

THE CITY OF EASTLAND
CITY COMMISSION REGULAR MEETING

August 16, 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:

Chairman	Larry Vernon
Commissioner	Ben McNabb
Commissioner	Cecil Funderburgh
Commissioner	Richard Rossander

CITY COMMISSIONERS ABSENT:

Commissioner	Zac Darr
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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 Lieutenant	Dan Wilson
Fire Chief	Joe Williamson
Public Works Director	Bobby Jacoby

Guests: Julie Elrod, Daniel Wooldridge II, Tom Blackwell, Jan Blackwell, Jordan Shafer and grandson, Sam Williams

I. MEETING CALLED TO ORDER

Chairman Larry Vernon called the meeting to order at 6:04 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Larry Vernon offered the invocation and Commissioner Richard Rossander led the Pledge of Allegiance.

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

Chairman Vernon called on Jordan Shafer who spoke about the desire to have a “skate park” within Eastland. Mr. Shafer and his grandson have been to skate parks in both Ranger and Breckenridge. He stated that he is willing to help with fundraising or any thing that needs to be done. He was told to start here with the City Commission to get it in front of the city leaders. Chairman Vernon thanked Mr. Shafer for coming and bringing it to our attention. This will be discussed further and we will let you know what we come up with.

IV. APPROVE MINUTES OF THE JULY 19, 2021 AND AUGUST 4, 2021 MEETINGS

Commissioner Ben McNabb made a motion, seconded by Commissioner Cecil Funderburgh, to approve the minutes of the July 19, 2021 and August 4, 2021 Meetings. Motion prevailed by the following vote:

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

V. FINANCIAL REPORT

Finance Director Leslie Zander stated that the sales tax is still doing well and we are right where we should be in other income and expenses.

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 **Resolution 2021-11**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EASTLAND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2021 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE ADOPTING; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST, APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZAION OF REGULATORY OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AND EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL

City Manager J.J. Oznick stated that we are part of a Steering Committee with Atmos that lobbies on our behalf to review and negotiate rates. This resolution states that we agree with their recent action regarding rate adjustments.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander, to approve Resolution 2021-11. Motion prevailed by the following vote:

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

2. Discussion and Consideration of First Reading of **Ordinance 21-874**

AN ORDINANCE OF THE CITY OF EASTLAND, TEXAS CHANGING THE ZONING USE DESIGNATION OF PROPERTY DESCRIBED AS THE SOUTH HALF OF LOT 5 AND ALL OF LOT 6 OF BLOCK 4 OF THE BURKETT 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 addressed the board and described the **Request:** To Rezone entire parcel from SF-Single Family to MH-Manufactured Home Zoning in order to place a new manufactured home on Lot 6 and zone S/2 of Lot 5 to continue the use current manufactured home in the future. The new home to be placed on Lot 6 is for the owner’s daughter to live while helping care for her mother, who is in failing health.

History: Both lots had manufactured homes on them prior to zoning being put in place in 2007. 1307 S. Lamar still has a manufactured home that the applicant is currently living in. Lot 6 of the parcel was known as 1315 S. Lamar and had a manufactured home that had been removed at some point.

Staff Report: There are some zoning districts that were placed in 2007 that do not correspond with their current use. When these are found they are to be brought forward to be rezoned to correct the issues. This is one of those times. The MH zoning is found just across the street to the south of this property. In addition, the owner’s current home and several surrounding the property are manufactured homes as well.

Staff Recommendation: City Staff recommends to approve the rezone of the parcel to MH – Manufactured Home zoning district.

Commissioner Richard Rossander made a motion, seconded by Commissioner Ben McNabb, to approve the first reading of **Ordinance 21-874**. Motion prevailed by the following vote:

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

3. Discussion and Consideration of **Resolution 2021-12**

A RESOLUTION SETTING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF EASTLAND, TEXAS, AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SAME.

City Manager J.J. Oznick stated that Marcus Bartee has petitioned the City to be annexed into the City Limits. If passed, this Resolution will set a public hearing in order fulfil the requirements of annexation. Mr. Bartee has signed the service agreements already and is completing a very nice building for his business.

