

THE CITY OF EASTLAND
CITY COMMISSION REGULAR MEETING

July 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
Commissioner	Carol Jones

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
Code Enforcement	Terry Simmons

Guests: Julie Elrod, Juli Cameron, Thom Cameron, Vance O'Brien, Blake Brandstetter, Daniel Brandstetter, Nicole Smith

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 Carol Jones offered the invocation and Commissioner Richard Rossander 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)

No Comment

IV. Approve Minutes of the June 17, 2024 and June 24, 2024 and July 5, 2024 Meetings

Commissioner Richard Rossander made a motion, seconded by Commissioner James Doyle to approve the minutes of June 17, 2024 and June 24, 2024 and July 5, 2024 Meetings

Ayes: Commissioners Jones, Rossander, Stuart
Nays: None
Absent: Doyle
Abstain: Commissioner Stuart abstained from voting on the June 17, 2024 minutes

V. Financial Report

Finance Director Leslie Zander stated regarding sales tax that we are still increasing, which is a good sign for the city. She also reminded the Commission that our Auditor will be presenting the latest audit at the August 19, 2024 meeting.

VI. Public Hearing regarding the Structure on Property Commonly Known as 207 W. Patterson being considered as a Dangerous Building pursuant to Chapter 5, Article V of the Code of Ordinances.

Chairman Vernon opened the Public Meeting at 6:05 p.m.

He stated this public hearing is in order to give everyone a chance to speak on the subject of condemnation of this structure.

No one from the public spoke regarding this item.

Planning Director Tony Stubblefield stated that Code Enforcement Officer Terry Simmons has been working to identify the owner/heirs of this property. The owner died in 2019 and the property has been neglected since that time. No legal heirs have been found and the property has become dangerous.

A slide presentation detailed the present state of the property. The slides showed the structure at 207 W. Patterson. This structure has been stripped of everything of value. It is in very poor condition and on the verge of collapsing

The building(s) is/are not in compliance with the minimum standards for the following reasons:

- Doors and windows have been removed allowing moisture, animals and person to enter
- Roofing material removed allowing water penetration
- Floors, and ceilings have rotted due to exposure to the elements
- Electrical service base does not meet the minimum ONCOR requirements
- Electrical system does not meet the minimum standards for the state of Texas (2001 National Electrical Code)
- No mechanical system for heating
- Plumbing system does not meet the minimum standards as set by the City of Eastland's Plumbing Code
- The structure does not meet the State of Texas minimum requirements as set by the 2012 International Residential Code
- A portion of the structure has been boarded up and is being used as "storage" by known or unknown persons who are not legal heirs, owners or tenants of the property.
- Persons known or unknown, who have no legal claim to the property, are using the property to store vehicles
- City utility account was closed in April 2019
- Electrical service was disconnected by ONCOR in April 2019

It is the staff recommendation that this building be slated for abatement/demolition as soon as possible.

Chairman Vernon closed the Public Meeting at 6:20 p.m.

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

- 1. Discussion and Consideration of a Request by Ranger and Cisco College for Hotel Motel Tax Event Funds for sponsorship of the annual Wrangler Ranger Round Up Volleyball Tournament.

Nicole Smith, Head Volleyball Coach at Ranger College, spoke to the commission. Coach Smith stated that the City of Eastland helped sponsor the last four tournaments. They are planning to have several teams travelling from Texas, Oklahoma and Kansas to play on August 30th and 31st, 2024. Each team will be staying in hotels here in Eastland County and spending money at the restaurants and retail stores. The commissioners were provided with an outline of the projected expenses for this year’s tournament with the total being \$6,010 which will be split between both colleges. Last year, the commission approved \$6,120 for this tournament and \$6,010 is requested this year, unless the commission would like to give more.

City Manager J.J. Oznick stated that he had given the commissioners an information sheet listing the amount of funds available in the Hotel Motel Tax funds for the current year. He stated that this has been a good source of tax revenue for the city and he recommended the commission approve the full amount of \$6,010.

Commissioner Shirly Stuart made a motion, seconded by Commissioner Richard Rossander, to approve the entire request of \$6,010 from the Hotel Occupancy Tax Funds to Ranger College.

