

THE CITY OF EASTLAND
CITY COMMISSION REGULAR MEETING

December 20, 2021

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:

Commissioner	Cecil Funderburgh
Commissioner	Richard Rossander
Commissioner	Zac Darr
Commissioner	Ben McNabb

CITY COMMISSIONERS ABSENT:

Chairman	Larry Vernon
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PERSONNEL PRESENT:

City Manager	J.J. Oznick
Finance Director	Leslie Zander
Planning & Zoning Director	Tony Stubblefield
City Secretary	Roma Holley
Police Chief	David Hullum
Fire Chief	Joe Williamson

Guests: H.V. O'Brien, Sam Williams, Joshua Williams, Jacob Garner, James O'Connor

I. MEETING CALLED TO ORDER

Chairman Pro-Tem Richard Rossander called the meeting to order at 6:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Zac Darr offered the invocation and Commissioner Cecil Funderburgh led the Pledge of Allegiance.

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

No comment

IV. APPROVE MINUTES OF THE NOVEMBER 15, 2021 MEETINGS

Commissioner Zac Darr made a motion, seconded by Richard Rossander, to approve the minutes of the November 15, 2021 meeting.

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

V. Financial Report

Finance Director Leslie Zander stated that our annual audit was completed the first week of December. The sales tax continues to rise and Eastland appears to be prospering!

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 authorizing the Eastland Chamber of Commerce, Rip's Ribs Cookoff, April 9, 2022, as an Open Container Event IAW Ordinance 12-781, dated 1/12/12, and designating the event area as the premises for public consumption of Alcoholic beverages, by adult 21 years of age or older, during the event, provided that the event is approved by the Texas Alcoholic Beverage Commission (TABC), the beverages are distributed by a Licensed TABC permit holder, security personnel are present, and the event area is posted with appropriate barriers and signage.

Chamber of Commerce Director Laura Hobbs was not present at the meeting and City Manager J. J. Oznick spoke on her behalf. Mr. Oznick reminded the Commissioners about the overview that Mrs. Hobbs gave last month. This was what they are planning for 2022.

Rip's Ribs Cookoff – Saturday, April 9, 2022. Mrs. Hobbs is requesting: tent placement on the intersection of Lamar and Mulberry and a Wine Festival under the Tent. This Wine Festival needs an approval from the City. She also needs a variance regarding consumption of Wine on the square.

Mr. Oznick stated that distances had been measured and the Tent area is within the guidelines set out by the TABC

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to approve the 2022 Rip's Ribs Cookoff and Wine Festival. Motion prevailed by the following vote:

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

2. Discussion and Consideration authorizing the Eastland Chamber of Commerce, to host a Carnival before and during the Old Rip Festival, September 29 – October 1, 2022

Chamber of Commerce Director Laura Hobbs was not present at the meeting and City Manager J. J. Oznick spoke on her behalf. Mr. Oznick stated that Mrs. Hobbs is requesting approval for a Carnival to be held in the First Baptist Church parking lot or the EMH empty field (where Edwards Funeral Home used to be). If approved by the city we will first obtain approval from owners of lots before proceeding.

The City Ordinance governing this was passed in 1921 and requires permission from home owners within 500 feet and business owners within 1,000 feet. There are 3 churches within these distances and there is concern that the Sunday morning services could be hampered.

Commissioners spoke about authorizing the Carnival Thursday – Saturday ONLY. Mrs. Hobbs would be tasked with making sure this is enforced.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr, to authorize the Chamber of Commerce to host a Carnival to be held September 29 – October 1, 2022 ONLY. Motion prevailed by the following vote:

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

3. Discussion and Consideration of Second Reading to Approve **Ordinance 21-881** *AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS CHANGING THE ZONING USE DESIGNATION OF PROPERTY DESCRIBED AS LOTS 22 – 24 OF BLOCK 2 OF THE HILLCREST ADDITION TO THE CITY OF EASTLAND FROM SINGLE-FAMILY RESIDENCE DISTRICT (“SF”) TO MANUFACTURED HOUSING DISTRICT (“MH”); AMENDING THE ZONING DISTRICT MAP FOR THE CITY OF EASTLAND TO REFLECT SUCH CHANGE; AND ADOPTING THE ZONING DISTRICT MAP SO AMENDED.*

