

THE CITY OF EASTLAND
CITY COMMISSION REGULAR MEETING

September 21, 2020

EASTLAND, TEXAS §

EASTLAND, COUNTY §

The City Commission of the City of Eastland, Texas, met in Open Session at Eastland City Hall as scheduled, and notice was posted 72 hours in advance and prior to the meeting.

CITY COMMISSIONERS PRESENT:

Chairman	Larry Vernon
Commissioner	Ben McNabb
Commissioner	Cecil Funderburgh
Commissioner	Zac Darr
Commissioner	Richard Rossander

PERSONNEL PRESENT:

City Manager	Ron Duncan
City Secretary	Roma Holley
Chief of Police	David Hullum
Finance Director	Leslie Zander
Planning & Zoning Director	Tony Stubblefield

Guests: Julie Elrod, H. V. O'Brien, James Burger, Mindy Burger, Laura Hobbs

I. MEETING CALLED TO ORDER

Chairman Larry Vernon called the meeting to order at 6:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Cecil Funderburgh offered the invocation and Chairman Larry Vernon led the Pledge of Allegiance.

III. PUBLIC COMMENT ON ANY SUBJECT NOT LISTED ON THIS AGENDA (Limited to Five Minutes Per Speaker)

There were no comments from the public.

IV. APPROVE MINUTES OF THE August 17th, 2020 & August 26th, and September 2nd, 2020 MEETINGS

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to approve the Minutes of the August 17th, 2020 Meeting. Motion prevailed by the following vote:

Ayes:	Commissioners Darr, Funderburgh, McNabb, Rossander
Nays:	None
Absent:	None

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr, to approve the Minutes of the August 26th, 2020 Meeting. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb,
 Nays: None
 Absent: None
 Abstain: Rossander

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander, to approve the Minutes of the September 2nd, 2020 Meeting. Motion prevailed by the following vote:

Ayes: Commissioners Funderburgh, Rossander, Vernon
 Nays: None
 Absent: None
 Abstain: Darr, McNabb

V. FINANCIAL REPORT

City Manager Ron Duncan stated that the collected sales tax is continuing to increase although it has slowed down. We are ahead for the year by almost \$100,000. This is the best year that Eastland has ever experienced for sales tax revenue.

No action at this time.

VI. THE BOARD OF CITY COMMISSIONERS MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING AGENDA ITEMS:

1. Discussion and Consideration of approval for the Eastland Chamber of Commerce to conduct *Rip's Mini Market* in October

Chamber of Commerce Director Laura Hobbs spoke about the fact that RipFest was cancelled because of the COVID-19 pandemic. The safety of our citizens and guests is our primary concern and we did not feel that this would be the best time to have it.

In lieu of RipFest we would like to have a series of "mini-markets" on the second Saturday of October, November and December. No more than 35 vendors spaces will be sold and they will be spaced out along Commerce and Lamar. The event will occur between 9 a.m. and 2 p.m. There is also the possibility of having live music on the courthouse steps. The goal is to promote Eastland and bring people in.

Commissioner Zac Darr made a motion, seconded by Commissioner Richard Rossander to approve the request by the Eastland Chamber of Commerce to conduct the mini-markets on October 10th, November 14th and December 12th. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
 Nays: None
 Absent: None

2. Discussion and Consideration of Recommendation to Approve the Amendment of the Zoning Map for the property identified as Part of Lot 4, and all of Lots 5-6, Block 10, of the Calhoun Addition, aka 400 North College Avenue so as to rezone property currently zoned "MH" (Manufactured Home Residential District) and to permit the hereinafter all of the described property to be zoned as "LI" (Light Industrial District).

Planning and Zoning Director Tony Stubblefield addressed the commission and stated that the Burger’s had contacted our department in March 2020, at approximately the same time as the Pandemic began here. They were beginning to put their food trailer business into motion. The original recommendation was to park the trailer on the north side of the property which abutted the driveway to Atmos. However, the Burger’s decided that, logistically, it was better to park it on the south side of their home. Due to the Pandemic, we are just now beginning to work on the zoning issue. It was at this time that Director Stubblefield advised the Burger’s that they would need to make an application to rezone their property

The property abuts a “Light Industrial District” property which is Atmos Energy. This eliminates the issue of “spot” zoning.

