



REGULAR CITY COUNCIL MEETING

Tuesday, May 09, 2023, at 7:00 PM

CITY COUNCIL CHAMBERS - 120 Paint Rock Street, Eden, TX

Off: 325-869-2111 | Fax: 325-869-5075

MINUTES

1. PRESENT:

Agapito Torres
Priscilla Aguirre
Jennifer Martinez
Randy Dunaway
Bradley Gandy
Laura Beeson

ABSENT:

Grover Hall

2. INVOCATION

Pamela Young provided the invocation.

3. PRESENTATIONS BY CITIZENS

Floor open to discussion on any subject. No action may be taken by law. Citizens wishing to speak shall do so after being recognized by the Mayor. The Mayor and City Council may establish a time limit as necessary.

Paula Duwe noted that the lines installed by Frontier Communications at the Multipurpose Building were very unsightly and needed to be fixed.

4. WORKSHOP

No action to be taken. Staff reports regarding Current Projects and Plans, Ordinances and Compliance, Water Usage, Grant Opportunities and Status of Current Grants, Economic Development, Business, and Other Agenda Items listed below.

City Administrator provided the monthly update for Public Works. Public Works employees performed daily monitoring and maintenance such as obtaining the readings and checking the residual at the Water and Wastewater Treatment Plants. They continued to work on the project to determine pipe material on both the City side and the customer side for every meter in the distribution system. They repaired five water leaks: on Allen Street, Hwy 83, McCord Road, and two on King Street. They began filling in holes on Daniels Street and picked up trash on the road by the dump. They had four sewer stoppages: two on Hwy 87, on Green Street, and on Johnson Street. They had several animal control calls, and they mowed and weed-eated around the City Office, the shop, the sewer plant, the fire station, and the bar ditches. They pulled the pumps at the Sewer Plant due to trash, and they spent several days locating lines around the Industrial Park area and at the loading rack. They filled in holes while searching for the water issues, and had several lines locate requests from West Texas Gas. They completed meter readings and cut offs and installed several 5/8" meters. They also received some material from TXDOT on the bridge project and started filling holes on Daniels Street, Pecan Street, and Merino Row. They hung swings at Swimming Pool Park and replumbed a 3" pipe for the filters. They also had to replace a 3" valve at the loading station.

City Administrator Laura Beeson provided a monthly update. We solved the water problem at the loading rack and in Industrial Park. After many hours spent checking the location of where the lines tie in, checking

fire hydrants, and potholing, public works found an air lock in the lines. Once this pressure was relieved and fire hydrants were opened to remove all the trash, we had abundant pressure back in this area. Public Works have installed the new pool pump and the chemical mixing machine. The problem now is that we have ZERO lifeguard applicants. In order to open the pool on time, we need at least 8 lifeguards by Friday so they can be trained in time to open. Contractors are currently still waiting for the Water Plant and Well #3 Emergency Generators to arrive, and we expect this project to be completed at the end of May or first of June. Our deadline with TCEQ is June 30, 2023. If we are unable to make this date, we need to contact Luci at eHT to ask for another deadline extension from TCEQ. A Pre-Construction meeting for the Industrial Park Road Project was held last month. The surveyors from eHT needed to mark the location of the roadway, and public works needs to move a waterline out of the road. Mark Osburn should have this project completed in short order. The funds designated by Council for this project were from the City's Infrastructure Account, so the contractor will be paid strictly from this account. Public works needs to secure 3 bids for fencing to present to Council, so that the City-owned Lots 2-6 in Industrial Park are fenced off in order to open this up as a public street. The most important lot to fence off is Lot 4 where Well #3 is located. The openings for City Secretary and City Administrator have now closed, and the applicants will be sent to the Selection Committee for review.

5. REPORTS OF OTHER AGENCIES, COMMISSIONS, & STAFF

A. 2021-2022 Audit Report - Gayla Fullerton, Fullerton & Associates PLLC

Caroline McLane from Fullerton & Associates, PLLC, provided the 2021-2022 Audit Report for the City of Eden and EEDC. Both audits came back good with no concerns, and the City's financial health improved over the previous year. They also did a single audit for the City's grants for the 2021-2022 fiscal year with no issues or concerns.

