



# REGULAR CITY COUNCIL MEETING

Thursday, November 10, 2022 at 7:00 PM

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

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

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## MINUTES

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### 1. CALL TO ORDER AND ROLL CALL

#### PRESENT:

Mayor Agapito Torres	Grover Hall
Jennifer Martinez	Randy Dunaway
Priscilla Aguirre	Bradley Gandy

### 2. INVOCATION

City Administrator Laura Beeson provided the invocation.

### 3. 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.**

Public Works Supervisor Ronnie Winans provided a monthly update. 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 repaired three water leaks on Highway 87, one on Canning Street, and one on Highway 83. They began cleaning drainage ditches so water could flow, and worked on two sewer stoppages on McCall Street and Highway 87. They had several animal control calls. They mowed and weed-eated around the Water Plant, the wells, bar ditches, and around the Sewer Plant. They filled in a washed out area at the Eden Cemetery north entrance. They cleaned out the Lift Stations daily and pulled pumps at the Sewer Plant Lift Stations and the SBR to clean out the trash. They monitored the USDA contractors multiple times each day, hauled off rocks and trash from one dump location to another, and completed a water and a sewer tap on Ballard Road. They searched for sewer and water lines in Pfluger Park for the new hospital/nursing home project. They also worked to clean out the back fence area of the Cemetery. They cleaned all piping at the Sewer Plant in order to fix the second SBR Basin. They also searched for the location of water valves along Smith Street and around the Water Plant in order to kill out lines for the USDA North Water Project.

City Secretary/Administrator Laura Beeson provided a monthly update. With the timeline extensions, the USDA project should be wrapping up around January 2023. Because the project is out of funding for an inspector, Ronnie will be needed to complete the remaining on-the-ground inspections. Patching and repairing the roads will be at the end of the project. Once the USDA Project reaches substantial completion, we plan to add the Industrial Park Lift Station upgrades and refurbishment to this project in order to use all of the funds available. The unmetered 6" water main at the Detention Center now has a water meter installed. We only have two full days of data which indicate about 42,000 gallons of water used in two days. Using this, a rough monthly estimate at this point would be about 630,000 gallons used per month off of this 6" line. Work has been started on the repairs to the Sewer Plant. Purcell has

installed the new diffusers and made the necessary repairs to the busted pipes in one basin. We are currently waiting for Purcell to return, so we can remove the sludge from the other basin, change out the pipes, and install the new diffusers in that basin as well. At the Water Plant, WRT has received the necessary parts to repair the current leak in one of the trains. WRT expects to make the required repairs this Saturday evening, so this train can be brought back on line with no leaks. The Mayor and City Administrator met with a member of Core Civic's Real Estate Team to discuss possible locations for some pre-fab modular groups of housing. Further discussions will be held this month or next. The City received final approval to apply for the new TWDB Grant, and a Pre-Application Meeting is scheduled next week. A survey has been scheduled by eHT for the Hospital Water and Wastewater evaluation for Tuesday next week (the 15th), and Ronnie will assist with locating existing water and wastewater lines. The Industrial Park Road Project went out for bids today. The City's new website is now live. We invite everyone to check out [www.edentexas.com](http://www.edentexas.com) to see the new site. If visiting the site on your phone, you will also notice a mobile version that is very user-friendly. We also just listed our first auction online. We created a link to the current city auction on our homepage. You will notice the new look of the agenda and minutes with links for all of the agenda documentation. There is also a section to sign up for various email lists to receive notifications and information. In regards to the Incubator building, Barbi cleaned up all of the office equipment items that will be put up for auction and took pictures. We will be listing these as the first online auction items so that these can be cleared from the building. Additionally, I have a meeting with Texas Communications tomorrow, so we can get an estimate of the costs to remove the interior controls and exterior emergency sirens from this location over to City Hall. We will have to bring in a crane to remove the existing tower at this location section by section.

#### **4. REPORTS OF OTHER AGENCIES, COMMISSIONS, & STAFF**

A. Eden Economic Development Corporation

None provided.

#### **5. 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.**

Antonio Aguilar noted that the intersection of Drinkard and Welch is in need of repair due to a large hole. Aguilar also noted that the intersection of Smith and Tillman needs an additional Stop Sign, to as to make it a full 4-way stop, as this is a dangerous intersection. Aguilar further requested a list of board applicants.

Judy Medders questions if there were any plans to repair Carson Street.

