

CITY OF BURTON

COUNCIL MEETING MINUTES

A Regular Meeting of the Burton City Council at 5:30 p.m. was held on
TUESDAY, June 11, 2024, in the Burton City Hall
at 12200 E. Mulberry Street Spur 125, Burton, Texas.

Members Present:

Mayor Karen Buck
Councilmember Jeff Eckhardt
Councilmember Paul McLaughlin
Councilmember Nathan Kalkhake
Councilmember Macey Tidwell

Members Absent: Councilmember Tommie Gilmon

Others Present: City Secretary Angela Harrington, Utility Clerk Rachel Belvin.

Citizens Present: David Riggs, Leslie Schkade (PBFC&M), Jerri Linke, Dennis Wood, Roy & Debbie Ondruch, Ned Ross, Sarah Forsythe (Banner Press), Tiffany Eckhardt (Flown the Coop) and Bradley Loehr (BEFCO Engineering.)

Mayor Karen Buck called the meeting to order at 5:32 pm. A quorum was established and all in attendance were led in the Pledge of Allegiance.

Citizen Presentations

There were no comments made.

CONSENT AGENDA

- (1) **Minutes of the May 14, 2024 Regular Meeting & June 4, 2024 Workshop Meeting**
- (2) **Financial Reports-Revenue & Expenditures**
- (3) **Mayor's Report – Attached.**
- (4) **City Secretary's Report –** City Secretary, Angela Harrington, did not submit a written report but told council that she had contacted Washington County Engineering and Development to obtain a date when the city can expect the road repairs noted in the Interlocal Agreement. Wesley Stolz said probably September if not earlier.
- (5) **Utility Report - Attached**

A motion was made by Councilmember Kalkhake and seconded by Councilmember Tidwell to **ACCEPT** the consent agenda.

FOR: Eckhardt, McLaughlin

AGAINST: None

The motion passed.

CONSIDERATION AND/OR ACTION ON:

1. **Resolution R-24-0611 Authorizing the Termination of a December 8, 1994 Services Contract with Linebarger, Goggan, Blair & Sampson LLP for the Collection of Delinquent Property Taxes**
Leslie Schkade of Perdue Brandon Fielder Collins & Mott (delinquent tax attorney) gave the reason this Resolution has been set before council. She explained that the Interlocal Agreement that Burton has with the Washington County Appraisal District (WCAD) outlines the fact that the City has given the WCAD the authority to hire a delinquent tax attorney firm for Burton. The former firm, Linebarger Goggan Blair & Sampson, caused a problem by insisting that the contract that Burton had with them from 1994 was valid. This resolution reiterates and supports the language used in the 2023 Interlocal Agreement with WCAD. A motion was made by Councilmember Tidwell and seconded by Councilmember McLaughlin to **APPROVE**.

FOR: Eckhardt, Kalkhake

AGAINST: None

The motion passed.

2. Ordinance 9122001

This ordinance was discussed at length during the June 4, 2024 Workshop Meeting. City Secretary, Angela Harrington, told council that she had answered a question incorrectly at that meeting. She had indicated that, if council chose to get rid of the ordinance, it would need to be rescinded. The correct term to use is repeal. A motion was made by Councilmember Tidwell and seconded by Councilmember Eckhardt to **REPEAL** Ordinance 9122001. Mrs. Harrington then explained to council that to formally repeal an ordinance requires another ordinance. She has begun putting that together but would like to make sure it has all the correct wording and is going to ask Bridgette Begel of Olson & Olson to review it prior to placing it on the July agenda.

FOR: Kalkhake, McLaughlin

AGAINST: None

The motion passed.

3. New Camera Security System for City Hall

The City Secretary explained to council that the camera system is currently not working and that she had been told by the Crime Prevention Center (CPC. The company that monitors City Hall Security) that camera system had experienced a power surge or lighting strike at some unknown time. A quote by CPC for a new system was provided to council. Councilmember Eckhardt suggested getting two (2) more bids from other companies to compare. A few names of possible contacts for those quotes were given to the City Secretary to contact. No other action was taken.

BEFCO Engineering

At this point in the meeting, Bradley Loehr of BEFCO Engineering introduced himself and spoke to council regarding the recent submission of an RFQ to provide “on demand” or “as needed” engineering services. He outlined his relationship to date with Burton as the engineer on three (3) grant programs Project Information Forms, as well as, being the engineer on the two (2) awarded grant programs: (1) Texas Department of Agriculture - replacement of water lines along S. Railroad, S. Main St. and S. Brazos St. Extension; (2) Texas General Land Office Mitigation Method of Distribution – Water Well #5.

