

THE CITY OF EASTLAND
CITY COMMISSION REGULAR MEETING

May 15, 2023

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	Cecil Funderburgh
Commissioner	James Doyle
Commissioner	Shirley Stuart
Commissioner	Richard Rossander

PERSONNEL PRESENT:

City Manager	J.J. Oznick
Finance Director	Leslie Zander
City Secretary	Roma Holley
Police Chief	Tim Pitts
Fire Chief	Joe Williamson
Planning Director	Tony Stubblefield
Public Works Director	Bobby Jacoby
Code Enforcement	Terry Simmons

Guests: Julie Elrod, Bill Dolen, Patti Dolen, Tiffany Beard

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 Commissioner Richard Rossander led the Pledge of Allegiance and the Texas Pledge.

III. APPROVE RESOLUTION 2023-05 CANVASSING THE ELECTION RETURNS AND DECLARING THE RESULTS OF THE MAY 6, 2023 GENERAL ELECTION

Chairman Larry Vernon read Resolution 2032-05

RESOLUTION NO. 2023-05

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE MAY 6, 2023, GENERAL ELECTION OF THE CITY OF EASTLAND, TEXAS

WHEREAS, pursuant to the Texas Election Code, the City Commission of the City of Eastland, Texas, convened on this the 15th day of May, 2023, at 6:00 P.M. for the purpose of canvassing the vote in the general election held on May 6, 2023;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EASTLAND, TEXAS:

*Section One. **Canvass Returns** - To be considered are the returns of the general election held on the 6th day of May, 2023, for the purpose of electing three city commissioners. Appearing from said returns, duly and legally made; each of the candidates in said election received the following votes:*

<i>Candidate</i>	<i>Absentee Voting</i>	<i>Early Votes</i>	<i>Election Day Votes</i>	<i>Total Votes</i>
<i>Shirley Stuart</i>	<i>8</i>	<i>84</i>	<i>55</i>	<i>147</i>
<i>Cecil Funderburgh</i>	<i>6</i>	<i>84</i>	<i>62</i>	<i>152</i>
<i>Zac Darr</i>	<i>5</i>	<i>31</i>	<i>39</i>	<i>75</i>
<i>James M. Doyle</i>	<i>6</i>	<i>84</i>	<i>54</i>	<i>144</i>

Section Two. Declaring Results – *It is hereby declared by the City Commission that said election was duly called; that notice of said election was given in accordance with law, that said election was held in accordance with law; and that Shirley Stuart, Cecil Funderburgh and James M. Doyle are duly elected to the City Commission of Eastland, Texas, subject to taking the oath of office as provided by the laws of the State of Texas.*

PASSED AND APPROVED this the 15th day of May, 2023.

Commissioner Richard Rossander made a motion, seconded by Commissioner Cecil Funderburgh, to declare James M. Doyle, Shirley Stuart and Cecil Funderburgh elected for a two-year term.

Ayes: Commissioners Funderburgh, Rossander, Vernon
 Nays: None
 Absent: None
 Abstain: Doyle, Stuart

IV. ADMINISTER OATH OF OFFICE TO ELECTED OFFICIALS

City Secretary Roma Holley administered the Oath of Office to James M. Doyle, Shirley Stuart and Cecil Funderburgh

V. ELECTION OF CITY OFFICERS

CHAIRMAN / MAYOR: Commissioner Cecil Funderburgh nominated Commissioner **Larry Vernon** and Commissioner Richard Rossander seconded the nomination for Chairman/Mayor. The nominations ceased. The motion prevailed with Larry Vernon abstaining from the vote.

CHAIRMAN PRO TEM: Commissioner Shirley Stuart nominated Commissioner **Richard Rossander** and Commissioner James Doyle seconded the nomination for Chairman Pro Tem. The nominations ceased. The motion prevailed with Commissioner Rossander abstaining from the vote.

SECRETARY / TREASURER: Commissioner Richard Rossander nominated Commissioner **Cecil Funderburgh** and Commissioner James Doyle seconded the nomination for Secretary / Treasurer. The nominations ceased. The motion prevailed with Commissioner Cecil Funderburgh abstaining from the vote.

