

**CITY OF COFFEE CITY  
COUNCIL MEETING MINUTES  
7019 Pleasant Ridge Rd.  
Coffee City, Texas 75763**

**December 09, 2019**

The City Council of Coffee City, Regular Council Meeting was held on December 09, 2019 Texas, convened in at City Hall Court Room, 7019 Pleasant Ridge Road, Coffee City, Texas.

The following City Officials were present:

|   |  |
|---|--|
| GeoJan Wright, Mayor (Present)          | Douglas Davis, City Secretary (Present)          |
| Phil Rutledge, Mayor Pro-Tern (Present) | Shellena Bivens, Municipal Court Judge (Present) |
| Don Weaver, Alderman (Present)          | Chris Moore, Fire Chief (Present)                |
| Riley Standifer, Alderman (Present)     | James Kirkham, Police Chief (Present)            |
| Marquis Castleberry, Alderman (Present) |  |
| Edward McDaniel (Present)               |  |

**1. Call to Order.**

*The Mayor called the meeting to order at 6:00 p.m.*

**2. Pledge of Allegiance.**

*Mr. Ray Ver Hey led the Pledge of Allegiance.*

**3. Invocation.**

*Councilman Standifer gave the invocation.*

**4. Roll Call and announce if quorum is present.**

*The roll was called by the City Secretary. All councilmembers were present.*

**5. Opening Remarks: Welcome to the City Council Meeting of Coffee City Texas**

*The Mayor welcomed everyone to the meeting.*

**6. Swearing In of Newly Elected Councilmember Marquis Castleberry.**

*Mrs. Sandy Atteberry swore in newly elected council member Marquis Castleberry.*

**7. Swearing in of incumbent council member Riley Standifer.**

*Mrs. Sandy Atteberry swore in incumbent councilmember Riley Standifer.*

**8. Consider and Act upon Consent Items: #9, #10, #11 and #12.**

*Councilman Riley Standifer made a motion to accept the consent items as written.  
Councilman Weaver seconded the motion. A vote was taken, and was unanimous.*

**9. Approve the EDC H.O.T. Account check register for October and November, 2019.**

**10. Approve the EDC Account Check Register for October and November, 2019.**

**11. Approve the Minutes from the City Council Meeting on November, 2019, as written.**

**12. Approve the City Check Register for the month of November, 2019.**

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**13. Open Forum:**

- a. Open Forum is limited to items currently on the agenda.
- b. Speakers must sign in 10 minutes before the beginning of the meeting.
- c. Speakers will be given 3 minutes to speak.

*There were no speakers in open forum*

**14. Mayor's Report:**

- a. Report on drive-way and parking lot repairs of City Hall to prevent further breakdown and erosion.
- b. Continued work on Community Center Rental Contract Revisions and proposals for cleaning the center twice monthly and after events which will be discussed further later in this meeting.
- c. A copy of the minutes from the prior meeting were sent to Denise Hernandez confirming the canvassing of votes from the November 2019 Election as requested for her report to the Governor of Texas.

**15. EDC Report**

*Councilman Weaver stated that at the last EDC meeting, they changed two things on the EDC charter. The first one is the maximum number of city staff or council members allowed on the EDC board was changed to two. The previous charter for the EDC limited the number to four, but to alleviate influence on the EDC, the charter was amended. EDC President Jim Beggerly stated that the second change to the charter was the issue of bonding each member of the EDC board. The original charter stated that the EDC board members will be bonded, but in the history of the EDC, no members have been bonded. HE went on to state that "when the City Council feels the situation is such that they need to be bonded, then I'll think the situation is such that we need to be bonded also." Councilman Weaver stated that all expenditures have to come before the City Council anyway. The Mayor stated that the only main concern that she has as far as bonding is that anybody like a treasurer that handles money, there is a bonding that can incur for protection of theft against theft of city funds. She stated that she was not concerned with the board being bonded, or the council being bonded as much as she is with the employees that handle city funds being bonded to protect the city from loss of money. She stated that she knew that Sandy Atteberry plays a dual roll as EDC board member and as Treasurer of the EDC. She said that that was her consideration, and that they could take that up at another time. Councilman Weaver stated that on EDC business activity, according to Ray Ver Hey who is responsible for leasing the strip center, they had some activity. Councilman Weaver stated that they had been approached by a restaurant and by a hair salon. The Mayor asked if the hair salon generated sales tax. Mrs. Vicki Castleberry stated that the labor was not taxed, but products that were sold (Hair Spray etc....) were taxable. The Mayor stated that one of the main concerns is having something in the building that produces sales tax.*

