

THE CITY OF EASTLAND
CITY COMMISSION REGULAR MEETING

June 17, 2019

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

CITY COMMISSIONERS ABSENT:

Commissioner	Richard Rossander
Commissioner	Zac Darr

PERSONNEL PRESENT:

City Manager	Ron Duncan
City Secretary	Roma Holley
Chief of Police	David Hullum
Director of Finance	Leslie Zander
Director of Public Works	Bobby Jacoby
Director of Planning	Tony Stubblefield
Code Enforcement	Terry Simmons
City Attorney	Eileen Hayman

Guests: Julie Elrod, H.V, O'Brien, Bode Zietz, Rhonda Howie, Tom Bailey

I. MEETING CALLED TO ORDER

Chairman Larry Vernon called the meeting to order at 6:06 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

City Manager Ron Duncan offered the invocation and Commissioner Ben McNabb 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 May 20th, 2019 MEETINGS.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to approve the Minutes of the May 20th, 2019 Meetings. Motion prevailed by the following vote:

Ayes:	Commissioners McNabb, Funderburgh, Vernon
Nays:	None
Absent:	None

V. FINANCIAL REPORT

City Manager Ron Duncan stated that the sales tax is on a wonderful upward trend. He stated that we are well ahead of the previous year. He noted that the Budget summary shows that we are still on positive ground. Mayor Vernon also mentioned that that we are still 2.03% ahead of the best year that we've ever had on our sales tax.

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 Rhonda Howie to present the Fiscal Year 2020 contract request for the Eastland County Crisis Center, Inc

Rhonda Howie, Director of the Eastland County Crisis Center and the Children's Advocacy Center, passed out a flyer that contained a logo "Courtney Courage" that was created by a local student. This logo will be on all literature and communications in regard to the Children's Advocacy Center.

One of the things that is flourishing this year is their education program. They have been on every school campus in Eastland County including Ranger College and Cisco College. Their goal is to decrease the instances of Abuse and Trauma.

The center will be celebrating their 25th year in operation in October. Mrs. Howie expressed her gratitude for all of the entities that contribute to making the center a success.

Mrs. Howie stated that the funds that the City of Eastland gives them are used directly for Victim Services. The funds are used for emergency needs such as food, shelter and clothing, as well as transportation to other shelters or family member's homes. These funds also assist in training with the members of Law Enforcement and Child Protective Services.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to approve the request for funds for the Eastland County Crisis Center and Child Advocacy Center. Motion prevailed by the following vote:

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

2. Discussion and Consideration EEDI mid-year briefing by Executive Director Tom Bailey

Eastland Economic Development Corporation Executive Director Tom Bailey addressed the commission. He stated the Budget sheet through the end of May is included in the Commissioners packets. He stated there is actually an increase in liabilities because of the property purchased on Interstate 20. He stated according to the Comptroller's website, our sales tax for the calendar year is up 9.11% from last year, which is very exciting.

Mr. Bailey showed a video which was put together by a real estate firm to market the industrial park. The video advertises Eastland as a great place to bring industry and business as well as to live and go to school. Mr. Bailey purchased the rights to use the video on the EEDI Website and the Chamber of Commerce website and anything else which will help promote Eastland.

Mr. Bailey also spoke about all of the projects happening in the City. This includes the Morgan property on North Seaman. He showed progressive photos of the entire building including inside with the tenants currently renting space.

Mr. Bailey then talked about the business park on east I-20. He showed the artists rendition of the new Blake Fulenwider dealership. He also had photos of the construction site.

Mr. Bailey said progress is being made at the Red Star Truck Stop. He also discussed the progress on the Rural Health Clinic project.

Mr. Bailey also spoke about the Ranger College Eastland Campus, formerly known as the Victor Cornelius Building. He stated that Central Texas Opportunities has moved into the corner office. The Texas Workforce Commission will occupy another office along the front of the building. Ted Mathews from the Eastland Memorial Hospital has been talking with representatives from Ranger College about bringing in LVN programs and other technology education programs. Mr. Bailey

stated that the EEDI has invested \$30,000 for new restrooms in the building and look forward to lots of good things to come.