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

- 2. Discussion and Consideration of Ordinance 24-903 AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS ORDERING AN ELECTION TO BE HELD ON NOVEMBER 5, 2024 IN EASTLAND, TEXAS FOR THE PURPOSE OF VOTING ON PROPOSED CHARTER AMENDMENTS; PROVIDING FOR MATTERS INCIDENTAL THERETO; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 24-903

AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS ORDERING AN ELECTION TO BE HELD ON NOVEMBER 5, 2024 IN EASTLAND, TEXAS FOR THE PURPOSE OF VOTING ON PROPOSED CHARTER AMENDMENTS; PROVIDING FOR MATTERS INCIDENTAL THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Eastland (the “City”) is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code;

WHEREAS, pursuant to Section 9.004(a) of the Texas Local Government Code, the City Commission of the City (the “City Commission”) may submit proposed Charter amendments to the City’s voters at an election;

WHEREAS, Section 9.004(b) of the Texas Local Government Code requires that such an election be ordered by ordinance; and

WHEREAS, the City Commission wishes to order an election to be held on November 5, 2024 for the purpose of submitting proposed amendments to the City Charter to the voters.

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

SECTION 1. INCORPORATION OF PREMISES. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. ELECTION ORDERED. An election is hereby ordered to be held on November 5, 2024 in Eastland, Texas for the purpose of voting on the following propositions:

A. Shall the Charter of the City of Eastland be amended to update the term “Chairman” of the Commission to “Mayor” throughout the entirety of the Charter?

FOR _____
AGAINST _____

B. Shall the Charter of the City of Eastland be amended to update the term “City Clerk” to “City Secretary” throughout the entirety of the Charter?

FOR _____
AGAINST _____

C. Shall Article 3, Section 2 of the Charter of the City of Eastland be amended to remove the requirement that Commission meetings concerning the City’s budget be at least three (3) hours long?

FOR _____
AGAINST _____

D. Shall Article 6, Section 1 of the Charter of the City of Eastland be amended to allow ordinances which are not required to be published to take effect immediately following their adoption by the City Commission rather than thirty (30) days after their adoption?

FOR _____
AGAINST _____

E. Shall Article 6, Section 2 of the Charter of the City of Eastland be amended to require that initiative and referendum elections be held on a uniform election day as required by the Texas Election Code?

FOR _____
AGAINST _____

F. Shall Article 7, Section 2 of the Charter of the City of Eastland be amended to require that Commissioners comply with the laws of the State of Texas regarding conflicts of interest?

FOR _____
AGAINST _____

G. Shall Article 7, Section 3 of the Charter of the City of Eastland be amended to allow a vacancy on the City Commission to be filled by appointment rather than a special election?

FOR _____
AGAINST _____

H. Shall Article 7, Section 14 of the Charter of the City of Eastland be amended to correct the term “County” Officials to “City” Officials?

FOR _____
AGAINST _____

I. Shall Article 7, Section 16 of the Charter of the City of Eastland be amended to increase the required number of signatures on a recall petition to equal the total number of votes cast at the last City election rather than thirty percent (30%) of the votes cast at the last City election?

FOR _____
AGAINST _____

J. Shall Article 7, Section 16 of the Charter of the City of Eastland be amended to require that specific grounds be stated in a petition for recall of a Commissioner?

FOR _____
AGAINST _____

K. Shall Article 7, Section 16 of the Charter of the City of Eastland be amended to allow a vacancy on the City Commission created by a recall election to be filled by appointment?

FOR _____
AGAINST _____

L. Shall Article 8, Section 1 of the Charter of the City of Eastland be removed so the City is not prohibited from entering into contracts for personal service for stated lengths of time?

FOR _____
AGAINST _____

M. Shall Article 8, Section 3 of the Charter of the City of Eastland be removed to eliminate the more stringent conflict of interest requirement in said Section and to allow the Commissioners to comply with state law regarding conflicts of interest?

FOR _____
AGAINST _____

N. Shall Article 9, Section 13 of the Charter of the City of Eastland be amended to impose state law restrictions regarding nepotism rather than the more stringent restrictions contained in said Section?

FOR _____
AGAINST _____

SECTION 3. AMENDMENTS. Should the voters approve any of the propositions listed above, the referenced sections of the City Charter shall be amended to read as follows:

A. Each occurrence of the term “Chairman” of the Commission shall be replaced with the term “Mayor” in the following Sections:

- Article 5, Section 2
- Article 6, Section 1
- Article 8, Section 5

B. Each occurrence of the term “City Clerk” shall be replaced with the term “City Secretary” in the following Sections:

- Article 1, Section 4
- Article 3, Section 3
- Article 5, Section 7
- Article 6, Section 1
- Article 7, Section 16
- Article 8, Section 5
- Article 9, Section 15

C. Article 3, Section 2, Finances, Etc., Paragraph entitled “Budget”: “The City Manager shall prepare and submit to the Board of Commissioners an annual budget on the basis of estimates of the expenses of the various departments of the City. These departmental estimates showing the expenses of the department for the preceding year and indicating wherein increases or diminutions are recommended for the ensuing year shall be available to any citizen upon request to the Manager. The Manager shall make up the Budget and submit it to the Board of Commissioners. Due notice shall be made of the time when the budget is to be discussed by the Board of Commissioners and printed copies of the budget as recommended by the Manager shall be available to any citizen at least one week before the date set for the discussion in the Commission.”

