

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

Rusk Council Chambers
116 East 5th Street Suite B, Rusk, Texas 75785
Thursday, October 10, 2024– 5:30 P.M.

Ben Middlebrooks, Mayor
Martha Neely, Mayor Pro Tem, Council Place 4
Jim Beindorf, Council Place 1 Zack McNew, Council Place 3
Maxine Session, Council Place 2 Frances Long, Council Place 5
Bob Goldsberry, Interim City Manager
Cinda Thompson, 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. Minutes for September 12, 2024, City Council Meeting.
 - b. Minutes for September 29, 2024, Special City Council Meeting
 - c. Confirmation of City's Manager's appointment of Acting City Manager
6. **PUBLIC HEARING(S):**
7. **ACTION ITEM(S):**
 - A. Discuss and consider 2023 Audit.
 - B. Discuss and consider approving the recommendation of the Selection Review Committee to award by resolution a contract with _____ for administrative services pertaining to the application and implementation, if awarded, of the County's 2025/2026 Texas Department of Agriculture TxCDBG grant and authorizing the execution of a contract.
 - C. Discuss and consider personnel policy Social Media revisions.

8. EXECUTIVE SESSION(S): The City Council will enter Executive Session to discuss and consider the following-

- a. Government Code Section 551.072 acquisition of interest of real property. Regarding the building for Police Department.
- b. Government Code Section 551.071 litigation and certain consultation with attorney. Regarding possible enforcement suit for unpaid motel/hotel tax and any other related issues.

9. EXECUTIVE SESSION ACTION (S): The City Council will reconvene into Open Session to act, if necessary, on items discussed in the Executive Session.

- a. To take any necessary action.

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.**

10. 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.**

11. EDC Report

12. ADJOURN

**Posted: Monday October 7, 2024
City Hall Bulletin Board
By 4:00P.M.**



Cinda Thompson, 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 on 903-683-2213 for information.

MEMORANDUM

TO: Honorable Mayor & City Council

FROM: Bob Goldsberry, Interim City Manager

SUBJECT: October 10, 2024 Council Meeting Agenda Items

DATE: October 7, 2024

This is a short agenda this month. There are a 2 Executive Sessions, 1 for the PD Building, if I have received the information for each of you to review and 1 for the Hotel/Motel Tax.

- A. Louis Breedlove will be here to present the 2023 financial audit.
- B. This is a resolution to select the grant administrator for the 2025 CDBG Street Grant application submittal.
- C. The State of Texas is requiring all municipalities to adopt a ban on certain applications and hardware to be used computers/phones, etc. This policy is not required to be in effect until November 20, 2024 so we have some time to take no action, if I don't have all of the information compiled for your review. In your packet is an example of the addition to our existing Personnel Policy. At the time of writing this summary, I'm waiting on confirmation from our IT vendor to confirm the feasibility of the policy and any additional costs to the City by this unfunded mandate from the vendor. Other additional costs could include city provided cell phones for the Department Directors that do have access to City email on their personal phones and may also have some of the banned applications installed and they wish to keep them installed.

Analysis of Financial Data

Due to the software conversion, we are still behind on reconciliations. I'm still working with Fundview on some conversion issues to have the data to reconcile the accounts.



October 7, 2024

To: Honorable Mayor and Council

RE: Acting City Manager Appointment

To remain in compliance with the City of Rusk Charter, City Manager, Article IV, Section 4, I hereby nominate Thomas Thompson as my appointment for Acting City Manager for the City of Rusk in my absence and/or disability.

Thomas has had a long history of employment and accomplishments as the Utilities Director for the City of Rusk. His knowledge of the city, budgets, and supervisory skills lend him to be a good fit for the city and this nomination.

Sincerely,

Bob Goldsberry, Interim City Manager

CITY OF RUSK
Council Meeting Minutes
Thursday, September 12, 2024

CALL MEETING TO ORDER

The Rusk City Council met in regular session on September 12, 2024, at the City Council Chambers, Rusk City Hall, 116 East 5th Street Suite B, Rusk, Texas. Mayor Middlebrooks called the meeting to order at 5:33 P.M.

Present: Mayor Ben Middlebrooks
Mayor Pro Tem Member Martha Neely, Council Place 4
Council Member Jim Beindorf, Council Place 1
Council Member Maxine Session, Council Place 2
Council Member Zack McNew, Council Place 3
Council Member Frances Long, Council Place 5

Bob Goldsberry Interim-City Manager, Cinda Thompson, and Carlton Crothers

INVOCATION

Mayor Ben Middlebrooks gave the invocation.

PLEDGES OF ALLEGIANCE

1. United States
2. Texas

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

Proclamation for Rusk Eagle Team 14U rank 4th in Nation.

Presentation from Republic Services for National Night Out

Representatives of the Rusk Eagle Team 14U were present to receive the proclamation.

Sgt David Heredia accepted the donation of \$500.00 from Republic Services for National Night Out.

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

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

No comments

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. Jeannie Swink wanted to bring attention to the yards and roadways surrounding Rusk. There are several in need of mowing. In the past the City would send notifications to the owners of the property and wanted to know if they are still doing so. Ms. Swink wants a good appearance for the City of Rusk. Ms. Swink said she brought this to our attention last month but has not seen any improvements.

Ken Ferrara wants the City Council to consider the amount of money that was spent on lawsuits for the past year. We should put more money in the parks of our city instead of lawsuits.