Bradley gave council a synopsis of BEFCO Engineering and the plan to expand with adding engineers to their current four (4) engineer roster. He assured council that BEFCO has two (2) land surveyors on staff and that can be very advantageous to BEFCO’s clients. The firm handles most aspects of civil engineering and he gave a brief summary of the water, sewer and drainage projects that the firm has been involved with. He noted that the mayor had given him a list of projects that need to be completed within the city and, being familiar with Burton, added a few that had not been included in the list.

He stated that working with small municipality on an “as needed” basis is how BEFCO prefers to work. We are in an area that many small cities and established communities that have a reduced budget and BEFCO understands the limited funds available for infrastructure improvement.

Councilmember Eckhardt asked about the current GLO awarded project of Water Well #5 and the specifics of the well BEFCO intends to engineer and manage the installation of. Some discussion of that project then took place.

Mayor Buck thanked Bradley for attending and his interest in lengthening BEFCO’s relationship with the city.

The Meeting was adjourned at 6:30 pm.

FOR: Eckhardt, Kalkhake, McLaughlin, Tidwell

AGAINST: None



Mayor Karen Buck

ATTEST:



City Secretary Angela Harrington

Mayor's Report June 2024

The month of May's activities included...

+Visit and discussion with Council Member Paul McLaughlin who stopped by City Hall to ask questions regarding liability issues, alcohol, and the Laas-Weeren Park.

+Multiple phone calls over multiple days with representatives from the Friends and Neighbors Ballpark regarding a loose dog, its behavior toward people, and attempts to address the dog's presence with dog owners. Angela mailed animal ordinance information to the dog owners. Ballpark representatives were given instruction about how to handle these matters within the city limits. (NOTE: Most persons involved with the ballpark do not live in town and are not aware of how process works "in town".)

**Need to schedule a meeting with Friends & Neighbors leadership and City Council reps RE: Usage agreement between F&N and City; City Services; Any other "city-related" issues (like the dog); Copies of their rental policies; etc. At this point, we are waiting for the City's legal counsel to draft the document/agreement.

+Emailed contact with Health Point/BBM to follow up with conversation started back in Oct/Nov about the possibility of opening a clinic here in Burton. No reply or update.

+Meeting with Steph at Cotton Gin and Rachel regarding the meters assigned to the Texas Cotton Gin.

+As mentioned in the previous month's report, there was a water line break on S. Railroad on April 12 which appeared to be the result of work being done on that line. Homeowners are claiming damage to home. Homeowners were given the contractor's insurance information to file a claim.

**Still in process

+Documented the research on the "Fred" line in preparation for the application process with the Texas Water Development Board. This documentation included reading city council minutes from 2008 thru the present. (See attached document in this packet.)

Chambers, Mike Casaretto, Diane Mayne, Jeff Eckhardt (Council Member), and Tiffany Eckhardt (wife).

*Undated phone and email list in the Mayor's Desk of members of this EDC.

*MUST check with Jeff Eckhardt regarding any activity that this EDC might have done – filing paperwork with state, bank account opened, work accomplished, etc – BEFORE establishing a new EDC

*ASSUMPTION – The EDC was a Type A (based on its membership of citizens and non-citizens of Burton).

*ASSUMPTION – The EDC is defunct because can only be appointed to serve for 6 years. Expired July of 2023.

*Current City Council to receive the Texas Municipal League's Economic Development Handbook. Read chapters 1 & 2. Council to be educated about an EDC before assign/create the next one. EDC must follow Open Meeting Act and Public Information Act. EDC reports to City Council, minutes and financial records are oversight of the Council.

+Visited with William White with the Texas Rural Water Development Board on his stop through town. Shared with him the progress we have made in the last 8 months regarding water loss. He was shocked to hear our previous water loss numbers...and impressed with where we currently are.

+After last week's meeting, I drafted a list of engineer consult projects. These are included in this packet. If there are any other additions, please let me know.

Total volunteer hours for the month of May – 71.25

City of Burton
History of Downtown Water Main + Water Line
(aka Fred Line)

Sources: City Council Minutes + Boil Water Notices

March 12, 2008 – Item E – Water & Sewer Report – “...Also, there is a water break on FM 1697 that is being repaired.”

