

**TYRONZA CITY COUNCIL MEETING
REGULAR MEETING
September 19th, 2024**

The regular meeting of the Tyronza City Council was called to order at 7:00 p.m. by Mayor Jeff Woods. With the roll having been called, the following council members were recorded as present: Willie Harris, Michael Hood, Daniel Brewington, Barbara Ross and Angie Allison. Absent: Candace Drace. A quorum was declared. Recorder/Treasurer Donna Wood and City Attorney Noyl Houston were also at the meeting.

The invocation was given by Barbara Ross.

Mayor Woods asked if there was a motion to suspend the reading of the August 15th, 2024, regular council meeting minutes. Angie Allison, seconded by Barbara Ross, moved to suspend the reading of the minutes. Upon a voice vote, the voting was as follows: Ayes: Unanimous.

Mayor Woods asked if there was a motion to approve the August 15th, 2024, regular council meeting minutes. Barbara Ross, seconded by Angie Allison, moved to approve the minutes. Upon a voice vote, the voting was as follows: Ayes: Unanimous

The expenditures were next on the agenda.

Mayor Woods asked for a motion to approve the expenditures for August 2024.

Angie Allison, seconded by Willie Harris moved to approve the expenditures.

Mayor Woods asked if there was any discussion on the expenditures.

With there being no discussion on the expenditures, a voice vote was taken to approve the expenditures. The voting was unanimous to approve.

The meeting then moved to new business.

Mayor Woods reported the old water well was leaking. He said the pump needed to be repaired. He said he had gotten an estimate from Layne Christensen Company to pull the pump and repair it, the cost would be \$41,787.00. The estimate on the cost of a new pump would be \$47,960.00. He said that would be a difference of \$6,173.00 in repairing the old pump and a new pump. He said the repair could be done more quickly by purchasing the new pump. He said to repair the old pump, it would have to be pulled, a rental pump installed and when the old pump was repaired, they would have to pull the rental pump and replace it with the rebuilt pump.

Angie asked if there was any warranty on either option.

Mayor Woods said the new one had a one-year warranty that included parts and labor. He said he wasn't sure if there was any warranty on the repairs that would be made to the old pump.

Daniel asked how old the old pump was.

Mayor Woods said it was sure how old it was.

Michael asked if the new one was purchased, could the old one be repaired to have an extra pump in case one of the other ones went down.

Michael asked if the same thing was going to have to be done with the pump at the new well.

Mayor Woods said something would have to be done with the casing on the pump at the new well.

Daniel said he thought that a new pump should be purchased.

Michael Hood asked City Attorney Noyl Houston if bids needed to be taken.

Noyl said the city did not have to take bids. He said there were some things that were exempt from competitive bidding and replacement parts and labor for repairs of machinery and equipment was one of the things that was exempt from competitive bidding.

Barbara said she thought it would be a good idea to get a second bid.

Angie asked had the City used Layne Christensen before.

Mayor Woods said yes, they were the people who have worked on the pumps in the past.

Angie Allison asked if the pump would last another month.

Mayor Woods said he didn't know if it would last another day.

Barbara asked what fund the money to pay for the repair or purchase of a new pump would come from.

Mayor Woods said it would come from the depreciation fund.

Barbara said since there was no way of knowing when the pump would go out, she felt that a decision needed to be made on which one to go with as long as it did not go over the quoted amount given.

Mayor Woods said he felt the City should go with the new pump.

Barbara Ross seconded by Angie Allison moved to authorize the make to make the decision on whether to get the old pump repaired or purchase a new pump and to stay within the \$47,960.00 limit.

Upon a voice vote, the voting was unanimous to approve

Updating the City's purchasing police was next to be discussed.

Noyl said that \$35,000.00 was the current statutory level for competitive bidding, except for those purchases and contracts under the exception statute.

Noyl then read the proposed ordinance entitled "AN ORDINANCE UPDATING CITY PURCHASING POLICY" in full thereby placing it upon its first reading.

Angie Allison, moved that the rule requiring the reading of any ordinance in full on three different days be suspended, and that the ordinance be placed on its second reading by title only.

Barbara asked if it was time to make comments on the proposed ordinance.

Noyl said technically when there was a motion and a second, then the floor would be open to discussion.