5. CONSENT AGENDA:

- a. Minutes for August 8, 2024, City Council Meeting.
- b. Minutes for August 29, 2024, Special City Council Meeting

Motion: Mayor Pro Tem Martha Neely, Council Place 4 moved to approve the August 8, 2024, and August 29, 2024, City Council minutes.
Zack McNew, Council Place 3, seconded the motion.

Aye: Mayor Pro Tem Member Martha Neely, Council Place 4
Council Member Jim Beindorf, Council Place 1
Council Member Maxine Session, Council Place 2
Council Member Zack McNew, Council Place 3
Council Member Frances Long, Council Place 5

Motion passed.

Ken Ferrara asked why at the last city council meeting the owners of the building had to request a special use permit. Mr. Ferrara was requested to contact city hall during business hours and to review the Ordinance.

6. PUBLIC HEARING(S):

NOTICE OF PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSAL TO CHANGE THE CITY OF RUSK GENERAL ELECTION DATE FROM THE MAY UNIFORM ELECTION DATE TO THE NOVEMBER UNIFORM ELECTION DATE EACH YEAR.

The public hearing started at 5:48 p.m.

The public hearing ended at 6:00 p.m.

Ken Ferrara spoke against changing the election.

Jeanie Swink spoke against changing the election.

Joanne Hart spoke for changing the election.

7. ACTION ITEM:(S)

A. Discuss and consider approving Resolution moving the City of Rusk May Election to November Election.

Motion: Council Member Zack McNew, Council Place 3 moved to approve the Resolution moving the City of Rusk May Election to November Election.
Council Member Jim Beindorf, Council Place 1 seconded the motion.

Aye: Council Member Jim Beindorf, Council Place 1
Council Member Zack McNew, Council Place 3

Nay: Mayor Pro Tem Member Martha Neely, Council Place 4
Council Member Frances Long, Council Place 5
Council Member Maxine Session, Council Place 2

Motion did not pass.

B. Discuss and “Consider and adopt an ordinance authorizing the issuance and sale of City of Rusk, Texas Certificates of Obligation, Series 2024; levying a tax in payment thereof; and enacting other provisions relating thereto.”

Motion: Council Member Zack McNew, Council Place 3 moved to approve the ordinance authorizing the issuance and sale of City of Rusk, Texas Certificates of Obligation, Series 2024; levying a tax in payment thereof; and enacting other provisions relating thereto.
Council Member Frances Long, Council Place 5, seconded the motion.

Roll Call Vote

Mayor Pro Tem Martha Neely, Council Place 4	Yes
Jim Beindorf Council Place 1	Yes
Maxine Session, Council Place 2	Yes
Zack McNew, Council Place 3	Yes
Frances Long, Council Place 5	Yes

Motion passed.

C. Discuss and consider Texas Municipal League (TML) Region 15 Director Election.
No action was taken.

D. Discuss and consider amendments to the City Personnel Policy for Military Leave.

Motion: Mayor Pro Tem Martha Neely, Council Place 4, moved to approve the amendments to the City Personnel Policy for Military Leave.
Maxine Session, Council Place 2, seconded the motion.

Aye: Mayor Pro Tem Member Martha Neely, Council Place 4
Council Member Jim Beindorf, Council Place 1
Council Member Maxine Session, Council Place 2
Council Member Zack McNew, Council Place 3
Council Member Frances Long, Council Place 5

Motion passed.

8. EXECUTIVE SESSION(S): The City Council will enter Executive Session to discuss and consider the following:

- a. Government Code Section 551.074 personnel deliberations
City Manager.
- b. Government Code Section 551.074 personnel deliberations
City Secretary.
- c. Government Code Section 551.072 acquisition of interest of real property.
Regarding the building for the Police Department.

Entered executive session at 6:03 p.m.

Exited executive session at 7:16 p.m.

9. EXECUTIVE SESSION ACTION (S): The City Council will reconvene into Open Session to act, if necessary, on items discussed in the Executive Session.

- a. Government Code Section 551.074 personnel deliberations
City Manager.

Motion: Council Member Frances Long, Council Place 5 moved to approve the Interim City Manager contract.
Mayor Pro Tem Martha Neely, Council Place 4 seconded the motion.

Aye: Mayor Pro Tem Member Martha Neely, Council Place 4
Council Member Jim Beindorf, Council Place 1
Council Member Maxine Session, Council Place 2
Council Member Zack McNew, Council Place 3
Council Member Frances Long, Council Place 5

Motion passed.

- b. Government Code Section 551.074 personnel deliberations
City Secretary.
No action taken.
- c. Government Code Section 551.072 acquisition of interest of real property.
Regarding the building for the Police Department.
No action taken.

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.

Updated on the November Election early voting and location times.

Frances Long wanted to invite any Rusk High School Alumni to the Homecoming reception and Bi-annual meeting for September 20, 2024, at the High School cafeteria.

10. 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.

Gave an update of the boil water notice due to a contractor hit our water line on Cherokee Street.

11. Rusk EDC Report

12. ADJOURN

Being no further business, the meeting adjourned at 7:21 p.m.

PASSED AND APPROVED this 10 of October 2024.