Letters were sent to the four (4) property owners within 200 feet of this property and there was no response either for or against. The notice was placed in the Newspaper and on the front window of City Hall and no response was received.

Director Stubblefield stated that the Planning and Zoning Board recommends changing the Zoning to allow for this use.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander to accept the recommendation to rezone this property to Light Industrial. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

3. Discussion and Consideration of Reappointment of Members to the Planning & Zoning Board

Director Stubblefield advised that the partial term of Penny Cate is expiring and that she is now eligible for reappointment for her first full term.

He also advised that the first full term of James Doyle is expiring and he is eligible for a second full term.

Commissioner Richard Rossander made a motion, seconded by Commissioner Cecil Funderburgh, to reappoint Penny Cate and James Doyle to the Planning and Zoning Board. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

4. Discussion and Consideration of Appointment and Reappointment of Members to the Historical Preservation Board

Chairman Vernon stated the Historical Preservation Board recommends reappointing Kelly Skinner to Place 2 and Julie Elrod to Place 5. They also recommend appointing Jeanie Griffin to Place 3.

Commissioner Zac Darr made a motion, seconded by Commissioner Ben McNabb to accept the recommendations of Kelly Skinner, Julie Elrod and Jeanie Griffin to serve on

the Historic Preservation Board. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
 Nays: None
 Absent: None

5. Discussion and Consideration of Approval of Grant Applications for 2021 Historical Preservation Grant.

City Manager Ron Duncan addressed the Commission and stated the *Eastland Historic Hotel* applied for a grant to help with a safety and structural issue. The mortar parapet is deteriorating and beginning to fall onto the sidewalk and this is a very serious hazard. Two bids were received to complete the work but one was not a complete repair.

It is the recommendation of the Eastland Historic Board to award 100% of the request, which is \$9,270.

Skinner Medical Billing and Consulting, LLC is asking for a grant of 50% of the replacement cost to replace the roof and side shingles. The roof is leaking and the insurance will pay a portion however the insurance deemed the shingles on the side to be cosmetic and will not pay to replace them. The Skinner's want to replace the shingles with Standing Seam Metal.

It is the recommendation of the Eastland Historic Board to award the grant request, which is \$24,302.13

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr to accept the recommendations of the Eastland Historic Board regarding the Award of the Eastland Historic Preservation Grants to John Bird, of the Eastland Historic Hotel, and Kelly Skinner, of Skinner Medical Billing and Consultation, LLC. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
 Nays: None
 Absent: None

6. Discussion and Consideration of the second reading of Ordinance 20-861 *An Ordinance approving the annual budget for the fiscal year beginning October 1, 2020, as submitted by the City Manager of the City of Eastland.*

Commissioner Richard Rossander made a motion, seconded by Commissioner Zac Darr to approve Ordinance 20-861. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
 Nays: None
 Absent: None

7. Discussion and Consideration of the first reading of Ordinance 20-862 *An Ordinance Setting the Tax Rate on All Taxable Property in the City of Eastland for the Year 2020, and for Expenses for the Fiscal Year Ending September 30, 2021*

The tax rate is set for .60700 per \$100 valuation.

Commissioner Zac Darr made a motion, seconded by Commissioner Cecil Funderburgh to approve the first reading of 20-862. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

8. Discussion and Consideration of Ordinance 20-863 ***AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EASTLAND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION***

City Manager Ron Duncan explained that the Steering Committee negotiated a rate increase that saves the customer almost 40% per month per customer compared to the prices that cities (customers) who are not in the Atmos Steering Committee will pay.

Commissioner Richard Rossander made a motion, seconded by Commissioner Zac Darr to approve ordinance 20-863. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

9. Discussion and Consideration of the first reading of Ordinance 20-864 ***AN ORDINANCE BY THE CITY COMMISSION OF EASTLAND, TEXAS, ADJUSTING AND AMENDING THE CITY’S FISCAL YEAR 2019/2020 BUDGET***

City Manager Ron Duncan explained that this is moving items within the budget in order to keep it balanced.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr to approve Ordinance 20-864. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

10. Discussion and Consideration to Approve a Cooperative Ambulance Service Contract.

City Manager Ron Duncan stated that we are contracting to pay the same amount as last year which is \$65,000. This is the same amount that Cisco pays.