Planning and Zoning Director Tony Stubblefield reminded the Commissioners that this is the second reading of an ordinance that will approve the zoning change on a North Hillcrest lot from SF to MH.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr, to approve **Ordinance 21-881** on second reading. Motion prevailed by the following vote:

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

4. Discussion and Consideration of Second Reading to Approve **Ordinance 21-880** *AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF EASTLAND, EASTLAND COUNTY, TEXAS; EXTENDING THE BOUNDARY LIMITS OF SAID CITY TO INCLUDE SAID PROPERTY WITHIN SAID CITY LIMITS; AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY*

City Manager J. J. Oznick reminded the Commissioners that this property belongs to EMH Cattle Company and they are voluntarily asking for annexation in order to build another set of Maverick Townhomes. This is the second reading.

Commissioner Zac Darr made a motion, seconded by Commissioner Cecil Funderburgh, to approve **Ordinance 21-880** on second reading. Motion prevailed by the following vote:

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

5. Discussion and Consideration of First Reading to Approve **Ordinance 22-883** *AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS CHANGING THE ZONING USE DESIGNATION OF PROPERTY ANNEXED INTO THE CITY BY ORDINANCE NO. 21-880 FROM AGRICULTURAL OPEN SPACE DISTRICT (“AO”) TO MULTIPLE-FAMILY RESIDENCE DISTRICT (“MF”); AMENDING THE ZONING DISTRICT MAP FOR THE CITY OF EASTLAND TO REFLECT SUCH CHANGE; AND ADOPTING THE ZONING DISTRICT MAP SO AMENDED.*

City Manager J.J. Oznick advised the Commissioners that the area that we just approved for annexation must be zoned MF (Multi Family Residence). It is currently AO (agriculture Open).

Planning and Zoning Director Tony Stubblefield stated that letters were sent to four property owners and one response was received. The response was “yes, with conditions”, which were explained in the letter.

At this time, Commissioner Richard Rossander allowed James O’Connor who stated he is the owner/manager of Country Villa Apartments, to speak. Mr. O’Connor addressed the Commission and stated that they have a letter before them and in the letter, he expresses concern regarding the street, Lago Vista Blvd, that runs in front of Country Villa Apartments and Maverick Townhomes. This road is in very poor condition. Some of the damage stems from the heavy equipment that has been going back and forth to the construction of the Maverick Townhomes, but the majority of the damage comes from flooding issues. With the addition of another construction project, Mr. O’Connor states that the road will become even worse. He has no objections to the annexation and zoning change as long as the road can be repaired. There is also some confusion over who owns a swath of “alley” that is between Country Villa Apartments and Maverick Town Homes.

City Manager J.J. Oznick advised Mr. O’Connor that Lago Vista Blvd will be repaired with funds from the GLO-MIT FIF project and that we are just waiting for everything to get started. He stated that it will probably take at least a year but that road is a high priority. He also stated that himself and Mr. Stubblefield will investigate the ownership of the property in question.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr, to Approve on first reading **Ordinance 22-883** changing the zoning designation. Motion prevailed by the following vote:

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

6. Discussion and Consideration of First Reading to Approve **Ordinance 21-882** *AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS ADOPTING A COMPREHENSIVE RATE AND FEE SCHEDULE ESTABLISHING RATES AND FEES TO BE CHARGED FOR CITY SERVICES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.*

City Manager J. J. Oznick stated our Rates and Fee schedule contain our water and trash collection rates. We receive our water from the Eastland County Water Supply District (ECWSD) and they have increased their rates 17%. After many hours of deliberation, we have determined that the best way to serve the citizens of our city is to also increase our rates by 17%

Commissioner Funderburgh stated we do not have any choice. This is not just about the purchase of water. It also includes the cost of maintaining the distribution system.

Commissioner Darr stated that since the ECWSD is raising their rates and selling the water to us at an increase, if we do not match that increase, we will soon be operating in the red.

Oznick continued that it is hard for a city to absorb costs and then try to make it up in the future. It takes many years to do so.