Ben Middlebrooks, Mayor

ATTEST:

Cinda Thompson, City Secretary

CITY OF RUSK
Special Council Meeting Minutes
Thursday, September 19, 2024

CALL MEETING TO ORDER

The Rusk City Council met in regular session on September 19, 2024, at the City Council Chambers, Rusk City Hall, 116 East 5th Street Suite B, Rusk, Texas. Mayor Middlebrooks called the meeting to order at 5:30 P.M.

Present: Mayor Ben Middlebrooks
Mayor Pro Tem Member Martha Neely, Council Place 4
Council Member Jim Beindorf, Council Place 1
Council Member Maxine Session, Council Place 2
Council Member Zack McNew, Council Place 3
Council Member Frances Long, Council Place 5

Bob Goldsberry Interim-City Manager, Cinda Thompson, and Carlton Crothers

INVOCATION

Mayor Ben Middlebrooks gave the invocation.

PLEDGES OF ALLEGIANCE

2. PUBLIC HEARING(S):

Notice of Public Hearing on 2024-2025 Fiscal Year Budget

Public hearing started at 5:30 p.m.

Public hearing ended at 5:31 p.m.

Notice of Public Hearing on the tax rate for Fiscal Year 2024-2025

Public hearing started at 5:32 p.m.

Public hearing ended at 5:32 p.m.

3. ACTION ITEM(S):

A. Discuss and consider Ordinance for 2024-2025 F.Y. Budget.

Motion: Council Member Frances Long, Council Place 5 “I move that the 2024-2025 budget be approved as presented.”
Council Member Zack McNew, Council Place 3, seconded the motion.

Roll Call Vote

Mayor Pro Tem Martha Neely, Council Place 4	Yes
Jim Beindorf Council Place 1	Yes
Maxine Session, Council Place 2	Yes
Zack McNew, Council Place 3	Yes
Frances Long, Council Place 5	Yes

Motion passed.

B. Discuss and consider approving a total tax rate .458564.

Motion: Mayor Pro Tem Martha Neely, Council Place 4 “I move that the property tax rate be increased by the adoption of the tax of .458564, which is effectively a 47.81 percent increase in the tax rate”
Council Member Zack McNew, Council Place 3, seconded the motion.

Roll Call Vote

Mayor Pro Tem Martha Neely, Council Place 4	Yes
Jim Beindorf Council Place 1	Yes
Maxine Session, Council Place 2	Yes
Zack McNew, Council Place 3	Yes
Frances Long, Council Place 5	Yes

Motion passed.

C. Discuss and consider ratifying the tax rate for F.Y. 2024-2025.

Motion: Council Member Zack McNew, Council Place 3 “I move that the adoption of the 2024-2025 property tax rate of .458564 be ratified.”
Council Member Frances Long, Council Place 5, seconded the motion.

Roll Call Vote

Mayor Pro Tem Martha Neely, Council Place 4	Yes
Jim Beindorf Council Place 1	Yes
Maxine Session, Council Place 2	Yes
Zack McNew, Council Place 3	Yes
Frances Long, Council Place 5	Yes

Motion passed.

D. Discuss and consider approving an M & O rate of .328622.

Motion: Council Member Frances Long, Council Place 5 “I move to approve the M & O tax rate of .328622.”
Mayor Pro Tem Martha Neely, Council Place 4, seconded the motion.

Roll Call Vote

Mayor Pro Tem Martha Neely, Council Place 4	Yes
Jim Beindorf Council Place 1	Yes
Maxine Session, Council Place 2	Yes
Zack McNew, Council Place 3	Yes
Frances Long, Council Place 5	Yes

Motion passed.

E. Discuss and consider approving the I & S rate of .129942.

Motion: Council Member Frances Long, Council Place 5 “I move to approve the I & S rate of .129942.”
Council Member Zack McNew, Council Place 3, seconded the motion.

Roll Call Vote

Mayor Pro Tem Martha Neely, Council Place 4	Yes
Jim Beindorf Council Place 1	Yes
Maxine Session, Council Place 2	Yes
Zack McNew, Council Place 3	Yes
Frances Long, Council Place 5	Yes

Motion passed.

F. Discuss and consider Ordinance adopting the tax rate for F.Y. 2024-2025.

Motion: Maxine Session, Council Place 2, moved to approve the Ordinance adopting the tax rate for F.Y. 2024-2025.
Jim Beindorf, Council Place 1, seconded the motion.

Aye: Mayor Pro Tem Member Martha Neely, Council Place 4
Council Member Jim Beindorf, Council Place 1
Council Member Maxine Session, Council Place 2
Council Member Zack McNew, Council Place 3

Council Member Frances Long, Council Place 5

Motion passed.

- G. Discuss and consider approval of the Rusk Economic Development Corporation annual operating budget for fiscal year 2024-2025.

Motion: Frances Long, Council Place 5, moved to approve the Rusk Economic Development Corporation annual operating budget for fiscal year 2024-2025.

Mayor Pro Tem Martha Neely, Council Place 5, seconded the motion.

Aye: Mayor Pro Tem Member Martha Neely, Council Place 4
Council Member Jim Beindorf, Council Place 1
Council Member Maxine Session, Council Place 2
Council Member Zack McNew, Council Place 3
Council Member Frances Long, Council Place 5

Motion passed.

8. ADJOURN

Being no further business, the meeting adjourned at 5:51 p.m.

PASSED AND APPROVED this 10 of October 2024.

