

THE CITY OF EASTLAND  
CITY COMMISSION REGULAR MEETING

July 15, 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	Cecil Funderburgh
Commissioner	Richard Rossander (arrived at 6:03 p.m.)
Commissioner	Zac Darr

CITY COMMISSIONERS ABSENT

Commissioner	Ben McNabb
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PERSONNEL PRESENT:

Director of Finance	Leslie Zander
City Secretary	Roma Holley
Director of Public Works	Bobby Jacoby
Director of Planning	Tony Stubblefield
Code Enforcement	Terry Simmons
Fire Chief	David Branch
Police Lt.	Dan Wilson

Guests: Robert Tucker, Shanna Tucker, H. V. Obrien

I. MEETING CALLED TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

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

Robert Tucker from Comanche, Texas, Congressional District 11 candidate for the Republican Party, introduced himself. He spoke very briefly about his views and stated that he will stay until after the meeting if anyone would like more information.

IV Approve Minutes of the June 17<sup>th</sup> and June 24<sup>th</sup>, 2019 Meetings.

Commissioner Richard Rossander made a motion, seconded by Commissioner Cecil Funderburgh, to approve the minutes of the June 17<sup>th</sup> and June 24<sup>th</sup>, 2019 Meetings. Motion prevailed by the following vote:

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

V. Financial Report

Director of Finance Leslie Zander stated that our sales tax is doing very well this year. We hope to meet or surpass the last two months of the year. Mayor Vernon stated that we are 3% above our best year of 2014.

No action needed at this time.

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

1. Discussion and Consideration to Approve Resolution 2019-13, Submission of the Grant application for Eastland Vehicle and Equipment Grant to the U.S. Department of Agriculture.

**RESOLUTION 2019-13  
GRANT RESOLUTION USDA 2019/2020**

***WHEREAS,** The Eastland City Council finds it in the best interest of the citizens of Eastland, that the USDA Vehicle and Equipment Grant be operated for the 2019/2020 and*

***WHEREAS,** The City of Eastland agrees to provide applicable matching funds for the said project as required by the USDA Community Facilities Loans and Grants grant application; and*

***WHEREAS,** The City of Eastland agrees that in the event of loss or misuse of the US Department of Agriculture funds, the City of Eastland assures that the funds will be returned to the US Department of Agriculture in full.*

***WHEREAS,** The City of Eastland designates Larry Vernon, Mayor, as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.*

***NOW THEREFORE, BE IT RESOLVED** that The City of Eastland, Texas approves submission of the grant application for the Eastland Vehicle and Equipment Grant to the US Department of Agriculture.*

Ms. Zander explained that this is a grant for new vehicles and equipment that matches 75/25. More information will be forthcoming in the Budget Workshop.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander, to Approve Resolution 2019-13. Motion prevailed by the following vote:

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

2. Discussion and Consideration of the second reading of Ordinance **19-849** 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

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander, to approve the second reading of Ordinance No. 19-849.

Discussion then followed with Commissioner Darr voicing opposition to the Ordinance. Commissioner Darr stated that he believed that this ordinance was not necessary and that it was very restrictive and that he could not vote yes for this ordinance.

Mayor Vernon explained that the goal of regulating these signs is both for safety to drivers and an attempt to alleviate or intercept any objections that might arise from people who have the signs in view continually.

Director of Planning and Zoning Tony Stubblefield also explained how we are mirroring what the Texas Department of Transportation has in place for their sign regulations. But the Texas Department of Transportation does not govern signs within the city. He also addressed Commissioner Darr’s concern about transitions, content and brightness.

Mayor Vernon then recalled that Commissioner Cecil Funderburgh had made a motion, seconded by Commissioner Richard Rossander, to approve the second reading of Ordinance No. 19-849. Motion prevailed by the following vote:

Ayes: Commissioners Funderburgh, Rossander  
 Nays: Darr  
 Absent: McNabb

3. Discussion and Consideration of the second 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

Director of Finance Leslie Zander explained that ECWSD made a presentation several months ago about a project regarding improvements for customers on the pump line. She stated this third modification is required because of the application for a 2019 Revenue Bond by the Eastland County Water Supply District from the Texas Water Development Board to fund the cost of the improvement project. The contract modification acknowledges the duty of the City of Eastland to make payments to the ECWSD for the 2019 Revenue Bond payments. The debt service payments will not begin until 2021. This ordinance is required because it is part of the bond agreement.

Mayor Vernon began a discussion about how the proportions of payment are calculated. Ms. Zander explained the calculations are based on usage. The ECWSD and the City of Ranger are both in the process of reviewing the calibration of its meters. This is something that we are observing in order to make sure that all calculations are accurate.