**16. Municipal Court Report**

*Judge Bivens reported that for the month of November 2019 there were 162 new cases filed. Fifty-one cases dismissed after completion of the drivers safety course. Twenty-Four cases were*

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*dismissed after deferred adjudication Seven cases were dismissed after proof of insurance. There were five minor in possession cases filed. The court issued ninety-one class C misdemeanor warrants. Four cases satisfied by jail credit. No indigency cases were filed. There was \$27,270.00 collected in fines, and GHS collected \$4,742.00. She went on to state that she had been talking to the prosecutor on a regular basis and he had said that he was going to try to get over in the next two weeks to visit. She also stated that they were looking at holding a pretrial right after the first of the year. The Mayor stated that Judge Bivens and Police Chief Kirkham had been working extraordinarily well together to improve communication as well as trying to get our numbers to fit together. Mayor Pro Tem Rutledge asked if we were collecting any warrants? The Judge stated that she provides a list to the police department each month for them to load in their mobile units. The Judge stated that as far as breaking down the collections of warrants, there was not a controlled list. Mayor Pro Tem Rutledge stated that his concern was that they had budgeted a large number on what the police were going to collect. The mayor asked that the remainder of the discussion be moved to the police report*

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**17. Police Report**

*The Police Chief stated that the reason it was not shown, was because if it was an on-duty warrant then the police will take the person before the Judge, or they will notify the person of the fact that they have a outstanding warrant, but the officer will not receive any money for the warrant because that would be double dipping. The Mayor Pro Tem said that he understood, but he was concerned that on the budget for the city, the police chief had committed to collecting a certain amount of money on in-house warrants. Mayor Pro Tem Rutledge asked the Police Chief if they were collecting any of the outstanding warrants? Chief Kirkham stated that Officer Welch collected one warrant while he was off duty last month. Mayor Pro Tem Rutledge stated that the report does not show any collected since July. Mayor Pro Tem asked Chief Kirkham if he could come up with a dollar amount of the warrants that they were collecting. Chief Kirkham stated that he would get with Judge Bivens to see if there was a way to get that information. The Mayor asked Judge Bivens if that report could be done with the software. The Judge stated that the report would have to be generated manually. The Mayor asked the Judge if she understood the reason that the council wanted the report, because the council had committed on the budget to \$38,500 or so. The Judge stated that the court is at \$709,000.00 in uncollected warrants. The Mayor stated that if any of that money is collected, we need to put it in the in-house warrant collected section on the budget.*

*Officer Serrato gave the November police report to the council.*

**COFFEE CITY POLICE DEPARTMENT MONTHLY REPORT  
NOVEMBER 2019**

**In the month of November, 2019 the Coffee City Police Department had   36   calls for service and /or officer-initiated activities.**

