

**CITY OF RUSK, TEXAS
CITY COUNCIL MEETING
AGENDA**

Rusk Civic Center
555 Euclid Street, Rusk, Texas
Thursday, April 13, 2023– 5:30 P.M.

Ben Middlebrooks, Mayor
Walter Session, Mayor Pro Tem, Council Place 2
Kendall Shoemaker, Council Place 1 Martha Neely, Council Place 4
Zack McNew, Council Place 3 Frances Long, Council Place 5
Amanda Hill, City Manager
Cinda Etheridge, City Secretary
Anthony J. King, City Attorney

1. CALL TO ORDER:

- A. Invocation.
- B. Pledge of Allegiance to the United States and Texas Flags.

2. PROCLAMATION(S)/RECOGNITION(S):

3. MAYOR COMMENTS: Comments will be from Mayor Middlebrooks.

IN ACCORDANCE WITH THE OPEN MEETINGS ACT, THE CITY COUNCIL MAY NOT DISCUSS OR TAKE ACTION ON ANY ITEM WHICH HAS NOT BEEN POSTED ON THE AGENDA.

4. CITIZENS COMMENTS: At this time, comments will be taken from the audience on any subject matter that is not included on the agenda. IN ACCORDANCE WITH THE OPEN MEETINGS ACT, THE CITY COUNCIL MAY NOT DISCUSS OR TAKE ACTION ON ANY ITEM WHICH HAS NOT BEEN POSTED ON THE AGENDA.

5. CONSENT AGENDA:

- A. Check Register Report for February 2023, Summary R & E, Account Balances Report, February Bank Reconciliation and Credit Card Statements for February 2023.
- B. Minutes for March 9, 2023 and April 3, 2023 Special City Council meeting.

6. PUBLIC HEARING(S):

Notice of a public hearing to discuss and consider a Special Use Permit Application submitted by Jan Pate for the TJ Rusk Building to have residential use on the second floor, in accordance with the Unified Development Code of the City of Rusk, Texas.

The public hearing is to solicit public comments on the proposed Special Use and allow the City Council to review and verify that the proposed Special Use, as it is submitted, contains such

requirements and safeguards as are necessary to protect adjoining property and the public's health and safety.

Every Special Use Permit granted under Article 153, Division IIIB of the Unified Development Code shall be considered as an amendment to the zoning ordinance applicable to such property. In granting a Special Use Permit the City Council may impose conditions that shall be complied with by the grantee before a certificate of occupancy may be issued by the Building Official.

7. ACTION ITEM(S)

- A. Discuss and consider Ordinance for the Special Use Permit.
- B. Discuss and consider swimming pool operations 2023.
- C. Discuss and consider tax abatement agreement with East Texas Auto Finance (Huggins).
- D. Discuss and consider personnel policy change.
- E. **EXECUTIVE SESSION(S):** The City Council will enter Executive Session to discuss and consider the following-
 - a. Government Code Section 551.071 litigation and certain consultation with attorney.
- F. **EXECUTIVE SESSION ACTION (S):** The City Council will reconvene into Open Session to act, if any, on items discussed in the Executive Session.

ANNOUNCEMENT(S): Comments may be made by Council or Staff on the following topics without specific notice: expressions of thanks, congratulations, or condolences; information on holiday schedules; recognition of public officials, employees, or citizens other than employees or officials whose status may be affected by the council through action; reminders of community events. **NO ACTION MAY BE TAKEN ON THESE ITEMS.**

- 8. **CITY MANAGER'S REPORT(S):** Water Projects, Wastewater Projects, Drainage Projects, Road Projects, Capital Improvement Projects, Special Projects and Developments and Departmental Reports. **NO ACTION MAY BE TAKEN ON THESE ITEMS.**

9. ADJOURN

Posted: Monday, April 10, 2023
City Hall Bulletin Board
By 4:00 P.M.



Cinda Etheridge, City Secretary

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting, the Council reserves the right to adjourn into executive session on any of the above-posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of interest of real property] 551.073 [contract for gift to City], 551.074 [certain personnel deliberations] or 551.076 [deployment /implementation of security personnel or devices]. A quorum of the governmental body will be physically present at the location noticed above. Pursuant to Tex. Gov't Code 551.127, one or more members of the governing body may appear via videoconference call. The City of Rusk is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at 903-683-2213 for information.**