

STATE OF TEXAS

COUNTY OF TITUS

CITY OF MOUNT PLEASANT

The City Council of the City of Mount Pleasant, Texas, after notice posted in the manner, form and contents as required by law, met in Regular Session October 17, 2023, at 6:30 P.M. at Council Chambers located at 501 North Madison with the following members present:

Tim Dale	-	Mayor Pro-Tem
Henry N Chappell II	-	Council Member
Galen Adams	-	Council Member
Sherri Spruill	-	Council Member
Jerry Walker	-	Council Member
Ed Thatcher	-	City Manager
Kerry Wootten	-	City Attorney
Candias Webster	-	City Secretary
Absent: Tracy Craig	-	Mayor

CONSIDER MINUTES OF THE SEPTEMBER 19, 2023, WORKSHOP, SEPTEMBER 19, 2023, REGULAR SESSION, AND OCTOBER 10, 2023, SPECIAL SESSION

Motion was made by Council Member Spruill, Second by Council Member Walker to Approve of Minutes of the September 19, 2023, Workshop, September 19, 2023 Regular Session and October 10, 2023, Special Session. Upon a vote, the motion carried unanimously.

PUBLIC COMMENTS.

The City Council welcomes citizen participation and comments at all Council meetings. Citizen comments are limited to two minutes out of respect for everyone's time. The Council is not permitted to respond. The Texas Open Meetings Act requires that topics of discussion/deliberation be posted on the agenda not less than 72 hours in advance of the Council meetings. If your comments relate to a topic that is on the agenda, the Council will discuss the topic on the agenda at the time that the topic is discussed and deliberated.

DISCUSSION AND CONSIDER APPROVAL OF COUNTY/CITY FIRE CONTRACT.

Motion was made by Council Member Adams, Second by Council Member Walker to Approve of County/City Fire Contract of 10 years starting October 1, 2024, Years 1-2 will be 1.1 million, years 3-10 will be increased 2.5% annually, contract can be terminated for cause only, they can make joint purchases and equipment will be in the City's name, selling of equipment will be split based on percentage paid. Upon a vote, the motion carried unanimously.

CONSIDER PAY REQUEST FROM WICKER CONSTRUCTION FOR WORK DONE ON SPORTS COMPLEX REGIONAL LIFT STATION.

Motion was made by Council Member Chappell, Second by Council Member Adams to Approve Pay Request from Wicker Construction for work done on Sports Complex Regional Lift Station in the amount of \$185,329.90. Upon a vote, motion carried unanimously.

CONSIDER PAY REQUEST #1 FROM SPI FOR WORK ON DOWNTOWN REVITALIZATION PROJECT.

Motion was made by Council Member Adams, Second by Chappell to Approve of Pay Request #1 from SPI for work on Downtown Revitalization Project in the amount of \$224,620.20. Upon a vote, the motion carried unanimously.

CONSIDER APPROVAL OF PAY REQUEST FROM HERITAGE CONSTRUCTORS, INC FOR THE SOUTHSIDE WASTEWATER TREATMENT PLANT.

Motion was made by Council Member Chappell, Second by Council Member Spruill to Approve of Pay Request from Heritage Constructors, Inc for the Southside Wastewater Treatment Plant in the amount of \$2,689,314.43. Upon a vote, motion carried unanimously.

CONSIDER APPROVAL OF PAY REQUEST FROM A&O CLASSIC COATINGS & PAINTINGS CORP. FOR WORK ON HWY 271 ELEVATED STORAGE TANK REHABILITATION.

Motion was made by Council Member Adams, Second by Council Member Chappell to Approve of Pay Request from A&O Classic Coatings & Paintings Corp. for work on HWY 271 Elevated Storage Tank Rehabilitation in the amount of \$58,779.18 Upon a vote, the motion carried unanimously.

CONSIDER PAY REQUEST FROM FRANCIS EXCAVATING, LLC FOR WORK ON CR 2200 REHAB.

Motion was made by Council Member Chappell, Second by Council Member Adams to Approve of Pay Request from Francis Excavating, LLC for work on CR 2200 Rehab in the amount of \$173,716.97. Upon a vote, the motion carried unanimously.

CONSIDER AWARD OF FUEL BID #4-2023.

Motion was made by Council Member Walker, Second by Council Member Adams to Approve of Award of Fuel Bid #4-2023 to Jackson Oil Company. Upon a vote, the motion carried unanimously.

CONSIDER AWARD OF CONCRETE BID #5-2023.

