

**MINUTES: CITY COUNCIL MEETING
JULY 21, 2008**

PRESENT: Mayor Joe Higgs, Councilman Robert Patton, Councilman Glenn Ervin, Councilman Thomas Muir, Councilman Andy Garza

MEMBERS

ABSENT: Councilman Mike Walker

OTHERS

PRESENT: City Manager Mike Brice, City Secretary/Asst. City Manager Rose Chavez, Shannon Graves-Sanger Courier, Peggy Hinkle-Wolfe-Denton Record Chronicle

1. Call Meeting to Order, Invocation, Pledge of Allegiance.

Mayor Higgs called meeting to order, Councilman Garza led the invocation, followed by Councilman Patton leading the Pledge of Allegiance.

2. Citizens Input:

Citizens are allowed 3 minutes to speak. The City Council is unable to respond or to discuss any issues that are brought up during this section.

CONSENT AGENDA

- 3. a) Approve Minutes: June 7, 2008 - City Council
June 8, 2008 - Budget Workshop**
- b) Disbursements**
- c) Interconnection Agreement Between the City of Sanger and Brazos Electric Power System**
- d) Approve Second Amendment to Lease Agreement with AT&T Mobility**

Councilman Ervin requested item (d) be pulled for discussion. He also made a correction to the minutes to reflect the change to Councilman Andy Garza in members present.

Councilman Patton moved to approve the consent agenda with the exception of moving item (d) for discussion to item four, correcting the minutes to approve to reflect July 7 and July 8. Seconded by Councilman Garza. Motion carried unanimously.

4. Consider any Items Removed from Consent Agenda.

City Manager advised the lease agreement is an amendment to the existing AT&T lease at the water tower. In the last three years we have been in dispute with AT&T in the amount of rent they were paying. In the last few months AT&T requested to install new equipment at the water tower, and in negotiation of that agreement they had to settle the rent dispute with the City in the amount of \$47,000. Their current rent is \$1035.00 a month and is adjusted every five years.

Discussion concerning the original 1998 lease and the new one in 1999. There was a dispute that the 1999 lease was for Sanger, California and not Sanger, Texas. Staff reported that there had been numerous letters sent and the City Attorney had also sent them a letter; however, we could not get anyone to communicate back with us concerning the matter. The discussion continued concerning the rent AT&T was paying, the escalator clause, and the term of the original lease.

City Manager indicated the rent they are paying is within the range it needs to be. Motion made by Councilman Ervin to approve the lease agreement with AT&T Mobility. Seconded by Councilman Muir. Motion carried unanimously.

5. Information Items:

- a) **Memo from City Manager**
- b) **City of Sanger Financial Report**
- c) **City of Sanger Investment Report**
- d) **Monthly Library Report**
- e) **Legislative Update**

6. Executive Session: Pursuant to Open Meetings Act, Chapter 551, Texas Government Code, Subchapter D, 551.074 Deliberation Regarding Personnel Matters.

(a) Review City Manager Performance and Consider Changes to Employment Contract

Mayor Higgs convened the City Council into executive session at 7:20 p.m.

7. Reconvene: Into Regular Session and Consider Action, if any, on Items Discussed in Executive Session.

Mayor Higgs reconvened City Council from Executive Session at 8:35 p.m.

Action was not taken at this time.

Mayor advised action will be taken on the August 4th meeting.

8. Adjournment.

Mayor Higgs declared meeting adjourned.