

**MINUTES OF REGULAR MEETING  
OF  
THE CITY COUNCIL OF THE CITY OF PALMER, TEXAS  
Tuesday November 18, 2008, 6:30 P.M.  
COUNCIL CHAMBERS  
113 W. Jefferson St., Palmer, Texas 75152**

**MINUTES**

**Call Meeting to Order.**

Mayor Anglin calls the meeting to order.

**Invocation and Pledge.**

Tony Roybal gives the invocation.

**Determination of Quorum.**

Members present: Mayor Lance Anglin, Mayor Pro Tem Kenneth Bateman, Dianne Drewrey, Tony Roybal, Jeff Vick and Greg Penny .

**Citizen Forum (2 minutes) – to address only specific current agenda items.**

**Consent Agenda**

**All matters listed under item 5, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Mayor/City Administrator to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the City Council.**

- a. Balance Sheets
- b. October 2008 Actuals
- c. Minutes of the October 21, 2008 Council Meeting
- d. Minutes of the October 23, 2008 Special Council Meeting
- e. Municipal Court Monthly reports.
- f. Palmer Police Department Monthly Reports.
- g. Ellis County Interlocal Cooperation Contract.
- h. City Hall staying open Christmas Eve and closing the day after Christmas instead.
- i. Building Official Contract with Troy McCraw.

Dianne removes item h for further discussion. Greg Penny motions to approve the consent agenda with item h removed, Kenneth Bateman seconds, all in favor.

After further discussion Jeff Vick motions to approve item h of the consent agenda, Greg seconds, all in favor.

**Discussion and possible action to approve ordinance amending the Master Fee Schedule to increase the rate charged for Garbage Service by \$1.12 per month coinciding with the increase in cost of DCI contract.**

Jeff motions to approve ordinance 960 amending the master fee schedule, Kenneth Bateman seconds, Tony Roybal opposes, motion passes.

**Discussion and possible action with regard to proposal from DCI Sanitation to provide weekly curbside Residential Recycling collection at a charge of \$3.00 per resident per month.**

Dianne motions to table this item, Jeff Vick seconds, all in favor.

**Discussion and possible action to authorize the City Administrator to trade the city owned garbage truck and \$9,500 to DCI in exchange for DCI's dump truck with necessary repairs made.**

Dianne motions to approve to authorize the City Administrator to trade the city owned garbage truck and \$9,500.00 for DCI's dump truck with the necessary repairs, Kenneth Bateman seconds, all in favor.

**Discussion and possible action to amend Personnel Policy CHAPTER 6 ABSENCES AND LEAVES - SECTION 10: PROFESSIONAL DEVELOPMENT LEAVE and CHAPTER 13 MISCELLANEOUS PROVISIONS - SECTION 11: TRAVEL EXPENSE.**

Greg Penny motions to approve ordinance 961 amending Personnel Policy CHAPTER 6 ABSENCES AND LEAVES - SECTION 10: PROFESSIONAL DEVELOPMENT LEAVE and CHAPTER 13 MISCELLANEOUS PROVISIONS - SECTION 11: TRAVEL EXPENSE, Dianne seconds, all in favor.

*(The Mayor explains that he wishes to move item #10 after the executive session so the council can get the information about it to decide if they want to terminate or not.)*

**Executive Session**

**Motion to move from open City Council Session into Executive Session pursuant to:**

Kenneth Bateman motions to move from open session into executive session, Dianne seconds, Greg Penny opposed, motion passes.

**a. Section 551.071, Texas Local Government Code, to consult with the City Attorney in regard to contemplated litigation.**

**Motion to move from Executive Session back into Open City Council Session.**

Kenneth Bateman motions to move from executive session back into open session, Jeff Vick seconds, all in favor.

*(The Mayor clarifies that the executive session item a) to consult with City Attorney in regards to contemplated litigation, was in regard to the Strategic / PowerMax contract that the city is currently under)*

**Discussion and possible action for the City of Palmer to terminate the existing contract with Powermax/Strategic Energy (Direct Energy) for electricity.**

Kenneth Bateman motions to authorize the Mayor to enter into negotiations to terminate the contract with Strategic/PowerMax, Jeff Vick seconds, Greg Penny abstains, motion passes.

**Discussion and possible action with regard to approving a resolution that approves the articles of incorporation and bylaws of Cities Aggregation Power Project, Inc., a political subdivision corporation; accepting membership in said corporation; appointing a representative to serve on behalf of the City of Palmer; approving payment of an initial membership fee.**

Jeff Vick motions to adopt the resolution approving the articles of incorporation and bylaws of Cities Aggregation Power Project, Inc (CAPP) a political subdivision corporation; accepting membership in said corporation; and appointing Doug Young, City Administrator the representative to serve on behalf of the City of Palmer and approving payment of initial membership fee, Kenneth Bateman seconds, all in favor.

**ADJOURNMENT**

Tony Roybal motions to adjourn, Mayor accepts.