ASSISTANT TREASURER: Commissioner Cecil Funderburgh nominated Commissioner **James Doyle** and Commissioner Richard Rossander seconded and nominations ceased. The motion prevailed with Commissioner James Doyle abstaining from the vote.

ASSISTANT TREASURER: Commissioner Cecil Funderburgh nominated Commissioner **Shirley Stuart** and Commissioner Richard Rossander seconded and nominations ceased. The motion prevailed with Commissioner Shirley Stuart abstaining from the vote.

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

Chairman Larry Vernon expressed his gratitude for the willingness of Zac Darr to serve on the City Commission for the past 8 years. He also thanked Ben McNabb for serving for the past 4 years.

VII. APPROVE MINUTES OF THE APRIL 17, 2023 MEETING

Commissioner Richard Rossander made a motion, seconded by Commissioner Cecil Funderburgh, to approve the minutes of the April 17, 2023 meeting.

Ayes: Commissioners Doyle, Funderburgh, Rossander, Stuart,
Nays: None
Absent: None

VIII. Financial Report

Finance Director Leslie Zander stated the Sales Tax continues to increase and we are very pleased.

No action at this time.

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

- 1. Discussion and Consideration of Second reading of Ordinance 23-893 Amending Section 19-36, "Planning and Zoning Board", adding alternate Board Members.

AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS AMENDING ARTICLE I, "ZONING ORDINANCE", OF CHAPTER 19, "ZONING", OF THE CODE OF ORDINANCES, CITY OF EASTLAND, TEXAS BY AMENDING SECTION 19-36, "PLANNING AND ZONING BOARD"; ADDING ALTERNATE BOARD MEMBERS; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

City Manager J.J. Oznick asked Planning Director Tony Stubblefield to share with the new Commissioners about this ordinance. Director Stubblefield stated the Planning and Zoning board currently does not have any positions for Alternate. This would be a great benefit because there are times when the designated members are unable to attend and a quorum cannot be called. Approving these positions will give the board the opportunity to continue with the scheduled meetings.

Commissioner Richard Rossander made a motion, seconded by Commissioner James Doyle, to Amend Section 19-36 of the Code of Ordinances to add alternate Board Members to the Planning and Zoning Board.

Ayes: Commissioners Doyle, Funderburgh, Rossander, Stuart,
Nays: None
Absent: None

- 2. Discussion and Consideration Approval of new board members for Planning and Zoning Board.

Planning and Zoning Director Tony Stubblefield stated we have 3 applicants and their applications are in your packets. He made the recommendation that Bill Culverhouse and Jill Warren be approved as full-time members and Rebecca Massingill as an alternate member. This would be to replace David Ahrlett, who moved outside the City Limits, and James Doyle, who was elected City Commissioner. There was discussion as to whether Commissioner Doyle could continue to be on both boards. It was decided to seek the advice of our city attorney in regards to this question.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander, to approve Bill Culverhouse as a full member of the Planning and Zoning Board, and approve Jill Warren as First Alternate and Rebecca Massingill as Second Alternate. If it is determined that Commissioner Doyle cannot continue to serve on the P & Z Board, First Alternate Jill Warren will be approved to fill his position.

Ayes: Commissioners Doyle, Funderburgh, Rossander, Stuart,
 Nays: None
 Absent: None

X. City Manager Report

GLO-CDBG-MIT Project Planning

I am making contact with land owners, and starting to receive permission to gain access to their property. We will have to put a cutoff date soon.

TWDB Flood infrastructure Fund Grant

On May 12, 2023 we had a Final Public Meeting with the representatives from HDR regarding the final determinations on the Flood Protection Project. They shared 5 solutions and the amount of funds needed to attain these solutions. The next step is to decide which projects are attainable with the funds we have and which projects we need to seek further funding for

Downtown Sidewalk Repairs

Unknown timeframe.

TXDOT Exit 343 Ramp and Signal Light Projects

I have inquired about rebidding and waiting for an answer.