Ben Middlebrooks, Mayor

ATTEST:

Cinda Thompson, City Secretary

https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-results/?action=perdiems_report&state=TX&fiscal_year=2022&zip=&city=

If any meals are provided by the hotel or conference/seminar, per diem will be paid only for meals NOT provided by the hotel or conference/seminar, regardless of if the employee chooses to take advantage of the provided meals.

Employees will not be reimbursed for any meals, tips, snacks, or incidentals exceeding the amount of issued per diem.

RADIO COMMUNICATION

Radio equipped vehicles provide efficiency and economy to City operations. All communications will be in accordance with FCC regulations. Proper 10-signals will be used in all radio communications. City employees will properly notify when they are in or out of service indicating their location when out of service.

POLITICAL ACTIVITIES

Employees are encouraged to exercise their legal right to vote but are not permitted to take an active part in any political campaign for a government entity. These restrictions are actually a protection for you since they help ensure against political interference with your job.

If you desire to become a candidate for public office, a legal ruling as to your status with the City will be rendered by the City Attorney.

USE OF TELEPHONES

Except for emergency situations, personal use of telephones/cell phones is limited to brief calls during scheduled breaks or lunch times. Use of personal cell phones for personal business during a workday must not interfere with an employee's work duties. Excessive use or abuse of personal cell phones is prohibited and any infractions will subject the employee to disciplinary action, up to and including termination.

~~Telephones in City offices are for City business. You are allowed to make and receive personal calls, but you are requested to hold these calls to a minimum. The following are some telephone tips that will help you:~~

Remember that the telephone is a substitute for face-to-face contact; Speak clearly, distinctly and naturally;

When answering the telephone, identify your office and yourself;

Cultivate the "Voice With A Smile." Actually, wearing a pleasant expression on your face is a good start;

Offer to be of assistance to a caller or take a message if the person being called is not in the office;

Deliver all telephone messages promptly;

When it is necessary to place a call on "hold", check back with the calling party frequently to advise that they have not been forgotten;

End your call courteously, using the other person's name.

Any telephone conference you may have while on duty may be monitored by management for quality assurance and training purposes.

BULLETIN BOARDS

USING SOCIAL MEDIA AT WORK

Refrain from using social media while on work time or on equipment that the City provides, unless it is work-related as authorized by your manager or in furtherance of City business. Do not use City e-mail addresses to register on social networks, blogs, or other online tools utilized for personal use.

LEGISLATIVE BILL TX SB1893

The City will adhere to all state issued regulations set in place by Legislative Bill TX SB1893. Unless approved exceptions apply, the use or download of prohibited applications or websites, such as TikTok, is prohibited on all city-owned devices, including cell phones, tablets, desktop and laptop computers, and other internet capable devices. The Texas Department of Information Resources (DIR) will host a site that lists all prohibited technologies including apps, software, hardware, or technology providers. The up-to-date prohibited technologies list can be found at <https://dir.texas.gov/information-security/prohibited-technologies>.

The City will identify, track, and control city-owned devices to prohibit the installation of or access to all prohibited applications. This includes the various prohibited applications for mobile, desktop, or other internet capable devices.

The City will manage all city-issued mobile devices by implementing the security controls listed below:

- a. Restrict access to "app stores" or non-authorized software repositories to prevent the install of unauthorized applications.
- b. Maintain the ability to remotely wipe non-compliant or compromised mobile devices.
- c. Maintain the ability to remotely uninstall un-authorized software from mobile devices.
- d. Deploy secure baseline configurations, for mobile devices, as determined by the City.

PERSONAL DEVICES USED FOR CITY BUSINESS

If an employee or contractor has a justifiable need to allow the use of personal devices to conduct city business, they may forego a city-owned device in lieu of a monthly phone allowance.

Employees and contractors may not install or operate prohibited applications or technologies on any personal device that is used to conduct city business. City business includes accessing any city-owned data, applications, email accounts, non-public facing communications, city email, VoIP, SMS, video conferencing, city websites, and any other city databases or applications.

NETWORK RESTRICTIONS

The City has blocked access to prohibited technologies on the network. To ensure multiple layers of protection, the City will also implement additional network-based restrictions to include:

- a. Configure agency firewalls to block access to statewide prohibited services on all agency technology infrastructures, including local networks, WAN, and VPN connections.
- b. Prohibit personal devices with prohibited technologies installed from connecting to agency or state technology infrastructure or state data.
- c. Provide a separate network for access to prohibited technologies with the approval of the executive head of the agency.

ONGOING AND EMERGING TECHNOLOGY THREATS

To provide protection against ongoing and emerging technological threats to the state's sensitive information and critical infrastructure, Texas Department of Public Safety (DPS) and DIR will regularly monitor and evaluate additional technologies posing concerns for inclusion in this policy.

DIR will host a site that lists all prohibited technologies including apps, software, hardware, or technology providers. The up-to-date prohibited technologies list can be found at <https://dir.texas.gov/information-security/prohibited-technologies>. New technologies can be added to the list after consultation between DIR and DPS.

The City of Rusk will implement the removal and prohibition of any listed technology. The City may prohibit other technology threats in addition to those identified by DIR and DPS.

POLICY COMPLIANCE

Compliance with this policy will be verified through various methods, including but not limited to, IT/security system reports and feedback to leadership.

