

April 4, 2023 Minutes

The Florence City Council met on April 4, 2023, with Mayor Mary Condon presiding and Council members Lesa Ragsdale, Amy Hansson, and Debra Bartos Cahill were present. Kory Woolverton and Denise Deichmann were absent.

Staff members present Amy L. Crane, Mary Dixon, Josh Teitge, Adam Marsh, and Jeffrey Dixon.

Guests present: Peggy Morse, Craig Townsend, Fred Baunfield, Fred Morse, Robert Pearman, Jim McDonald, Tanner Dewald, Phil and Virginia Duncan, David Harrison, John and Petrea Norman, Robin Moseley, Lawrence Rodriguez, J Langston, Erik Gulbranson, and Derrick Norris.

Mayor Mary Condon called the meeting to order at 6:00 pm.

Mayor Mary Condon asked that Guests addressing the Council speak at this time.
No public comment.

5. Consent Agenda-

Debra Bartos Cahill made the motion to approve the minutes for March 7, 2023 and March 20, 2023, as presented. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesa Ragsdale- for

Denise Deichmann- absent

Kory Woolverton- absent

Amy Hansson- for

Debra Bartos Cahill- for

Motion carried.

Regular Agenda- Committee, Council Members, and City Staff Reports:

6. Mayor/Council Report-

- Mayor Mary Condon reported that the 10 million allocated from the Williamson County ARPA funds is being distributed to the City of Georgetown to upgrade their facilities to assist the City of Florence with the additional 300 acre feet in addition to the 200 acre feet of surface water. 500 acre feet was secured from Chisholm Trail and BRA in 2006.
- Mayor Mary Condon reported the survey for Salado Lane has been completed and the City Attorney Randy Stump will issue letters to property owners who are encroaching Salado Lane.
- Mayor Mary Condon reported that the Veteran's Memorial Flag falls under the Federal Flag Statutes regarding half-staff. Citizens are not authorized to lower the flags at the Veteran's Memorial. The City is not authorized to lower the flag unless a Proclamation has been issued by the State Governor or President.

7. Municipal Court- See Report.

8. City Secretary, Amy L. Crane- See Report.

9. Police Department, Chief Adam Marsh- No Report. County system is currently down for retrieval of

information.

10. Public Works Department- See Report.

11. Florence Chamber of Commerce- First Friday clean-up will be held at 8:30 am April 7, 2023.

12. Florence Planning and Zoning Committee- No Report.

13. Florence ISD Afterschool Centers on Education-ACE- Angel Callan- ACE Program Coordinator Angel Callan reported the program is pursuing the community garden at the Florence Community Park. The program is also distributing 50 food boxes bi-weekly to students and staff.

14. Building Services Director, Mary Dixon- See Report.

15. Debra Bartos Cahill made the motion to submit a letter of opposition on behalf of the City of Florence regarding an Air Quality permit application received from TCEQ from Lonestar Pipe LLC for a concrete batch plant located 973 North Patterson Avenue, Florence, Texas 76527. Mayor Mary Condon will reach out to Rep. Terry Wilson for letter of opposition. Lesa Ragsdale seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- for
Denise Deichmann- absent
Kory Woolverton- absent
Amy Hansson- for
Debra Bartos Cahill- for
Motion carried.

16. Lesa Ragsdale made the motion to approve an emergency repair proposal from Westar Construction for sewerline repair on West Bennet/West Avenue in the amount of \$42,720.00. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- for
Denise Deichmann- absent
Kory Woolverton- absent
Amy Hansson- for
Debra Bartos Cahill- for
Motion carried.

17. No action was taken on a Draft Development agreement between the City of Florence and Nightingale Subdivision.

18. Debra Bartos Cahill made the motion not to exceed \$750.00 utilizing recruiting companies advertisement regarding the Wastewater Treatment Plant operations/personnel. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- for
Denise Deichmann- absent
Kory Woolverton- absent
Amy Hansson- for
Debra Bartos Cahill- for
Motion carried.

19. Personnel Matters. Mayor Mary Condon, City Council, and Public Works Director Jeff Dixon adjourned

into executive session at 9:12 pm under Sec. 551.074 (a) (I) and/or (2) of the Texas Government Code, for discussion of Personnel Matters-, including, without limiting the generality of the foregoing, consideration of the employment, evaluation, reassignment, duties, discipline, or dismissal of Jeff Dixon, Public Works Director- Performance Review.

