

BE IT REMEMBERED that on Tuesday **OCTOBER 15th, 2013**, the Riesel City Council met in a REGULAR called meeting, at 6:30 p.m. in the Riesel City Hall Meeting Room, at 104 Hwy. 6 North in Riesel, Texas, with notice of said meeting having been posted at least 72 hours in advance in accordance with Section 551, Texas Government Code.

Call to Order: The meeting was called to order by Mayor Roger Fitzpatrick presiding officer, at 6:30 p.m.

Council Members Present: Jeanne Lehrmann, Al Bumelis, Deena Tobias, Gerry Suttle & Phyllis Koester

Employees Present: Alisha Flanary, Ryan Dieterich & Pete Zuniga

Visitors Present: Debi Haynes, Dan Pleitz, Katherine Bode, Craig Cherry, Brandon Oates & Johnny Tabor

Consent Items:

Jeanne Lehrmann made a motion to approve the minutes from the September 10th, 17th and October 1st meetings. Phyllis Koester seconded the motion. Motion carried unanimously.

Phyllis Koester made a motion to approve the payment of bills, payroll and purchase orders. Gerry Suttle seconded the motion. Motion carried unanimously.

Gerry Suttle made a motion to approve the monthly financial reports. Jeanne Lehrmann seconded the motion. Motion carried unanimously.

Mayor's Report: Mayor Fitzpatrick stated that the majority of water meters had been installed, and there had been a few "hiccups" along the way, but the project was almost complete. He also mentioned that progress had been made on the park trail, but rain was causing some delays. The mayor also stated that the agenda order would vary slightly from what was posted, to allow time for all concerned parties to be in attendance. Visitors' comments would be held after other city business.

Audit: Gerry Suttle made a motion to accept the proposal from Bestor & Associates to perform the FY2012-2013 annual audit. Deena Tobias seconded the motion. The motion carried unanimously.

Canvass of Election: Phyllis Koester made a motion to canvass the November 5th, 2013 General Election on Thursday, November 14th, 2013. Gerry Suttle seconded the motion. The motion carried unanimously.

Curfew: Jeanne Lehrmann stated that a concerned citizen had requested this item be on the agenda. Council discussed the possible need for a citywide curfew. No action was taken.

Custodian: Council was informed that the custodian had resigned and that there was a need to refill that position. Council took no action, but stated that the City Secretary and Mayor should seek a replacement as soon as possible.

ATMOS Rates: Jeanne Lehrmann moved to approve Resolution #20131015, approving a change in the rates of Atmos Energy Corporation as a result of a settlement between Atmos & ATM under the rate review mechanism. Al Bumelis seconded the motion. The motion carried unanimously.

Reserve Officer: Gerry Suttle made a motion that the city would not seek to obtain a reserve officer at this time. Phyllis Koester seconded the motion. The motion carried unanimously.

Sales Tax: Council discussed the fact that a street maintenance tax went into effect as of October 1st, 2013 and whether or not local business were aware of the quarter of a cent tax increase.

Visitor's Comments: Dan Pleitz addressed the council with information regarding an opportunity for the Riesel Education Facilities Corporation to assist in providing tax exempt status for TSTC in its need to finance \$10,000,000.00 for a new branch in Red Oak. The potential agreement would earn the City of Riesel \$10,000.00 and the City of Riesel would hold no liability for the debt, whatsoever. Pleitz said he would likely have an official proposal in November for the council to review.

EXECUTIVE SESSION:

At 6:54 PM Council went into executive session, pursuant to Section 551.071 of the Government Code (V.C.T.A.) so that they could seek and receive legal advice from attorneys regarding pending or threatened litigation, settlement offers, claims or other matters for which the attorney's duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct conflicts with the Open Meetings Act (Ch. 551, Gov. Code), including but not limited to: Well design and construction dispute – Layne Texas, et al.

At 8:49 PM Council reconvened in open session and stated that no action was taken during the executive session

Action: Jeanne Lehrmann made a motion to immediately authorize Alsay to begin the process of repairing the well, as per Johnny Tabor's recommendation. Gerry Suttle seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION:

At 8:54 PM Council went into executive session, pursuant to Section 551.074 of the Government Code, so that the City Council could deliberate the annual evaluation of: Ryan Dieterich

At 9:03 PM Council reconvened in open session and stated that no action was taken during the executive session

Action: Gerry Suttle made a motion to increase Ryan Dieterich's salary by 3%. Jeanne Lehrmann seconded the motion. The motion carried unanimously.

EXECUTIVE SESSION:

At 9:05 PM Council went into executive session, pursuant to Section 551.074 of the Government Code, so that the City Council could deliberate the annual evaluation of: Pete Zuniga

At 9:14 PM Council reconvened in open session and stated that no action was taken during the executive session

Action: Gerry Suttle made a motion to increase Pete Zuniga's salary by 3%. Phyllis Koester seconded the motion. The motion carried unanimously.

Adjourn: With no further business and with no objections, Mayor Fitzpatrick adjourned the meeting at 9:25 PM.