#### **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 October 11, 2022 Regular Session Minutes
- B. Approval of October 11, 2022 Executive Session Minutes
- C. Approval of October 14, 2022 Special Session Minutes
- D. Approval of October 14, 2022 Executive Session Minutes
- E. Approval of October 25, 2022 Special Session Minutes
- F. Approval of October 25, 2022 Executive Session Minutes

- G. Approval of Financial Statement Month Ending October 2022
- H. Approval of City of Eden Investment Report Month Ending October 2022  
Motion to approve Consent Items "A-E", with the changes to the October 25, 2022 Executive Session Minutes that were discussed in Executive Session, was made by Council Member Hall, and seconded by Council Member Martinez. Motion carried 5-0.

Motion made by Hall, Seconded by Martinez.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

## 7. BUSINESS

### Consideration and Possible Action On:

#### A. Frontier Fiber Optic Project Presentation

David Russell, Frontier VP of External Affairs, provided a Power Point presentation for Business Item "A, a fiber optic project for the City of Eden which is set to begin in December or January and last for about 3 months. Most of the project will be overhead lines, but there will need to be some underground boring. Each customer will have their own line, and the download and upload speeds will be the same, from 500 Mbps to 2 Gbps. Service will be provided to about 2,000 homes, and Frontier will distribute door hangars and signs each neighborhood to alert citizens of the work being performed. Mr. Russell explained the advantages of fiber optic which offers faster speeds and better reliability. The boring will not have any open trenches. The terminals which service about 4 or 5 homes will all be buried. In response to a question regarding cost, Russell provided an estimate of about \$50 per month for the 500 Mbps service. These systems cost millions of dollars to install, and the speed can be increased when needed. In response to a question regarding location of services, Sr. Manager Andy Crenshaw noted that this service can be available to residents located close to the city limits or just out of the city limits.

## 8. EXECUTIVE SESSION

**The City Council for the City of Eden has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices, and 551.086 (Economic Development).**

Council entered into Executive Session at 7:41 PM under Section 551.071 (Consultation with Attorney).

Council returned to regular session at 7:47 PM.

## 9. BUSINESS

### Consideration and Possible Action On:

#### A. Forensic Audit Update and consideration of resulting actions

Mayor Torres provided an update on Business Item "B", the Forensic Audit Results, noting that the results along with a formal letter from the City Attorney were provided to the Concho County Sheriff's Office and the Texas Rangers for investigation, as both agencies had previously suggested the forensic audit. No further updates will be provided until the investigation is completed.

- B. Consideration of and approval for Mayor to sign a Release of Reverter Clause for property located in the Eden Industrial Park previously sold to Eden Economic Development Corporation

City Administrator Laura Beeson explained that Business Item "C", a Release of a Reverter Clause included in the property deed as a result of the sale of the Eden Industrial Park property from the City of Eden to the Eden Economic Development Corporation, is required by state law, and it states that the property must be used for a public purpose, or the land reverts back to the City of Eden. Now that the Eden Economic Development Corporation has sold 8 acres in the Eden Industrial Park to Redeemer Feed and they no longer own these 8 acres of property, they are asking to release the Reverter Clause on these 8 acres.

Motion to approve the Mayor to sign the Release of the Reverter Clause on 8 acres in the Eden Industrial Park, now owned by Redeemer Feed was made by Council Member Martinez, and seconded by Council Member Hall. Motion carried 5-0.

Motion made by Martinez, Seconded by Hall.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

- C. Consideration of City Board Applicants to fill Cemetery Board and Zoning Board Vacancies

City Council reviewed the following applicants for Business Item "D", City Board vacancies:

Cemetery Board: Brenda Ramirez

Zoning Board: Priscilla Kelley and Angie Torres

Motion to approve Brenda Ramirez for the Cemetery Board and Pricilla Kelley and Angie Torres for the Zoning Board to fill the vacancies was made by Council Member Hall, and seconded by Council Member Gandy. Motion carried 5-0.

Motion made by Hall, Seconded by Gandy.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

- D. Consideration of Pro Auto & Tire estimate of \$3,485.48 for new transmission for the following City truck:

1. 2017 Chevrolet Silverado 1500

Council reviewed an estimate from Pro Auto & Tire in the amount of \$3485.48 for Business Item "E", transmission replacement for a 2017 Chevrolet Silverado 1500. Motion to approve the estimate from Pro Auto & Tire in the amount of \$3,485.48 for a transmission replacement for a 2017 Chevrolet Silverado 1500 was made By Council Member Hall, and seconded by Council Member Gandy. Motion carried 5-0.

Motion made by Hall, Seconded by Gandy.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

- E. Updates regarding Management, Maintenance, and Funding of Golf Course

Council Member Dunaway provided an update for Business Item "F", updates regarding the management, maintenance, and funding of the Golf Course. The check valve was sent to Vinson Process Controls in Odessa, TX, for repairs. We have not received an estimate of cost yet. Fairways #1 and #2 have been sprayed for mesquites. There were no further updates.