Willie Harris then seconded the motion that the rule requiring the reading of any ordinance in full on three different days be suspended, and that the ordinance be placed on its second reading by title only.

Barbara Ross asked if the proposed ordinance was changing the amount the mayor was authorized to spend from \$2,000.00 to \$5,000.00.

Noyl indicated that was correct.

She asked if the proposed ordinance was giving any mayor of Tyronza the authorization to spend, at their discretion, up to the \$5,000.00 limit however many times they needed too

Noyl asked if she was thinking about incremental purchases of the same thing. He said it would be transparently obvious what the Mayor would be doing if he did it.

He then that the ordinance "when the total expenditure does not exceed the sum of \$5,000.00.

He said he would add "the total expenditure in the aggregate in a particular purchase or contract".

Barbara asked Mayor Woods had he had a time when he as Mayor found it necessary to have the authority before the council met again to spend \$5,000.00.

Mayor Woods said he had not, other than needing to spend \$40,000.00 for a pump.

Barbara said ultimately the funds of the City had been placed in the council's responsibility to control and budget and she thought they should keep the amount less than \$5,000.00. She said she didn't think the \$2,000.00 was bad and would be ok raising it up to \$2,500.00.

Noyl said he added "where the total expenditure, in the aggregate for a particular purchase or contract". He said the should not be a piece mail purchase of something to get around that limit. The added language would prohibit that.

Barbara said her recommendation for the spending limit would be \$2,500.00

Wille Harris made a motion to set the spending limit at \$3,000.00.

Daniel said he was fine with it being \$5,000.00.

Michael Hood seconded the motion by Will Harris to set the spending limit to \$3,000.00.

A roll call vote was then taken on the proposed motion. Angie Allison, yes; Barbara Ross, yes; Willie Harris, yes; Michael Hood, yes; and Daniel Brewington, yes.

Angie Allison, seconded by Michael Hood, moved that the rule requiring the reading of any ordinance in full on three different days be suspended, and that the amended ordinance be placed on its second reading by title only.

The Mayor put the question on the adoption of the motion to the council, and the roll was called. The vote was as follows: Angie Allison – yes; Barbara Ross- yes; Willie Harris – yes; Michael Hood-yes; Daniel Brewington-yes.

The Mayor declared that at least two-thirds of all members of the council, having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The amended ordinance was then read by title only, thereby placing it upon its second reading.

Willie Harris, seconded by Michael Hood, moved that the rule requiring the reading of any ordinance in full on three different days be further suspended, and that the amended ordinance be read by title only.

The Mayor put the question on the adoption of the motion to the council the roll was called and the voting was as follows: Willie Harris - yes; Angie Allison - yes; Barbara Ross – yes; Michael Hood – yes; Daniel Brewington – yes.

Thereupon, the Mayor declared that at least two-thirds of all members of the council, having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended.

The amended ordinance was then read by title only, thereby placing it upon a third and final reading.

Michael Hood, seconded by Angie Allison, moved the amended ordinance be adopted.

The question was put by the Mayor to the council on the adoption of the motion, and the roll was called, the voting was as follows: Barbara Ross - yes; Angie Allison - yes; Willie Harris – yes; Michael Hood-yes; Daniel Brewington – yes.

Angie Allison seconded by Michael Hood moved that the emergency clause be adopted.

The Mayor put the question on the adoption of the motion to the council the roll was called and the voting was as follows: Willie Harris - yes; Angie Allison - yes; Barbara Ross - yes; Michael Hood – yes; Daniel Brewington – yes.

The Mayor thereupon declared the ordinance adopted.

The Water Tanks inspection report was given to the council members in their council packet to review.

Mayor Woods said there were some things the City needed to do that was noted on the report. He said the report said there was some sediment at the bottom of the new tank that they recommended being removed. He also said there were some signs that needed to be posted, and he had already told Matt to get the signs and get them posted.

Barbara asked if the mayor had gotten any quotes on removing the sediment from the water tank.

Mayor Woods said he received one that day and the cost of removing the sediment was \$15,000.00.

Mayor Woods also noted the report said the water in the tank looked cloudy and that had already been taken care of. The water was no longer cloudy. There was oil on top of the water and the tank had been flushed to remove the oil.

He also said the tanks were in good shape.

Angie questioned the clarity verse the quality. The report said the water quality was fair.

