

City of Midway
City Council Meeting Minutes
January 31, 2022

The meeting was called to order at 7:00 p.m. by Mayor Brenda Ford.

The Invocation was given by Councilman John Whitmire, Councilman Gus Kangos led the Pledge.

Those in attendance included Mayor Brenda Ford, City Secretary Debra Newkirk, Council members Gus Kangos, John Whitmire, Rex Newkirk, Angie Thornton and Steve Parrish and Wes Savage. Janet Boone were unable to attend.

Guest for the meeting was Danny Patel, owner of Fraley's Food Store.

John Whitmire made the motion to accept the Consent Agenda, Rex Newkirk made the second and with all voting in favor the motion passed.

Danny Patel made a presentation before the Council about the possibility of opening a small casino/game room in Midway. His proposal included up to 50 games in the building that used to house Guy's Lumber and Hardware. There would be a minimum age of 21 years to get in and it would be open from noon to midnight. A membership card would also be required. He would also provide security and was considering cash payouts to winners. After some discussion, the matter was tabled until more information could be obtained.

The first item before Council was the method of paying an overpayment to the Comptroller. The City received a letter stating that two taxpayers had made overpayments of \$8,032.33 in local sales and use taxes. The Comptroller's Office proposed 3 options: 1) full reimbursement; 2) apply all monthly collections to the overpayment until it was paid in full; or 3) enter into a 48-month payback agreement where an additional monthly deduction of \$167.00 will be deducted for 47 months with a final deduction of \$183.33. Steve Parrish made the motion to approve the 48-monthly payback agreement, Gus Kangos made the second and with all voting in agreement, the motion carried.

The second item before Council was a new contract with UBEO. The City currently has 2 machines and pays \$162.00 a month. There were 2 options for the new contract: 1) return the RICOH and upgrade the Lexmark for \$145.00 per month; or 2) keep both of our current machines and renew the RICOH for \$125.00 month. Gus Kangos made the motion to approve keeping both machines for \$125.00 a month, John Whitmire made the second and with all voting in favor the motion carried.

Ordinance No. 2022-05, ordering the Election for Mayor and 2 Councilmembers to be held on May 7, 2022, was presented to Council. Gus Kangos made the motion to approve the ordinance, Steve Parrish made the second and with all voting in agreement the ordinance passed.

A letter had been prepared and was presented to Council regarding the Midway Volunteer Fire Department and their utility bills. The Fire Department had submitted their natural gas bill for payment in the amount of \$403.00 which included a past due amount of \$83.00. A determination was made to hold off on sending the letter until further information had been obtained from Atmos Energy.

The next item before the Council also pertained to the Fire Department with regards to their annual Steak Dinner. At a prior meeting, the Council had approved sponsorship of the event for \$250.00. Prior to the January meeting, Mrs. Newkirk had been informed that sponsorship was going to be \$500.00. The motion before the Council was to rescind the sponsorship due to the large gas bill and the late change in the

amount. Council chose to remain with the previous \$250.00 because it was already promised to the Fire Department. No further action was taken.

Resolution 2022-04R, transferring \$2,000.00 from Municipal Capital Improvement and Asset Replacement Fund—State Vendors—CRF line item to the City's General Fund—Sewer Department Budget—Permits and Fees line item for the purpose of paying J.F. Fontaine & Associates for the renewal of the City's Wastewater Permit renewal. This resolution would allow the actual transfer of monies from one City account to another. Steve Parrish made the motion to approve the resolution, John Whitmire made the second and with all voting in favor the resolution passed.

Resolution 2022-05R, transferring \$5,655.00 from the State Vendors—CRF line item to the City's Sewer System Asset Replacement line item within the Municipal Capital Improvement and Asset Replacement Fund Budget was presented. There would be no actual transfer of monies between City accounts, only between line items in the budget. Angie Thornton made the motion to approve the resolution, Gus Kangos made the second and with all voting in favor the resolution passed.

The 1st Quarter Budget Review was presented to Council. For the 1st Quarter, Expenses exceeded Revenues by \$6,562.99 Angie Thornton made the motion to approve the 1st Quarter Budget Review, Rex Newkirk made the second and with all other voting in favor the motion passed.

Ordinance No. 2022-06, amending the Budget was presented. The changes in this ordinance reflect the changes in Resolutions 2022-04R and 2022-05R that were presented and approved earlier. Steve Parrish made the motion to approve the ordinance, John Whitmire made the second and with all others voting in agreement the ordinance passed.

The next motion before the Council was in regards to speaking with Ray Jordan at the next Council meeting. Mr. Jordan had previously interviewed for the position of Chief of Police, but Council members had talked about speaking with him regarding the position of City Attorney. Rex Newkirk made the motion to approve speaking with Mr. Jordan at the February Council meeting, Steve Parrish made the second and with all others voting in agreement the motion carried.

Departmental Reports were given. Janet Boone was not in attendance. Wes Savage gave both the Water and Sewer Reports and he reported that with Water the improvement projects are proceeding slowly, but they are proceeding. In Sewer, he reported that we have the generator at Lift Station B will need some work done on it. Wes asked if the CLFRF could be used for that, Debra will call TDEM to find out.

Debra Newkirk presented a request for the purchase of the Texas Municipal Election Law Manual. The manual itself costs \$120 and shipping and handling is \$9 for a total of \$129.00. Steve Parrish made the motion to approve the purchase, Gus Kangos made the second. With Rex Newkirk abstaining from the vote and all other Council members voting in favor, the motion passed.

The motion to adjourn was made by Steve Parrish, the second was made by Gus Kangos and with all in agreement, the meeting adjourned at 8:30 p.m.

Brenda Ford, Mayor

Debra Newkirk, City Secretary