

MINUTES OF REGULAR MEETING
OF CITY COUNCIL
CITY OF DAINGERFIELD
October 9, 2023

City Council Present: Mayor Wade Kerley Councilmembers, Vicki Smith, David Hood, Ben Ramirez and Mike Carter

Absent: Councilmember Jessie Ayers, City Manager Keith Whitfield

City Staff Present: City Secretary Michelle Jones, Police Chief Tracey Climer, Public Works Director Kiersten Wiley, Fire Chief Jimmy Cornileus, Assistant Chief Travis Miller

Others: Phyllis Mills, Carolyn Adkins, Marty Walker, Leanna Walker, David Adkins, Jim Goodman,

Mayor Kerley called the meeting to order at 6:00 p.m.

Mayor Kerley gave the Invocation.

The Pledge of Allegiance and Texas Pledge.

Public Comments:

Carolyn Adkins spoke about the length of time the citizens have been on a Boil Water Notice. Ms. Adkins wanted more information to be relayed to citizens on the boil water notice, such as why are we under a boil notice, what happened, what is being done to fix it and when is it estimated to be fixed.

Phyllis Mills spoke about the boil water notification and status of the boil water. Ms. Mills stated that letters or door hangers should have been sent out. Ms. Mills stated that the current notification is not enough. Ms. Mills requested to have the water fixed, they are tired of boiling water.

Marty Walker spoke on three topics. Mr. Walker provided City Council with three pages of information on his topics. Information is retained with the packet for record keeping. Mr. Walker spoke on the 10.10% increase on water rates, he stated he does not support the charter amendment allowing the City Manager to live outside of the city limits of Daingerfield, and he stated that he believes that the Council may make the change to the charter themselves regarding Election Run Off for the position of Mayor.

4. Consent Agenda

All Consent items are considered to be routine and will be enacted by one motion and vote.

- A. Deliberate and Act to Approve Minutes of September 11, 2023, and September 18, 2023:** Motion made by Councilmember Carter to approve consent agenda as presented, seconded by Councilmember Hood and all voted for. Motion carried.

5. Business

Discuss, Consider, and Possibly Take Action Regarding:

- A. Deliberate and Possibly Take Action on Preliminary Lease Agreement with Dixie Youth:** No action taken. Preliminary lease to be sent to Dixie Youth association for input.
- B. Deliberate, Discuss and Possibly Take Action to Adopt Policy, Guidelines and Criteria for granting Tax Abatement in Enterprise or Reinvestment Zone for City of Daingerfield:** Motion made by Councilmember Hood to adopt the policy, guidelines and criteria for granting Tax Abatement in Enterprise or Reinvestment Zone for the City of Daingerfield as presented, seconded by Councilmember Smith and all voted for. Motion carried.
- C. Deliberate and Possibly Act on Resolution to Approve Maintenance Agreement with the Texas Department of Transportation:** Motion made by Councilmember Carter to approve the Resolution for the Maintenance Agreement with the Texas Department of Transportation, seconded by Councilmember Hood and all voted for. Motion carried.
- D. Deliberate and Act on Ordinance Nominating Candidate(s) for the Morris County Appraisal District Board of Directors for 2024-2025:** Candidates nominated by council are Jim Goodman, Randy Sutton, and Sheran West. Councilmember Carter moved to cease nominations at three, seconded by Councilmember Hood and all voted for, motion carried.
- E. Deliberate and Possibly Act on City Charter Amendment to Article XI, Section 2 of the Home Rule Charter Relating to the Residency Requirements for City Manager extending the distance to 20 miles:** Motion made by Councilmember Hood to place City Charter Amendment to Article XI, Section 2 of the Home Rule Charter Relating to the Residency Requirements for City Manager extending the distance to 20 miles on the May election, seconded by Councilmember Ramirez and Councilmembers Hood, Ramirez, and Smith voted for, Councilmember Carter voted against. Motion carried 3 to 1.