April 16, 2008 – Item E – Water & Sewer Report – “City Secretary gave David Lozano’s report...He reports that the water leak at the Young’s on FM 1697 to be best of his knowledge is a spring.”

(May 16, 2024 NOTE: Address location is at top of a hill.)

January 12, 2011 – Item E – Water & Sewer Report – “Water leaks at FM 1697...to be repaired.”

September 13, 2011 – Item E – Water & Sewer Report – “Three water leaks were repaired at N. Main Street near the school...”

October 12, 2011 – Item E – Water & Sewer Report – “Repaired water leak at corner of Main and Live Oak Street...Repaired water leak at Burton ISD and finished water tap that was damaged by contractor.”

December 14, 2011 – Item E – Water & Sewer Report – “Repaired water leaks at FM 1697...”

January 11, 2012 – Item E – Water & Sewer Report – “Repaired water leak on Live Oak Street.”

February 8, 2012 – Item E – Water & Sewer Report – “Repaired water leak on Main Street...”

February 13, 2013 – Item E – Water & Sewer Report – “Repaired water leak in alley across from Burton Café.”

August 14, 2013 – Item E – Water & Sewer Report – “Water leaks repaired on...and N. Main Street.”

September 18, 2013 – Item E – Water & Sewer Report – “Water leaks repaired on FM 1697 and N. Main Street.

May 19, 2014 – Item E – Water & Sewer Report – “The Young property on FM 1697 has water pooling in driveway. Dustin is checking on this situation.

June 16, 2014 – Action and Discussion – Item C – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property – A motion was made by Mayor Pro-Tem Brouillette and seconded by Councilmember Cockle to contact school of expenses to replace 6 inch water line and contact Burton Volunteer Fire Department on replacing fire hydrants on water line between W. Live Oak Street and We. Cedar Street to School Property. (The motion passed.)

August 11, 2014 – Item C – Mayor’s Report – “Mayor Felder reported on the 6 inch water line that needs replacing between Live Olk Street and the High School Gym fire hydrant. This line breaks several times during the school year. When the line breaks, water to the school is cut off. The school must close for the day if there is no water to the school. The cost to replaced the line is \$35,000 plus the cost of a permit form TxDot due to N. Main Street being a state highway. At this time we are considering alternatives that could reduce the cost and time frame for this project.”

Item E – Water & Sewer Report – “Water leak repaired on FM 1697.”

Action & Discussion – Item C – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

September 8, 2014 - Action & Discussion – Item C – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

October 13, 2014 - Action & Discussion – Item C – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

November 10, 2014 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

December 15, 2014 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

January 12, 2015 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

February 16, 2015 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

March 9, 2015 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

April 13, 2015 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

May 15, 2015 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

June 8, 2015 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

July 13, 2015 – Citizen Presentations – “Jeff and Tiffany Eckhardt requested an update on the street repair in front of their new business “Flown the Coop”. Also, informed council that there may be a water leak in the alley behind Market Realty.”

Action & Discussion – Item B – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to School Property. This item was tabled.”

August 10, 2015 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled.”

September 14, 2015 – Citizen Presentations – “Citizen Stanley Powell stated that a water leak is in the alley behind the mill at the Jimenez building meter...”

- Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled.”

October 12, 2015 – Item E – Water & Sewer Report – “The water leak in the alley behind Bridge Ministries of Burton Corner Shoppe has been repaired.”

- Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled at the request of City Attorney Michael Casaretto based on the intent to give Dustin Lozano time to prepare quote for water line replacement.”

November 9, 2015 - - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled.”

December 14, 2015 – Item E – Water & Sewer Report – “Repaired water leak at No. Main and W. Live Oak streets.”

- Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled.”

January 11, 2016 - - Action & Discussion – Item B – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled.”

February 8, 2016 – - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled.”

March 14, 2016 – Item E – Water & Sewer Report – “A water leak was repaired on N. Main Street.”

- Action & Discussion – Item B – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled waiting for a grant selection from Bluebonnet Electric Cooperative.”

April 11, 2016 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled waiting for grant selection from Bluebonnet Electric Cooperative.”

May 16, 2016 – City Secretary’s Report – “The City of Burton was not selected to receive a grant from Bluebonnet Electric Coop in this cycle for the waterline nor the street project.”

- Action & Discussion – Item D – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled due to not receiving the Bluebonnet grant. City Secretary Betsy Ziess will search for other grants that may apply.”

June 13, 2016 - - Action & Discussion – Item D – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled.”

July 11, 2016 - - Action & Discussion – Item D – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled.”

