

**Minutes**  
**Flatonia City Council**  
**Regular Meeting**  
**May 19, 2003**

**Present:**

**Mayor**  
**Councilpersons**

Lori Berger  
Ken Freytag – Mayor Pro Tem  
Larry Branecky  
Carlene Carlock  
Steve Morrill  
Eric Tijerina

**City Staff**

Robert Wood – City Manager  
Melissa Brunner – City Secretary  
Mike Hudson – Patrol Officer

**Opening Agenda:**

**Call to Order**

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

**Invocation & Pledge**

Councilman Branecky led the invocation and Mayor Berger led the Pledge of Allegiance.

**Citizen's Participation**

Mr. George Bartos asked if the delinquent utility bills for CJ's Country Junction and the Bowling residence included late charges and about attorney fees associated with the bankruptcies. Len Waska spoke in support of City Manager Wood's performance. He stated that if Wood had disconnected CJ's service he would have had the same people complaining that he'd disconnected the electricity of a business in town and thus cut of some people's income referring to the employees at CJ's. Waska further stated that he saw Mr. Wood as very dedicated and has assisted the city in receiving many grants to improve the city's infrastructure. Carol Littlefield-Kramer spoke in support of City Manager Wood. Kramer stated that Wood had made a bad choice, but that she was sure he would never make that mistake again. Jennifer Boland also spoke in support of City Manager Wood. Boland state that he would have been "damned if he did or damned if he didn't". Boland also stated that Wood was the only one "frying" and noone saw Dan explaining what he said and shy he did what he did. Regina Lighteard also spoke

stating that she felt that Wood gave preferential treatment to people of the caucasian race and that she had noticed that the persons who spoke in his favor are of caucasian race. She also spoke of the situation when a sewer line was in need in the area of her home and she had held several conversations with City Manager Wood concerning the easement needed from her to extend sewer service to persons living near her. Charlie Williams then asked about the power outage of last week. It was caused by a statewide problem with the power grid. Williams also asked about a night light in the area of her home. She further questioned the \$25.00 administrative fee charged when an account is not paid by the cut-off time and day.

## **Reports**

### **Mayor's Activity Report**

Mayor Berger reported that the City Engineer would be in town tomorrow to look at the streets that were paved last summer that we are having problems with. She further reported that Sean Garretson of Angelo Economics would be here at the June meeting to give information on the economic development plan.

### **Council members' Activity Report**

Steve Morrill thanked all citizens from coming out to the meeting. He assured all that the rumor that a vote had been taken at a previous meeting concerning City Manager Wood's continued employment with the city was not true. No vote can be taken in Executive Session and none had been taken.

Carlene Carlock thanked all persons who had come by and told her of their support of all that the city council is trying to do.

Ken Freytag thanked all who had called or stopped him and given him their thoughts on the current situation.

Eric Tijerina stated that he is angry, frustrated and surprised that this situation with CJ's and Dan Bowling happened as he has found that Wood's decisions 99% of the time are very good. He requests that the City Council retain

Wood as City Manager. He cites job performance and commitment as reasons to keep Wood on. He stated that many city managers tend to use small cities as a stepping stone and that this is not something that Wood has done. He stated that Wood has been approached by larger cities, but has not taken any of them up on their offers because he still sees that there is more work that he wants to do here in Flatonia. He stated that this is his first major controversy and that this is not something that will be swept under the rug. Tijerina further stated that in Wood's last four years the city has received over \$1 million in grants to upgrade the infrastructure of Flatonia. He reported that water production is the best it has ever been. Water production no longer equals demand. Tijerina further reported that six years ago, the city only had \$75,000 in the bank, and now on average, the city has approximately \$600,000 in the bank. Because of this, Flatonia is not facing bankruptcy or budget shortfalls as many cities in the nation are currently. The city has a very small city staff. City services have expanded, relationships have improved. The relationship with the Chamber of Commerce has never been better. Robert has never taken a vacation. He is out of the office some because he is at meetings fighting for Flatonia and the interests here. Robert saves money by handling personally things that have been contracted out in the past. He further stated that if the city lets Robert go, we don't know who or what we can get or if they will be able to do the job as well as Robert has. Tijerina stated that his impression is that people are more angry because of who it was that declared bankruptcy and they can't go after him so they are going after the city. He further stated that the city may recoup some if not all of the money owed it. Tijerina also cleared up the misinformation that the PUC oversees privately held utilities and that as a city run utility, the board of the PUC is not going to do anything for any complaints sent them. Tijerina also touched on the racism issue. He stated that neither Wood nor Mayor Berger had ever said anything racist to him and that as improvements in town are

considered, certain sections of town are always considered. He asked council to remedy the situation, but to remember that getting rid of Robert is not the answer. Tijerina encouraged people who did not agree with him and those who did agree with him to come to council meetings and even to run for office. He stated that he appreciated the last two years as a Flatonia City Councilman and that he had learned a lot.

### **City Manager's Report**

City Manager Wood reported that the power outage last week was caused by a problem with the state-wide power grid and a loss of generation state-wide. It did not affect all persons in the state, just some sections and unfortunately, Flatonia was one of those sections. The power was restored within an hour.

### **Deliberation Agenda**

- 5.2-1. Fayette County Precinct 3 Judge Tommy Tipton swore in Robert Bizzell to his two-year term.
- 5.2-2. Carlene Carlock motioned to elect Kenneth Freytag as Mayor Pro-Tem. Steve Morrill seconded the motion. None opposed. Ken Freytag abstained. Motion carried.
- 5.2-3. Steve Morrill moved to appoint T.X. Kubala as the Associate Flatonia Municipal Court Judge. Carlene Carlock seconded the motion. None opposed. Motion carried.

Closed at 6:38 p.m.

### **Executive Session**

Opened at 6:42 p.m.

- ES-1. As authorized by Section 551.074, Texas Government Code, the council may enter into closed or executive session to discuss the following personnel matter: review of City Manager.

Closed at 7:45 p.m.

### **Deliberation Agenda**

Reconvened at 7:47 p.m.

5.2-4. Steve Morrill moved to authorize the Mayor to sign a letter of reprimand for the City Manager concerning the handling of the CJ's Country Junction and Dan Bowling utility accounts. Carlene Carlock seconded. Ken Freytag, Bob Bizzell, Carlene Carlock and Steve Morrill voted for. Larry Branecky voted against. Motion carried.

City Manager Wood apologized for the bad decision that led to the problem with the two utility accounts and assured the council that it would not happen again. He also stated that he felt like, aside from the current controversy, his four years here had been very quiet. Mayor Berger then read the letter of reprimand aloud.

**The meeting was adjourned at 7:53 p.m.**

**Signed**

Lori Berger  
Mayor

**Attest**

Melissa Brunner, TRMC  
City Secretary

Approved on the 10<sup>th</sup> day of June, 2003.