



EVERMAN CITY COUNCIL REGULAR MEETING

Tuesday, February 11, 2025 at 6:00 PM
213 North Race Street Everman, TX 76140

MINUTES

1. MEETING CALLED TO ORDER

Mayor Richardson called meeting to order at 6:00pm.

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. CONSENT AGENDA

5. PRESENTATIONS

A. Proclamation - Black History Month

Mayor Richardson read out and presented to council the Proclamation for Black History Month.

6. CITIZEN'S COMMENTS

7. DISCUSSION ITEMS

A. ***PUBLIC HEARING*** - Discussion and Deliberation of Garbage, Waste, and Recycling Services for the City of Everman

Mayor Richardson opened up the Public Hearing at 6:05pm.

City Manager, Craig Spencer stated that we are seeking a renewal for the Garbage, Waste, and Recycling Services with our current provider. Craig stated that Abel Moreno, the District Manager with Waste Connections which is our current provider, is here with us today. This is the first Public Hearing, and the second one will be on February 25th and the final Ordinance considered for adoption will be March 11th. The last meeting the direction from council was to get with Waste Connections and negotiate the contract and since then Craig has met with Abel, and he has worked and put together some pricing for us. Craig did want to add that the current contract has had us locked in and we have avoided the inflation that has happened everywhere. We will have a bit of an increase and this is billed straight to the citizens through the water bill so Craig wants to make sure we have public hearings and get citizens input. At this time Abel Moreno presented to council the different pricing that Waste Connections has and also the difference between Cart service and take all service. The Take all service is what the city currently has and that does make a difference in price compared to the cart service. The take all service requires more work and more people on the truck and that is costing the company more money so the take all is going to go up. The current rate that the city pays now is \$17.50 for residential rates. Abel handed out the scenarios that they have come up with, that the city can choose from. Scenario #1 is a proposed rate for the first year at \$21.70. The second year they would ask for \$23.83 rate and then every year after in the 5 year contract would depend on the CPI. This is the service that the citizens in Everman currently get which is Take all trash twice a week, and once a week carted recycling with bulk pick-up once a

week at least 2 cubic feet. Scenario #2 would be twice a week cart pick-up, and every resident would receive a cart. This cart was visible at the meeting for everyone to see, and the recycling one time per week and this rate would be \$18.55. This also includes bulk pick-up once a week up to six yards. Moving to Scenario #3, this would be twice a week cart pick-up, no recycling and once a month bulk and this up to 6 yards. This rate is \$16.50. Abel did want to state for the record that only 50% of the citizens of Everman only recycle out of 2,000 residents. There are no questions at this time. Abel moved on to Scenario #4 which is Cart pick-up for trash once a week and recycling once a week and bulk pick-up once a month up to 6 yards with a rate of \$13.50. Scenario #5 is cart pick-up once a week with no recycling and bulk pick-up once a month up to 6 yards at \$11.00 rate. Abel also wanted to add that the carts would hold the trash that is being put out by the residents in Everman currently also if they did decide to change to the carts. Abel did go into the commercial rates and this will affect those customers and the roll offs as well. The commercial rate is at \$4.45 per business and this rate will increase to \$5.77. Abel did state these are soft numbers and he did leave room for negotiations if council wants to do so. Council did ask Abel, if they did do away with the recycling would there be an option for the ones that do want to continue recycling and how much would that cost. Abel did say that there is an option for them to post up roll offs in city designated areas for citizens to recycle and this would be at no cost or they could open a subscription for recycling also. The spots usually are at places like the police departments where there is cameras for these recycle drop offs. At this time Abel ended his presentation and left it open for questions. A citizen, Felipe approached council and asked if the big crane pick-up could be an option for the citizens for bulk trash since there is a lot of it and it would help the community a lot. Craig stated that he will have Abel come up and answer all the questions but he does believe that we do have that option with just a call to Waste Connections. Janice Hope also approached council and just wanted to say that she has watched the Waste Connection employees and they work so hard in the cold and heat and they pick up heavy things and she just wants them to know that she really appreciates them very much. She also stated that citizens do not put out their trash correctly and they should. Abel did come back to the podium and addressed the question on the bulk trash. He did remind everyone that the citizens can use the landfill up to four times a year for free. This was only used 58 times last year. The services that they do have can give them the option to do away with these things and save the city some money by going to the carts. No jobs would be lost with the cart option as well. The ability of the claw truck can be used by a subscription and this would be about \$50 to \$35 a yard depending on what is set out. All the Scenario's do include the clean-ups that we do have twice a year at our Park. At this time Craig asked for guidance from council or citizens on which way they may be thinking to help out staff and council on the decision. Craig did say that he is suggesting scenario 2 or 3. Renfro and Mackey are suggesting scenario 3. This will be an ongoing discussion next meeting and Craig just wants council to really think about these option and what is already being utilized and what is not to save the citizens money with the trash service. Craig did urge citizens to contact city hall in the next two weeks to give their opinion on this. The next discussion and Public Hearing is February 25th. Judy Greeson did approach council on the concern of being elderly and having to pull the cart to the curb and she doesn't have much and it is hard for her and she likes to leave the bags. Mayor did express that Abel did say that they do offer the service of them coming up to their house for that for elderly people. Janice Hope did express that there is an issue of the carts being left out now and with us going with carts how would that affecting the neighborhood and it is easier to put the bags rather than dragging the carts to the street. She just wanted to share that thought. There are no more comments and Mayor Richardson closed the Public Hearing at 6:47pm.