|                                |                                      |                                     |
|--------------------------------|--------------------------------------|-------------------------------------|
| <b>Accident:</b>               | <b>Funeral Escort:</b>               | <b>Road hazard: 2</b>               |
| <b>Runaway:</b>                | <b>Fire:</b>                         | <b>Shots Fired:</b>                 |
| <b>Alarm: 2</b>                | <b>Follow up: 1</b>                  | <b>Stolen Vehicle:</b>              |
| <b>Animal:</b>                 | <b>Illegally Parked Vehicles:</b>    | <b>Suspicious Activity: 2</b>       |
| <b>Assault:</b>                | <b>Information: 1</b>                | <b>Suspicious Person:</b>           |
| <b>Burglary of habitation:</b> | <b>Loose livestock: 2</b>            | <b>Suspicious Vehicle: 2</b>        |
| <b>Civil Matter:</b>           | <b>Lost Child:</b>                   | <b>Terroristic Threat:</b>          |
| <b>Criminal Mischief:</b>      | <b>Lost Property:</b>                | <b>Theft: 1</b>                     |
| <b>Criminal Trespass: 1</b>    | <b>Boat Sank:</b>                    | <b>Unlawful carrying of weapon:</b> |
| <b>Code Enforcement:</b>       | <b>Medical Services:</b>             | <b>Vehicle Impound: 6</b>           |
| <b>Code clean up:</b>          | <b>Missing Person:</b>               | <b>Warrant Service:</b>             |
| <b>Code in Progress:</b>       | <b>Motorist Assist: 4</b>            | <b>Welfare Check: 1</b>             |
| <b>Disturbance: 3</b>          | <b>Nuisance ordinance violation:</b> | <b>Harassment:</b>                  |

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|                       |                               |                         |
|-----------------------|-------------------------------|-------------------------|
| Death/Homicide:       | Possession of Controlled Sub: | 911 Hang Up:            |
| D.W.I:                | Public Intoxication:          | Bomb Threat:            |
| Evading:              | Possession of Marijuana:      | Open Door: 1            |
| Fake ID:              | Reckless Driver: 3            | Distress:               |
| 911 Hang Up:          | Child Endangerment: 1         | Burglary of a Vehicle:  |
| Dog Bite:             | Welfare Check:                | Burglary in Progress:   |
| Suicidal Person:      | Lost Property:                | Call for an E.M.S.:     |
| Reports: 6            | Sexual Assault:               | Found Property:         |
| Misdemeanor Arrest: 5 | Overdose: 1                   | Unresponsive Person:    |
| Felony Arrest: 1      |                               | Burglary in Progress: 1 |
|                       |                               |                         |
|                       |                               |                         |
|                       |                               |                         |
|                       |                               |                         |
| Agency Assist: 7      |                               |                         |
| D.W.I.:               | Fire: 1                       | Unresponsive Person: 1  |
| Arrest:               | Manhunt:                      | Accident: 1             |
| Traffic Stop:         | Medical: 3                    |                         |
| Car Under Water:      | Child Removal: 1              |                         |

The Coffee City Police Department currently has 3 Full time officers, 5 Reserve Police Officers.

|                                |                       |  |
|--------------------------------|-----------------------|--|
| Lt. Frank Serrato Full Time    | Matthew Lopez: 20     |  |
| Cody Welch: Full time          | Alisha Saxon: 36      |  |
| Chief James Kirkham: Full Time | Michael Green: 24     |  |
|                                | Lt. Wayne Frazier: 20 |  |
|                                | Maxanette Rose: 20    |  |

November 2019: The Coffee City Police Department had a total of 323 traffic stops and of those traffic stops 131 citations were issued totaling 164 violations and 192 warnings.

|                          |  |  |
|--------------------------|--|--|
| <b><u>CITATIONS:</u></b> |  |  |
|--------------------------|--|--|

