



7019 Pleasant Ridge Road \* Coffee City, TX 75763 \* Phone: (903) 876-3414 \* Fax: (903) 873-2433

## **CITY OF COFFEE CITY COUNCIL MEETING MINUTES**

**October 12, 2021  
7019 Pleasant Ridge Rd.  
Coffee City, Texas 75763**

NOTICE IS HEREBY GIVEN OF A MEETING OF THE CITY COUNCIL OF COFFEE CITY. TO BE HELD ON Tuesday October 12, 2021 AT 5:00 P.M., AT THE COFFEE CITY, CITY HALL 7019 PLEASANT RIDGE ROAD, COFFEE CITY, TEXAS. FOR THE PURPOSE OF CONSIDERATION OF THE FOLLOWING AGENDA ITEMS. THE CITY COUNCIL RESERVES THE RIGHT TO MEET IN A CLOSED SESSION ON ANY AGENDA ITEM SHOULD THE NEED ARISE AND APPLICABLE PURSUANT TO AUTHORIZATION BY TITLE 5, CHAPTER 551, OF THE TEXAS GOVERNMENT CODE.

### Council Members

Frank Serrato – Mayor

Riley Standifer – Mayor Pro Tem

Chuck Jones – Place 1

Marquis Castleberry – Place 2

Kevin Swanson – Place 3

Ray Ver Hey – Place 5

1. Call Meeting to Order: Mayor Serrato called the meeting to order at 5:00 PM.
2. Roll call and announce if quorum is present: City Secretary, Nanette Moss took roll call, all Councilmen were present with the excused absence of Councilman Kevin Swanson.
3. Opening remarks: Mayor Serrato thanked everyone for coming out to the Council Meeting, as well to place all cell phones on silent or vibrate.
4. Consider and Act upon: 5,6. Councilman Ver Hey asked about the WEX Fleet Card from the City Financials report, City Secretary explained that this was the Cities fuel cards that are being used by the PD & Fire Dept. for their vehicle maint. and fuel. Councilman Ver Hey then asked who was Della Jackson, City Secretary explain that Ms. Jackson was on of the part time paid Police Officers. Councilman Ver Hey then stated that looked like the Office Depot statement was higher last month than usual, City Sec. explained that due to the officers writing more citations it was taking more folders and labels for Mary the Court Clerk to make her files for each individual citation case. Mayor Pro Tem asked if we had 4 paid Police Officer's? Mayor Serrato stated 3-part timers and 1 full time. Mayor Pro Tem stated that it was his understanding that we only had 3- part time officers and the rest was volunteers. Councilman Ver Her stated it was his thoughts as well but he could be mistaken. Mayor Serrato stated that going back to the budget there was 3 part time and 1 full time positions. Mayor Serrato asked for a motion? Councilman Castleberry made a motion