An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

EXCEPTIONS

Exceptions to the ban on prohibited technologies may only be approved by the City Manager. This authority may not be delegated. All approved exceptions to the TikTok prohibition or other statewide prohibited technology must be reported to DIR.

Exceptions to the policy will only be considered when the use of prohibited technologies is required for a specific business need, such as enabling criminal or civil investigations or for sharing of information to the public during an emergency. For personal devices used for city business, exceptions should be limited to extenuating circumstances and only granted for a pre-defined period of time. To the extent practicable, exception-based use should only be performed on devices that are not used for other city business and on non-city networks. Cameras and microphones should be disabled on devices for exception-based use.

RETALIATION IS PROHIBITED

The City prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another associate for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

MEDIA CONTACTS

Employees should not speak to the media on the City's behalf without contacting the City Manager. All media inquiries should be directed to the City Manager or his/her designee.

FOR MORE INFORMATION

If you have questions or need further guidance, please contact the City Manager's designee.

GRATUITIES AND SPECIAL GAINS

Employees may not offer, or accept a gift, cash or other item of value including fringe benefits or personal services from an existing or prospective customer, contractor or supplier (or a representative of either) in pursuance of business or in conjunction with negotiating business on behalf of this City. Violation of this policy will result in disciplinary action up to and including termination. Expenses for meals as part of a seminar, convention or business meeting are not prohibited for purposes of this policy. Invitations extended

RUSK MUNICIPAL COURT
108 E. 5TH STREET
RUSK, TEXAS 75785
(903) 683-2213
(Fax) 683-5964
October 7, 2024

FORREST K. PHIFER
Municipal Court Judge

Monica Fuller
Court Administrator

September 2024 City Council Report

Total number of Citations issued for the month of September 2024	<u>195</u>
Total amount of dollars collected for the City for the month of September 2024	<u>\$30,505.02</u>
Total amount of dollars submitted for State Fees for the month of September 2024	<u>\$18,180.76</u>
Total amount of dollars dismissed for the month of September 2024	<u>\$5,618.00</u>
Total amount of Citation balance from 10/1/23 (fiscal year) until September 2024	<u>\$230,554.21</u>

Municipal Court Council Report
From 9/1/2024 to 9/30/2024

10/4/2024 7:32 AM

Violations by Type

Traffic	Penal	City Ordinance	Parking	Other	Total
182	4	2	0	7	195

Financial

State Fees	Court Costs	Fines	Tech Fund	Building Security	Total
\$18,180.75	\$9,058.40	\$19,746.10	\$769.40	\$931.12	\$48,685.77

Warrants

Issued	Served	Closed	Total
53	0	46	99

FTAs/VPTAs

FTAs	VPTAs	Total
0	0	0

Dispositions

Paid	Non-Cash Credit	Dismissed	Driver Safety	Deferred	Total
87	0	38	25	12	162

Trials & Hearings

Jury	Bench	Appeal	Total
0	0	0	0

Omni/Scofflaw/Collection

Omni	Scofflaw	Collections	Total
53	0	53	106

CRIMINAL SECTION

City of Rusk Municipal Court		Traffic Misdemeanors			Non-Traffic Misdemeanors		
Month	Year	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
September	2024						
1. Total Cases Pending First of Month:		481	0	2	9	13	9
a. Active Cases		394	0	1	7	12	7
b. Inactive Cases		87	0	1	2	1	2
2. New Cases Filed		182	0	0	4	7	2
3. Cases Reactivated		25	0	1	1	1	0
4. All Other Cases Added		0	0	0	0	0	0
5. Total Cases on Docket (Sum of Lines 1a, 2, 3 & 4)		601	0	2	12	20	9
Dispositions Prior to Court Appearance or Trial:							
Uncontested Dispositions		120	0	1	2	2	1
(Dismissed without appearance before a judge (CCP Art. 27.14))							
b. Dismissed by Prosecution		0	0	0	0	0	0
Dispositions at Trial:							
Convictions:							
Guilty Plea or Nolo Contendere		0	0	0	0	0	0
2) By the Court		0	0	0	0	0	0
3) By the Jury		0	0	0	0	0	0
Acquittals:							
By the Court		0	0	0	0	0	0
2) By the Jury		0	0	0	0	0	0
c. Dismissed by Prosecution		0	0	0	0	0	0
Compliance Dismissals:							
After Driver Safety Course (CCP, Art. 45.0511)		25					
b. After Deferred Disposition (CCP, Art. 45.051)		11	0	0	0	1	0
c. After Teen Court (CCP, Art. 45.052)		0	0	0	0	0	0
d. After Tobacco Awareness Course (HSC, Sec. 161.253)						0	
e. After Treatment for Chemical Dependency (CCP, Art. 45.053)					0	0	
f. After Proof of Financial Responsibility (TC, Sec. 601.193)		5					
g. All Other Transportation Code Dismissals		20	0	0	0	0	0
9. All Other Dispositions		0	0	0	0	0	0
10. Total Cases Disposed (Sum of Lines 6, 7, 8 & 9)		181	0	1	3	3	1
11. Cases Placed on Inactive Status		33	0	1	0	1	3
12. Total Cases Pending End of Month:		482	0	1	10	17	10
a. Active Cases (Equals Line 5 minus the sum of Lines 10 & 11)		387	0	0	9	16	5
Inactive Cases (Equals Line 1b minus Line 3 plus Line 11)		95	0	1	1	1	5
13. Show Cause Hearings Held		7	0	0	0	0	0
Cases Appealed:							
After Trial		0	0	0	0	0	0
b. Without Trial		0	0	0	0	0	0