F. Deliberate and Possibly Act on City Charter Amendment to Article VI., Section 9 to allow a run-off election for the position of Mayor: Motion made by Councilmember Ramirez to leave the City Charter Article VI., Section 9 as it is currently written in the City Charter, seconded by Councilmember Hood and all voted for.

G. Addendum: Deliberate and Act on Tax Roll Approval and Tax Levy Resolution: Motion made by Councilmember Carter to approve the Tax Roll Approval and Tax Levy Resolution, seconded by Councilmember Hood and all voted for, motion carried.

6. Monthly Departmental Reports: *Informational reports only; no action to be taken:*

- a. Animal Shelter, Code Enforcement, Electrical, EMS, Fire, Library, Municipal court, Police, Public Works
- b. Financial
- c. City Manager

7. Monthly Boards and Commissions Minuets: *Informational reports only; no action to be taken:*

- a. Economic Development Corporation and Northeast Texas Municipal Water District

8. Executive Session

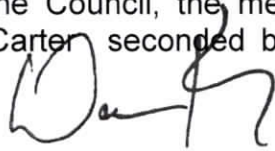
The City Council of Daingerfield has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with City Attorney), 551.072(Deliberations Regarding Real Property), 551.073 (Deliberations Regarding Gifts and Donations), 551.074 (Personnel Matters), and 551.076 (Deliberations Regarding Security Devices)

A. Convene into Executive Session pursuant to Section 551.074(Personnel Matters) of the Government Code to deliberate regarding the resignation of the City Manager and to deliberate the appointment of an interim City Manager: Mayor Kerley convened the City Council into a Closed meeting to deliberate the resignation of the City manager and to deliberate the appointment of an interim City Manager beginning at 6:53p.m. Mayor Kerley adjourned the executive session at 7:14p.m. No action was taken.

B. Reconvene into public session and take action as appropriate at the City Council's discretion regarding the resignation of the City Manager and the appointment of an interim City Manager: Mayor Kerley reconvened into public session at 7:14p.m. and Councilmember Hood made a motion to accept the City Manager Keith Whitfield's resignation as presented, seconded by Councilmember Carter and all voted for, motion carried. Councilmember Rameriz motioned to appoint City Secretary Michelle Jones as the Interim City Manager, seconded by Councilmember Smith and all voted for, motion carried.

9. Adjournment.

There being no further business before the Council, the meeting was adjourned at 7:16 p.m. on motion by Councilmember Carter seconded by Councilmember Hood and all voted for, motion carried.



Wade Kerley, Mayor

ATTEST:



Michelle Jones
City Secretary



**Certified Agenda of the Proceedings of
An Executive Session of the
City Council of the City of Daingerfield, Texas
on October 9, 2023**

In accordance with the provisions of Chapter 551 of the Texas Local Government Code, as amended, the City Council of the City of Daingerfield, convened an open meeting at 6:00 PM on the day of **October 9, 2023**. The City Council, pursuant to an announcement made by the Presiding officer, then convened to an executive session, closed to the public, at 6:53PM in accordance with the Texas Local Government Code,.

Those present: Mayor Wade Kerley, Council Members Vicki Smith, Ben Ramirez, David Hood, Mike Carter, and City Secretary Michelle Jones

The following matters were discussed during the said executive session:

8A. Section 551.074 of the Government Code to Deliberate the resignation of the City Manager and to deliberate the appointment of an interim City Manager (551.074)

The Presiding Officer announced the end of the executive session at 7:14PM on **October 9, 2023**, and the City Council reconvened in open session. No action was taken and no vote was called during the Executive Session, and any action taken regarding the above agenda items after Executive Session is reflected in the attached minutes.

Certification

The undersigned, as Presiding Officer of the above indicated executive session of the City Council of the City of Daingerfield, Texas does hereby certify that the agenda of said executive session as set forth above is a true and correct record of such proceeding and that no other items of business or deliberation was conducted other than as set forth in the above agenda. Any final action taken on the items discussed was only taken in an Open Meeting in accordance with the Open Meetings Act, Chapter 551 of the Texas Local Government Code, and is recorded in the minutes of the open meeting.

By: _____

Mayor Wade Kerley
Presiding Officer