August 8, 2016 - - Action & Discussion – Item D – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled. Dr. Edna Kennedy of Burton ISD reported that a portion of this expense may be covered by the proposed school bond.”

September 12, 2016 – Item E - Water & Sewer Report – “Had waterline breaks on...Fm 1697...”

- Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled. The Burton ISD portion of this waterline project may be considered as part of the upcoming bond election.”

October 10, 2016 - Action & Discussion – Item A – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled. The Burton ISD portion of this waterline project may be considered as part of the upcoming bond election.”

November 14, 2016 - Action & Discussion – Item D – “Consideration and Action on Replacing Water Line Between W. Live Oak Street and W. Cedar Street to Fire Hydrant at High School Gym. This item was tabled and will be removed from next month’s agenda.”

***No specific line breaks/repairs are mentioned in water and sewer reports from here on. Are given/received/approved during “consent agenda”.

Boil Water Notices

August 8, 2023 – Power outage during the night; water pressure dropped below 20PSI. There was a water line break at 719 N. Main (Spies) earlier that day.

September 13, 2023 – Water line break at 1211 FM 1697

September 28, 2023 – Water line break at 1211 FM 1697

January 19, 2024 – Water line break behind Market Street Realty @ 710 N. Main

February 2, 2024 – Water line repair at Brandie Lane 12400 Brandie Lane. This was a 40 year old valve that broke and needed to be replaced.

Engineering Consult Work Projects

Water

+Map City of Burton water lines, noting age or dates of replacement of lines. Also include fire hydrants, flush lines, valves, etc.

NOTE: Complexity of lines and issues with TXDOT bore under 290 as well as how water lines/valves work in areas/streets in immediate areas on both sides of bridge.

NOTE: Main water line that runs from "Hair Depot" down the alleyway behind Market Street Realty, turns right and runs in front of 701 N. Main (Eckhardt) to the fire hydrant in front of the gym at the Junior High, crosses under Main Street to a "T" serving 3 houses on a dead-end line to the right and continues on to the left towards Short Stop; crosses under FM 390 at FM 1697; runs the right side of FM 1697 for about a mile before it splits to serve homes on FM 2780 as well as several more homes on FM 1697. (See second attachment for History of the Water Main + Line aka "Fred". This is the water line that I have been gathering information/research for to submit a PIF [Project Information Form] on to the Texas Water Development Board later this year as we seek to apply for funding through them.)

Sewer

+Map City of Burton sewer lines, noting age or dates of replacement of lines. Also include lift stations, noting age.

NOTE: Historically, documented problems on South Railroad, North Railroad (Bostian), and almost 1 mile stretch of FM 1697

+Assess Waste Water Treatment Plant and its ability to handle growth

+(NEW) Assess sewage/wastewater load on N. Railroad St and the impact of the growth of the school district and its usage on that line v. age of the line and line capacity. There is no lift station on N. Railroad even though it is a flat/linear surface from the school district to the WWTP. This line also seems to hold the

load coming from all housing on FM 1697 as well as some housing along Cedar to Main Street.

Drainage

+ Main/central plat of town as water drains around homes and into ditches (Ex. 12400 E. Live Oak – Dees; 702 N. Brazos – Hauerland; Field next to UCC parsonage on Trinity)

+Alleyway at 710 N. Main (Thibodeaux)

+N. Railroad Street @ Live Oak – 615 N. Railroad (Bostain)

+S. Railroad Street (???)

+Indian Creek

NOTE: Changes to drainage after Burton ISD water mitigation and impact on flooding behind 615 N. Railroad (Bostain) and as water flows to the TXDOT maintained area under Hwy 290

+Washington Ave/FM 390 @ Hwy 290 – drainage from areas on both side of that road and culvert drainage capacity as water enters TXDOT maintained area under Hwy 290

Development

+Assess feasibility of areas of town for development – single family, multi-family, subdivision, business growth, etc

NOTE: Includes whether area can access current city infrastructure; need to drill water well; sewage issues, etc.

+Review any plats for possible Subdivision Development

UTILITY REPORT- JUNE 11, 2024

1. New meter changeout list was sent over to Dustin to get some old meters swapped out.
2. I've had a few calls on low water pressure due to the new water lines being put in across the bridge. They've had to flush, take testing samples and other things have cause the low water pressure issue.
3. Talked to Hoffmann dozer about giving the city a heads up on when they will be doing work that could possibly lead to low water pressure, so we could let the residents know. I had a few comments from residents on giving them a heads up.
4. Turned off and locked 2 water meters per resident request
5. Submitting CCR report this week and will have it on the website to view soon- Dustin is getting me the info needed for the report.
6. Have had a couple commercial dumpster complaints- mostly about the locks and how they are handling the new lock process.