- F. Consideration of transfer of \$73,000 funds from the City's IGA Account #278547 to the City's Pool Cash Account #6041

City Administrator Laura Beeson discussed Business Item "F", a request to transfer \$73,000 from IGA account #278547 to Pool Cash #6041. The City received our property and liability insurance bill from TML, in the amount of \$73,000, and we have not received sufficient revenue to date to cover this cost. The Fire Department vehicles were removed, and some additional changes were made, and the amended amount is \$65,000. Council Member Hall made a motion to a transfer of \$65,000 from the City's IGA Account #278547 to the City's Pool Cash Account #6041, and seconded by Council Member Gandy. Motion carried 5-0.

Motion made by Hall, Seconded by Gandy.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

- G. Consideration of 11/10/2022 FY2023 Budget Adjustments

Motion to approve Business Item "G", 2022-2023 Budget Adjustments for November 11, 2022, was made by Council Member Hall, and seconded by Council Member Dunaway. Motion carried 5-0.

Adjustments included the following:

FUND	ACCOUNT	DESCRIPTION	ORIGINAL BUDGET	ADJ 11/10/22	NEW BUDGET
1	452-6202	PROPERTY TAXES-DELINQUENT	-12,000.00	-4,000.00	-16,000.00
1	452-6203	PROPERTY TAXES-P & I	-8,000.00	-5,000.00	-13,000.00
1	452-6802	MOTEL OCCUPANCY TAX	-8,400.00	-2,000.00	-10,400.00
1	454-5202	COPIES/FAXES	-50.00	-100.00	-150.00
1	454-5604	BURNES CIVIC CENTER RENTAL	-3,500.00	-1,000.00	-4,500.00
1	511-5101	WORKERS COMPENSATION	9,500.00	-760.00	8,740.00
1	511-5501	MISCELLANEOUS EXPENSE	4,500.00	-4,000.00	500.00
1	511-5502	BANK FEES / FILING FEES	0.00	800.00	800.00
1	511-6101	PROFESSIONAL FEES - LEGAL	10,000.00	10,000.00	20,000.00
1	511-6102	PROFESSIONAL FEES - AUDITING	16,500.00	17,000.00	33,500.00
1	513-3101	STREET EXPENSE	20,000.00	10,000.00	30,000.00
1	514-7202	FIRE STATION UTILITIES	10,000.00	5,000.00	15,000.00
1	515-5501	MULTI-PURPOSE CENTER EXPENSE	4,800.00	6,000.00	10,800.00
1	515-5506	BUSINESS INCUBATOR EXPENSES	0.00	3,000.00	3,000.00
1	515-5507	VFW GRANT	0.00	1,200.00	1,200.00
2	451-1101	WATER SALES-METERED	-600,000.00	-18,520.00	-618,520.00
2	451-1102	WATER SALES-UNMETERED	-7,000.00	-15,000.00	-22,000.00
2	451-4401	WATER TAPPING FEES	-700.00	-1,000.00	-1,700.00
2	451-4507	AP ARPA GENERTOR GRANT	-160,317.52	-320.00	-160,637.52
2	452-1101	SEWER OP EXP REIMB CCA	-125,000.00	-20,000.00	-145,000.00
2	452-2201	SEWER SERVICE	-155,000.00	-5,000.00	-160,000.00
2	502-4001	BACKHOE /AIR COMP/SKID STEER	10,000.00	-2,000.00	8,000.00
2	503-3211	SLUDGE HAULING FUEL/EXPENSE	3,000.00	3,000.00	6,000.00
2	505-5101	WORKERS COMPENSATION EXP	4,500.00	-500.00	4,000.00
2	589-9503	USDA BOND PAYMENT	90,000.00	-15,000.00	75,000.00
2	599-9904	PERMANENT TRANSFER TO GOLF		19,100.00	19,100.00
18	518-4101	REPAIRS & MAINT - GENERAL	0.00	2,000.00	2,000.00
18	518-4103	REPAIRS- IRRIGATION/PUMP	0.00	14,600.00	14,600.00
18	518-5101	UTILITIES-ELEC,GAS,TELE	0.00	2,500.00	2,500.00

Motion made by Hall, Seconded by Dunaway.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

H. Approval of October 2022 Bills

Motion to approve Business Item "H", October Bills, was made by Council Member Hall, and seconded by Council Member Dunaway. Motion carried 5-0.

Motion made by Hall, Seconded by Dunaway.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

**10. ADJOURN**

Meeting was adjourned at 8:38 PM.

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Agapito Torres, Mayor

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Laura Beeson, City Secretary/Administrator