Commissioner Zac Darr made a motion, seconded by Commissioner Cecil Funderburgh to approve the Eastland County Cooperative Dispatch Interlocal Agreement. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

11. Discussion and Consideration of Resolution 2020-09 of GLO-CDBG-MIT Project.

A RESOLUTION OF THE CITY COMMISSION OF EASTLAND, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT - MITIGATION PROJECT APPLICATION TO THE GENERAL LAND OFFICE; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY PARTICIPATION IN THE COMMUNITY DEVELOPMENT & REVITALIZATION PROGRAM.

City Manager Ron Duncan advised the Commission that this a program through the Government Land Office and the Texas Community Development Block Grant-Mitigation. If approved for this grant, we will qualify for a 1% match on funds used for Flood Mitigation. This Resolution is authorizing us to submit the application.

Commissioner Zac Darr made a motion, seconded by Commissioner Richard Rossander to approve Resolution 2020-09. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

12. Discussion and Consideration of Citizens Participation Packet for the City of Eastland.

City Manager Ron Duncan stated that Citizens Participation Packet is required any time Federal funds are used in a grant. This plan assures that citizens have opportunities for input into any projects funded by the Federal Government.

Commissioner Zac Darr made a motion, seconded by Commissioner Ben McNabb to approve the Citizens Participation Packet. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

13. Discussion and Consideration of Financial Policy for the City of Eastland.

City Manager Ron Duncan advised the Commissioners that this Financial Policy is another requirement of the Federal Government in order to have access to their funds. He said that himself and Finance Director Leslie Zander pored over this policy and pieced it together and this is exactly how the City of Eastland operates financially. This a great asset to have it all in writing.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr to approve this Financial Policy. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

14. Discussion and Consideration of Procurement Policy for the City of Eastland.

City Manager Ron Duncan advised the Commissioners that this Procurement Policy is another requirement of the Federal Government in order to have access to their funds.

Commissioner Richard Rossander made a motion, seconded by Commissioner Cecil Funderburgh to approve this Procurement Policy. Motion prevailed by the following vote:

- Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
- Nays: None
- Absent: None

15. Discussion and Consideration to approve Resolution 2020-10:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EASTLAND, TEXAS, SUPPORTING THE PASSAGE OF LEGISLATION DURING THE 87TH REGULAR SESSION OF THE TEXAS LEGISLATURE (2021), TO ALLOW FOR THE EXPENDITURE OF MUNICIPAL HOTEL OCCUPANCY TAX REVENUE BY THE CITY FOR CONSTRUCTION OF IMPROVEMENTS IN MUNICIPAL PARKS.

Ron Duncan informed the Commissioners that is Resolution is the result of an initiative brought to the Texas Legislature by the City of Fredericksburg. If passed, it would allow the tax revenue that is generated by Hotels and Motels, to be used for improvements in Municipal parks. This is a resolution of support only.

Commissioner Zac Darr made a motion, seconded by Commissioner Richard Rossander to approve Resolution 2020-10. Motion prevailed by the following vote:

- Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
- Nays: None
- Absent: None

16. Discussion and Consideration to approve Resolution 2020-11:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EASTLAND, TEXAS, THE UPDATE OF THE RECOMMENDED MITIGATION ACTIONS BE INCLUDED IN THE YEAR 2019 EASTLAND COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION ACTION PLAN, AND EXECUTE THE ADDITIONAL ACTIONS IN THE PLAN

The Hazard Mitigation Plan that was approved in 2019 did not include the potential measures to be taken using the CDBG-MIT project. This just adds to the existing plan.

Commissioner Richard Rossander made a motion, seconded by Commissioner Cecil Funderburgh to approve Resolution 2020-11. Motion prevailed by the following vote:

- Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
- Nays: None
- Absent: None

17. Discussion and Consideration of Purchase of Vacuum Excavator.

This purchase has been included in the budget recommendations. The Ditch-Witch model is a good fit for our city.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander to approve the purchase of the Vacuum Excavator as recommended by the City Manager. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

18. Discussion and Consideration of Purchase of Used Semi-Truck Tractor with Fifth-wheel Hitch.

City Manager Ron Duncan stated that this is another purchase that has been approved in the budget. We have looked at a couple of different trucks and found this to be the best option. He reviewed the specifics of the 2012 MAC Semi-Tractor that will be used to haul sludge from the Waste Water Treatment Plant to the landfill. The final cost will be \$34,385.10.

