



REGULAR CITY COUNCIL MEETING

Tuesday, January 10, 2023 at 6:45 PM

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

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

MINUTES

1. CALL TO ORDER AND ROLL CALL

PRESENT:

Mayor Agapito Torres
Jennifer Martinez
Grover Hall
Randy Dunaway

ABSENT:

Pricilla 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.

City Administrator Laura Beeson provided a 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 began the project to determine pipe material on both the City side and the customer side for every meter in the distribution system. They repaired water leaks: at the water plant, dog pound, sewer plant, and on Allen Street. They hauled off brush around Well 2, and worked on four sewer stoppages: Petty Street, 2 on Hwy 87, and on Oaks Street. They had several animal control calls, mowed and weed-eated around the City Office. They had several late night call outs by the sewer plant due to pumps stopping up with trash and debris. This required the pumps to be pulled at the lift stations and SBR to clean the trash out of them. They hauled off rocks and trash from one dump to another, and took pictures of the supplies remaining for the USDA South Water and Sewer Projects. They patched pot holes and filled in holes washed out by rain. They completed several line locate requests for the Frontier Communications project, ordered a new valve for the Golf Course, and loaded tires at the dump into a trailer.

City Administrator Laura Beeson provided a monthly update. A final walkthrough will be conducted next week to close out the North Water Project. We are currently still awaiting the status from eHT of the South Water and Sanitary Sewer projects in order to go forward with the Surety Company. An Easement is still needed from Core Civic for some manholes located on their property on the Sanitary Sewer project. The City will have a little bit of surveying necessary to indicate the location of these manholes in order to obtain this needed easement. The City will need to do a few repairs to our water storage tanks to meet TCEQ requirements based off of the most recent tank inspections. We will keep you updated if there are any major costs involved. The application for the Texas Water Development Board Project was submitted by eHT on time. We received an initial response from the Texas Water Development Board that on the surface all of the requirements seem to be in place, and that further evaluation was being conducted. We anticipate the remaining work to Basin #2 at the Sewer Plant to be completed by Purcell in January to finish the installation of the new diffusers. WRT is currently in town to exchange the media in one more train. We will work on a timeline for the remaining train once this is complete. Talks continue with Core Civic. The Mayor

and I have another meeting with them on Thursday. Core Civic will be presenting two Zone Change requests (one for a West Side project and one for an East Side Project) to provide some housing for their employees. These projects will be on each side of the prison on property that Core Civic currently owns. Both of these pieces of property are currently zoned as Commercial which does not allow for the type of housing projects they are currently proposing. I am still working on updating our Zoning Map. I will provide any related costs to get this map printed. Once I have a good working digital Zoning Map, I will bring it to City Council for approval. eHT provided the survey and report for the Hospital Water and Wastewater evaluation, and this has been provided to Concho County Hospital to begin the engineering. Once the engineering has completed, this will be provided to the City for approval prior to the start of any work. The Industrial Park Road Project bids are on the agenda tonight for award. The lawsuit with Jeremy Burney is still ongoing. No known changes to date. The auditors will be here next week to conduct last year's annual audit.

4. 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.

There was no public comment.

5. REPORTS OF OTHER AGENCIES, COMMISSIONS, & STAFF

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

There were no reports from other agencies, commissions, or staff.

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 December 13, 2022 Regular Session Minutes
- B. Approval of December 17, 2022 Special Session Minutes
- C. Approval of December 26, 2022 Special Session Minutes
- D. Approval of Financial Statement Month Ending December 2022
- E. Approval of City of Eden Investment Report Month Ending December 2022

Item "E", City of Eden Investment Report Month Ending December 2022, was not received from the bank before the council meeting and was, therefore, tabled until the next meeting. Council Member Hall made a motion to approve Consent Items "A-D", seconded by Council Member Dunaway. Motion carried 3-0.

Motion made by Hall, Seconded by Dunaway.

Voting Yea: Martinez, Hall, Dunaway

7. BUSINESS

Consideration and Possible Action On:

- A. Consideration of Bid Award for the Industrial Park Road Project and Authorization for the Mayor to sign Bid Award Documents and an Agreement between Owner and Contractor for the Construction Contract**

Council reviewed the two bids received for Business Item "A", Industrial Park Road Project. The bid from Bar Spur (Mark Osburn) was non-compliant due to no bond, and the bid from Reece Albert Trucking, LLC, was non-compliant due to bid being received after the deadline. Taking into account that Bar Spur is a local contractor, Council Member Hall made a motion to award the base bid of \$75,680.70 to Bar Spur, authorize the Mayor to sign all contracting documents, to reject all Add Alternate 1 bids, and reject all Add Alternate 2 bids. Motion was seconded by Council Member Dunaway. Motion carried 3-0.

