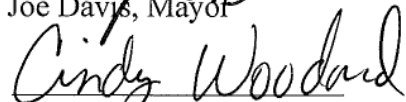
ADJOURN

Alderman Bailey made the motion to adjourn, seconded by Alderman Dickson. The vote was unanimous in favor. The meeting was adjourned at 8:08 p.m.

Approved:


Joe Davis, Mayor

Attest:


Cindy Woodard, City Secretary

RESOLUTION
3-10-25A

A RESOLUTION OF THE CITY COUNCIL OF MEMPHIS, TEXAS, DESIGNATING THE CITY'S DOWNTOWN DISTRICT AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE DOWNTOWN REVITALIZATION PROGRAM.


WHEREAS, the City Council of the City of Memphis desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

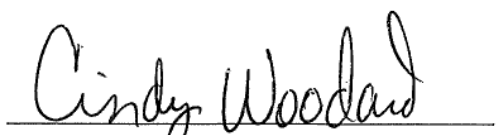
WHEREAS, it is necessary and in the best interests of the City of Memphis to apply for funding under the Texas Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MEMPHIS, TEXAS,

1. That the City of Memphis is formally designating the City's historic area of commerce, which includes the following areas: HWY 287 to W 7th street on Brice, to Robertson St down to 4th St, to Noel street to Brice St, Main St from HWY 287 to 7th St, Noel St from HWY 287 to 7th St, S 6th St from Brice St to Robertson St, S 5th St from Brice St to Robertson St and 4th St from HWY 287 to Robertson St, as shown in more detail on the attached map, as its Downtown District.
2. That a Texas Community Development Block Grant Program application for the Downtown Revitalization Program is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture, and to be placed in competition for funding under the Downtown Revitalization Program.
3. That the City of Memphis commits to selecting an eligible project in the designated downtown areas that meets either the National Program Objective to Eliminate Slum and Blighted Conditions or to Benefit Low- to Moderate-Income Persons.
4. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
5. That the City of Memphis is committing to provide \$50,000.00 in matching funds toward the application's activities, with the specific usage and funding source to be determined prior to any award of grant funding.

Passed and approved this 10th day of March, 2025.


Joe Davis, Mayor
City of Memphis, Texas


Attest: Cindy Woodard, City Secretary
City of Memphis, Texas

RESOLUTION 3-10-25B

A RESOLUTION OF THE CITY COUNCIL OF MEMPHIS, TEXAS AUTHORIZING CITY REPRESENTATIVES IN MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of Memphis desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of Memphis to participate in the Texas Community Development Block Grant Program; and

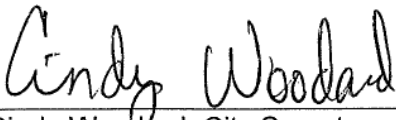
WHEREAS, the City Council of Memphis is committed compliance with federal, state, and program rules, including the current TxCDBG Project Implementation Manual; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MEMPHIS, TEXAS:

That the City Council directs and designates the following to act in all matters in connection with any grant application and the County's participation in the Texas Community Development Block Grant Program:

- The City Mayor shall serve as the City's Chief Executive Officer and Authorized Representative to
 - execute a grant application and any subsequent contractual documents,
 - certify environmental review documents between the Texas Department of Agriculture and the City/County, and
 - certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs, and
 - be assigned the role of Authorized Official in the TDA-GO grant management system.
- In addition to the above designated officials, should any grant be funded the City Secretary is authorized to
 - certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs,
 - prepare and submit other financial documentation, and
 - be assigned the role of Project Director or Payment Processor in the TDA-GO grant management system.

Passed and approved this 10th day of March, 2025.


Cindy Woodard, City Secretary
Memphis, Texas


Joe Davis, Mayor
Memphis, Texas

ORDINANCE NO. 701

AN ORDINANCE ESTABLISHING THE OFFICE OF THE CITY ADMINISTRATOR INCLUDING APPOINTMENT PROCEDURES, REMOVAL PROCEDURES, COMPENSATION AND DUTIES AND RESPONSIBILITIES; PROVIDING AN EFFECTIVE DATE; PROVIDING A SAVINGS CLAUSE

WHEREAS, the City of Memphis, Texas, as a Type A general law municipality, is authorized by state law to adopt and implement necessary and reasonable ordinances for the government, interest, welfare, or good order of the municipality and that is in the best interests of its citizenry; and

WHEREAS, in accordance with Texas Local Government Code §§ 22.071 and 51.012, the City Council of the City of Memphis is authorized to create municipal offices and appoint persons to hold those offices as necessary for the government, interest, welfare or good order of the municipality; and

WHEREAS, the City Council of the City of Memphis, Texas deems it in the best interest and beneficial for the citizens of the City of Memphis and to have an administrator charged with supervising and overseeing the day-to-day operations of the City including supervising all departments and employees of the City; and

WHEREAS, the City Council of the City of Memphis, Texas finds that it would be proper and beneficial for the public health, safety, general welfare of the citizens of Memphis and for the efficient administration and good order of the City's affairs to create the position of City Administrator in accordance with the terms and conditions outlined in this ordinance;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Memphis, Texas:

Section 1. Office created

The position of city administrator is hereby created as an office of the city as authorized by Texas Local Government Code § 22.071, and the criteria for appointment, removal from office, compensation, and the assignment of the powers and duties of this office shall be as set forth herein.