D. Article 6, Section 1, General Legislation, Paragraph entitled “To Take Effect When”: “An ordinance not required to be published under Section 4 hereof and not declared emergency ordinances shall go into effect immediately upon adoption by the Commission, subject to repeal by referendum.”

E. Article 6, Section 2, Direct Legislation:

“Petition and Election, Initiative: Upon petition of a number of qualified voters, at least equal to thirty three and one third per cent (33 1/3%) of the number of votes cast at the last municipal election in the City of Eastland for the current year, any ordinance may be submitted to the Board of Commissioners for enactment, if the Board of Commissioners shall fail to act within one month from time of submitting such ordinance or shall reject the ordinance, or pass it in an amended form, the Board of Commissioners shall call an election on the next uniform election date for which adequate time exists to order said election pursuant to the Texas Election Code, at which time the ordinance shall be submitted. At this election the caption of the original ordinance shall be printed on the ballot, and if the Commission has amended the ordinance, then the caption of such ordinance shall also appear in the amended form and the voters be given the opportunity to choose between the two or reject both. In no case shall a measure be considered as adopted at such election unless a majority of the votes cast at such election shall have been in favor thereof, and unless there shall have been cast at least one hundred and fifty votes in favor of the measure.

Referendum: Any ordinance passed by the Board of Commissioners shall be subject within one month after its passage to protest by a petition of a number of qualified voters of the City of Eastland equal to at least thirty three and one third (33 1/3) per cent of the number of votes cast at the last municipal election for the current year, asking that said ordinance be submitted to a referendum vote of the people. If the ordinance is not declared an emergency ordinance, it shall not go into effect until the month has expired, or until the referendum vote has been had, if demanded in due form; if an emergency measure, it shall go into effect immediately subject to repeal by referendum. Such an election, if demanded, shall be held on the next uniform election date for which adequate time exists to order said election pursuant to the Texas Election Code at which the ordinance may be

submitted. The ordinance shall not be considered as rejected unless a majority of the votes cast at such election shall be cast against it and unless there shall have been cast at least one hundred fifty votes against the measure.”

F. Article 7, Section 2, Qualifications of Commissioners: “Each of the Commissioners shall have been a resident of the City of Eastland, Texas for a period of time as prescribed by the Texas Election Code, shall have attained the age of at least (18) years, shall have the qualifications of electors qualified to vote for members of the Legislature, shall not be indebted to the City, shall not hold any other public office or employment or trust, and shall comply with the laws of the State of Texas regarding any conflicts of interest. Any Commissioner who shall ever, after having been elected as Commissioner cease to possess any of the qualifications herein prescribed shall forthwith forfeit such office and same shall become vacant, and any contract in which any officer or employee is or may become interested shall become absolutely void.”

G. Article 7, Section 3, Terms and Vacancies: “Each Commissioner, as long as qualified, shall serve, after the first election hereunder for a term of two years and until his successor is elected and qualified. Vacancies in the office of Commissioner shall be filled by appointment by the remaining members of the City Commission for the remainder of the unexpired term”.

H. Article 7, Section 14, Oaths for Officials: “Every Officer of the City, before entering upon the discharge of the duties of his office shall take and subscribe to the oath prescribed by the Constitution of Texas for City Officials and the oath so subscribed shall be filed with the City Secretary”.

I. Article 7, Section 16, Recall of Officers, First Sentence Only: “The holder of any elective office may be removed at any time by the qualified voters of the City of Eastland, the procedure to affect the removal of such officer shall be as follows: A petition signed by a number of registered voters equal to the number of votes cast at the last preceding election at which City Officers were elected”.

J. Article 7, Section 16, Recall of Officers, Third Sentence Only: “Such petition shall distinctly and specifically point out the ground or grounds upon which such petition for removal is predicated, including incompetency, misconduct, or malfeasance in office”.