CIVIL/ADMINISTRATIVE SECTION

City of Rusk Municipal Court		TOTAL CASES
Month	September	
	Year	2024
1. Total Cases Pending First of Month:		0
a. Active Cases		0
b. Inactive Cases		0
2. New Cases Filed		0
3. Cases Reactivated		0
4. All Other Cases Added		0
5. Total Cases on Docket <i>(Sum of Lines 1a, 2, 3 & 4)</i>		0
DISPOSITIONS		
6. Uncontested Civil Fines or Penalties		0
7. Default Judgments		0
8. Agreed Judgments		0
9. Trial/Hearing by Judge/Hearing Officer		0
10. Trial by Jury		0
11. Dismissed for Want of Prosecution		0
12. All Other Dispositions		0
13. Total Cases Disposed <i>(Sum of Lines 6 through 12)</i>		0
14. Cases Placed on Inactive Status		0
15. Total Cases Pending End of Month:		0
a. Active Cases <i>(Equals Line 5 minus the sum of Lines 13 & 14)</i>		0
b. Inactive Cases <i>(Equals Line 1b minus Line 3 plus Line 14)</i>		0
Cases Appealed:		
After Trial		0
b. Without Trial		0

JUVENILE/MINOR ACTIVITY

City of Rusk Municipal Court	TOTAL
Month 09 Year 2024	
1. Transportation Code Cases Filed	2
2. Non-Driving Alcoholic Beverage Code Cases Filed	1
3. Driving Under the Influence of Alcohol Cases Filed	0
4. Drug Paraphernalia Cases Filed <i>(HSC, Ch. 481)</i>	0
5. Tobacco Cases Filed <i>(HSC, Sec. 161.252)</i>	0
6. Failure to Attend School Cases Filed <i>(Ed.Code, Sec. 25.094)</i>	0
7. Education Code (Except Failure to Attend) Cases Filed	0
8. Violation of Local Daytime Curfew Ordinance Cases Filed <i>(Local Govt. Code, Sec. 341.905)</i>	0
9. All Other Non-Traffic Fine-Only Cases Filed	2
Transfer to Juvenile Court:	0
Mandatory Transfer <i>(Fam.Code, Sec. 51.08(b)(1))</i>	
b. Discretionary Transfer <i>(Fam.Code, Sec. 51.08(b)(2))</i>	0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct) <i>(CCP, Art. 45.050(c)(1))</i>	0
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges) <i>(CCP, Art. 45.050(c)(2))</i>	0
Juvenile Statement Magistrate Warning:	0
Warnings Administered	
b. Statements Certified <i>(Fam.Code, Sec. 51.095)</i>	0
14. Detention Hearings Held <i>(Fam. Code, Sec. 54.01)</i>	0
15. Orders for Non-Secure Custody Issued	0
16. Parent Contributing to Nonattendance Cases Filed <i>(Ed. Code, Sec. 25.093)</i>	0

ADDITIONAL ACTIVITY

City of Rusk Municipal Court	NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL
Month 09 Year 2024		
Magistrate Warnings: Class C Misdemeanors	5	
b. Class A and B Misdemeanors	8	5
c. Felonies	8	7
		TOTAL
Arrest Warrants Issued: Class C Misdemeanors		33
b. Class A and B Misdemeanors		0
c. Felonies		0
3. Capiases Pro Fine Issued		7
4. Search Warrants Issued		0
5. Warrants for Fire, Health and Code Inspections Filed (CCP, Art. 18.05)		0
6. Examining Trials Conducted		0
7. Emergency Mental Health Hearings Held		0
8. Magistrate's Orders for Emergency Protection Issued		0
9. Magistrate's Orders for Ignition Interlock Device Issued (CCP, Art. 17.441)		0
10. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond		17
11. Driver's License Denial, Revocation or Suspension Hearings Held (TC, Sec. 521.300)		0
12. Disposition of Stolen Property Hearings Held (CCP, Ch. 47)		0
13. Peace Bond Hearings Held		0
Cases in Which Fine and Court Costs Satisfied by Community Service: Partial Satisfaction		1
b. Full Satisfaction		6
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit		3
16. Cases in Which Fine and Court Costs Waived for Indigency		18
17. Amount of Fines and Court Costs Waived for Indigency		\$5,618.00
18. Fines, Court Costs and Other Amounts Collected: a. Kept by City		\$30,505.02
b. Remitted to State		\$18,180.76
c. Total		\$48,685.77

