

THE CITY OF EASTLAND  
CITY COMMISSION REGULAR MEETING

November 18, 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 prior to the meeting.

CITY COMMISSIONERS PRESENT:

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

CITY COMMISSIONER ABSENT:

Commissioner	Richard Rossander
--------------	-------------------

PERSONNEL PRESENT:

City Manager	Ron Duncan
City Secretary	Roma Holley
Finance Director	Leslie Zander
Director of Planning	Tony Stubblefield
Code Enforcement	Terry Simmons
Chief of Police	David Hulum

Guests: Tom Bailey, H.V. O'Brien, Misty Hill, Misti Hauger, Homer Spaulding, Justin McWilliams

I. MEETING CALLED TO ORDER

Chairman Larry Vernon called the meeting to order at 6:01 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 October 21<sup>st</sup> and October 29<sup>th</sup>, 2019  
Meetings.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr to Approve Minutes of the October 21<sup>st</sup> and October 29<sup>th</sup>, 2019 Meetings.

Motion prevailed by the following vote:

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

V. Financial Report

The sales tax is just ahead of the previous year. Finance Director Zander explained the reason there are some negative numbers on the report. They are accruals that were approved in October but were not paid until November

VI. Presentation by Misty Hill regarding US Census 2020

Misty Hill introduced herself as the U. S. Census 2020 Partnership Specialist for Eastland County. She also introduced Misti Hauger another Specialist from Abilene. Ms. Hill stated that the Census will take place on April 1, 2020 and they are here to ask for the City’s support via Resolution. She explained the reasoning for the census and for the means by which it will take place. All of the census information is confidential and is accumulation of Data only.

Mayor Vernon thanked Ms. Hill and proceeded to take action on the Resolution **2019-16** for Census

**RESOLUTION NO. 2019-16 OF EASTLAND, TEXAS SUPPORTING THE U.S. CENSUS BUREAU 2020**  
*WHEREAS, the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American Democracy.*  
*WHEREAS, City of Eastland is committed to ensuring every resident is counted; and*  
*WHEREAS, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing and;*  
*WHEREAS, census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county and city councils and voting districts and;*  
*WHEREAS, information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment.*  
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF EASTLAND COMMISSION THAT:**  
*Section 1. The City of Eastland Commission supports the goals and ideas of the 2020 Census and will disseminate 2020 Census Information.*  
*Section 2. Encourage all city residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation.*  
*Section 3. Encourage Census advocates to speak to city and community organizations.*  
*Section 4. Support Census takers as they help our city complete an accurate count.*  
*Section 5. Strive to achieve a complete and accurate count of all persons within our borders*

**RESOLVED THIS 18<sup>th</sup> DAY OF NOVEMBER, 2019**

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb to Approve Resolution **2019-16** in support of the 2020 U.S. Census.

Motion prevailed by the following vote:

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

VII. Public Hearing to hear P&Z Case #19-003:

Open: 6:13 p.m.

Applicant Tom Bailey is requesting a Specific Use Permit to construct and operate an RV – Recreational Vehicle Park at Parcel ID # 9391, being NW /4 2 PT TR 3, BLK 6 ET RR Pogue Industrial Park, which is zoned A/O – Agricultural / Open Space District

Tom Bailey gave a brief summary regarding this request. He stated that he is excited about this opportunity to help provide a place for RV’s to park either temporarily or permanently. There will be 60 spaces, so if each space were occupied, that would mean 60 families utilizing the businesses in Eastland which will create more sales tax revenue. This should be an asset and a great benefit to everyone involved. Mr. Bailey advised he wants to make clear he is not asking for any funds from the City of Eastland or the Eastland Economic Development Board. This is a private venture on his part.

Discussion followed between Commissioners and Mr. Bailey. Director of Planning Tony Stubblefield also spoke about the Planning and Zoning meeting which took place on November 12, 2019 in which all opposition and agreement from surrounding property owners were noted and considered. The Planning and Zoning Board recommends approval of this request.

Close: 6:18 p.m.

VIII. Reconvene in Regular Session and Take Action on Subject of Public Hearing:

Commissioner Zac Darr made a motion, seconded by Commissioner Cecil Funderburgh to Approve the request for the Specific Use Permit #**19-003**

Motion prevailed by the following vote:

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

IX. Public Hearing to Hear Case # **19-002**

Applicant Veronica Clark, Benevolent Manor ALF LLC, is requesting a Specific Use Permit to operate an Assisted Living Facility at 401 West Moss St, which is zoned SF – Single Family District

Open 6:19 p. m.

Homer Spaulding introduced himself as the husband of the applicant Veronica Clark and he is here to represent her. He stated his sole purpose in being here tonight is to request the great City of Eastland and the Commission to approve and allow us to utilize the premises of 401 W. Moss as an Assisted Living Facility. This will be almost identical to the way in which it was used previously. Mr. Spaulding stated they would love to become a productive member of the Eastland community. He directed the Commissioners attention to the packet of information they received and stated this is a synopsis of what and who they are. He also directed their attention to a short slide presentation which showed some of the facilities that they operate now. He stated they are very experienced in providing this type of service in Florida, Wisconsin and Illinois and would love to expand here in Texas.

Discussion followed between the Commissioners and Mr. Spaulding as well as Planning and Zoning Director Tony Stubblefield.

Questions were asked and answered regarding the parking issues that have been there in the past.

Questions were also asked and answered about the types of clientele they expect to house at the facility.

Questions were asked and answered regarding the number of clients they expect as well as the number of jobs they expect to create.

The question was asked about the previous facility and the zoning at that time. Director Stubblefield stated the Zoning Ordinance was not introduced until 2007 and the previous facility was already in operation and even though the area was zoned Single Family, the facility was not included. When the facility went out of business the property reverted to SFR, which is why this Specific Use Permit must be requested.

