

Official

MINUTES

CITY OF AMES TEXAS, LIBERTY COUNTY

CITY COUNCIL MEETING March 11, 2019

The City Council met in a regular meeting on March 11, 2019, at 6:00 P.M. in the council chambers of the Ames city hall, to consider the following agenda of items. Mayor White called the meeting to order at 6:00 P.M. Councilman Eddie White led the invocation followed by the Pledge of Allegiance. Roll call: all members of the Council were present. Citizen appearance: Mr. Herman Delco, Brittney Allgood, Barbara Domain, Jose Rameriz and Veronica Mallet. There were others present who did not sign-in.

MINUTES

The Minutes of January 14, 2019 was read. City Council members read the minutes in silence. After a reasonable length of time Mayor White asked if there were any questions or comments or corrections to the Minutes? There were no questions, comments, or corrections. Mayor White called for a motion to approve the January 14, 2019 Minutes as written. The motion to approve the minutes of January 14, 2019 as written was made by Councilman David Papillion and was second by Councilman Dwight Webb. With a vocal approval and votes of five (5) in favor and zero (0) approval, the motion was made, second, carried and was passed. Members voting on the motion were David Papillion, Janet Scott-Carrier, Dwight Webb, Eddie White and Mrs. Louise Donatto. There were no minutes for February because there was no meeting.

OLD BUSINESS

There was no tabled or unfinished agenda items to be considered.

REGULAR SESSION

2019-01: **ATTORNEY'S FROM THE FIRM OF BOOTH, AHRENS & WERKENTHIN OF AUSTIN, TEXAS WILL PRESENT AN UPDATE ON THE LAWSUITE FILED AGAINST THE CITY OF AMES BY THE CITY OF LIBERT, TEXAS.**

Mr. Trey Nesloney has been working with the City of Ames and Liberty to resolve this lawsuit without taking the case to the courts for a judgement. Mr. Nesloney is preparing a settlement suggestion that could solve the issue if both parties can come to a reasonable agreement. Ames is currently working with the Engineering firm of HR Green out of Houston, Texas and T. Gray Utility Company. There are forty (40) manholes in need of repairs and T. Gray will be working on those for inspection.

Ames is currently paying significant overage under its contract with Liberty due to these issues. The outstanding balance Ames believes is owed to Liberty to date is about \$60,845.06. Due to

the size of these charges, Ames cannot fund the citywide manhole inspection. Therefore, Ames proposes that Liberty hold Ames' scheduled overage payments in the future until Ames has satisfied its contractual obligation to Liberty in escrow and, if needed, this money will be used to fund the citywide manhole inspection and any future remediation measures needed to fix the system. That is if we pay the \$60,845.06 to date. Any amount of the outstanding balance not needed to perform the citywide manhole inspection or future remediation measures will continue to be paid by Ames and collected by Liberty according to the current contract. Ames agrees to pay an additional charge for those volumes delivered more than the "Total Acceptable Volume" (TAV). The TAV shall be defined as 200,000 gallons per day and an aggregate of 6,000,000 gallons per month. Volumes more than the TAV shall be charged at three (3) times the highest rate, calculated on a per gallon basis or five hundred per month, whichever amount is greater.

Councilman Dwight Webb asked if that was legal. It is very legal was the reply. Mr. Nesloney said that he thought this was the way to go until a better solution could be found. He will prepare the necessary paperwork for presentation. If anyone has any questions feel free to contact me, said Mr. Nesloney. Councilman Papillion said he and Mayor White had a meeting with Liberty officials and he had asked if the rates could be lowered sine we were not over the 6 million gallons per month. That was not going to work currently. Councilman Papillion said the City should come away from this lawsuit with something other than a thank you.

Councilwoman Janet Scott-Carrier said that the citizen of Ames should know what is going on because they are part of the problem also. We have not had this much rain in a season for a very long time, and rain water is what we are paying for with this overage charge fee. Mr. Herron and Sonny need to do a better job with checking the manholes for damages and the clean-outs for damages and the sewer caps that are being broken and removed by homeowners to get the water out of their yards. The homeowners are not replacing broken caps, driving cars and lawn mowers over the clean-outs, and this was before the lawsuit was filed.