20. Mayor Mary Condon, City Council, and Public Works Director Jeff Dixon reconvened into **Open session** at 9:27 pm concerning the consideration of the employment, evaluation, reassignment, duties, discipline, or dismissal of Jeff Dixon, Public Works Director- Performance Review, pursuant to Section 551.074 (b) of the Texas Government Code, and take action, if any, concerning such matters, and any and all other matters related thereto. Debra Bartos Cahill made the motion to re-evaluate in 60 days. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesa Ragsdale- for
Denise Deichmann- absent
Kory Woolverton- absent
Amy Hansson- for
Debra Bartos Cahill- for
Motion carried.

21 No action was taken on the construction contract between Hartland Park & Recreation LLC and the City of Florence ("Swimming Pool Contract"). The City Council will convene into Executive Session.

22. Mayor Mary Condon, City Council, and the City Attorney Randy Stump adjourned into executive session at 7:31 pm seeking legal advice from City Attorney regarding potential litigation and/or proposed settlements offers for such Swimming Pool Contract under Sec. 551.071 (1)(A) and/or (B) of the Texas Government Code, and/or Sec. 551.071 (2) of the Texas Government Code concerning matters in which the duty of the City Attorney and City legal counsel under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with the Open Meetings Act regarding and matters related thereto.

23. Mayor Mary Condon, City Council, and the City Attorney Randy Stump adjourned into executive session at 7:46 pm seeking legal advice from City Attorney regarding potential litigation involving possible action regarding warranty on defective swimming pool lining under Sec. 551.071 (1)(A) and/or (B) of the Texas Government Code, and/or Sec. 551.071 (2) of the Texas Government Code concerning matters in which the duty of the City Attorney and City legal counsel under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with the Open Meetings Act regarding and matters related thereto.

24. Mayor Mary Condon, City Council, and the City Attorney Randy adjourned into executive session at 7:57pm seeking legal advice from City Attorney regarding contemplated litigation and dispute resolution regarding City personnel under Sec. 551.071 (1)(A) of the Texas Government Code, and/or Sec. 551.071 (2) of the Texas Government Code concerning matters in which the duty of the City Attorney and City legal counsel under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with the Open Meetings Act regarding and matters related thereto.

25. Mayor Mary Condon, City Council, and the City Attorney Randy reconvened into Open session concerning consideration and action, if any, arising out of the conference with legal counsel about any of the matters described in Paragraph No. 22, 23 and/or 24 above.

- **22.** Mayor Mary Condon, City Council, and the City Attorney Randy reconvened into Open session at 7:43 pm.
Debra Bartos Cahill made the motion authorizing the City Attorney to negotiate with Heartland Park & Recreation LLC attorney regarding potential litigation or proposed settlements offers for such

Swimming Pool Contract. Lesa Ragsdale seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- for

Denise Deichmann- absent

Kory Woolverton- absent

Amy Hansson- for

Debra Bartos Cahill- for

Motion carried.

- **23.** Mayor Mary Condon, City Council, and the City Attorney Randy reconvened into Open session at 7:55 pm.

Debra Bartos Cahill made the motion authorizing City Attorney Randy Stump to negotiate or potential litigation involving possible action regarding warranty on defective swimming pool lining. Lesa Ragsdale seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- for

Denise Deichmann- absent

Kory Woolverton- absent

Amy Hansson- for

Debra Bartos Cahill- for

Motion carried.

- **24.** Mayor Mary Condon, City Council, and the City Attorney Randy reconvened into Open session at 8:06 pm. Debra Bartos Cahill made the motion authorizing City Attorney to negotiate with a Mediator regarding personnel issues. Lesa Ragsdale seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- for

Denise Deichmann- absent

Kory Woolverton- absent

Amy Hansson- for

Debra Bartos Cahill- for

Motion carried.

Mayor Mary Condon and the City Council called a break at 8:08 pm

Mayor Mary Condon and the City Council reconvened at 8:17 pm.

26. No action was taken on approving a quote from Axon Enterprise, Inc. for the purchase of five Fleet3B in-car dash camera systems for a total amount of \$49,989.60. Chief Adam Marsh stated the City of Florence has an account for Sourcewell for one source procurement. City Staff was unaware of an account as all procurement contracts has to be approved from the governing board. Council directed city staff to research.

27. No action was taken on approving a quote from Axon Enterprise, Inc. for the purchase of eight AB3 body-worn cameras for a total amount of \$46,521.34. Chief Adam Marsh stated the City of Florence has an accounts for Sourcewell for one source procurement. City Staff was unaware of an account as all procurement contracts has to be approved from the governing board. Council directed city staff to research.