Commissioner Richard Rossander made a motion, seconded by Commissioner Zac Darr to approve the purchase of the 2012 MAC Semi-Tractor. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

19. Discussion and Consideration of Purchase of Kool Breeze Trailer.

This Kool Breeze Trailer is for the Fire Department and has been discussed in prior meetings. The research shows that it will be very beneficial for multiple uses.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander to purchase the Kool Breeze Trailer. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander
Nays: None
Absent: None

20. Discussion and Consideration of Lease/Purchase Agreement with Government Capital and Resolution 2020-12: ***A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING "VEHICLES AND EQUIPMENT"***.

City Manager Ron Duncan reviewed the contract with the Commissioners. This is the contract for financing the Vehicles and Equipment in the prior three items.

Commissioner Richard Rossander made a motion, seconded by Commissioner Zac Darr to approve Resolution 2020-12. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander

Nays: None

Absent: None

21. Discussion and Consideration of Contract for Jail Confinement Services by and between Stephens County, Texas and City of Eastland, Texas.

City Manager Ron Duncan and Police Chief David Hullum discussed with the commission the current issue of the Eastland County Jail not accepting people who have Class 'C' warrants. Some of the reasoning is the COVID-19 Pandemic. However, the Sheriff of Stephens County has agreed to house our Class 'C' warrant holders for \$40 per day. This contract specifies conditions and details.

Commissioner Zac Darr made a motion, seconded by Commissioner Richard Rossander to approve the Contract for Jail Confinement Services by and between Stephens County, Texas and City of Eastland, Texas. Motion prevailed by the following vote:

Ayes: Commissioners Darr, Funderburgh, McNabb, Rossander

Nays: None

Absent: None

VII. City Manager's Briefing

TXDOT Exit 343 Ramp and Signal Light Projects

I recently discussed safety concerns about the West bound off ramp at Exit 343 with Jordon Perry, our new Area Engineer. I sent him a copy of a letter we sent to the District Engineer asking to have the Ramp moved to Mile Marker 345 to improve safety. Jordan told me no one at District remembered the letter. However, the District Engineer agrees with us about the Ramp and they will attempt to get this project funded with the new signal light at Exit 343 and the frontage road. He did warn me including the Ramp with the Street light as one project may delay placement of the street light. I also asked them to consider repositioning the Westbound on ramp another 400-500 feet to the West. I will keep you informed as this issue develops.

GLO-CDBG-MIT Project Planning

Regarding our GLO-CDBG-MIT Application, if approved, this project will be between \$3,000,000-\$10,000,000 with only a 1% local match. Regarding the TWDB Flood Information Fund, the General Land Office Preliminary Funding Letter lists Eastland at No. 9 in the state for project funding. This will be a 10% match.

Eastland Municipal Airport Update: There will be a preliminary planning meeting on September 24, 2020. After this meeting, we will be moving forward with Requests for Qualifications for an engineer to complete this project.

The Wastewater Treatment Plant: is almost complete. We plan to turn on major components of the new plant in mid-October and be fully operational by the first part of November.

Good News: The Eastland County Water Supply Board met and will not be increasing their water rates, which means that our rates will stay the same.

VIII. Code Enforcement Report

Planning and Zoning Director Tony Stubblefield reported the Code Compliance Report for August. There were 21 open cases at the beginning of the month, 24 new cases were opened and 22 cases were closed which ended the month with 23 cases open. One citation was issued for Junk Vehicle. One property was reported for back taxes. Also, one annual notice was issued.

Director Stubblefield also gave an update on the Planning Department

Update of current construction in Eastland

Maverick Townhomes –Progressing very quickly.

IX. Police Report

Chief Hullum noted that August was another busy month with 209 calls for service. The number of citations and warnings are also increasing. He spoke about a traffic problem area that they have been focusing on, trying to gain compliance of both the speed limit and a stop sign.

Chief Hullum mentioned that they participated in a mini birthday parade in front of Byran’s Auto for a young autistic boy. It was a great opportunity to develop good community relations.

X. Adjournment

Commissioner Richard Rossander made a motion, seconded by Commissioner Cecil Funderburgh, to adjourn at 7:47 p.m. Motion passed unanimously.

APPROVED

Larry Vernon, Chairman
Board of City Commissioners

ATTEST

Roma Holley, City Secretary