Commissioners requested the data regarding the neighbor’s response and Director of Planning Tony Stubblefield also spoke about the Planning and Zoning meeting which took place on November 12, 2019 in which all opposition and agreement from surrounding property owners were noted and considered. The Planning and Zoning Board recommends approval of this request.

Close: 6:38 p.m.

X. Reconvene in Regular Session and Take Action on Subject of Public Hearing:

Commissioner Zac Darr made a motion, seconded by Commissioner Cecil Funderburgh to Approve the request for the Specific Use Permit #**19-002**

Motion prevailed by the following vote:

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

XI. The Board of City Commissioners May Discuss and Take Action on the Following Agenda Items:

1. Discussion and Consideration of Resolution **2019-16** for Census

This item was already completed earlier in the meeting.

2. Discussion and Consideration of the authorization to sell surplus police vehicle based on a sealed bid

City Manager Ron Duncan stated we have 2009 Dodge Charger which has almost 100,000 miles on it and it needs a lot of repair. The School Resource Officer has been using it but it has become a liability because of the amount of funds needed to repair it and keep it in service. The decision was made to pull it out of service and sell it through the bid process. Request for Bids was made on October 30, 2019 and the sealed bids were opened on November 15, 2019. Mr. Duncan stated one bid was submitted and he recommends that we accept the bid for \$2501.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to approve the award of the bid of \$2501.

Motion prevailed by the following vote:

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

3. Discussion and Consideration of Resolution **2019-15** *A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EASTLAND, TEXAS TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TEMPORARY CLOSURE OF STATE HIGHWAY 6 FROM SEAMAN STREET TO DIXIE STREET; AND STATE HIGHWAY 112 FROM SEAMAN STREET TO HALBRYAN STREET ONCE EACH YEAR ON A DESIGNATED DATE FOR ACTIVITIES ASSOCIATED WITH THE LIGHTED CHRISTMAS PARADE.*

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr, to Approve Resolution **2019-15**.

Motion prevailed by the following vote:

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

4. Discussion and Consideration of appointment of Eastland Planning and Zoning Board

Planning Director Tony Stubblefield directed the Commissioners attention to the application that was included in the packet for Penny Cate.

Discussion about Mrs. Cate’s application and also the application of Julie Elrod. The Planning and Zoning board recommended Mrs. Cate by a vote of 2 to 1.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to Approve the appointment of Penny Cate to the Planning and Zoning Committee.

Motion prevailed by the following vote:

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

XII. City Manager’s Briefing

Street Repairs: City Manager Ron Duncan advised that there is no change in the street repairs. However, the work on the Forced Main line for the Waste Water Treatment Plant project is transitioning into the street part of it. This is a bonus because it will repair Broughter Street.

Drainage Issues

There is no change in this category. We are waiting on the state to proceed with a contract to redo the drains along Main Street.

University Drive, which is in conjunction with the Woodland Nursing Center Expansion: This is moving forward.

Eastland Memorial Hospital Rural Health Clinic: This is running on time and on target.

Waste Water Treatment Plant: Construction is ahead of schedule for the new plant and is 30% complete.

TxCDBG Project. This project will replace the Forced Main Project between the Cemetery and the WWTP. The project is actually ahead of schedule and they’ve had to slow down to await arrival of some needed parts and equipment.

Water Improvements Projects: We are still awaiting plans from eHT

Dam Repairs

TCEQ Dam Safety Inspections took place on 10/22/2019. The dam for Ringling Lake was inspected and TCEQ was provided with data from the past hydraulic studies. Based upon

their feedback, the resolution may be to present their recommendations to the Corps of Engineers in hopes they can come up with a compromise that benefits everyone.

#### IX. Code Compliance Report

Code Enforcement Officer Terry Simmons presented the Code Compliance Department October Report. He reported there were 45 open cases at the beginning of the month, 24 new cases were opened and 31 cases were closed which ended the month with 38 cases open. He also issued seven citations for prohibited signs. \$2,215 in fines were assessed and \$2,215 in fines were paid. One case was reported for Back Taxes. 7 annual notices were issued. One property was abated and one lien was filed in excess of \$919.32.

#### X. Monthly Police Department Report

Chief David Hullum stated there were 161 calls for service in October which is pretty high. There were 16 cases filed with the District Attorney along with 9 cases filed with Juvenile Authority. There were 49 offense reports generated, 26 arrests with 37 charges filed. Citations have also increased this month. However, we are still maintaining the 4 to 1 ratio of Warnings to Citations.

He stated the Animal Control Officer issued 27 citations and 18 warnings which indicates a lot of hard work

A lot of time has been spent preparing for an audit in December by the Criminal Justice Information Systems, which is mandated by the Texas Department of Public Safety. Investigator Jason Weger has been working with our IT Specialist Chance Isham to make sure everything is secure.

Chief Hullum stated there was a fleet accident last night between a driver and one of our Police Officers. Our Officer was not at fault and no one was injured. The other driver disregarded a stop sign and pulled out in front of our officer.

The last item of note is our Canine Drug Enforcement Officer "Dodge" passed away due to an autoimmune disease. There will be a funeral for "Dodge" will be tomorrow. We are working on getting a replacement K-9 in the coming months. We did have a mortality insurance policy on him.

#### XI. ADJOURNMENT

Commissioner Zac Darr made a motion, seconded by Commissioner Ben McNabb, to adjourn at 7:08 p.m. Motion passed unanimously.

APPROVED

---

Larry Vernon, Chairman  
Board of City Commissioners

ATTEST

---

Roma Holley, City Secretary