28. No action was taken on approving a quote from Axon Enterprise, Inc. for the purchase of nine Taser 10 devices for a total amount of \$41,425.25. Chief Adam Marsh stated the City of Florence has an accounts for Sourcewell for one source procurement. City Staff was unaware of an account as all procurement contracts has to be approved from the governing board. Council directed city staff to research.

29. Lesa Ragsdale made the motion approving a quote from Avion for the purchase of a row machine for a total amount of \$2,199.00 + shipping from the forfeiture account. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesa Ragsdale- for
Denise Deichmann- absent
Kory Woolverton- absent
Amy Hansson- for
Debra Bartos Cahill- for
Motion carried.

30. Debra Bartos Cahill made the motion approving a quote from Fitness Factory.Com for the purchase of a dumbbell package with rack for a total amount of \$985.00 from the forfeiture account. Lesa Ragsdale seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesa Ragsdale- for
Denise Deichmann- absent
Kory Woolverton- absent
Amy Hansson- for
Debra Bartos Cahill- for
Motion carried.

31. No action was taken regarding update on Chamber of Commerce leasing City building located at 306 East Main Street, Florence, Texas. The City and Chamber will meet on April 10, 2023, at 2:00 pm to discuss terms of lease. .

32. Debra Bartos Cahill made the motion approving the 1st reading of ordinance No 04042023-01 amending ordinance no. 7-7-98 (ord no. 09-04-01, ord no. 03-05-02, ord no. 05-11-04, ord no. 110607-01, ord no. 04072009-01, ord no. 10252011-02, ord no. 08122013-05, ord no. 09062016-01, and ord no. 06292018-01) providing for the codification of increased water and sewer utility rates for customers in and outside city limits, also providing for the basic charges for water and sewer rates based upon size of meters and charge to customer; providing for repeal of conflicting ordinances; providing for publication; providing for an effective date. Lesa Ragsdale seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesa Ragsdale- for
Denise Deichmann- absent
Kory Woolverton- absent
Amy Hansson- for
Debra Bartos Cahill- for
Motion carried.

33. Debra Bartos Cahill made the motion to authorize City Employees to choose which supplemental insurance is to be applied monthly. The city contributes 60.00 a month to assist with supplemental insurance. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesa Ragsdale- for
Denise Deichmann- absent
Kory Woolverton- absent
Amy Hansson- for
Debra Bartos Cahill- for
Motion carried.

34. Debra Bartos Cahill made the motion on Letter of Support from the City of Florence for the passage of legislation that would create the Solana Ranch Municipal Utility District. Lesa Ragsdale seconded the motion.

Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- for

Denise Deichmann- absent

Kory Woolverton- absent

Amy Hansson- for

Debra Bartos Cahill- for

Motion carried.

35. Debra Bartos Cahill made the motion to authorize city staff to research other cities on fees and guidelines for Market Days. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- abstain

Denise Deichmann- absent

Kory Woolverton- absent

Amy Hansson- for

Debra Bartos Cahill- for

Motion carried.

36. No action was taken on a request from Adam Goodale regarding the field lights at the Florence City Park. Mr. Goodale was not present.

37. Debra Bartos Cahill made the motion approving the proposal from Alterman for the annual software fees for SCADA without the 24/7 emergency support. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- for

Denise Deichmann- absent

Kory Woolverton- absent

Amy Hansson- for

Debra Bartos Cahill- for

Motion carried.

38. Debra Bartos Cahill made the motion to approve the city expenditures, as presented. Amy Hansson seconded the motion. Mayor Mary Condon asked to poll the Council.

Lesla Ragsdale- for

Denise Deichmann- absent

Kory Woolverton- absent

Amy Hansson- for

Debra Bartos Cahill- for

Motion carried.

39. The next Council meeting is scheduled for May 3, 2023, at 6:15 pm. Mayor Mary Condon polled the Council who would be present at the next meeting.

Lesla Ragsdale- confirmed

Denise Deichmann- absent

Kory Woolverton- absent

Amy Hansson- confirmed

Debra Bartos Cahill- confirmed

Motion carried.

40. Mayor Mary Condon adjourned the meeting at 9:32 pm.

Amy L. Crane
Amy L. Crane, City Secretary

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, TEXAS, this
3 day of May, 2023.

Mary Condon
Mary Condon, Mayor

ATTEST:



Amy L. Crane
Amy L. Crane, City Secretary.