

**CITY OF KOSSE
CITY COUNCIL MEETING
MONDAY APRIL 16, 2018- 7:00 P.M.**

Council Members Present:

Trish Roy Harley Leazer LB Perry

Council Members Absent:

Ronnie Funderburk Ricky Wright

Mayor Jarrod Eno opened the meeting with the pledge of allegiance. LB Perry said the prayer. A quorum was present with three members present. Proper posting of the meeting was confirmed.

Consent Items: Minutes from the last meeting, accounts payable, and current bank statements were reviewed. A motion by Harley Leazer was made to approve. It was seconded by LB Perry. Motion carried.

Discuss and Take Action on Offer on Block 018 Kosse, Lot 007 – 008 , 009-010(Hiser Property). An offer of \$800.00 was made. Council rejected the offer. Stating they would like to wait for a better offer.

Discuss and Take Action on Street Sign Project. Lions Club member Brooks Valls proposed the Lions Club will pay up to \$5000.00 to get a new street signs in Kosse. The city may have to pay up to \$500.00 for additional cost if the project goes over \$5000.00. Harley Leazer made a motion to accept the proposal for the project. LB Perry seconded. Motion carried.

Discuss and Take Action on ORDINANCE 04102018 – Certificate of Occupancy. Trish Roy made a motion to adopt and pass the ordinance. Harley seconded. Motion carried.

ORDINANCE 04102018

AN ORDINANCE OF THE CITY OF KOSSE, TEXAS, REGARDING THE REQUIREMENT OF OCCUPANCY PERMITS PROVIDING FOR SEVERABILITY, PROVIDING A PENALTY AND DECLARING AN EMERGENCY

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KOSSE, TEXAS, DOES ORDAIN AS FOLLOWS:

No owner or tenant of residential or commercial property shall allow it to be occupied unless the property has been inspected by the City and issued a Certificate of Occupancy. Change of tenants shall require a new inspection and Certificate of Occupancy. Municipal water and electricity or natural gas shall not be connected until the Certificate of Occupancy has been issued.

Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by State or Federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

It is found that an emergency and urgent public necessity exist which requires the immediate passage of this ordinance.

Any person violating any provision of this Ordinance within the corporate limits of the City of Kosse, Texas shall be guilty of a misdemeanor, and upon conviction shall be fined an amount not exceeding five hundred dollars (\$500.00). Each day that such violation continues shall be a separate offense.

PASSED AND APPROVED this the 16th day of April 2018.

CITY OF KOSSE

**By: s/Jarrold Eno
Jarrod Eno
Mayor of Kosse**

ATTEST:

**s/Christina Lockhart
Christina Lockhart
City Secretary**

Discuss and Take Action on ORDINANCE 04102018A. A change was discussed in the ordinance, section 1, 2. the line of “residential remodel or construction inspection” to reflect the new Residential Occupancy inspection so there is no confusion. Trish Roy made a motion to adopt and pass ordinance. Harley Leazer seconded. Motion carried.

ORDINANCE NO. 04102018A

AN ORDINANCE OF THE CITY OF KOSSE, LIMESTONE COUNTY, TEXAS, PERTAINING TO PERMIT REGULATIONS; REPEALING ALL PRIOR ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

An Ordinance Establishing Certain Permit Requirements and Fees Thereof

Be it ordained by the city Council of Kosse, Limestone County, Texas:

Sec. 1. Permits shall be required and fees paid as herein listed:

1.	Residential construction or relocation permit	\$0
2.	Residential Occupancy Inspection	\$30.00
3.	Commercial remodel or construction permit	\$300.00
4.	Commercial remodel or construction inspection	\$30.00
5.	All demolition	\$30.00

Sec. 2. All contractors performing demolition or construction shall carry a general liability insurance policy with a minimum per occurrence coverage of \$200,000.00

Sec. 3. Detached structures do not require permits.

Repealer

All provisions of the ordinances of the City of Kosse in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Kosse not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Severability

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any

section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Effective Date

This Ordinance shall become effective immediately upon its passage and publication of its caption as required by law.

PASSED AND ADOPTED this the 16th day of April, 2018.

THE CITY OF KOSSE, TEXAS

BY: s/Jarrod Eno

Mayor

Jarrod Eno

ATTEST:

s/Christina Lockhart

City Secretary

Discuss and Take Action on ORDINANCE 04102018B. Trish Roy made a motion to adopt and pass ordinance. Harley Leazer seconded. Motion carried.