B. Presentation of the Everman Police Department 2024 Racial Profiling Report

City Manager Craig Spencer provided the council with the 2024 Racial Profiling Report. According to the state law we are required to provide this copy of the report. The Police Department contracts with Dr. Alex Del Carmen, Del Carmen Consulting, LLC and he is the state expert in Racial Profiling and help write the Sandra Bland Act which we are required to

comply with. We do consult with him to do our reports on our citations and to conduct the analysis of the Racial Profiling Report. Craig just took council to page 30 of the report which indicates a good finding and that the Everman Police Department has complied with the Texas Racial Profiling Law and all its requirements. This report will be made public on the cities website after this meeting. Council had no questions concerning this report.

- C. Receive report from the Charter Review Commission on proposed Charter Amendments for consideration during the May 2025 general election cycle.

City Manager Craig Spencer stated that we do have some members present at the meeting tonight from the Charter Review Commission. They have worked very hard going through the entire Charter in length and depth and asking a lot of questions and proposing a lot of thoughts and ideas. As a result, the Charter Commissions has five proposed amendments to the City of Everman Charter. Craig stated that Judith Graham is present tonight at the meeting and she is the President of the Charter Review Commission. Craig is going to go through these amendments and she is here to answer any questions that the council may have. Here are the proposed amendments as follows,

Proposition A- Shall Article III, Section 3.02 of the Home Rule Charter be amended to provide monthly compensation for the Mayor of \$800.00 per month and monthly compensation for each City Council member of \$300.00 per month?

Johnnie Allen asked why the increase in the pay? Judith Graham explained the reason behind this is that the council has more than two meetings a month on some basis like Budget months for example, and also they have more than just the meetings that they have to commit to. Inflation is another reason and they still get paid a very conservative rate. The last increase was in 2020. This budget impact would be \$18,000 for the year but this would reflect the budget after the election and this would only impact this budget very little to non. There were 0 other questions from the council.

Proposition B- Shall Article III, Section 3.08 of the Home Rule Charter be amended at subsection C to reflect that a special meeting of the City Council may be called by the City Secretary on the written request of the Mayor or any three City Council members?

This was initiated by the city attorney. This is in line with other cities stated by our city attorney Victoria Thomas present at the meeting tonight and she does not know of any other city that allows one single council member call a special meeting. Susan Mackey did want clarification that this is only for Special meetings and not a single item for discussion on an agenda. Craig stated that is correct, it is only for special called meetings.

Proposition C- Shall Article IV, Section 4.05 of the Home Rule Charter be amended to provide that any person who has been finally convicted of a felony for which the person has not been pardoned or had the resulting disabilities removed shall not be eligible to run for or qualified to hold office on the City Council?

This is also something initiated by the city attorney and to keep in line with state law. There were no questions from the council.

Proposition D- Shall Article VIII, Section 8.01 of the Home Rule Charter be amended at subsection B to clarify that all Board and Commission members are appointed for a two-year term, with no term limits, subject to the City Council's discretion to remove any member at its discretion at any time?