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|   |  |                                    |
|---|--|------------------------------------|
| Allowing Unlicensed Driver to Drive:        | Failed to Stop at Designated Point:            | Speeding 1-14mph: 30               |
| Defective equipment:                        | Failed to Dim Headlights:                      | Speeding 15-24mph: 56              |
| Driving While License Invalid: 7            | Failed to YIELD Right of Emergency Vehicle: 10 | Speeding 25+ mph: 8                |
| Driving down turn lane:                     | Fictitious Plates:                             |                                    |
| Disregard Stop Sign: 4                      | Failed to Display Driver License:              | Operating Golf Cart:               |
| Driver License Restrictions: 1              | Littering: 1                                   | Unrestraint Child:                 |
| Drug paraphernalia:                         | No Insurance: 13                               | Window tint: 1                     |
| Expired Driver License: 2                   | No License Plate light:                        | Displayed Improper L.P.:           |
| Expired MVR: 2                              | No Rear License Plate:                         | Improper MVR Displayed:            |
| Fail to change address on Driver License: 2 | No Seat Belt: 1                                | Following to Close:                |
| Failed to Control Speed:                    | No Front License Plate:                        | Poss. Of Paraphernalia: 2          |
| Failure to Display Reg.                     | No Driver's License: 6                         | Failed to Maintain Single Lane: 1  |
| Failed to Signal Turn:                      | Open Container: 2                              | No Trailer Lights:                 |
| Failed to Signal Lane Change: 2             | Obscured License Plate:                        | Unregistered Trailer:              |
| Failure to Display MVR:                     | Public Intoxication:                           | Blue Headlights:                   |
| Failure to Display D.L.:                    | Displayed Altered L.P.:                        | Displayed Improper License Plates: |
| Driving on Left Lane W/out passing: 4       | Criminal Trespass: 2                           | Minor in Poss.: 1                  |
| Minor in Consumption: 1                     |  |                                    |
| Obscured View: 1                            |  |                                    |
|   |  |                                    |

*Mayor Wright stated that she and the police chief had discussions on looking to the future regarding budgets the police Chief Kirkham had put together a slide presentation for the council. She went on to say that it was of knowledge to her and the police department that there seems to be some confusion over the way the police department conducts their job. She said "What I wanted to do at this particular time is let Jim and I think Cody enlighten our citizens as well as the council as to some of these issues and some of these things that we are working towards goals etcetera." Police Chief Jim Kirkham stated that the Mayor had asked him to put a slide presentation on late last week and it was a blessing because it would be a part of our website. (Slide Presentation Started) He said that most of the presentation will be posted on the website within the next couple of weeks. (Slide 1)*

**a. Capital Funding for Police Vehicles and Equipment**

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**18. Fire Dept. Report**

MONTHLY DEPARTMENTAL REPORT TO THE CITY OF COFFEE CITY COUNCIL  
3 December 2019

DEPARTMENT: Coffee City Volunteer Fire Department  
FOR THE PERIOD ENDING: 30 November 2019  
SUBMITTED BY: Fire Chief Chris L. Moore

In the month of November we had 18 calls for service. Call volume is average  
2 Building Fires 0 Good Intent  
4 grass 2 MVA's  
9 Medical Calls 0 False Alarm  
0 Tree Obstruction 1 Public Service (Unlock car)  
0 Boat Calls 0 Down Power Line

We currently have 14 Senior Fire Fighters, 2 Explorers and 2 Mascots

***Upcoming events:***

December 14<sup>th</sup> Holiday Meal 6pm  
December 31<sup>st</sup> New Year's Stand By

***Past Events***

Oil Refinery Fire on 4402. I will add it to next month's calls, but I wanted to let the council know that their Fire Department was there and performed admirably . All and all the fire was small and basic, but the hazards inside the refinery where negated by their actions. Coffee City was there along with Berryville, Baxter, LaRue New York, Bradford, Murchison, Moore Station, Frankston, UT East Texas, Holt Wrecker Hazmat Response Team, Sheriff's Office and the Fire Marshal. As Command, I am pleased to have gotten the chance to work with all these great people. This was one of those what if calls that we train for and all agencies work together great. It is my hope that we never have another call like this, but I feel safe that your Department and all our neighboring departments can handle the situation together.

If you have any questions or problems please contact me.