System Totals Report

City of Burton

Water Pumped This Month	1,098,100 Gallons
Water Sold This Month	919,730 Gallons
Water Used for Fire and Flushing Line	100,000 Gallons
Water Loss	78,370 Gallons
Water Loss (%)	7.00 %

Reprinted System Totals Report for 05-24

	Amount (\$)	# Of Accounts
Total Water	10,787.21	219
Total Sewage	7,439.50	193
Total GARBAGE	4,395.00	208
Total Adjustments	(125.00)	1
Total Current Charges	22,496.71	230
Amount Past Due 1-30 Days	3,189.12	37
Amount Past Due 31-60 Days	2,004.03	22
Amount Past Due Over 60 Days	4,124.95	15
Amount Of Overpayments/Prepayments	(1,941.28)	49
Total Receivables	29,873.53	236

Total Receipts On Account	20,655.83	187
Net Change in Deposits	0.00	0
Amount of All Deposits	28,527.95	221
Amount of All Deposit 2	100.00	2
Turned Off Accounts (Amount Owed)	937.61	43
Collection Accounts (Amount Owed)	613.01	20
Number Of Unread (Turned On) Meters		4
Average Usage For Active Meters	3,913	239
Average Water Charge For Active Meters	45.13	219

Usage Groups	Gallons	# Of Accounts	Usage Gallons	% Of Usage	% Of Sales
Over 50,000		2	182,500	19.84	0.00
40,001-50,000		0	0	0.00	0.00
30,001-40,000		3	108,400	11.79	4.26
20,001-30,000		1	29,600	3.22	1.22
10,001-20,000		7	100,600	10.94	4.65
8,001-10,000		6	56,000	6.09	3.74
6,001-8,000		13	88,240	9.59	7.18
4,001-6,000		21	98,710	10.73	10.21
2,001-4,000		58	169,380	18.42	25.41
1-2,000		95	86,300	9.38	36.69
Zero Usage		29	0	0.00	6.64
Total Meters		239	919,730	100.00	100.00

COPY

ORDINANCE NO. 9122001

CONSUMPTION OF ALCHOLIC BEVERAGES ON CITY PROPERTY OR CITY STREETS.

Section 1. Definitions.

For purposes of this ordinance the following terms shall have the meanings set forth below:

City: The City of Burton, Texas

Person: Any individual, firm, partnership, association, corporation, company or organization of any kind whatsoever.

Shall: The word "Shall" is always mandatory and not merely directory.

Alcoholic Beverage: An intoxicating liquor containing alcohol.

Intoxicated: (A) Not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of the two or more of those substances, or any other substance into the Body; or (B) having an alcohol concentration of 0.08 or more.

Section 2. Consumption of alcoholic beverages on City Property (Streets or Parks).

- (a.) A person commits an offense if the person knowingly consumes liquor or beer on the premises of City property.
- (b.) A person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger the person or another.
- (c.) A person commits an offense if the person knowingly consumes liquor or beer on the premises of a holder of an off-premises permit.
- (d.) A person commits an offense if the person possesses an open container or consumes an alcoholic beverage on a public street, public alley, or a public sidewalk within 1,000 feet of the property line of a facility that is a public or private school that provides all or any part of kindergarten through twelfth grade.

Section 3. Enforcement of Ordinance.

Any person, firm, or corporation in violation of this ordinance, or shall fail to comply therewith, shall be deemed guilty of a misdemeanor and shall be liable to a fine.

Section 4. Exemption for Festivals.

Drinking will only be allowed on festival grounds during festival times and under festival jurisdiction of the festival. Festival security will be responsible for enforcing this.

Section 5. Penalty

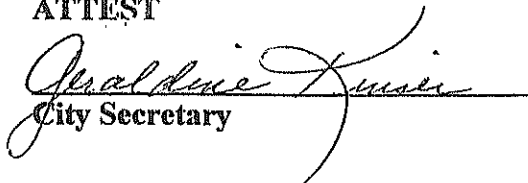
Upon conviction of any such violation shall be fined in the sum of not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00).

APPROVED: Passed September 12, 2001



Mayor

ATTEST



City Secretary