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- then went on to say that she composed this ordinance from the two examples. Mayor Pro Tem Standifer stated that he didn't think the city needed this ordinance. Mayor Serrato then called upon Ms. Bivens from the audience to speak her comment, Ms. Bivens stated this was a State Law when she was a judge here for Coffee City, after speaking to other people and state judges, DPS, they determined that a defense a very good defense to a citation, would be a violation of a person fourth amendment right if someone is driving through Coffee City. Councilman Ver Hey stated that his opinion was the city didn't need this ordinance for this size of a city. Councilman Ver Hey stated that he recommended that the Council didn't vote for the ordinance. Councilman Castleberry asked to what advantage would the city have with this ordinance vs. with what the State has? Mayor Serrato explained the law about emergency vehicles about passing on the left, about it being a state law and if we have this ordinance then we can say that our city has this in place and we can enforce the ordinance. Mayor Pro Tem Standifer made a motion that the council did not approve this ordinance, seconded by Councilman Jones, motion carried unanimously.
8. Consider and Act Upon: Review information on City Zoning / *Tabled from the August Meeting* – Mayor Serrato asked someone to refresh his memory on this agenda item, Councilman Jones stated that the EDC had discussed about re-zoning the area around the Allstate building, in reference to the storage building coming in. Mayor Serrato said he thought the EDC was asking to look into zoning around that whole strip of property, that the Council didn't have the EDC's paperwork for zoning. Councilman Castleberry said that he thought that is what the EDC was concerned with is that if people bought property there, they could come in and put whatever they wanted in that area. Councilman Ver Hey stated that in council meeting prior that this had been brought up as well, and that the prior Mayor had asked him to look into this for he was a local realtor in this area, this city council at that time decided not to do a zoning. Councilman Ver Hey expressed his concerns that the City didn't have must property in the city for purchase and he felt that if the council started putting zoning restrictions on these properties, then that would make it harder for more businesses to want to purchase land here. Mayor Pro Tem Standifer stated at one time someone wanted to come in and put trailer houses in on one side of 3506 and High Saw. Councilman Jones made a motion to table this item once again until more information could be brought forward to the Council from the EDC, seconded by Councilman Ver Hey, motion carried unanimously.
9. Consider and Act Upon: Contacting the City Attorney for potential paid employees with a contract. *Item was tabled from the August meeting.* – Mayor Serrato stated that this was about job security for the paid employees with the city, Councilman Ver Hey asked how many employees were considered employees? Mayor Serrato stated 3 full time employees and 3 part-time. Mayor Serrato said this would only be in reference to the full-time employees the city has. Mayor Serrato stated that if the City Attorney was contacted about this contract, then the council could review a legal document and move forward for the employees that was interested in the contract, the legal do's and don'ts and how to get out of a legal contract if someone was to quit before the contract was full filled. Mayor Serrato explained also that the attorney also charges every time he is consulted and he was just wanting the Council's permission to move forward with



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had to pay for the equipment and licensing for all the body camera's that would be an approximate total of 28K a year, But Axon was willing to work with the Police Dept and only charge the Licensing fee amount, of 3,500.00. After reading through the documentation on the body cameras from Axon the actual cost this year would be the 3,500 for the use of 6 overall camera's through out the remainder of the contract this year, next year the contract for all the cameras would be \$6,099.26 for the licensing and equipment charge, spread over 5 years. Mayor Pro Tem made the motion to accept the contract with Axon Body Cameras for the amount of 3,500 for the remainder of this contract and the 6,099.26 for the 5 years, seconded by Councilman Ver Hey, motion carried unanimously.

13. Executive Session: Texas Gov't Code 551.04 Personnel Matters: *Police Chief Portillo, Fire Chief Moore, Mayor Serrato, Sargent Cody Welch, Per LGC 551.072 .. Added per Mayor by Pam Drost @ 3:42 PM with a witness, and without the City Secretary being present. – Mayor Serrato stated that this agenda item would be moved to the end of the agenda to keep from the [public having to wait to continue on with the Council Meeting, all Councilman agreed.*

**Open Forum:**

- *Open Forum may contain any suggestions and ideas about the City.*
- *Complaints must be in writing. Forms are available at City Hall.*
- *Speakers will be given 3 minutes to speak.*
- *Speakers must sign in prior to speaking.*

*Any person that is unable to attend and wishes to submit questions to the Council can Email the questions to the City Secretary at [Citysecretary@cityofcoffeecity.com](mailto:Citysecretary@cityofcoffeecity.com) or Mayor Serrato [Mayor.Serrato@Cityofcoffeecity.com](mailto:Mayor.Serrato@Cityofcoffeecity.com)*

There was 1 person that signed to speak during Open Forum, **Shellena Bivens**. Mayor Serrato, acknowledged Ms. Bivens. Ms. Bivens stated that she was asking this question for a citizen that could not attend the meeting. The question was what the status was on the city placing the Caution Children at Play signs as well as the Speed limit on Stephenson Road? Mayor Serrato stated that the Fire Chief wasn't able to attend this meeting, that he had just gotten out of the hospital from having surgery. Mayor asked Walter Kern is he was aware about when this would be taken care of? Mr. Kern stated that no he didn't but he would ask the Fire Chief and would get back to the Council. Mayor Serrato stated that he had actually gotten an email from Fire Chief Moore today and he had sent in an estimate for these signs, and they would be reviewing this in the next few days.