Mayor Woods said he thought it was scored that because the water was cloudy due to the oil that was in it. He would call and make sure that is what the report meant.

Barbara asked if the report was something that needed to be shared with the water board.

Noyl said he felt it probably should be shared with the board.

Barbara said that Harold Blackwood and Chris McCorkle should be invited to a council meeting and the report be shared with them.

Daniel said the cost of cleaning the sediment would need to be included in next year's budget.

Next on the agenda was the Agreed Upon Procedures for the Water and Sewer Department.

Mayor Woods reported the Agreed Upon Procedures had been completed and there were no findings.

Willie Harris noted that the meter deposit outstanding was listed as \$19,204.00.

Barbara said that was money on deposit for people for their water deposits.

Noyl shared a letter from Sonia F Hagood, the State Prosecuting Attorney, concerning the 2022 audit finding. The letter reviewed the finding and noted that the money spent for repairs to the house had been reimbursed by the landlord. She states the matter has been discussed with the City. She also states that her office declined to prosecute for any criminal offense and that the City of Tyronza has been warned that this type of activity must stop and that failure to do so may result in prosecution for all applicable crimes. She also states that she was closing the file.

The tax millage resolution was next on the agenda.

City Attorney read the proposed resolution entitled "RESOLUTION FOR TAX MILLAGE TO BE EXTENDED UPON THE 2025 TAX BOOKS" in full.

Barbara Ross seconded by Michael Hood moved to adopt the resolution.

Upon a voice vote, the voting was unanimous to approve.

The council then discussed renting an excavation to clean out ditches.

Barbara Ross presented the quotes she had received.

Bids received were from John Deere on a purchase or lease of a new excavator in the amount of \$80,000.00.

She also presented a quote from Sunbelt Rentals to rent a mini excavator. The price was \$585.00 per day, 1350.00 per week and 3150.00 for four weeks. There would be an extra charge of \$400.00 to bring and pick up the machine.

Daniel Brewington presented a quote from Riggs. The quote was 1750.00 for one week.

Mayor Woods said he thought they would need to get with Danny and Matt to see what type of machine they needed. He also said they would need a dump truck to haul off what was being cleaned out of the ditches.

Barbara said they should get a price from a contractor to see what the cost would be to dig out the ditches.

Mayor Woods said they needed to know which ditches and how many needed to be cleaned out.

Barbara and Michael said they needed to be on the lookout for a used excavator and dump truck.

The council decided to table any further discussion until the Mayor could talk to Danny and Matt.

Barbara asked if there was any new information on when East Drive would be extended.

Mayor Woods said he did not have any new information.

Barbara said it would be the end of the year before the City would hear if they would receive the sidewalk grant.

Mayor Woods said he had applied for the grant to get city streets repaved. It would be 2026 before the streets would be repaved.

Noyl said in the purchasing ordinance the wording he used was "in the aggregate for any particular purchase or contract", he said he felt it would be better for the wording to say "in the aggregate for any recurring purchase or contract" and with the permission of the council, he would make that change.

The council said it sounded good to them.

Barbara Ross said she had some complaints about abandoned houses on Pecan Drive. The property owners next to the abandoned houses have been mowing and keeping up the yards.

She said she told the complaints that they needed to let the yards grow up then the City could issue citations to the owners of the abandoned property.

Barbara asked what the recourse was.

Mayor Woods said letters had been sent, but no citations had been issued. He said that would be the next step.

Angie asked what the next step would be after a citation was issued.

Mayor Woods said, whatever the law would allow.

Noyl said the City could actually clean the property up and charge the cost to the owner. He said it would be hard to get the cost back. He also said there was a criminal penalty for violation of the ordinance, so if the property owners are cited to court, the judge can fine them.

Mayor Woods said he had complaints about some people's back yards. He said he told them he was still working on the front yards.

Willie asked if unmovable cars in a person's yard were included in the ordinance. She said there were severable on Banks Drive.

Noyl said the ordinance had a procedure to address the steps. A letter has to be written or post a notice on the property, then a person can be cited to court for violating the ordinance. The city can clean up the lot and charge the cost to the owner.

With there being no further business,

Michael Hood seconded by Willie Harris moved to adjourn the meeting.

Upon a voice vote, the voting was unanimous.



Jeff Woods, Mayor



Donna Wood, Recorder/Treasurer