Mr. Bailey then spoke briefly about the progress on the addition of the Trinity Health Care Nursing Home to the Woodlands. The EEDI along with the Eastland Industrial Foundation will be responsible for paving University Drive which is the street which will lead to the Nursing Home. The reason EEDI can help fund this is because it is considered targeted infrastructure which leads to jobs.

Mr. Bailey then spoke about all of the jobs being created as a result of the progress being made on all of these projects.

Mayor Vernon thanked Mr. Bailey for his hard work.

No Action Necessary

3. Discussion and Consideration award of agreement for RESOLUTION 2019-12 for the City of Eastland approval of Eastland County Multi-jurisdictional Hazard Mitigation Action Plan

**RESOLUTION 2019-12
for the City of Eastland
Approval of Eastland County
Multi-Jurisdictional Hazard Mitigation Action Plan**

WHEREAS, natural hazards in Eastland County and the City of Eastland, Texas, historically have caused disasters with losses of life and property and natural resources damage; and

WHEREAS, the Federal Disaster Mitigation Act of 2000 and Federal Emergency Management Agency (FEMA) require communities to adopt a hazard mitigation action plan to be eligible for the full range of pre-disaster and post disaster federal funding for mitigation purposes; and

WHEREAS, FEMA requires the communities update Hazard Mitigation Action Plan every five years in order to be eligible for the full range of pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, the City of Eastland has assessed the community's potential risks and hazards and is committed to planning for a sustainable community and reducing the long-term consequences of natural and man-caused hazards; and

WHEREAS, the Eastland County Multi-jurisdictional Hazard Mitigation Action Plan outlines a mitigation vision, goals and objectives; assesses risk from a range of hazards; and identifies risk reduction strategies and actions for hazards the threaten the community.

NOW THEREFORE BE IT RESOLVED THAT:

1. *The Eastland County Multi-jurisdictional Hazard Mitigation Action Plan is approved in its entirety;*
2. *The City of Eastland will pursue available funding opportunities for implementation of the proposals designated therein, and will, upon receipt of such funding or other necessary resources, seek to implement the actions contained in the mitigation strategies;*
3. *The City of Eastland vests with the County Judge the responsibility, authority and means to inform all parties of this action; assure that the Hazard Mitigation Plan will be reviewed at least annually; and that any needed adjustments will be presented to the County Commissioners for consideration; and*
4. *The City of Eastland agrees to take such other action as may be reasonably necessary to carry out the objectives of the Plan and report on progress as required by FEMA and the Texas Division of Emergency Management (TDEM).*

City Manager Ron Duncan explained that this is the same plan that was approved in March. This is the Final Approval

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to approve this Eastland County Multi-jurisdictional Hazard Mitigation Action Plan. Motion prevailed by the following vote:

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

4. Discussion and Consideration of the Budget Calendar

City Manager Ron Duncan explained that next month, July, begins the budget process. Due to family obligations he will not be available to attend next month's regular Commission meeting on July 15th. Director of Finance Leslie Zander will fill in for him in regard to the preliminary budget workshop. Mr. Duncan then explained to the new Commissioners the budget process and the purpose of the meetings.

No Action Necessary

5. Discussion and Consideration of the second reading of Ordinance No. 19-845 AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS REPEALING AND REPLACING AN ORDINANCE OF 9-19-77 AND AN ORDINANCE OF 2-28-78; REVISING ARTICLE II, JOINT AIRPORT ZONING BOARD, AND ARTICLE III, AIRPORT ZONING, OF CHAPTER 19, ZONING, OF THE EASTLAND CODE OF ORDINANCES; REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF THE EASTLAND MUNICIPAL AIRPORT BY CREATING APPROPRIATE ZONES AND ESTABLISHING BOUNDARIES THEREOF; PROVIDING FOR RESTRICTIONS OF SUCH ZONES AND THE ENFORCEMENT OF SUCH RESTRICTIONS; PROVIDING DEFINITIONS; ADOPTING AN AIRPORT HAZARD ZONING MAP; PROVIDING FOR A BOARD OF ADJUSTMENT; AND IMPOSING PENALTIES.

