

MINUTES
REGULAR MEETING OF THE KEMP CITY COUNCIL
MARCH 13, 2018
7:00 P.M.

Laura Hanna Peace, Mayor ✓ Leona Bounds (Absent) Jackie Self ✓
Christi Neal ✓ Barry Lummus, Mayor Pro Tem (Absent) Alvin Miller ✓

1. CALL TO ORDER AND ESTABLISH A QUORUM.
Mayor Peace established a quorum and called the meeting to order at 7:00 p.m. Mayor Pro Tem Lummus and Council Member Bounds were absent.
2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.
Invocation led by Council Member Miller.
3. RECOGNITION OF VISITORS AND PERSONS NOT ON THE AGENDA WHO WISH TO ADDRESS THE CITY COUNCIL.
None
4. APPROVAL OF MINUTES
 - A. REGULAR CITY COUNCIL MEETING ON FEBRUARY 13, 2018.
Council Member Neal made a motion to approve February 13, 2018 minutes. The motion was seconded by Council Member Miller. The motion was passed with 3 ayes, 0 nays and 2 absent, Mayor Pro Tem Lummus and Council Member Bounds.
5. APPROVE OPEN INVOICES
Council Member Self made a motion pay the open invoices. The motion was seconded by Council Member Neal. The motion was passed with 3 ayes, 0 nays and 2 absent, Mayor Pro Tem Lummus and Council Member Bounds.
6. STAFF REPORTS
Public Works Director Luis Valentin stated there were no major leaks and to please report any sanitary overflows from a manhole to City Hall. Chief Brad DeLaughter presented the Racial Profiling Report. City Administrator Regina Kiser stated the warning sirens will be installed soon.
7. PRESENTATION GIVEN BY KIRK EVANS WITH EVANS & KNAUTH, PLLC FOR THE OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017 ANNUAL AUDIT.
Heather LaPoint with Evans & Knauth, PLLC presented the October 1, 2016 through September 30, 2017 annual audit.
8. DISCUSSION AND ACTION FOR A VARIANCE REQUEST ON A BUILDING PERMIT LOCATED AT 153 WATERS BRIDGE ROAD.
Council Member Self made a motion to approve the variance request on a building permit located at 153 Waters Bridge Road. The motion was seconded by Council Member Neal. The motion was passed with 3 ayes, 0 nays and 2 absent, Mayor Pro Tem Lummus and Council Member Bounds.

9. DISCUSSION AND ACTION ON AN INTERLOCAL AGREEMENT WITH SEVEN POINTS.
Tabled until next meeting.

10. DISCUSSION AND ACTION ON ORDINANCE NO. 18-04, AN ORDINANCE CANCELING THE MAY 5, 2018, GENERAL ELECTION AND DELCARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE.
Council Member Neal made a motion to approve Ordinance No. 18-04, an Ordinance canceling the May 5, 2018, General Election and declaring each unopposed candidate elected to office. The motion was seconded by Council Member Miller. The motion was passed with 3 ayes, 0 nays and 2 absent, Mayor Pro Tem Lummus and Council Member Bounds.

11. DISCUSSION AND ACTION ON ORDINANCE NO. 18-05, AN ORDINANCE APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM (“RRM”) AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION (ATMOS MID-TEX” OR “COMPANY”) AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.
Council Member Neal made a motion to approve Ordinance No. 18-05, Ordinance approving a tariff authorizing an annual rate review mechanism (“RRM”) as a substitution for the annual interim rate adjustment process defined by Section 104.301 of the Texas Utilities Code, and as negotiated between Atmos Energy Corp., Mid-Tex Division (Atmos Mid-Tex” or “Company”) and the steering committee of cities served by Atmos; requiring the company to reimburse cities’ reasonable ratemaking expenses; adopting a savings clause; determining that this Ordinance was passed in accordance with the requirements of the Open Meetings Act; declaring an effective date; and requiring delivery of this Ordinance to the company and legal counsel for the steering committee. The motion was seconded by Council Member Self. The motion was passed with 3 ayes, 0 nays and 2 absent, Mayor Pro Tem Lummus and Council Member Bounds.