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander, to approve **Resolution 2021-12**. Motion prevailed by the following vote:

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

4. Executive Session in Accordance with Texas Government Code §551.072, Real Property

Executive Session Begin: 6:18 p.m.
Executive Session End 6:41 p.m.

5. Reconvene in Open Session and Take any Needed Action on Subject of Executive Session

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Richard Rossander, to authorize the City Manager to move forward with the sale of City Property to the Texas Department of Transportation. Motion prevailed by the following vote:

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

VII. City Manager's Briefing

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

He stated that he wants to REALLY commend the Public Works crew for all of their hard work in containing this latest leak. It took 21 hours to repair the leak and he heard NO complaints from any of the hard-working employees. Commissioner Funderburgh interjected his appreciation for not only a Public Works Department that is incomparable, but that City Manager Oznick was working right alongside them. All of the Commissioners agreed that major credit is to be given to Bobby Jacoby and his crew.

Mr. Oznick continued that the GLO contract will be here the end of September or October.

Texas Water Development Board released the final funds to the contractors.

Mr. Oznick and EEDI Director Tom Bailey had a meeting with Tx DOT engineer Jason Scantling and they discussed the future movement of the 343 exit ramp, and also the traffic lights that will be coming to both sides of the interstate at the service roads. All of this is still about a year away from happening, but we are making progress.

A meeting will be held at the Airport on August 24, 2021 to discuss the upcoming renovations and repairs to increase the efficiency of the airport.

Regarding the new generator at the ground storage tanks, a switch gear has been installed and they are about to begin pouring the pad and actually installing the generator.

Mr. Oznick stated that he and other leaders from across the region met with representatives of Union Pacific Railroad and with State Representative Glenn Rogers. The purpose of the meeting was to discuss the issues with the train continuously blocking major road crossings. The Union Pacific Railroad representatives were receptive to the concerns and said they will do their best to address these issues. Chairman Vernon stated that State Representative Glenn Rogers has really advocated for this meeting and it is sincerely appreciated.

VIII. Code Enforcement Report

Planning and Zoning Director Tony Stubblefield reported the Code Compliance Report for July 2021. There were 42 open cases at the beginning of the month, 31 new cases were opened and 32 cases were closed which ended the month with 41 cases open. 4 citations were issued and fines assessed were \$1,567 and \$150 was paid.

IX. Fire Chief Report

Fire Chief Joe Williamson gave the following activity report for the month of July for the Volunteer and Paid Firefighters. Total call volume: 66 which was an average of 2.12 calls per day. 50 of these were in the City Limits and 12 of them were in the county and they responded to 4 calls for mutual aid to other county fire departments. There were 8 incidents between 10 p.m. and 7 a.m. They responded to 3 structure fires, 2 grass fires and 1 vehicle fire. They responded to 25 Medical calls, 8 Motor Vehicle accidents and 6 Public Service assists and 16 false alarms/investigations.

Chief Williamson also expressed appreciation for the efforts of the Public Works department to contain the leaks. He said without water, the fire department can't operate.

X. Police Report

Lieutenant Dan Wilson stated there were 232 calls for service in July. 26 cases were filed with the District Attorney. There were 59 offense reports generated. He noted 36 arrests. A total of 543 traffic stops were initiated. This resulted in 371 warning citations and 172 citations issued. All of this was accomplished with the department having 3 new personnel in the Field Training program. Lt. Wilson highlighted some of the month's activities: a foot pursuit of illegal immigrants that was the result of a traffic stop; and Evading Arrest/DWI; Blake Pence began her Police Academy; Officer Joiner arrested an individual for possession of 6 grams of black tar heroin; and the Animal Control Officers assisted the Sheriff's Office with an animal cruelty investigation. 10 cases were filed for narcotics violations and/or drug paraphernalia.

XI. Adjournment

Commissioner Cecil Funderburgh made a motion, seconded by Commissioner Ben McNabb, to adjourn at 7:11 p.m. Motion passed unanimously.

APPROVED

Larry Vernon, Chairman
Board of City Commissioners

ATTEST

Roma Holley, City Secretary