K. Article 7, Section 16, Recall of Officers, First Sentence of Last Paragraph: “If the majority of the votes cast at such election shall be in favor of Removal the Board of Commissioners shall immediately declare the result of said election and declare said office vacant and shall immediately appoint someone to fill such vacancy as herein before provided”.

L. Article 8, Contracts, Etc.: Complete removal of Section 1, Personal Service. Said Section shall be reserved for future use.

M. Article 8, Contracts, Etc.: Complete removal of Section 3, Conflict of Interest. Said Section shall be reserved for future use.

N. Article 9, Section 13, Nepotism: “No person shall be eligible to appointment to any paid position in the city who is related to any member of the Board of Commissioners within the third degree by consanguinity or within the second degree by affinity, unless otherwise allowed by Chapter 573 of the Texas Government Code.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption by the City Commission.

PASSED AND APPROVED on first reading on the 15th day of July, 2024.

PASSED, APPROVED, AND ADOPTED on second reading on this the _____ 2024.

Commissioner Richard Rossander made a motion, seconded by Commissioner Shirley Stuart, to order an election to be held on November 5, 2024 to amend the Charter of the City of Eastland.

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

VIII. City Manager Report

GLO-CDBG-MIT Project Planning

Work on the north fork section is complete. The bid documents for the south fork are being reviewed and we will be ready to put out shortly. Bids for the street portion of the GLO project are due July 17.

TXDOT Exit 343 Ramp and Signal Light Projects

Construction is complete and the lights are on.

2023 - 2024 STREETS

It appears that all of the streets we've asked to include in the Mitigation Project will be within budget.

IX. Code Compliance Report

Planning and Zoning Director Tony Stubblefield reported the Code Compliance Report for June 2024. There were 53 open cases at the beginning of the month, 26 new cases were opened and 11 case were closed, which ended the month with 68 cases open.

X. Police Chief Report

Chief Tim Pitts stated there were 419 calls for service in June. 18 cases were filed with the District Attorney. There were 71 offense reports generated. He noted 18 arrests. A total of 391 traffic stops were initiated. This resulted in 249 warning citations and 142 citations issued. He also stated that 592 "business checks" were conducted. Our Animal Control Officer had a very active month with 113 business calls. 16 animals were impounded and 1 was adopted and 9 were quarantined. 6 citations and 4 warnings were issued by the Animal Control Officer.

Chief Pitts noted there were 5 Narcotics Arrests; 5 arrest warrants served; 4 Sexual Assault Cases investigated and 4 arrests for Driving While Intoxicated.

The Texas Department of Transportation sponsors a grant that provides funds to Law Enforcement through a STEP program. This **Selective Traffic Enforcement Program: This is a program to Promote Safety: Champion a culture of safety – Reduce crashes and fatalities by continuously improving guidelines and innovations along with increased targeted awareness and education.** Our officers will be increasing patrols in specific areas in an effort to reduce crashes and encourage compliance with state law.

XI. Fire Chief Report

Fire Chief Joe Williamson gave the following activity report for the month of June 2024 for the Volunteer and Paid Firefighters. Total call volume: 104 which was an average of 3.47 calls per day. 77 of these were in the City Limits and 24 of them were in the county and they responded to 3 calls for mutual aid to other county fire departments. There were 2 incidents between 10 p.m. and 7 a.m. (This is a misprint and it should be either 22 or 32). There were 2 structure fires, 3 grass fires and 1 vehicle fire. They responded to 54 Medical calls, 13 Motor Vehicle accidents and 2 Public Service assists (this is also probably a misprint) and 1 false alarm/investigation. We had one rescue and two Haz-Mat issues. Our volunteer membership remains at 25. We did install one Smoke Detector.

Chief Williamson stated they held the first EMT class for 19 participants from the surrounding areas on July 15, 2024. 9 of these students represent the Eastland Volunteer Fire Department. July 15, 2024 at the Eastland Fire Department.

Three volunteers attended the Texas A&M Municipal Fire School that was reimbursed by a grant from the Texas Forestry Service. Two of these volunteers attended the Basic Wildland Firefighting Basic Certification Class and the other volunteer attended the Live Fire Training Instructor class, which will be to support our future fire academy.

Chief Williamson stated we are still having challenges filling the vacancy that occurred in April. Our two staff members are pulling a lot of overtime which not only puts a strain on the budget but also puts a strain on the staff.

XII. Adjournment

Commissioner Richard Rossander made a motion, seconded by Commissioner Shirley Stuart, to adjourn at 7:01 p.m.

APPROVED

Larry Vernon, Chairman
Board of City Commissioners

ATTEST

Roma Holley, City Secretary