CHRIS L. MOORE  
Fire Chief  
Cell: 903-539-7925

**Mayor Wright asked Mrs. Vicki Castleberry to address the council.**

*Mrs. Castleberry stated that she would like to thank the council for allowing her to work in the city and community. She said that she had enjoyed working with everyone, and that the council would be getting her letter of resignation the next day. The Mayor stated that Vicki came on to help the city out*

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*in a time where we needed some assistance. The Mayor went on to say that due to her husband being elected to the city council, it became evident that she could no longer retain her position. The Mayor stated that Mrs. Castleberry has taken on all assignments that the Mayor had given her, without complaint.*

**19. Consider and Act on Approving the Sale of the Police Truck.**

*Chief Kirkham stated that they have been looking ahead to capital expenditures, and that the police department does not use the truck much. He stated that the truck has had several problems in the past. He stated that the police department would like to sell the truck and put the money towards future capital expenditures. Mayor Pro Tem Rutledge asked if anyone had asked about buying the truck. Chief Kirkham stated that they had not had any inquires, they would list it on Publicsurplus.com. He stated that a lot of municipalities used this site. Mayor Pro Tem Rutledge asked if the chief knew about how much the truck was worth. Chief Kirkham stated that he though that the city could get four or five thousand dollars for it. Councilman Weaver stated that another auction was Bates, and he said that several cities used this site to sell vehicles. Councilman Weaver made a motion that the police put the truck for sale on one of the auction sites. Councilman Standifer seconded the motion. A vote was taken, and was unanimous.*

**20. Consider and Act upon naming the Athens Daily Review as Coffee City's Newspaper of Record.**

*The Mayor stated that since the loss of the Frankston Citizen news paper the city has not moved forward in selecting a new paper of record. The Mayor asked the City Secretary to speak to this item. The City Secretary stated that there was a grey area in state law as to whether the city had to name a paper of record. He also stated that there was some question as to whether the paper needed to be in that county. To error on the side of correctness he suggested that the city of Coffee City select to make the Athens Daily Review the cities paper of record. Mayor Pro Tem Rutledge made a motion that the city of Coffee City make the Athens Daily Review, the paper of record. The Mayor stated that she was working with the new web master to put together a news letter for our citizens. Councilman Weaver seconded the motion. A vote was taken, and was unanimous.*

**21. Consider and Act upon the 2020 Holiday Schedule for Coffee City Employees.**

*Councilman Weaver made the motion to accept the holiday schedule. Councilman Standifer seconded the motion. A vote was taken and was unanimous.*

**22. Consider and Act upon the revisions to the Community Center Rental Agreement.**

*Councilman Weaver made the suggestion that the security deposit be held and not deposited. The Mayor stated that she objected to not depositing the check because it is not good business practice. Councilman Weaver reiterated "We are not running a business, it is a community center" Mayor Pro Tem Rutledge stated that on the front sheet(the rental agreement) the renter needs to be asked if they are going to have alcohol. Councilman Standifer asked about the increase in cost for police security. The Mayor answered that it is \$35.00 per officer per hour, with a minimum of four hours.*



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*Councilman Weaver made a motion to accept the agreement with changes that the security check be held, and that a line was added to the first page asking about alcohol. Mayor Pro Tem Rutledge seconded the motion. A vote was taken and was unanimous.*

**23. Consider and Act upon extending Lyn Eitel cleaning services to include the Community Center (\$60 per cleaning twice per month).**

*Councilman Weaver made a motion to accept the Lynn Eitel to clean the community center for sixty dollars twice a month. Councilman Standifer seconded the motion. A vote was taken, and was Unanimous.*

**24. Adjournment.**

The Mayor asked for a motion of adjournment. Councilman Castleberry made a motion to adjourn. Councilman Weaver seconded the motion. A vote was taken, and was unanimous. The meeting was adjourned at 7:26 p.m.

Attestation:

These minutes were approved on:

  
\_\_\_\_\_  
Geofan Wright, Mayor

  
\_\_\_\_\_  
Douglas Davis, City Secretary