Motion made by Hall, Seconded by Dunaway.

Voting Yea: Martinez, Hall, Dunaway

B. Consideration to sell the following city property which is an abandoned section of a formerly platted street on Concord Avenue:

A. The 60' X 146 ½' portion of Concord Avenue "Street" located between Lot 4, Block 3, and the East and West halves of Lot 1, Block 4, Roberts Subdivision, within the City of Eden

For Business Item "B", resident Brian Wilson expressed a desire to purchase a 60' x 146 1/2' piece of property, located directly adjacent to Wilson's property which was formerly a portion of a platted, but undeveloped, roadway on Concord Avenue. The City previously abandoned this roadway. Mayor Torres noted that, if approved, all adjacent landowners to this property will have the same opportunity to purchase their adjacent portions of this property. A fair market value will need to be established. Motion to establish a fair market value for this property in order to sell it to all interested adjacent landowners, and maintaining a 20' city utility easement was made by Council Member Hall, seconded by Council Member Martinez. Motion carried 3-0.

Motion made by Hall, Seconded by Martinez.

Voting Yea: Martinez, Hall, Dunaway

C. Discussion and approval of 2023 Spirit of Eden Grant Requests

A. Public Works Equipment - Mini Excavator in the amount of \$32,547.04

B. Golf Course Club House Lease Assistance in the amount of \$15,000 (\$5,000/year for 3 years)

C. Golf Course Greens Resodding Assistance in the amount of \$20,000

Motion to approve Business Item "C", 2023 Spirit of Eden Requests for \$32,547.04 for a City of Eden Mini Excavator, for \$15,000 (\$5000 for 3 years) for City of Eden Golf Course Club House Lease funding assistance, and \$20,000 for City of Eden Golf Course Greens Resodding funding assistance was made by Council Member Martinez, and seconded by Council Member Hall. Motion carried 3-0.

Motion made by Martinez, Seconded by Hall.

Voting Yea: Martinez, Hall, Dunaway

D. USDA Sanitary Sewer and South Water Projects Update

City Administrator Laura Beeson provided an update for Business Item "D", USDA Project. The City Attorney has responded to and made contact with the attorney for the Surety Bond company. We are currently still waiting on an updated status of the Sanitary Sewer and South Water projects from our engineers. Once this is received, staff will meet with the Surety Bond company to determine next steps forward. No action was taken.

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

City Administrator Laura Beeson provided an update for Business Item "E", Golf Course update. Per Council request, city staff have ordered a check valve for the sprinkler system. The condition of the electrical panel was discussed. The reuse sewer water used to water the Golf Course is extremely corrosive which has contributed to the poor condition of the panel. A discussion ensued as to whether it is better to move the electrical panel outside of the building to avoid the damp environment. Due to the way things are set up, it does need to remain inside. Council Member Gandy will make contact with Jaime Bozek to make arrangements for Bozek to complete the electrical work for the new check valve once it is received. No further action was taken.

F. Consideration of 1/10/2023 FY2023 Budget Adjustments

Council Member Hall made a motion, seconded by Council Member Dunaway, to approve the following 2022-2023 budget adjustments, and motion carried 3-0:

FUND	ACCOUNT	DESCRIPTION	ORIGINAL BUDGET	ADJ 1/10/23	NEW BUDGET
1	452-6201	PROPERTY TAXES-CURRENT	-350,000.00	-10,000.00	-360,000.00
1	452-6202	PROPERTY TAXES-DELINQUENT	-12,000.00	-2,000.00	-18,000.00
1	452-6401	CITY SALES TAX	-140,000.00	-6,000.00	-146,000.00
1	452-6603	FRANCHISE TAX-ELECTRIC (MONTHLY)	-19,000.00	-3,000.00	-22,000.00
1	452-6802	MOTEL OCCUPANCY TAX	-8,400.00	-2,000.00	-12,400.00
1	453-7401	ANIMAL CONTROL FEES/FINES	-18,000.00	-1,500.00	-19,500.00
1	454-5801	INTEREST EARNED	-250.00	-65.00	-315.00
1	511-2501	SOCIAL SECURITY BENEFITS	5,700.00	200.00	5,900.00
1	511-2601	RETIREMENT BENEFITS	3,800.00	400.00	4,200.00
1	511-5101	WORKERS COMPENSATION	9,500.00	860.00	9,600.00
1	511-6102	PROFESSIONAL FEES - AUDITING	16,500.00	10,500.00	44,000.00
1	513-3101	STREET EXPENSE	20,000.00	2,000.00	32,000.00
1	513-3201	DUMPTRUCK EXPENSE	2,500.00	1,000.00	3,500.00
1	514-4201	COURT EXPENSE	2,500.00	1,000.00	3,500.00
1	514-6101	ANIMAL CONTROL EXPENSE	5,000.00	-1,000.00	4,000.00
1	515-5501	MULTI-PURPOSE CENTER EXPENSE	4,800.00	2,000.00	12,800.00
1	515-5506	BUSINESS INCUBATOR EXPENSES	0.00	2,000.00	5,000.00
1	516-2601	RETIREMENT BENEFITS	1,200.00	700.00	1,900.00
1	516-6201	FLAG EXPENSE	2,000.00	500.00	2,500.00
1	517-1103	EVENT ADVERTISING	2,500.00	-1,000.00	1,500.00
1	519-2209	HOST & WEBSITE FEES	10,940.00	-5,000.00	5,940.00
2	451-1101	WATER SALES-METERED	-600,000.00	-55,000.00	-673,520.00
2	451-1102	WATER SALES-UNMETERED	-7,000.00	-3,000.00	-25,000.00
2	452-1101	SEWER OP EXP REIMB CCA	-125,000.00	43,005.00	-101,955.00
2	452-2201	SEWER SERVICE	-155,000.00	-40,000.00	-200,000.00
2	453-3301	GARBAGE SERVICE	-260,000.00	-8,000.00	-268,000.00
2	454-5501	MISCELLANEOUS RECEIPTS	0.00	-400.00	-400.00
2	501-2601	RETIREMENT BENEFITS	9,800.00	5,000.00	14,800.00
2	502-3101	WATER OPERATIONS EXPENSE	200,000.00	50,000.00	250,000.00
2	502-3501	POSTAGE/OFFICE EXPENSE	5,000.00	3,000.00	8,000.00
2	502-4201	PICKUP OPERATING EXPENSE	8,000.00	2,000.00	10,000.00
2	502-4202	PICKUP FUEL EXPENSE	12,000.00	2,000.00	14,000.00
2	502-6103	PROFESSIONAL FEES- ENGINEER	5,000.00	2,000.00	7,000.00
2	503-2601	RETIREMENT BENEFITS	1,700.00	1,000.00	2,700.00
2	503-3201	SEWER OPERATIONS EXPENSE	100,000.00	50,000.00	150,000.00
2	503-3205	TELEPHONE EXPENSE	1,800.00	-400.00	1,400.00
2	503-3206	UNIFORM EXPENSE	2,000.00	-500.00	1,500.00
2	503-3209	PICKUP FUEL EXPENSE	4,000.00	-1,000.00	3,000.00
2	503-3210	WORKERS COMPENSATION EXP	1,800.00	-800.00	1,000.00
2	589-9503	USDA BOND PAYMENT	90,000.00	1,000.00	76,000.00
18	454-8806	SOE GRANT FUND RECEIVED	0.00	-20,000.00	-20,000.00
18	499-9999	PERMANENT TRANSFER IN	0.00	-19,100.00	-19,100.00
18	518-2001	CLUB HOUSE RENT	11,000.00	1,000.00	12,000.00
18	518-2002	CLUB HOUSE TAXES	3,000.00	-1,400.00	1,600.00
18	518-3103	SUPPLIES-FUEL & LUBRICANTS	0.00	400.00	400.00
18	518-5101	UTILITIES-ELEC,GAS,TELE	0.00	-400.00	2,100.00

Motion made by Hall, Seconded by Dunaway.

Voting Yea: Martinez, Hall, Dunaway

G. Approval of December 2022 Bills

Motion to approve Business Item "G", December Bills, was made by Council Member Dunaway, seconded by Council Member Hall. Motion carried 3-0.

Motion made by Dunaway, Seconded by Hall.

Voting Yea: Martinez, Hall, Dunaway

8. ADJOURN

The meeting was adjourned at 8:22 PM.

Agapito Torres, Mayor

Laura Beeson, City Secretary/Administrator