DAM REPAIRS

Engineers from EH&T and HDR are beginning to work through different designs for Eastland Lake and Ringling Lake dams.

EASTLAND MUNICIPAL AIRPORT UPDATE

The project is well under way. It is going to be a great addition to the airport.

XI. Code Compliance Report

Planning and Zoning Director Tony Stubblefield reported the Code Compliance Report for April 2023. There were 39 open cases at the beginning of the month, 9 new cases were opened and 0 cases were closed which ended the month with 48 cases open. The drop of activity is due to our Code Enforcement Officer being off duty due to medical issues.

XII. Police Chief Report

Chief Tim Pitts stated there were 301 calls for service in April. 16 cases were filed with the District Attorney. There were 57 offense reports generated. He noted 13 arrests with 21 charges. A total of 356 traffic stops were initiated. This resulted in 261 warning citations and 95 citations issued. He also stated that 443 “business checks” were conducted. Our Animal Control Officer continues to be very active with 55 business calls and citations issued. This may not sound like much but she was also helping with admin duties at the front desk of the police department.

Chief Pitts highlighted some of the things the officers were involved with in April. This included a man being shot in the face. Abilene SWAT came and executed a search of the residence for the suspect and he had escaped without notice. A search ensued for the next several hours with all officers making a thorough search of the city. The suspect finally turned himself in to officers.

K-9 Officer Katie Thompson was involved in another large drug bust in the city of Ranger. A large amount of Fentanyl and Methamphetamines were recovered.

Officer Thompson was also involved in another search in the City of Eastland where a large amount of THC Gummies were recovered. The lab results showed the highest dosage of THC in Gummies that they’ve seen.

Our newest officer continues his Field Training and is making great strides toward being fully trained.

Several Officers attended “Donuts with Dad” at Siebert Elementary. There was a great turnout of parents and only two officers were needed to “fill-in” for dads. This was a great way to encourage both students and parents.

XIII. Fire Chief Report

Fire Chief Joe Williamson gave the following activity report for the month of April 2023 for the Volunteer and Paid Firefighters. Total call volume: 62 which was an average of 2.34 calls per day. 47 of these were in the City Limits and 13 of them were in the county and they responded to 2 calls for mutual aid to other county fire departments. There were 5 incidents between 10 p.m. and 7 a.m. There were 2 structure fires, 4 grass fires and 1 vehicle fire. They responded to 36 Medical calls, 3 Motor Vehicle accidents and 3 Public Service assists and 34 false alarms/investigations. Volunteer membership is at 26.

Chief Williamson informed the Commissioners that, because Firefighter Peyton Cox’s final day was April 17, 2023, and Firefighter Charlie Torrez is out on long-term medical leave, we have been operating with only 2 staff. We are working double shifts for the 5th straight week. We are currently seeking applicants to fill this position. We have only had 4 applicants so far and they were not a good fit for the department. We have a firefighter in training that should be available for hire in June. Thankfully the Volunteers are helping on a lot of the calls.

Chief Williamson spoke with the TxDOT engineer about the Traffic Intervention Equipment that has been ordered. He was told that it will still be another 60-90 days before it is installed on S. Seaman.

One more thing worth mentioning: the volunteers helped with Rip’s Ribs and gave away over 140 breakfast burritos. This was a successful outreach to the community.

XIV. Executive Session in Accordance with Local Government Code §551.071(2) – Consultation with Attorney Regarding potential litigation

Commence: 6:41 p.m.

Conclude: 7:04 p.m.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner James Doyle, that on 05/15/2023, we accept the terms and conditions as set out by our attorney.

Ayes: Commissioners Doyle, Funderburgh, Rossander, Stuart,

Nays: None

Absent: None

XV. Adjournment

Commissioner Richard Rossander made a motion, seconded by Commissioner Shirley Stuart, to adjourn at 7:05 p.m. Motion passed unanimously.

APPROVED

Larry Vernon, Chairman
Board of City Commissioners

ATTEST

Roma Holley, City Secretary