Fees and Fines Report

10/4/2024 7:57:37 AM

Fee Code	Fee Description	Payments	Amount Collected
9/1/2024 to 9/30/2024			
ADMF	Administrative Fee	39	\$695.90
POF	Arrest Fee	165	\$700.01
BSF	Building Security Fund Fee	6	\$15.00
CS	Child Safety - School Crossing Zone	2	\$50.00
CHSEAT	Child Safety Seat Belt Fine	4	\$312.00
CL	Collections Fee	26	\$312.00
ADMF	Compliance Fee	5	\$1,968.87
CF	Consolidated Fee	8	\$50.00
DSC	DSC - Administrative Fee	25	\$216.00
IDF	Indigent Defense Fund	8	\$24.00
JSF	Judicial Support Fee	25	\$250.00
JRF	Juror Reimbursement Fee	8	\$10.80
TFC	Local Traffic Fee	118	\$1.20
LCF	Local Truancy and Prevention Diversion Fund	24	\$32.40
LCF	Local Youth Diversion Fund	133	\$3.60
MVF	Moving Violation Fee	5	\$21.60
LCF	Municipal Court Building Security Fund	159	\$2.40
LCF	Municipal Court Technology Fund	159	\$306.83
LCF	Municipal Jury Fund	157	\$48.87
FN	Non-Traffic Fine	4	\$621.16
ORF	Omni-base Reimbursement Fee	12	\$0.36
SCF	State Consolidated Fee	157	\$0.04
STF	State Traffic	110	\$659.63
			\$540.02
			\$13.41
			\$582.90
			\$84.00
			\$56.00
			\$7,493.87
			\$832.68
			\$4,609.66

Ledger Account

10-49013 Mun Court Svc Fee Retained (Court Cost)
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-49015 Municipal Court Building Security Fund
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-24221 Child Safety Seat Belt Fine
10-49013 Mun Court Svc Fee Retained (Court Cost)
20-21105 Collection Agency Payable
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-21122 State Fees Payable
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-21122 State Fees Payable
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-21122 State Fees Payable
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-21122 State Fees Payable
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-49018 Local Truancy Prevention and Diversion Fund
10-49021 Local Youth Diversion Fund
10-21122 State Fees Payable
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-49015 Municipal Court Building Security Fund
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-49017 Municipal Jury Funds
10-49481 Court Revenue
10-21122 State Fees Payable
10-49020 Omnibase Reimbursement Fee
10-21122 State Fees Payable
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-21122 State Fees Payable

Fee Code	Fee Description	Payments	Amount Collected
STF	State Traffic	5	\$192.06
			\$85.50
TF	Technology Fund Fee	6	\$4.50
TPRF	Time Payment Reimbursement Fee	3	\$20.00
FT	Traffic Fine	124	\$45.00
TPDF	Truancy Prevention & Diversion Fund	6	\$15,272.71
POF	Warrant Fee	41	\$10.00
			\$1,453.79
		1527	\$37,598.77

Ledger Account

10-49013 Mun Court Svc Fee Retained (Court Cost)
10-21122 State Fees Payable
10-49013 Mun Court Svc Fee Retained (Court Cost)
10-49014 Court Technology Fund
10-49019 Time Payment Reimbursement Fee
10-49481 Court Revenue
10-21122 State Fees Payable
10-49013 Mun Court Svc Fee Retained (Court Cost)



RUSK ECONOMIC DEVELOPMENT CORPORATION

EDC ACTIVITY SUMMARY

Friday, October 4, 2024

Carlton Crothers - Director of REDC

I am pleased to provide an update on the EDC's recent activities and our ongoing efforts to foster growth and prosperity in Rusk.

- **Project Company Attraction:** Working on attracting a new business to Rusk: **STATUS: First Meeting, Scheduled 2nd Meeting**
- **Project Job Fair 1:** Working with a major employer to creating a job fair targeting Rusk High School Student. **STATUS: Planning Phase**
- **Project Job Fair 2:** Participating in a regional job fair activity. **STATUS: Rusk Students Attended**
- **Project New Business/Apartment City Square:** A new investor looking into developing a commercial/retail business with two apartments residential on second floor. Business received special permit from Planning & Zoning. Business submitted a façade grant application. **STATUS: Renovation Started**
- **Project BBQ:** All Star BBQ has completed its façade renovation and is in the process of submitting final required documentation to close their façade grant application. **STATUS: Grant Completed, Check Presented**
- **Project Car Lot:** An existing business has submitted a new façade grant application to improve and upgrade the façade of the existing building and surrounding. **Renovation Scheduled to Start**
- **Project New Car Lot:** An existing business has relocated to a new location and has inquired about signage and façade improvement. **STATUS: Renovation Scheduled to Start**
- **Project Food Bank:** Good Samaritan Food Bank submitted a façade grant application to renovate the exterior of their processing center next to the newly built food bank building. **STATUS: Renovation Scheduled to Start**

- **Project AD:** Putting together photos and stories to be published in the Cherokeean Herald of REDC's contributions to the community of Rusk since 2019 to present highlighting its activities. **STATUS: Ongoing**
- **Project Arcade Lounge:** Supporting a local entrepreneur in launching a new downtown business for online gaming, targeting a younger demographic. Business received favorable ordinance to permit operation. **STATUS: Ongoing**
- **Project TSRR (RV Park Cabins):** Evaluating the feasibility of building cabins on the RV portion of a local park. This involves reviewing the park's lease contract with TSRR and business operational costs and business model. **STATUS: Ongoing**
- **Project New Homes #1:** Collaborating with a local entrepreneur to explore the possibility of constructing affordable housing units on REDC property near the senior assisted living complex. Received investigative proposal for land clearing. **STATUS: Ongoing**
- **Project New Homes #2:** New interest from a Dallas investor to develop affordable housing in Rusk. **STATUS: Ongoing**
- **Project Day Care Center:** Facilitating the development of a new daycare center. Researching grant opportunities with ETCOG for this project. ETCOG responded with several grant organization that may be a qualified sources and forwarded to the interested party. **STATUS: Ongoing**

Thank you for your unwavering support and commitment to the economic development of our city. I look forward to our ongoing collaboration in achieving our shared goals.



