

THE CITY OF EASTLAND
CITY COMMISSION REGULAR MEETING

April 15, 2024

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	Richard Rossander
Commissioner	Shirley Stuart

CITY COMMISSIONERS ABSENT:

Commissioner	James Doyle
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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

Guests: Julie Elrod, Juli Cameron, H.V. O'Brien, Vance O'Brien, Lisa Benson, Lee O'Conner

I. Meeting Called to Order

Chairman Larry Vernon called the meeting to order at 6:00 p.m.

II. Invocation and Pledge of Allegiance and the Texas Pledge

Commissioner Richard Rossander offered the invocation and Commissioner Shirley Stuart led the Pledge of Allegiance and the Texas Pledge.

III. Public Comment on any Subject Not listed on this Agenda (Limited to Five Minutes Per Speaker)

Lisa Benson spoke regarding the lack of any kind of registration process for landlords. She stated this would not only be beneficial for citizens to know who has property, but it would allow the city to hold the landlords accountable for substandard housing. She stated it would be beneficial to everyone to have minimum standards of housing and a way to enforce it.

Lee O'Conner spoke regarding her concern with the many boarded up buildings in the downtown area. She recently opened the restaurant Beard's Wheat and Rye on South Lamar, just west of the Courthouse. She stated that, besides the traffic of people conducting business at the courthouse, there is very little to draw people to the downtown area. Her goal is to make the downtown area more popular for business and entertainment.

IV. Approve Minutes of the March 18, 2024 meeting

Commissioner Shirley Stuart made a motion, seconded by Commissioner Richard Rossander to approve the minutes of the March 18, 2024 meeting.

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

V. Financial Report

Finance Director Leslie Zander advised the board that April sales tax increased 12.84% over last April which brings back to even with last year.

She also included the bank balance reports.

VI. Public Hearing: Amending Section 19-13 “Height and area exceptions and modifications” of Article I “Zoning Ordinance” of Chapter 19 “Zoning” of the Eastland Code of Ordinances to revise regulations regarding location and appearance of fences.

Commence: 6:12 p.m.

Planning Director Tony Stubblefield advised the board of the reason we are asking to amend this ordinance at this time. In the past, the ordinance regarding location and appearance of fences was in Chapter 14 “Streets, Sidewalks and Public Places”. When chapter 19 “Zoning” was introduced, the regulations regarding fences was included in this chapter. The issue being that nothing was done about the rules in Chapter 14. This was brought to our attention by a citizen who was complaining about a fence being constructed that was in conflict of the regulations. Those concerns were addressed and it was decided that this was a good time to amend the ordinance.

Director Stubblefield shared with the board the definitions of the types of allowed fence materials along with the definition and purpose of the “visibility triangle”.

Discussion that followed centered on the differences between residential fences versus commercial fences; the reasoning behind the height regulations and the manner in which all of this should be addressed. It was also noted that existing fences would be “grandfathered” in their compliance. But, if the fences were ever reconstructed, the new regulations would apply.

Conclusion: 6:18 p.m.

VII. Public Hearing: Amending Section 19-11 “Permitted uses” of Article I “Zoning Ordinance” of Chapter 19 “Zoning” of the Eastland Code of Ordinances to allow duplexes in the Single-Family Residence District (SF) with a specific use permit.

Commence: 6:12 p.m.

Planning Director Tony Stubblefield advised the board that he had been approached by an individual who wants to either construct new duplexes or reconstruct single family homes into duplexes. The issue is that our current ordinance does not allow duplexes in the Zoning designation of Single-Family Residence District. The current ordinance only allows duplexes in the Zoning designation of Multi-Family Residence District.

Director Stubblefield told the board that he recommends revising the ordinance to allow duplexes in the Single-Family Residence District with a Specific Use permit. This would

allow a developer to apply for a Specific Use Permit from the Planning and Zoning board. The Planning and Zoning board / Planning Director would then conduct the required notifications of neighboring property owners; public hearings would be conducted and the City Commission would have final approval.

Conclusion: 6:22 p.m.