Commissioner Darr said that we have had several rate increases over the years and this is the lowest increase so far.

City Manager Oznick advised that he had asked the ECWSD for their justification for the increase. One of the things that stands out is that since 2019, they have completed, or are in the process of completing, 16.3 million dollars - worth of work and the cost to the cities of Eastland and Ranger is 1.8 million dollars. He stated that this shows very wise decisions in spending. When the Texas Commission on Environmental Quality (TCEQ) comes to conduct their inspection this year, it will be the first time in many, many years that the ECWSD plant will be in complete compliance. They are about to begin implementing a system of getting their water from the top of the lake instead of the bottom. This will improve the water quality immensely.

Oznick stated that tied into the increase will be a 6% increase from Waste Connections. The price of dumpsters for both residential and commercial customers is increasing.

So overall, new minimum utility bills for water and garbage will increase from \$106.26 to \$114.30 for customers inside the city limits. The overage rate will increase from \$5.60 to \$6.55 per thousand gallons. For customers outside the city limits, the minimum will increase from \$111.16 to \$120.05. The overage rate will increase from \$6.13 to \$7.17 per thousand gallons.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Zac Darr, to Approve on first reading **Ordinance 21-882** amending the Rate and Fee Schedule. Motion prevailed by the following vote:

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

7. Executive Session in Accordance with Local Government Code §551.074 – Personnel Matters

Commencement: 6:35 p.m.
 Conclusion: 6:58 p.m.

VII. City Manager’s Briefing

City Manager J.J. Oznick briefly covered the report that the commissioners have in their packet.

GLO-CDBG-MIT Project Planning

We are awaiting the results of the study to see the flood plain map changes.

TWDB Flood infrastructure Fund Grant

The study has begun and we are awaiting the results.

WWTP Improvements

The bid has been awarded and the project should be completed in a couple of months.

I-20 WATER PUMP STATION REPAIRS:

The generator is up and going.

VIII. Code Enforcement Report

Planning and Zoning Director Tony Stubblefield reported the Code Compliance Report for November 2021. There were 24 open cases at the beginning of the month, 23 new cases were opened and 20 cases were closed which ended the month with 27 cases open. Fines paid was \$924. Fines dismissed with compliance is \$2,135.

IX. Police Report

Chief David Hullum stated there were 233 calls for service in November. 18 cases were filed with the District Attorney. There were 54 offense reports generated. He noted 33 arrests with 58 charges. A total of 798 traffic stops were initiated. This resulted in 615 warning citations and 183 citations issued. He also stated that 67 “business checks” were conducted. Chief Hullum also stated that our part time Animal Control officer had to euthanize 7 animals due to Parvo in the Animal Shelter. The highlight of the month is that our Full-time Animal Control Officer, Blake Pence, graduated from the Weatherford College Police Academy and is now a Certified Peace Officer. Officer Pence will fill in shifts for the Police Officers as well as continue her Full-time Animal Control Duties. We are very proud of her accomplishment and look forward to many years of service.

X. Fire Chief Report

Fire Chief Joe Williamson gave the following activity report for the month of November for the Volunteer and Paid Firefighters. Total call volume: 76 which was an average of 2.53 calls per day. 59 of these were in the City Limits and 16 of them were in the county and they responded to 1 call for mutual aid to other county fire departments. There were 11 incidents between 10 p.m. and 7 a.m. There was one structure fire, which was a total loss, 1 grass fire and 0 vehicle fires. They responded to 36 Medical calls, 18 Motor Vehicle accidents and 14 Public Service assists and 5 false alarms/investigations. They installed 0 Smoke Detectors and conducted one animal rescue. He stated that a horse had gotten both front feet caught in a cattle guard. They used the Jaws of Life to spread the cattle guard apart and then squeezed them back together. The entire operation took 15 minutes. This was a great success.

XI. Adjournment

Commissioner Zac Darr made a motion, seconded by Commissioner Ben McNabb, to adjourn at 7:19 p.m. Motion passed unanimously.

APPROVED

Larry Vernon, Chairman
Board of City Commissioners

ATTEST

Roma Holley, City Secretary