The city attorney also initiated this amendment. This originally had a misspelled word and this also initially cleans it up and makes it clear. No changes. There were no questions from the council.

Proposition E- Shall Article XII, Section 12.10 of the Home Rule Charter be amended to prohibit acceptance of any gift, favor, privilege, or employment valued at \$50 or more, excluding cash, gift cards and negotiable instruments, which cannot be accepted regardless of the value?

This bring it in lines with state law. There were no questions from the council

The council took this time to thank the Commission for their time and hard work.

- D. Discuss and deliberate on the potential abandonment of certain right-of-way located in the 100 Block of Roy C. Brooks Blvd for the purposes of development.

City Manager Craig Spencer stated that they have been working with the City Attorneys office and City Engineering office to bring this before you tonight to simply make the council aware and to address any questions you may have before this is brought back, hopefully by the next meeting have a proposed Ordinance to abandon a right-of-way. If council is not aware, the Advance Cast Stone has acquired the old Bags Supply building located on Enon Avenue and Roy C. Brooks and currently working on expanding their operations to that building. They have a need and desire to expand the lot of theirs and they want to add a fence around it to secure their stuff. They need a few more feet to get exactly what they need. They did approach the city about potentially abandon that right-of-way and granting it over to them so that they can move on with that project. At this time, Craig displayed a picture of this section and layout of what they are asking for so council could see. This would have no affect on any future roadway expansions. Craig stated that he hopes to have this back to the council by the next meeting with an Ordinance and exhibit with a recommendation of approval. Craig did note from a question that Council woman Renfro had, and that is when the city abandons the right-of-way this will by right go to the immediate adjacent property which is Advance Cast Stone. If there is utilities, which we are waiting on the current moment to get back then the city may not be able to abandon the right-of-way. We are waiting on the letter of "No Utility Objections". There was no more discussion on this item.

8. CONSIDERATION AND POSSIBLE ACTION

- A. Consider approval, authorizing the Mayor and the President of the Planning and Zoning Commission to attend the Focus North Texas 2025 Conference scheduled for February 21, 2025 at the Westin Galleria in Dallas, Texas; in accordance with the City of Everman City Council, Boards, Commissions, and Committees Rules and Procedures; Article 10. Training

Motion made by Place 5 Sellers, Seconded by Place 1 Sanders authorizing the Mayor and the President of the Planning and Zoning Commission to attend the Focus North Texas 2025 Conference scheduled for February 21, 2025.

Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers

Voting Abstaining: Mayor Richardson

Motion Carried.

- B. Discuss, Deliberate, and Consider the acquisition of Audio Visual Modular Furniture from StandsAndMounts.com in the amount of up to \$8,705.00 for meetings of the City Council, Boards, Committees, and Commissions

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.

Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

C. Staff Report - Frost Bank Home Event

Craig just wanted to inform council that the city is working with Frost Bank, the city bank and Craig and Susanne Helgesen have met with them and are talking about us hosting an Home Event here at the Civic Center. This would be a free event. This would give our residents a chance to come learn about home improvement, and financing options. This would also be a good opportunity for residents to hear from Code Enforcement on tips and tricks for their home as well. Looking to host this on May 17th.

- D. ORDINANCE NO. 826 AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES BY REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 3 TITLED "ANIMALS AND ANIMAL CONTROL REGULATIONS"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion made by Place 5 Sellers, Seconded by Place 1 Sanders.

Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

- E. ORDINANCE NO. 827 AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING APPENDIX A TITLED "FEE SCHEDULE" BY ADDING A NEW SECTION ENTITLED "MUNICIPAL ANIMAL SERVICES FEEES;" PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.

Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

- F. ORDINANCE NO. 828 AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AUTHORIZING AND CALLING FOR THE MAY 3, 2025 SPECIAL MUNICIPAL ELECTION FOR THE PURPOSE OF CONSIDERING PROPOSED AMENDMENTS TO THE HOME RULE CITY CHARTER OF THE CITY OF EVERMAN, TEXAS; AUTHORIZING A JOINT ELECTION WITH OTHER TARRANT COUNTY POLITICAL SUBDIVISIONS; AUTHORIZING A CONTRACT FOR ELECTION SERVICES WITH TARRANT COUNTY; PROVIDING A RUNOFF DATE; PROVIDING AN EFFECTIVE DATE.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders.

Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

- G. ORDINANCE NO. 829 AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS AUTHORIZING AND CALLING FOR THE MAY 3, 2025 SPECIAL MUNICIPAL ELECTION FOR THE PURPOSE OF PLACING BEFORE THE VOTERS OF THE CITY OF EVERMAN A PROPOSITION TO VOTE FOR OR AGAINST REAUTHORIZING A LOCAL SALES AND USE TAX TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; AUTHORIZING A JOINT ELECTION WITH OTHER TARRANT COUNTY POLITICAL SUBDIVISIONS; AUTHORIZING A CONTRACT FOR ELECTION SERVICES

WITH TARRANT COUNTY; PROVIDING A RUNOFF DATE; PROVIDING AN EFFECTIVE DATE.

City Manager Craig Spencer read out on the record at this time the Ordinance No. 829 since there is a revision on this Ordinance.

Motion made by Place 5 Sellers, Seconded by Place 4; Mayor Pro-Tem Mackey.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

- H. RESOLUTION NO. 2025-02-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF EVERMAN AND THE EVERMAN INDEPENDENT SCHOOL DISTRICT FOR THE PROVISION OF POLICE SERVICES; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Motion made by Place 5 Sellers, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

- I. RESOLUTION NO. 2025-02-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF ELEVEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

- J. RESOLUTION NO. 2025-02-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, APPROVING A CONTRACT BETWEEN THE CITY OF EVERMAN POLICE DEPARTMENT AND THE TEXAS COMMISSION ON LAW ENFORCEMENT AUTHORIZING THE DEPARTMENT TO SERVE AS A TRAINING PROVIDER; AUTHORIZING THE POLICE CHIEF TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Motion made by Place 5 Sellers, Seconded by Place 1 Sanders.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

- K. Actions Concerning Appointments to Various Boards, Commissions, or Committees.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 1 Sanders to approve the appointment Peggy Mackey to the Senior Citizens Advisory Board with an expiration date of November 1st, 2027.
Voting Yea: Place 1 Sanders, Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Mayor Richardson

Motion Carried.

9. EXECUTIVE SESSION

10. CITY MANAGERS REPORT

City Manager Craig Spencer has nothing to report.

11. MAYOR'S REPORT

Mayor Richardson had nothing to report.

12. ADJOURN

Mayor Richardson adjourned the meeting at 7:37pm.

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday February 7, 2025.

/s/ Mindi Parks
City Secretary

Citizens may watch city council meetings live on YouTube. A link to the City of Everman YouTube channel is provided on the city website at: www.evermantx.us/government/citycouncil/

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members, including the presiding officer, will be physically present at the location noted above on this Agenda.

Pursuant to Section 551.071, Chapter 551 of the Texas Government Code, Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting, to receive advice from its attorney on any posted agenda item, as permitted by Law. Additionally, Council may convene into Executive Session to discuss the following:

- A. Section 551.071 - Pending or Contemplated Litigation or to Seek Advice of the City Attorney.
- B. Section 551.072 - Purchase, Sale, Exchange, Lease, or Value of Real Property.
- C. Section 551.073 - Deliberation Regarding Prospective Gift.
- D. Section 551.074 - Personnel Matters.
- E. Section 551.087- Deliberation Regarding Economic Development Negotiations.
- F. Section 551.089 - Deliberations Regarding Security Devices or Security Audits.

Citizens wishing to submit written comments should e-mail the City Secretary at mparks@evermantx.net. Comments that are received at least one-hour prior to the start of the meeting will be provided to all council members.

According to the City of Everman Policy on Governance Process, individual citizen comments will be restricted to three (3) minutes unless otherwise determined by a majority vote of the Council. The mayor is responsible to enforce the time limit. Citizens may address City Council either during the Citizen Comments portion of the meeting or during deliberation of a listed agenda item. City Council is only

permitted by Law to discuss items that are listed on the agenda. Citizens wishing to make comments should notify the City Secretary as soon as possible.

City Hall is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpretative services must be made 48 hours prior to the meeting. To make arrangements, call 817.293.0525 or TDD 1.800.RELAY TX, 1.800.735.2989.