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

1. Discussion and Consideration of first reading of Ordinance 24-900 AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS REVISING CHAPTER 19, ZONING, OF THE EASTLAND CODE OF ORDINANCES; AMENDING SECTION 19-11 "PERMITTED USES" TO ALLOW DUPLEXES IN THE SINGLE-FAMILY RESIDENCE DISTRICT WITH A SPECIFIC USE PERMIT; PROVIDING REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

City Manager J.J. Oznick stated that some developers have expressed and interest in providing duplexes but the current ordinance is prohibitive. Approving this ordinance with the Special Use Permit will allow neighboring residences the opportunity to speak before the Planning and Zoning Board about the proposed duplex developments.

Commissioner Shirley Stuart made a motion, seconded by Commissioner Richard Rossander to approve the first reading of Ordinance 24-900.

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

2. Discussion and Consideration of first reading of Ordinance 24-901 AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS AMENDING CHAPTER 19, ZONING, OF THE EASTLAND CODE OF ORDINANCES BY ADDING SECTION 19-19 "FENCE REGULATIONS";

City Manager J.J. Oznick advised the board that approving this ordinance will provide citizens with more information on fencing regulations as well as give the city the ability to enforce the regulations.

Commissioner Richard Rossander made a motion, seconded by Commissioner Shirley Stuart, to approve the first reading of Ordinance 24-901

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

3. Discussion and Consideration of first reading of Ordinance 24-902 AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS REVISING CHAPTER 3, ALCOHOLIC BEVERAGES, OF THE EASTLAND CODE OF ORDINANCES; AMENDING SECTION 3-3 "CONSUMPTION AND POSSESSION IN PUBLIC PLACES" TO PROHIBIT CONSUMPTION OF ALCOHOL WITHIN THE CENTRAL BUSINESS DISTRICT; PROVIDING EXCEPTIONS; MAKING RELATED CHANGES TO SECTION 3-1 "DEFINITIONS"; PROVIDING REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

City Manager J.J. Oznick reminded the board that at our last meeting, it was suggested that the Alcohol Ordinance be amended giving the City Manager authority to approve Special Events that include alcohol.

Upon research, it was discovered that since 2012, when our Ordinance passed allowing Alcohol to be sold in Eastland, the Texas Alcoholic Beverage Commission (TABC) had

updated some of their legislation. Texas Alcoholic Beverages Code allows a city to prohibit “the possession of an open container or the consumption of alcoholic beverages in [a] central business district” under certain circumstances

The City Commission wishes to prohibit the possession and consumption of alcohol in the City’s central business district but wishes to allow the City Manager to provide exemptions for pre-approved events.

This Ordinance, 24-902, amends **Section 3-1**. “Definitions” of Chapter 3 “Alcoholic Beverages” of the Eastland Code of Ordinances is hereby amended in the following, and all other articles, chapters, divisions, sections, paragraphs, sentences, phrases, and words not expressly amended hereby are hereby ratified and affirmed.

Central Business District shall mean the area in downtown Eastland designated by the City Commission as the Central Business District. A map of the Central Business District may be accessed on the City’s website.

Open container means a container that is no longer sealed.

Amendment of Section 3-3. Section 3-3 “Consumption and possession in public places” of Chapter 3 “Alcoholic Beverages” of the Eastland Code of Ordinances is hereby amended in the following, and all other articles, chapters, divisions, sections, paragraphs, sentences, phrases, and words not expressly amended hereby are hereby ratified and affirmed.

§ 3-3. Consumption and possession in the Central Business District.

(a) Prohibited. The possession of an open container and the public consumption of alcoholic beverages in the Central Business District is prohibited.

(b) Exceptions. This section does not apply to:

- (1) The possession of an open container or the consumption of alcoholic beverages in motor vehicles, buildings not owned or controlled by the City, residential structures, or premises within the Central Business District which are permitted or licensed by the Texas Alcoholic Beverages Commission.
- (2) Persons attending events in the Central Business District which have been approved in advance and in writing by the City Manager.

Commissioner Shirley Stuart made a motion, seconded by Commissioner Richard Rossander to approve the first reading of Ordinance 24-902.

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

- 4. Discussion and Consideration authorizing the City Manager to enter negotiations with the City of Ranger and the Eastland County Water Supply District regarding debt service payments

City Manager J.J. Oznick explained to the board about a mistake that has been detected regarding how much the City of Eastland and City of Ranger has been charged on their debt service to the Eastland County Water Supply District (ECWSD). It was discovered that the City of Ranger owes the ECWSD **\$87,570.16** and the ECWSD has overcharged the City of Eastland the same amount.