2019-02: **CONSIDER AND TAKE ACTION ON AN INTERLOCAL AGREEMENT WITH THE CITY OF LIBERTY FOR SHARING OF COSTS RELATED TO THE MAY 4, 2019 ELECTION.**

To save money the City of Ames and the City of Liberty would like to share the cost of the May 4, 2019 election expense. The expense for election is rising every year and this year is no exception because the County purchased new accounting machine and voting machines. Mayor White called for a motion to enter into a contract for sharing the expense of the May 4, 2019 election with the City of Liberty. The motion was made by Councilwoman Janet Scott-Carrier and second by Councilman David Papillion. Mayor White asked if there were any questions or comments? Councilwoman Carrier asked if the cost would be no more than 6,000.00? It is possible for the cost to be less than six thousand for election day only. The motion was made, second, carried and was passed, with votes of five in favor and zero opposed. Members voting on the motion were Councilman David Papillion, Councilwoman

Janet Scott-Carrier, Councilman Dwight Webb and Councilman Eddie G. White and Councilwoman Mrs. Louise Donatto.

2019-03: **CONSIDER AND TAKE ACTION ON CONTRACTING WITH THE LIBERTY COUNTY CLERK TO CONDUCT THE CITY'S MAY 4, 2019 ELECTION.**

Over the past four or five years the City of Ames has been contracting with the County to conduct the election. It is cost effective for the City, especially for providing judges and clerks for the election. Mayor White asked if there were any questions, comment? There were none. Mayor White called for a motion on contracting with Liberty County Clerk to conduct the election for the City of Ames. The motion was made by Councilman Dwight Webb and was second by David Papillion. There were no question or comments. The motion was made, second, carried and was passed with votes of five (5) in favor and zero (0) opposed. Persons voting on the motion were: Papillion, Scott-Carrier, Webb, Eddie White and Mrs. Louise Donatto.

COUNCIL MEMBERS COMMENTS

Councilwoman Janet Scott-Carrier addressed the citizen appearance group by telling them that she doesn't know what their intentions are for running for a position on the council or mayor that they only see one side of the situation and it is a lot involved in being on the council and the position of mayor there is a lot of hard work and many decisions have to be made on various issues facing the city. Some issues are hard and others not so hard. We welcome your participation.

Councilman Dwight Webb said he did file for an application for re-election because he no longer resides in the City of Ames. That was my decision.

MAYOR'S REPORT

The City will go out for bids on garbage service. I have been seeking other solid waste company and gathering information and prices for the service. The bids are for once and twice week pick-up.

ADJOURNMENT

With all agenda items having been considered and no further City business to discuss, Mayor White called for a motion to adjourn. The motion to adjourn the City Council meeting at: 7:05 P.M. was made by Councilman David Papillion and was second by Councilwoman Janet Scott-Carrier. Are there any questions or comments asked the Mayor? There were none. With votes of five in favor and zero opposed, the motion was made, second, carried and was passed.

Meeting was adjourned at: **7:05 P.M.**

The next scheduled meeting will be **April 8, 2019 at 6:00 P.M.** in the council chambers of the Ames City hall, 304 Martin Dr.

Mayor John White

Mayor John White, City of Ames, Texas

ATTEST

Lillie Bernard

Lillie Bernard, City Secretary

March 11, 2019

Ames City Council Meeting

CITIZEN APPREANCE

Herman Delco

Brittney Allgood

Barbara Domain

Jose Rameriz

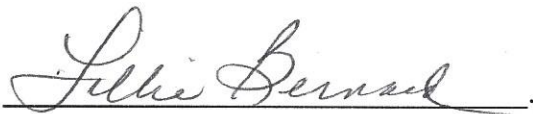
Veronica Mallet

These named persons appeared at the city council meeting to voice their disapproval of the application for a position on the ballot for May 4, 2019 City Election process. There were others present who did not sing-in.

They were all angry with City Secretary because she did not inform them their application were not completed properly. She was rude was very angry and had attitude when asked a question. I was so disgusted with her I tore-up my application and put it in the trash said Ms. Barbara Domain. If she is not going to help the people, she should not be working here. If she is angry with City she should be some place else. This seem to be the echo of the crowed.

Everyone was talking over each, but not one of them took responsibility for their own action in the matter. They filled the application, not the secretary, they waited until the last minute to decide the turn in the application incomplete.

The secretary did not say anything to the crowed. Mr. Herman Delco ask when did they turn in the application? The afternoon of the deadline replied Ms. Mallet.

A handwritten signature in cursive script that reads "Lillie Bernard". The signature is written in black ink and is positioned above a horizontal line.

Lillie Bernard, City Secretary