City Manager Ron Duncan explained that this is replacing the Airport Zoning Ordinance which has been on the books since 1977. Since that time the boundaries have significantly changed and this updates the ordinance.

Commissioner Ben McNabb made a motion, seconded by Commissioner Cecil Funderburgh, to approve this Ordinance No. 19-845. Motion prevailed by the following vote:

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

6. Discussion and Consideration of Appointment of City Representatives to the Eastland Municipal Airport Joint Zoning Board

City Manager Ron Duncan provided information about this item. He stated that two individuals volunteered for these positions, Jody Finley and Mike Batteas. They both have a vested interest in the airport because both of them have aircraft based there. They are also both businessmen and can provide good insight and direction. Bode Zietz provided information that there are presently 27 aircraft stored in the airport. Mr. Zietz stated there is a growing interest in our airport from all over the country. He also told the commission that about a month ago the military landed 8 Apache

gunships and 2 Chinook helicopters there for refueling. This was a great opportunity to showcase our airport.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to approve the appointment of Jody Finley and Mike Batteas to the Eastland Municipal Airport Joint Zoning Board. Motion prevailed by the following vote:

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

7. Discussion and Consideration of the first reading of Ordinance No. 19-849 AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS AMENDING ORDINANCE NO. 18-844, ZONING ORDINANCE OF THE CITY OF EASTLAND; ESTABLISHING A DEFINITION OF AND PROVIDING REGULATIONS FOR ELECTRONIC MESSAGE SIGNS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

Director of Planning and Zoning Tony Stubblefield addressed the concerns that were voiced at the May meeting:

- Issue already regulated by TxDOT
- Animation regulation
- Brightness regulation
- Maximum/minimum display times
- Size of sign

Mr. Stubblefield spoke with Mrs. Twyla Hardin with the TxDOT Sign Regulations and Enforcement. She was able to clarify that TxDOT does not have any control over signs within a municipality.

Mr. Stubblefield then talked about the issue of the regulation of the Animation. After a thorough investigation of other cities ordinances regulating these electronic signs and their animation, it was decided to revise the wording to: Ordinance 19-849 Such signs shall not have any images that resemble traffic signs or signals that may confuse the public. These signs shall also have no lights that resemble or can be confused for lights similar to those found on emergency vehicles, nor have lighting or varying intensity of lighting which can be a hazard to health and safety.

Commissioner Funderburgh spoke and thanked City Manager Duncan and his staff for addressing his concerns and making the necessary changes. He said that upon further deliberation, the other issues, brightness, display times and the size of the signs, appear to be ok and require no further discussion.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to approve first reading of Ordinance No. 19-849. Motion prevailed by the following vote:

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

8. Discussion and consideration of the First Reading of Ordinance 19-850 ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION CONTRACT NO. 3 WITH EASTLAND COUNTY WATER SUPPLY DISTRICT, APPROVING ISSUANCE OF BONDS BY EASTLAND COUNTY WATER SUPPLY DISTRICT, AND RESOLVING OTHER MATTERS RELATED THERETO

City Manager Ron Duncan offered the explanation of this ordinance. He stated that this is an addition to the existing water contract that is based on the 2019 Revenue Bond that the Eastland County Water Supply District received through the Texas Water Development Board. The debt service does not appear until 2021. This ordinance is required because it is part of the bond agreement. The third modification is required to approve the issuance of the bonds to fund the cost of the improvements project.