City Manager Oznick and Mayor Vernon attended the last regular meeting of the ECWSD. After a lot of research, it has been determined that the City of Ranger has a 25% water loss ratio while the City of Eastland has a 9% water loss ratio. This loss represents a cost of over **\$250,000** to the City of Ranger. Ranger is having issues with its infrastructure, which causes the water loss. The Ranger City Manager and the Mayor are developing a plan that will address these issues.

In the spirit of partnership, because we all get our water from the same source, the City of Eastland would like to recommend to the ECWSD, that the ECWSD pays 50% of the overpayment to the City of Eastland, which would be **\$43,785.08**, and forgive Ranger the debt of **\$87,570.16**

We would also like to address the possibility of going to a “Monthly” bill for the water used as opposed to the “average” billing process that is now in place. This makes more sense and allows us to track our water payment to the ECWSD versus our water usage.

We want to work with both the City of Ranger and the ECWSD to develop a strategy going forward that will be beneficial to all of us

Commissioner Richard Rossander made a motion, seconded by Commissioner Shirley Stuart, to authorize the City Manager to enter negotiations with the City of Ranger and the Eastland County Water Supply District regarding debt service payments and Monthly Billing by the ECWSD.

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

IX. City Manager Report

GLO-CDBG-MIT Project Planning

The north section of the North Fork of the Leon is being cleared out. Work is almost complete at Ringling Lake and they are waiting to begin work on Eastland Lake.

TXDOT Exit 343 Ramp and Signal Light Projects

Construction is almost complete. The lights have been installed and they are waiting on some electrical parts to arrive in order to sync them with the signal light at Wal-Mart. The project should be completed shortly.

At our next meeting we will be renewing our Drought Contingency Plan as well as our Water Conservation Plan. These have to be renewed every five years. We are waiting on the County to approve theirs so we can make sure we are aligned with them.

X. Code Compliance Report

Planning and Zoning Director Tony Stubblefield reported the Code Compliance Report for March 2024. There were 6 open cases at the beginning of the month, 18 new cases were opened and 11 case were closed, which ended the month with 13 cases open. One case was reported for back taxes. One Annual Notice was sent. He stated that we are still working on changing the database system and there are some issues currently being pursued. Hopefully this will all be sorted out soon.

XI. Police Chief Report

Chief Tim Pitts stated there were 267 calls for service in March. 13 cases were filed with the District Attorney. There were 46 offense reports generated. He noted 9 arrests. A total of 479 traffic stops were initiated. This resulted in 257 warning citations and 222 citations issued. He also stated that 530 “business checks” were conducted. Our Animal Control Officer continues to be active with 60 business calls. 8 animals were impounded and 3 were adopted and two were quarantined. 17 citations and 2 warnings were issued by the Animal Control Officer.

EPD Assisted the Eastland County Sheriff’s Office on search warrant in Carbon where several stolen vehicles and burglaries linked together and solved.

Animal Shelter passed State Inspection

Both Officers Youngs and Rose doing well on FTO

Sgt. Allman Taught 2 DWI Classes for EPD and other agencies

We hired a Part Time Kennel Tech to care for the Kennels on the weekends.

Recruit Rodriguez is continuing to do well in the Police Academy and will be graduating in June.

Finally, 2 illegal aliens were discovered and released to US Border Patrol.

XII. Fire Chief Report

Fire Chief Joe Williamson gave the following activity report for the month of March 2024 for the Volunteer and Paid Firefighters. Total call volume: 74 which was an average of 2.38 calls per day. 60 of these were in the City Limits and 13 of them were in the county and they responded to 1 call for mutual aid to other county fire departments. There were 13 incidents between 10 p.m. and 7 a.m. There was 1 structure fire, 2 grass fires and 1 vehicle fire. They responded 31 Medical calls, 12 Motor Vehicle accidents and 13 Public Service assists and 13 false alarms/investigations.

Chief Williamson stated they had good attendance at their booth at Rips Ribs on Saturday May 13th. This was good publicity for the Fire Department.

Mayor Vernon commended Chief Williamson for attaining his Bachelor of Science Degree in Fire Administration.

XIII. Adjournment

Chairman Larry Vernon closed the meeting at 7:14 p.m.

APPROVED

Larry Vernon, Chairman
Board of City Commissioners

ATTEST

Roma Holley, City Secretary