Commissioner Richard Rossander made a motion, seconded by Commissioner Cecil Funderburgh, to Approve the second reading of Ordinance 19-850. Motion prevailed by the following vote:

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

4. Discussion and Consideration of the first reading of Ordinance No. 19-851 An Ordinance of the City of Eastland, Texas Amending Ordinance No. 692, Nuisances, of The City of Eastland; Revising Article IV, Junked Motor Vehicles; Updating definitions; Establishing

**Procedures for Abatement and Removal of Junked Vehicles; Providing for a penalty for Violation of Same; Providing a Severability Clause; and Providing for an Effective Date**

Commissioner Funderburgh asked for input from the Police Department and/or Code Compliance. He specifically asked the reasoning for amending the previous ordinance. Lt. Dan Wilson replied that based on how the ordinance is currently written, the Police Department can address violations that are on the public roadways. With the amendment, the Code Compliance Department can address violations that are on private property in the public view.

Director of Planning and Zoning Tony Stubblefield also provided an explanation concerning timelines and the abatement process.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander, to Approve the first reading of Ordinance 19-851. Motion prevailed by the following vote:

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

**5. Discussion and Consideration of a five-year extension of the agreement providing effluent water to Lakeside Golf Course / Derrick Jones**

Mayor Vernon explained that he had spoken with Derrick Jones and that Mr. Jones is in the process of trying to sell the golf course. Mr. Jones wants to use the agreement of free effluent water as a lure to attract potential buyers. Mayor Vernon asked City Manager Duncan to submit an estimated amount of revenue for the City and Mr. Duncan estimates an annual benefit to Mr. Jones of approximately \$8500.

The original agreement of free effluent water was for 5 years and expires in December of this year. The extended agreement would also be for 5 years but would only be extended to Mr. Jones. If ownership changes, and as long as it remains a golf course, the new owner is welcome to negotiate with the City for the effluent water.

Commissioner Richard Rossander made a motion to extend the agreement for five years. This motion died for lack of a second.

Commissioner Zac Darr made a motion to extend the agreement for three years. Commissioner Darr stated that this was to be an incentive to the seller to try to get it sold as quickly as possible. This motion died for lack of a second.

Commissioner Richard Rossander restated the first motion to extend the agreement for five years. Motion prevailed by the following vote:

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

**VII. City Manager's Report**

Ms. Zander stated that Mr. Duncan's report is included in the packet and there is nothing new since the report was written.

**VIII. Code Enforcement Report**

Code Enforcement Officer Terry Simmons presented the Code Compliance Department June Report. He reported there were 53 open cases at the beginning of the month, 34 new cases were opened and 46 cases were closed which ended the month with 41 cases open. He also issued one citation and

recorded two properties for back taxes. Also, 13 annual notices were issued. Fines that were assessed were \$407 and fines that were paid were \$0. One piece of property was abated at \$900. This piece of property will eventually belong to the city. It was going to be sold for what was owed for taxes but the other two taxing entities agreed to sign it over to the City. The property was mowed and trimmed at a cost of \$900. It has a mobile home on it that will eventually be removed from the property. Once all of this is taken care of, the property will be listed for sale and become a taxable property once again. One lien of \$287.63 was filed and we collected two liens from 2017 for \$535.87.

#### IX. Police Department Report

Lt. Dan Wilson noted that calls for service actually increased for June with 198 calls and 50 reports being written. Citations decreased a little bit which is explained by the department is without two officers. One officer left to seek other employment and another officer took leave due to his wife having twins. Officer Evilsizer, our newest officer, along with Officer Josh Nichols, attended a “Low Light Training” class in Brownwood. Lt. Wilson explained that the note about the “Indecency with Child – potential 78 victims nationwide” is in reference to a case that was investigated by Boston, Massachusetts Police Department. The suspect had lived there in Boston and most of the crimes were committed there. However, the suspect had moved here and Boston Police Department alerted Investigator Jason Weger and he was able to put together a case on the suspect here. The suspect was arrested and will stand trial here before being extradited to Boston.

Lt. Wilson also noted that the Cisco Police Department had a leak from their roof into their evidence vault. In cooperation with the Eastland County District Attorney, the evidence was transferred to our evidence vault. Disposal orders were obtained for the majority of it and it was disposed of properly.

#### X. Budget Workshop

Ms. Zander opened the workshop by stating that this is the first look at the budget for 2020. We do not know what the Ad Valorem Tax Rate will be yet so these are preliminary numbers. She noted the Budget Workshop Calendar that is included and the next scheduled workshop is August 7, 2019 at 12 noon. The Tax Rate will be available at this time and this will be Budget Workshop #2 with the proposed budget.

The Resolution that you passed tonight for the submission of the USDA Grant application includes items that are in the Capital Outlay Request. We will be discussing these items and trying to develop a proposal that is successful in effectively using the grant and our budgeted funds.

Ms. Zander discussed some of the line items that are in the preliminary budget. The Tax Rate will determine everything.

#### XI. ADJOURNMENT

Commissioner Zac Darr made a motion, seconded by Commissioner Richard Rossander, to adjourn at 8:04 p.m. Motion passed unanimously.

APPROVED

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Larry Vernon, Chairman  
Board of City Commissioners

ATTEST

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Roma Holley, City Secretary