MONTHLY REPORT
September-24
PART 1 OFFENSES

POPULATION DATA		
January-23	5,580	
January-24	5,580	
Annual Growth	0	0.00%

Offense Category	MONTHLY				YEAR TO DATE					
	Monthly Totals	Previous Month's Totals	Amount of Change	Percent Increase/D	YTD 2024	2024 Per 1000/capita	2023 TOTAL	2023 Per 1000/capita	Amount of Change	Percent Increase/Decrease
Murder	0	0	No Change	*NC	0	0.00	0	0.00	No Change	*NC
Rape	0	0	No Change	*NC	1	0.18	8	1.43	-7	-87.50
Robbery	0	0	No Change	*NC	0	0.00	0	0.00	No Change	*NC
Individual Business	0	0	No Change	*NC	0	0.00	0	0.00	No Change	*NC
Assaults	5	6	-1	-16.67	51	9.14	71	12.72	-20	-28.17
Aggravated Other Assaults	1	0	1	*NC	7	1.25	11	1.97	-4	-36.36
Burglary	4	6	-2	-33.33	44	7.89	49	8.78	-5	-10.20
Habitation Building	1	0	1	*NC	20	3.58	16	2.87	4	25.00
Theft	0	0	No Change	*NC	20	3.58	14	2.51	6	42.86
Burglary Vehicle	4	7	-3	-42.86	31	5.56	57	10.22	-26	-45.61
Burglary Coin-Op Machine	0	0	No Change	*NC	0	0.00	1	0.18	-1	-100.00
Thefts	4	7	-3	-42.86	28	5.02	0	0.00	No Change	*NC
Motor Vehicle Theft	0	0	No Change	*NC	0	0.00	5	0.90	-5	-100.00
TOTAL OFFENSES	10	13	-3	-23.08	103	18.46	152	27.24	-49	-32.24

*NC = NOT CALCULABLE
BECAUSE SCIENTIFIC CONVENTION STATES DIVISION BY ZERO IS NOT POSSIBLE

Uniform Crime Index Offenses do not always coincide with State offenses; therefore, some offenses may not reflect in UCR statistics

TRAFFIC ACCIDENT SUMMARY

ACTIVITY	MONTHLY				YEAR TO DATE					
	Monthly Totals	Previous Month's Totals	Amount of Change	Percent Increase/D ecrease	YTD 2024	2024 Per 1000/capita	2023 TOTAL	2023 Per 1000/capita	Amount of Change	Percent Increase/ Decrease
Motor Vehicle Accidents	14	10	4	40.00	87	15.59	79	14.16	8	10.13
Injury Accidents	0	0	No Change	*NC	7	1.25	1	0.18	6	600.00
Number Transported	0	0	No Change	*NC	4	0.72	0	0.00	4	*NC
Fatality Accidents	0	0	No Change	*NC	0	0.00	1	0.18	-1	-100.00
Fatalities	0	0	No Change	*NC	0	0.00	1	0.18	-1	-100.00

PATROL ACTIVITY

ACTIVITY	MONTHLY				YEAR TO DATE					
	Monthly Totals	Previous Month's Totals	Amount of Change	Percent Increase/D decrease	YTD 2024	2024 Per 1000/capita	2023 TOTAL	2023 Per 1000/capita	Amount of Change	Percent Increase/Decrease
Calls for Service	205	125	80	64.00	1,874	335.84	2,780	498.21	-906	-32.59
Citations	298	503	-205	-40.76	3,871	693.73	3,038	544.44	833	27.42

CRIMINAL INVESTIGATION ACTIVITY

ACTIVITY	MONTHLY				YEAR TO DATE					
	Monthly Totals	Previous Month's Totals	Amount of Change	Percent Increase/D ecrease	YTD 2024	2024 Per 1000/capita	2023 TOTAL	2023 Per 1000/capita	Amount of Change	Percent Increase/ Decrease
Cases Assigned	14	24	-10	-41.67	116	20.79	177	31.72	-61	-34.46
Cases Cleared	0	2	-2	-100.00	55	9.86	260	46.59	-205	-78.85
Cases Filed (Misdemeanor)	13	12	1	8.33	71	12.72	65	11.65	6	9.23
Cases Filed (Felony)	8	10	-2	-20.00	46	8.24	37	6.63	9	24.32
Cases Filed (Juvenile)	0	2	-2	-100.00	4	0.72	3	0.54	1	33.33

DWI AND ARRESTS

ACTIVITY	MONTHLY				YEAR TO DATE					
	Monthly Totals	Previous Month's Totals	Amount of Change	Percent Increase/D decrease	YTD 2024	2024 Per 1000/capita	2023 TOTAL	2023 Per 1000/capita	Amount of Change	Percent Increase/Decrease
DWI Arrests	1	3	-2	-66.67	13	2.33	7	1.25	6	-85.71
Adult Arrests	27	0	27	*NC	178	31.90	212	37.99	-34	-16.04
Drug Related Arrests	6	0	6	*NC	24	4.30	21	3.76	3	14.29
Juvenile Arrests	0	0	No Change	*NC	4	0.72	3	0.54	1	33.33