B. Eden Economic Development Corporation Monthly Report -- Brent Frazier, President

There was no EEDC monthly report given.

6. CONSENT ITEMS

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for separate consideration.

- A. Approval of April 11, 2023, Regular Session Minutes
- B. Approval of April 18, 2023, Special Session Minutes
- C. Approval of April 24, 2023, Special Session Minutes
- D. Approval of Financial Statement Month Ending April 2023
- E. Approval of City of Eden Investment Report Month Ending April 2023

Motion to approve Consent items "A" -"E" was made by Council Member Dunaway and seconded by Council Member Martinez. Motion carried 4-0.

Motion made by Dunaway, Seconded by Martinez.

Voting Yea: Martinez, Aguirre, Dunaway, Gandy

7. BUSINESS

Consideration and Possible Action On:

- A. Consider and Approve Eden Economic Development Corporation 2023-2024 Budget
- B. Consider and Approve Eden Economic Development Corporation 2023-2024 Budget
Motion to approve Eden Economic Development Corporation 2023-2024 Budget

Motion made by Dunaway, Seconded by Gandy.
Voting Yea: Martinez, Aguirre, Dunaway, Gandy

- C. Consider and approve Eden Economic Development Corporation 2023-2024 IRP Budget
Motion to approve Eden Economic Development Corporation 2023-2024 IRP Budget

Discussion of having the cemetery contract bid out and go with the lowest bidder.

Motion to bid out cemetery contract.
Motion made by Dunaway, Seconded by Aguirre.
Voting Yea: Martinez, Aguirre, Dunaway, Gandy

- D. Consideration of an Application for a Zone Change from Brian Wilson, and approval to move it to the Zoning Board, from Zone "A" Single Family Residential District to Zone "E" Manufactured Housing Residential District on the following property:
825 Stock Pen Road, specifically the East ½ of Lot 1, Block 4, and all of Lot 4, Block 3, Robert Subdivision, Eden, Concho County, TX

Motion to deny ordinance change.

Motion made by Gandy, Seconded by Aguirre.
Voting Yea: Martinez, Aguirre, Dunaway, Gandy

- E. Consideration of and funding allocation for a Structural Engineering proposal from eHT to erect a new awning structure and consideration of and funding allocation for the structure itself at the building currently known as the "Green Apple" located at 305 N. Main Street

Motion to get more estimates on structure.
Motion made by Dunaway, Seconded by Aguirre.
Voting Yea: Martinez, Aguirre, Dunaway, Gandy

- F. Consideration of Proposal from Texas Communication to move emergency sirens from the Business Incubator building to the Multipurpose Center

Proposal dies for lack of motion

- G. Approval for Mayor to sign a Letter of Support for a NextLink Fiberoptic Project in Concho County

Council would like to set up a meeting to get the correct data for the project. Item tabled.

- H. A. Consider and Approve gWorks financial, budgeting, utility billing, payroll, and court software proposal quote of \$17,271 for implementation costs and \$9369 for annual maintenance costs resulting in a 46.85% annual cost savings from current Incode Software system

B. Consider renewal of Timeclock Plus Software at a rate of \$1694.08 annually.

- I. Consider and approve Records Retention Processing Proposal from Records Consultants, Inc. (RCI) in the amount of \$2490 for the on-site phase and \$3090 for the Record Compliance Program to ensure compliance with the Texas Legislature's Local Government Records Act

Motion to approve Records Retention Proposal from Records Consultants, Inc.
Motion made by Gandy, Seconded by Martinez.
Voting Yea: Martinez, Aguirre, Dunaway, Gandy
- J. Approve a Resolution Setting the Current Garbage Fee Rate for Customers of the City of Eden for years 2023 through 2027

Motion to approve Resolution setting the current garbage fee rate
Motion made by Dunaway, Seconded by Gandy.
Voting Yea: Martinez, Aguirre, Dunaway, Gandy
- K. Discussion and Consideration of Beautification Committee requests:
 - A. Approve for Mayor to sign Beautification Committee By-Laws
 - B. Discuss and consider who is responsible for the maintenance at city-owned property known as "The Garden" and determine funding for said maintenance.
 - C. Consider and approve submission of Request for Proposals (RFPs) to maintain "The Garden" and determination of scope of project.

