

MINUTES
REGULAR MEETING OF THE KEMP CITY COUNCIL
SEPTEMBER 11, 2018
7:00 P.M.

Laura Hanna Peace, Mayor ✓
Christi Neal ✓

Leona Bounds ✓
Barry Lummus, Mayor Pro Tem ✓

Jackie Self ✓
Lesley Rose ✓

1. CALL TO ORDER AND ESTABLISH A QUORUM.
Mayor Peace established a quorum and called the meeting to order at 7:00 p.m. All council members were present.
2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.
Invocation led by Council Member Rose.
3. RECOGNITION OF VISITORS AND PERSONS NOT ON THE AGENDA WHO WISH TO ADDRESS THE CITY COUNCIL.
None
4. APPROVAL OF MINUTES
 - A. SPECIAL MEETING ON AUGUST 27, 2018
Mayor Pro Tem Lummus made a motion to approve August 27, 2018 minutes. The motion was seconded by Council Member Neal. The motion was passed with 5 ayes and 0 nays.
 - B. REGULAR CITY COUNCIL MEETING ON AUGUST 28, 2018.
Mayor Pro Tem Lummus made a motion to approve August 28, 2018 minutes. The motion was seconded by Council Member Neal. The motion was passed with 5 ayes and 0 nays.
 - C. SPECIAL MEETING ON SEPTEMBER 4, 2018.
Mayor Pro Tem Lummus made a motion to approve September 4, 2018 minutes. The motion was seconded by Council Member Neal. The motion was passed with 5 ayes and 0 nays.
5. APPROVE OPEN INVOICES
Council Member Bounds made a motion to pay the open invoices. The motion was seconded by Mayor Pro Tem Lummus. The motion was passed with 5 ayes and 0 nays.
6. STAFF REPORTS
Public Works Director Luis Valentin stated the Stage 2 Drought Contingency Plan is still in effect.
7. DISCUSSION AND ACTION ON RESOLUTION NO. 18-07, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KEMP, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2018 RATE REVIEW MECHANISM FILINGS; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE

SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

Mayor Pro Tem Lummus made a motion to approve Resolution No. 18-07, a Resolution of the city council of the City of Kemp, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2018 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached Exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached Exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this Resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's legal counsel. The motion was seconded by Council Member Neal. The motion was passed with 5 ayes and 0 nays.

8. DISCUSS, CONSIDER AND TAKE ACTION ON PURCHASING MUNICIPAL COURT SOFTWARE WITH NETDATA.

Mayor Pro Tem Lummus made a motion to purchase Municipal Court Software with Netdata. The motion was seconded by Council Member Neal. The motion was passed with 5 ayes and 0 nays.

9. DISCUSSION AND ACTION ON APPROVING THE EDC BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2018, THROUGH SEPTEMBER 30, 2019.

Council Member Self made a motion to approve the EDC budget for the fiscal year October 1, 2018 through September 30, 2019. The motion was seconded by Council Member Neal. The motion was passed with 5 ayes and 0 nays.

10. DISCUSSION AND ACTION ON ORDINANCE NO. 18-09, AN ORDINANCE FOR THE CITY COUNCIL OF THE CITY OF KEMP, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2018, THROUGH SEPTEMBER 30, 2019; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Lummus made a motion to approve Ordinance No. 18-09, an Ordinance for the city council of the City of Kemp, Texas, approving and adopting a budget for the fiscal year October 1, 2018, through September 30, 2019; providing that expenditures for said fiscal year shall be made in accordance with said budget; providing for the incorporation of premises; providing a savings clause; providing a repealer clause; providing for severability; and providing an effective date. The motion was seconded by Council Member Bounds. The motion was passed with 5 ayes and 0 nays.

11. DISCUSSION AND ACTION ON ORDINANCE NO. 18-10, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KEMP, TEXAS, ADOPTING THE CITY'S 2018 PROPERTY TAX RATE; LEVYING TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019, AT THE RATE OF \$0.844192 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUE ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF KEMP, TEXAS, IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF ON THE CITY'S HOME PAGE OF ITS WEBSITE; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Self made a motion to approve Ordinance No. 18-10, an Ordinance of the city council of the City of Kemp, Texas, adopting the city's 2018 property tax rate; levying taxes for the fiscal year beginning October 1, 2018 and ending September 30, 2019, at the rate of \$0.844192 per one hundred dollars (\$100.00) assessed value on all taxable property within the corporate limits of the City of Kemp, Texas, in accordance with existing statutory requirements; providing a severability clause; providing for a repealer clause; providing for the publication of the caption hereof on the city's home page of its website; and providing for an effective date. The motion was seconded by Council Member Rose. The motion was passed with 5 ayes and 0 nays.

12. ANNOUNCEMENTS REGARDING RECENT AND UPCOMING COMMUNITY EVENTS.
Mayor Peace announced Kemp Homecoming is October 19, 2018. Forever Families Banquet is on September 29, 2018 and Kemp Fire Department fish fry is October 20, 2018.

13. 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.

The City Council entered executive session at 7:40 p.m.

14. 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 7:58 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.

15. ADJOURN
Meeting adjourned at 7:59 p.m.

ATTEST:

Laura Hanna Peace, Mayor

Allene Gilmore, City Secretary