12. DISCUSSION AND ACTION ON RESOLUTION NO. 18-04, A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF TWO CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION.
Council Member Self made a motion to approve Resolution No. 18-04, a Resolution authorizing continued participation with the Atmos Cities Steering Committee; and authorizing the payment of two cents per capita to the Atmos Cities Steering Committee to fund regulatory and related activities related to Atmos Energy Corporation. The motion was seconded by Council Member Neal. The motion was passed with 3 ayes, 0 nays and 2 absent, Mayor Pro Tem Lummus and Council Member Bounds.

13. DISCUSSION AND ACTION ON ORDINANCE NO. 18-06, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KEMP, TEXAS, AMENDING SECTION 2, "GENERAL RESTRICTIONS AND PROHIBITIONS," OF CHAPTER 2, "ANIMAL CONTROL," OF THE CODE OF ORDINANCES OF THE CITY OF KEMP, TEXAS, BY ADDING THERETO A NEW SUBSECTION 2.14, "LIMITATION UPON THE NUMBER OF DOMESTIC ANIMALS ALLOWED," TO LIMIT THE NUMBER OF DOMESTIC ANIMALS ALLOWED.
Council Member Neal made a motion to approve Ordinance No. 18-06, an Ordinance of the city council of the City of Kemp, Texas, amending Section 2, "General Restrictions and Prohibitions," of Chapter 2, "Animal Control," of the Code of Ordinances of the City of Kemp, Texas, by adding thereto a new Subsection 2.14, "Limitation Upon The Number Of Domestic Animals Allowed," to limit the number of domestic animals allowed. The motion was seconded by Council Member Miller. The motion was passed with 3 ayes, 0 nays and 2 absent, Mayor Pro Tem Lummus and Council Member Bounds.
14. DISCUSSION AND ACTION ON ORDINANCE NO. 18-07, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KEMP, TEXAS, CHANGING THE NAME OF CANAAN STREET, BETWEEN W. 11TH STREET AND CR 4031B, TO HUSTON LANE.
Council Member Self made a motion to approve Ordinance No. 18-07, an Ordinance of the city council of the City of Kemp, Texas, changing the name of Canaan Street, between W. 11th Street and CR 4031B, to Huston Lane. The motion was seconded by Council Member Neal. The motion was passed with 3 ayes, 0 nays and 2 absent, Mayor Pro Tem Lummus and Council Member Bounds.
15. ANNOUNCEMENTS REGARDING RECENT AND UPCOMING COMMUNITY EVENTS.
Mayor Peace announced Wildflower Festival is April 14, 2018.
16. THE CITY COUNCIL WILL CONVENE INTO EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071, 551.072 AND 551.074 OF THE TEXAS GOVERNMENT CODE TO DISCUSS MATTERS RELATING TO CONSULTATION WITH CITY ATTORNEY, PENDING LITIGATION, REAL PROPERTY, AND PERSONNEL AS FOLLOWS:
 - A. PERSONNEL MATTERS
 - B. DISCUSSION AND ACTION ON THIRD PARTY CONTRACTS RELATING TO REAL PROPERTY AND ROADS.
City Council entered executive session at 7:30 p.m.
17. THE CITY COUNCIL WILL RECONVENE INTO REGULAR SESSION PURSUANT TO SECTIONS 551.071, 551.072 AND 551.074 OF THE TEXAS GOVERNMENT CODE TO DISCUSS MATTERS RELATING TO CONSULTATION WITH CITY ATTORNEY, PENDING LITIGATION, REAL PROPERTY, AND PERSONNEL AS FOLLOWS:
The City Council reconvened into regular session at 7:41 p.m.
 - A. PERSONNEL MATTERS
No action taken.
 - B. DISCUSSION AND ACTION ON THIRD PARTY CONTRACTS RELATING TO REAL PROPERTY AND ROADS.
No action taken.

18. ADJOURN
Meeting adjourned at 7:42 p.m.

ATTEST:

Laura Hanna Peace, Mayor

Allene Gilmore, City Secretary