Motion made by Martinez, Seconded by Gandy.
Voting Yea: Martinez, Aguirre, Dunaway, Gandy
- L. Discussion and Consideration of requests from the Cemetery Committee:
 - A. Consideration of Cemetery Committee bylaw meeting date change from the third Thursday to the second Tuesday of each month.
 - B. Consideration of possible partial funding of cemetery road upgrades and approval to submit a City of Eden Grant Request to the San Angelo Health Foundation for up to \$220,000 for these road upgrades, as well as cemetery improvements.
 - C. Consider approval of a request for a headstone cleaning project and determination of rules for application of this project if approved.
 - D. Discuss and determine status of Cemetery Perpetual Care Fund and consider possible use of these funds for Cemetery Improvement Projects

No action- dies from lack of motion
- M. Determination and approval of terms of transition agreement with City Secretary / City Administrator

Motion to approve agreement with \$30/hour.
Motion made by Dunaway, Seconded by Aguirre.
Voting Yea: Martinez, Aguirre, Dunaway, Gandy
- N. Discuss and determine person of authority for financial transactions and hiring determinations during transition period of City Administrator, as well as possibly the Mayor

Council discussed the Mayor and Mayor Pro-tem be on the bank accounts.

- O. Discussion and possible action regarding the contractor default and current surety bond status of the USDA South Water and Sanitary Sewer Water and Wastewater Improvements Projects

Mark Stein from Vertex Engineering presented at City Council. Stein is working as an engineer on behalf of the Surety Bond Company to help prepare the bid documentation for a new bid to complete the project. He noted that ROTO, Inc. has filed for bankruptcy. He helped with 2 bid walks where Reece Albert, Darnell, and Dickson, and 2 or 3 others visited the work site, inspected the materials on hand. We are finally seeing some momentum with the outstanding projects. He visited with Jody Darnell this afternoon, and he is finalizing the bid pricing for next week. He is working hard to get a new contractor to complete the project, and is hoping to have one on board by the beginning of June to begin working on the project. The contract negotiations are still in progress, and the Surety Bond company and the new contractor need to agree on a price. The Surety Bond company will pay the difference between the negotiated price and the price needed to complete the project. A Tender Agreement and new contract will then be put in place. The current Surety Bond will remain in place until the project is complete in order to remove the risk to the new contractor

- P. A. Updates and possible action regarding Management, Maintenance, and Funding of Golf Course, to include consideration of electrical estimates for the check valve.

B. Course Management Presentation - Dan Olin

Mr. Olin said he was devastated by the condition of the golf course. He is proposing managing the golf course. Mr. Olin spoke of equipment that is needed, a mower and 2 UTVs. He states the greens need to be reseeded and water for 12/hrs a day for 7 days. Some expenses consist of a new mower for \$14,000, \$1000 for blades and rollers and \$380 to fix wipers and wires. Mr. Olin has other equipment he can use.

Council member Dunaway asked how much money he was asking for, Mr. Olin replied \$80,000 a year.

- Q. Approval of April 2023 Bills

Motion to approve the April 2023 bills.

Motion made by Gandy, Seconded by Dunaway.

Voting Yea: Martinez, Aguirre, Dunaway, Gandy

- R. Set dates for 2023-2024 Budget Sessions (possibly June 6, 2023, and June 20, 2023) and Public Hearings (2) (possibly July 11, 2023, and July 25, 2023)

Motion to approve Budget session and Public hearing dates.

Motion made by Dunaway, Seconded by Gandy.

Voting Yea: Martinez, Aguirre, Dunaway, Gandy

8. ADJOURN

The meeting was adjourned at 10:23 PM.

Agapito Torres, Mayor

Laura Beeson, City Secretary/Administrator