ORDINANCE NO. 04102018B

AN ORDINANCE OF THE CITY OF KOSSE, LIMESTONE COUNTY, TEXAS, PERTAINING TO SWIMMING POOL REGULATIONS; REPEALING ALL PRIOR ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

SWIMMING POOLS

Sec. 1- Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Spa means any pool used for bathing over 24 inches in depth and between 100 and 500 gallons capacity.

Swimming pool means any pool used for swimming or bathing, over 24 inches in depth and with a total gallon capacity of more than 500 gallons.

Sec. 2. - Permit not required.

Any person installing constructing a swimming pool is not required, prior to construction or installation, to secure a swimming pool installation and construction permit from the city.

Sec. 3. - Fencing requirements.

(a) Every person owning or constructing a swimming pool shall construct or cause to be constructed a fence around the swimming pool. Every person owning or constructing a swimming pool, under this article, shall construct or cause to be construed a fence around the swimming pool area six feet in height, which fence shall completely enclose such swimming pool and shall be of wood, chain-link, or solid masonry construction. Chain-link construction shall have a grid opening no larger than nine square inches. Fences of wood construction shall have an opening between fence boards of no more than one-half inch. All fences shall have a gate no less than the height of the fence. The gate shall have a latch no lower than 3½ feet from the ground, and the gate shall be kept closed and latched at all times when the swimming pool is not in use. Where the yard in which the swimming pool is constructed is completely enclosed with an approved fence, this section shall not apply to the swimming pool area itself.

(b) That the above subsection (a) shall apply only to new construction of fences or those fences which have been damaged or destroyed to an extent of more than 75 percent of their fair market value by fire, explosion, act of god, the public enemy, or any other cause, then their restoration must be in compliance with subsection (a).

Sec. 4. - Fencing or covering of spas.

Any person owning or constructing a spa shall meet the same requirements as section 3 or shall cover the spa with a durable cover capable of being affixed and latched to the spa and being structurally sufficient to support 50 pounds of weight.

Sec. 5. - Exceptions to fencing requirements.

Any swimming pool constructed or placed so that its walls extend aboveground and its walls, either alone or in combination with approved fencing, meet or exceed the minimum fencing height requirements of this article shall not be required to meet the fencing requirements set forth in sections 3 and 4, provided that all ladder areas or other areas providing access to the aboveground installations meet or exceed the minimum fencing requirements set forth in sections 3 and 4.

Sec. 6. - Adoption of Texas Department of Health standards for public swimming pool and spa.

For the purpose of regulating pools and spas, Texas Administrative Code, Title 25-Health Services, Part I- Department of State Health Services, Chapter 265-General Sanitation, Subchapter L - Standards for Public Pools and Spas, as currently adopted or as may be amended in the future, is hereby adopted and made a part of this article as if fully set out herein. Those provisions shall govern all matters covered therein within the city, except those provisions which may be in conflict with other provisions of this article or state law and may be referred to jointly below as the standards.

Repealer

All provisions of the ordinances of the City of Kosse in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the City of Kosse not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Severability

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Effective Date

This Ordinance shall become effective immediately upon its passage and publication of its caption as required by law.

PASSED AND ADOPTED this the 16th day of April , 2018.

THE CITY OF KOSSE, TEXAS

BY: **s/Jarrold Eno**

Mayor Jarrod Eno

ATTEST:

s/Christina Lockhart

City Secretary

Discuss and Take Action on Water Well Bids. Engineer John Rusk was present and read aloud the 3 bids that was given on the two wells. \$622,377.36, \$643,000, and \$794.777. Harley Leazer made a motion to award the Bid to Holly Water Wells for \$622,377.36. LB Perry seconded. Motion carried.

Charles Dickerson gave Water Dept. Report/Update, No leaks

Court Clerk Christina Lockhart gave Municipal Court Report 1 bench Trial, Pre-Trials

Mark Morris gave the Police Dept. Report 70 Citations, 2 arrests

Brooks Valls gave Community Center Report Going to be highlighted in the Texas Electric Coop magazine, has gotten a lot of positive feedback about the growth in Kosse.

Jarrold Eno stated the fire department is busy and just bought new Medical equipment.

Harley Leazer made a motion to adjourn and LB Perry seconded it. Motion carried and meeting adjourned.

s/Jarrold Eno May 8,2018

Mayor

Date

ATTEST:

s/Christina Lockhart May 8,2018

City Secretary

Date