Motion was made by Council Member Adams, Second by Council Member Chappell to Approve of Award of Concrete Bid #5-2023 to Par Construction. Upon a vote, motion carried unanimously.

CONSIDER ORDINANCE 2023-21 REPEALING JUVENILE CURFEWS.

Motion was made by Council Member Chappell, Second by Council Member Spruill to Approve of Ordinance 2023-21 Repealing Juvenile Curfews. Upon a vote, the motion carried unanimously.

HOLD A PUBLIC HEARING AND CONSIDER ORDINANCE 2023-22 THE REQUEST OF STEPHANIE ZUNIGA, JOSE LOPEZ, AND HELADIO VALERIO, APPLICANTS/PROPERTY OWNERS, FOR THE THOROUGHFARE CLOSURE OF A FIFTY-FOOT STREET RIGHT-OF-WAY FOR A PORTION OF MOLLIE AVENUE THAT IS ADJACENT TO LOTS 7-12 BLOCK B, AND LOTS 1-5, BLOCK C, ANDERSON ADDITION, CITY OF MOUNT PLEASANT, TITUS COUNTY, TEXAS AND GENERALLY LOCATED BETWEEN EAST 8TH STREET AND EAST 9TH STREET. SC-2023-01.

Motion was made by Council Member Adams, Second by Council Member Chappell to Approve of Ordinance 2023-22 the request of Stephanie Zuniga, Jose Lopez, and Heladio Valerio, applicants/property owners, for the thoroughfare closure of a fifty-foot street right-of-way for a portion of Mollie Avenue that is adjacent to Lots 7-12, Block B, and Lots 1-5, Block C, Anderson Addition, City of Mount Pleasant, Titus County, Texas and generally located between East 8th Street and East 9th Street. SC-2023-01. Upon a vote, motion carried unanimously.

CONSIDER ORDINANCE 2023-23 TERMINATING AN OUTDOOR BURNING BAN.

Motion was made by Council Member Chappell, Second by Council Member Walker to Approve of Ordinance 2023-23 Terminating an Outdoor Burn Ban. Upon a vote, motion carried unanimously.

DISCUSSION AND CONSIDER APPROVAL OF LEASE AGREEMENT BETWEEN IDC (MPEDC) AND PROJECT BATTERY STORAGE.

Motion was made by Council Member Walker, Second by Council Member Adams to Approve of Lease Agreement between IDC(MPEDC) and Hart Creek Bess, LLC. Upon a vote, motion carried unanimously.

CITY MANAGER'S REPORT

EXECUTIVE SESSION

Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, The City Council will recess into executive session (closed meeting) to discuss the following:

Real Property: discuss purchase, exchange, lease or value of real property (Tex Gov't Code 551.072):

Real Property: discuss purchase, exchange, lease or value of real property and consultation with legal counsel regarding the status of site acquisition for Mount Pleasant West Loop Collection Project and potential settlements for tracts referred to condemnation. (Tex. Gov't Code 551.071 and 551.072)

RECONVENE INTO THE REGULAR SESSION

In accordance with Texas Government Code, Chapter 551, the City Council will reconvene into regular session to consider action, if any, on matters discussed in executive session.

CONSIDER AND ACT ON ITEMS PERTAINING TO THE WEST LOOP WASTEWATER COLLECTION PROJECT DISCUSSED IN CLOSED SESSION.

No Action Taken.

CONSIDER AND ACT ON AUTHORIZING A THIRD AMENDMENT TO ORDINANCE 2022-14 TO APPEND SECTION 2 AND RELATED EXHIBITS THERIN OF THE ORDINANCE TO INCLUDE PARCEL ID 50-320055 (PMCI PROPERTIES II, LP), ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND CONVEYED TO PMCI PROPERTIES II, LP., BY AND INSTRUMENT RECORDED IN DOCUMENT NUMBER 20152657, TITUS COUNTY DEED RECORDS (TCDR).

Motion was made by Council Member Chappell, Second by Council Member Adams to Consider Ordinance 2023-24 a Third Amendment to Ordinance 2022-14 to Append Section 2 and related exhibits therein of the ordinance to include parcel ID 50-320055 (PMCI Properties II, LP), all that certain lot, tract or parcel of land conveyed to PMCI Properties II, LP., by and instrument recorded in document number 20152657, Titus County Deed Records (TCDR). Upon a vote, motion carried unanimously.

ADJOURN: 9:13PM

Mayor Pro- Tem adjourned the meeting.

TIM DALE, MAYOR PRO-TEM

ATTEST:

CANDIAS WEBSTER, CITY SECRETARY