Commissioner Ben McNabb made a motion, seconded by Commissioner Cecil Funderburgh, to approve this first reading of Ordinance No. 19-850. Motion prevailed by the following vote:

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

9. Discussion and Consideration of the First reading of Ordinance No. 19-851 Amending Ordinance No. 692, Nuisances, of the City of Eastland Revising Article IV Junked Motor Vehicle

Chief David Hullum began the discussion and there were several questions from the board, regarding specific details of the ordinance. Chairman Vernon asked the staff to review and revise verbiage regarding abatement in the proposed ordinance. Chairman Vernon tabled the motion for now.

No action was taken.

VII. City Manager's Briefing

2019 Streets: No major changes made

Annual Budget: has been discussed. I issued the draft budget to our department heads for review and Capital requests are due to me by June 21. Leslie has done a great job putting together the draft budget. However, we will have a lot of issues to discuss in our budget Workshops

Drainage issues: We are in the process of working with TxDOT to identify and repair many of the drainage problems of our storm drains. TxDOT has pursued a contract to get a company to repair all of the storm drains that are located on the state highways.

Rural Health Clinic: Bids for construction were opened on June 4, 2019 and are being considered. Once Langford Community Management Services and EMH decide how to proceed we will present the recommendation to the City Commission.

Construction of the Airport Game Fence: This project is complete.

The Wastewater Treatment Plant: The groundbreaking was today and we are moving forward.

VIII: Code Enforcement Report

Code Enforcement Officer Terry Simmons presented the Code Compliance Department May Report. He reported there were 33 open cases at the beginning of the month, 58 new cases were opened and 38 cases were closed which ended the month with 53 cases open. He also issued three citations and recorded three properties for back taxes. Also, 9 annual notices were issued. Fines that were assessed were \$1352 and fines that were paid were \$152. Also, \$598 in fines were dismissed once properties were brought in to compliance. One lien of \$372.63 was filed against a property for mowing and cleaning it up.

IX. Police Report

Chief Hullum noted that May was another busy month with 179 calls for service with 63 reports being written. This is worth mentioning because the department is without two officers. One officer left to seek other employment and another officer is taking leave due to his wife having twins. Two officers, Nichols and Moran, completed a 40-hour class for MHMR which allows them to complete an emergency detention order without the need for a magistrate.

Chief Hullum stated at the beginning of May the EPD assisted the Texas Department of Public Safety Troopers with a search warrant that netted 97 grams of methamphetamine. A transition has been made from the Taser to Pepper Guns which are less expensive as well as less lethal. He explained the advantages of the Pepper Gun versus the Taser. Also, the shotguns are now loaded with “sock” rounds instead of buckshot or slugs. Less lethal shotgun training was also provided by Hurst Police Department Officers.

X. Executive Session in Accordance with Texas Government Code §551.074, Personnel Matters

§551.074 Request for Exception to Policy – Nepotism

§551.074 Deliberations Concerning City Manager Annual Evaluation

The Board of City Commissioners convened in Executive Session at 7:49 p.m.

XI. Reconvene in Open Session and Take any Needed Action on Subject of Executive Session

The Board of City Commissioners reconvened in Open Session at 8:43 p.m. Chairman Larry Vernon asked for any action to be taken from the Executive Session.

Commissioner Funderburgh made a motion seconded by Commissioner McNabb, to grant the variance regarding nepotism between the MHMR Officer Josh Nichols and the Administrative Assistant Temi Nichols. Motion prevailed by the following vote:

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

Commissioner Funderburgh made a motion seconded by Commissioner McNabb, to award 15% of annual salary to City Manager after his annual evaluation. Motion prevailed by the following vote:

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

XII. ADJOURNMENT

Chairman Larry Vernon made a motion, seconded by Commissioner Ben McNabb, to adjourn at 8:45 p.m. Motion passed unanimously.

APPROVED

Larry Vernon, Chairman
Board of City Commissioners

ATTEST

Roma Holley, City Secretary