14. Mayor's Report: Mayor Serrato thanked everyone for coming out to the meeting once again and that he hoped that the Council could continue doing things for the citizens. Mayor Serrato wanted to reiterate the accountability from the citizens on why he was voted in. Duties of a council member was for the publics interest and that he would hope that was what the council was doing. Council Members duties regulate the interest of the public, as well as attending the Council meetings regularly as expected by the



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way less than the Owner Micah Wolfe had stated for his July Fee's after asking for the EDC to help fund the cabins that was being built, that Mr. Wolfe stated that July was his bigger month. Councilman Ver Hey stated that yes usually it would be but since Mr. Wolfe has had to find other financial ways to pay for this project then yes, his HOT fees are lower.

17. Municipal Court Report: Court Clerk, Mary McDonald gave the Court Report; Total Collections for the month of Sept. \$83,517.46 with the Bldg. Security Fund receiving \$1,645.15, Tech Fund receiving \$1,365.42, the State Costs & Fees receiving \$34,607.44, LCCC Fund receiving \$2,641.25, LEA Transfer \$1,713.80 Minus Court Costs \$9,015.33 Total to General Fund \$32,529.07. Total for the Qrt. \$74,083.79 with 20 Warrants Cleared by pay offs.
18. Police Report: Police Chief Portillo spoke with the monthly report; At this time the Coffee City PD has 1 Chief / 3 Part Time and 39 Reserve Officers. There were 5 Officers sworn in for the month of Sept. Equipment Maintenance: Tires replaced on unit 719 (Dodge Charger) with the suspension needing replaced as well. Unit 1223 (Blue Explorer) Brakes were replaced. Total calls for service 1,075; with 9 arrests; 8 impounded vehicles; 10 agency assists; 810 traffic stops; 325 warnings; 643 citations written.
19. Fire Dept. Report: Lieutenant Walter Kern gave the Fire Dept. report in the absence of Chief Moore. Lt. Kern stated that the County was currently under a burn ban. Sept. Call total 31; that the call volume was above average. With 13 Medical Calls; MVA 2; Structure Fires 3; Boat Rescue 1; Car Fire 1; Canceled enroute 2; Brush/Grass Fires 5; Control Burns 2; Medical Lift Assist 2; Rekindled 1. Currently 13 Senior Fire Fighters. Upcoming events: Henderson County Fire Chiefs School Oct 15<sup>th</sup>, 16<sup>th</sup>, and 17<sup>th</sup>. The CC Fire Dept also attended the Chandler POW WOW, with placing a Fire Unit in the Parade and passing out Candy to the Children. Lt. Kern, also stated after being asked by the mayor that the Fire Dept, now had three check signers, being himself, Walter Kern, Lisa Cavender & Fireman, Chuck Jones.

(13) Executive Session was moved to this area of the agenda: Mayor Serrato called executive session at 6:38 PM.

Mayor Serrato convened the Executive Session @ 9:26 PM with Action Taken for the EDC to move forward. Councilman Ver Hey made the motion with a second from Mayor Pro Tem Standifer, motion carried unanimously. No Action was taken on Officer Cody Welch.

20. Adjournment: Mayor Pro Tem made a motion @ 9:29 PM to adjourn the council meeting with a second from Councilman Jones, motion carried.

The City Council of the City of Coffee City reserves that right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076, (Deliberations about Security Devices), 551.087 (Economic Development), 418.175-183 (Deliberations about Homeland Security