Section 2. Appointment; residency requirement

The city administrator shall be appointed by a majority vote of the city council for an indefinite term and shall be selected based on the person's administrative ability. At the time of appointment, the administrator need not be a resident of the city or the state but shall become a resident of the city within 12 (twelve) weeks of appointment or obtain a waiver of the residency requirement from the city council.

Section 3. Removal; absence or disability

The city administrator shall serve at the will and pleasure of the city council and may be removed by a majority vote of the city council. The city council may designate some qualified person to act in the absence or disability of the city administrator.

Section 4. Compensation

The city administrator shall receive such compensation as may be fixed by the city council.

Section 5. Powers, duties and responsibilities

(a) The city administrator shall be the chief administrative officer of the city and shall report and be accountable to the mayor, as the chief executive officer of the city, and to the city council, as a whole.

(b) The city administrator shall oversee all City departments, have managerial oversight over all department heads and subordinate staff, and shall be responsible to the city council for the proper administration of the affairs of the city. To that end, the city administrator shall have power and shall be required to:

(1) Supervise, hire, and, when necessary, suspend or remove any subordinate employee of the city, except as otherwise provided by law or city personnel policy and procedure.

(2) Ensure that all applicable laws and ordinances are enforced.

(3) Attend all meetings of the city council, with the right to take part in the discussion, but having no vote.

(4) Act as budget administrator for the city and, with the mayor, who is the budget officer of the city, prepare and submit to the city council, prior to the beginning of each fiscal year, a preliminary budget of proposed expenditures for the next year together with information describing the important features of the proposed budget; and administer the budget after adoption by the city council.

(5) Prepare and submit to the city council as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.

(6) Keep the city council advised of the financial condition and future needs of the city.

(7) Supervise the purchase of all materials, supplies, and equipment for which funds are provided in the budget and purchase budgeted materials and supplies necessary for operation or maintenance of city services for amounts up to and including \$50,000.00 (fifty thousand dollars and no cents). The city council may reduce this limit by resolution or policy duly passed by the city council. No purchase shall be made, contract let, or obligation incurred for any item or service which exceeds the current departmental budget appropriation without a supplemental appropriation approved by the city council. No contract shall be let except by the city council. All expenditures of more than \$50,000.00 (fifty thousand dollars and no cents) shall be approved by city council and shall be made in compliance with the competitive bidding procedures of state law. The city administrator may issue written rules governing procedures for purchasing consistent with this section and with applicable state law. The city administrator has the authority to give approval for work and expenditures of funds to the department heads up to the limit described above.

(8) In case of accident, disaster, or other circumstance creating a public emergency, the city administrator may award contracts and make purchases for the purpose of meeting said emergency but shall file within 72 hours with the city council a certificate verifying such emergency and the necessity for such action, together with an itemized account of all expenditures.

(9) The city administrator shall furnish such surety bond as may be required by the city council to be conditioned on the faithful performance of his/her duties. The premium of the bond shall be paid by the city.

(10) Coordinate with the mayor to set the city council agenda and be prepared to respond to questions and or concerns of the city council on agenda items. The city administrator shall be prepared to provide background as well as information on the favorable or unfavorable impact an agenda item will have on the city.

(11) Contact and/or coordinate with legal, engineering, or other outside agencies to secure advice or assistance on matters concerning the city as necessary with the advice and consent of the mayor.

(12) Provide continuous review of all city ordinances in effect. This review will ascertain feasibility and legality of existing ordinances. The city administrator will coordinate with the city attorney, other city employees and any outside agency as to recommendations for new city ordinances or changes to existing ordinances that will be submitted to the city council for approval.

(13) To recommend to the mayor and city council, in writing, from time to time, for adoption, such measures as he may deem necessary or expedient.

(14) To do and perform such other duties as may be prescribed by ordinance, resolution, action, or direction of the city council of the city.

Section 6. Effective Date. This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

Section 7. Repealed. All other terms and provisions of the Code of Ordinances of the City of Memphis, not in conflict herewith and not hereby amended shall remain in full force and effect.

Section 8. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Council of the City of Memphis, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

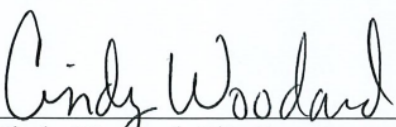
Passed by the City Council this 10 day of March, 2025.

CITY OF MEMPHIS



Joe Davis, Mayor

ATTEST:



Cindy Woodard, City Secretary