

(unapproved draft)



CITY COUNCIL MEETING

September 16, 2024 at 6:00 PM

WolfForth City Hall - 302 Main Street WolfForth, TX

MINUTES

CALL MEETING TO ORDER

Meeting was called to order by Mayor Addington at 6:00 PM.

INVOCATION - Councilmember Place 4 McDonald

PLEDGE OF ALLEGIANCE - Councilmember Place 5 Brashier

ROLL CALL AND ESTABLISH A QUORUM

PRESENT

Mayor Charles Addington

Councilmember Place 1 David Cooper

Councilmember Place 2 Wesley Houck

Mayor Pro Tem Doug Hutcheson

Councilmember Place 4 Charlotte McDonald

Councilmember Place 5 Austin Brashier

SAFETY REVIEW

CITIZEN ENGAGEMENT

This is an opportunity for the public to address the City Council regarding an item on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Citizen comments are limited to three (3) minutes per speaker, unless the speaker requires the assistance of a translator, in which case the speaker is limited to six (6) minutes, in accordance with applicable law. Each speaker shall approach the designated speaker location, complete the citizen engagement sign-in sheet and state his/her name and city of residence before speaking. Speakers shall address the City Council with civility that is conducive to appropriate public discussion. Speakers can address only the City Council and not individual city officials or employees. The public cannot speak from the gallery but only from the designated speaker location.

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There were no public comments.

CONSENT AGENDA

Items considered to be routine are enacted by one motion without separate discussion. If the City Council desires to discuss an item, the item is removed from the Consent Agenda and considered separately.

Motion to approve consent agenda.

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 4 McDonald.

Voting Yea: Mayor Addington, Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

1. Consider and take appropriate action on August 19, 2024 City Council meeting minutes
2. Consider and take appropriate action on August 26, 2024 City Council Meeting Minutes
3. Consider and take appropriate action on August 2024 departmental reports
4. Consider and take appropriate action on Resolution 2024-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS,
DESIGNATING AN OFFICIAL NEWSPAPER FOR THE CITY OF WOLFFORTH FOR
THE FISCAL YEAR 2024-2025

5. Consider and take appropriate action on request from Frenship Alumni and Friends for Hotel Occupancy Tax funds in the amount of \$2,000 to support Frenship Homecoming events.
6. Consider and take appropriate action on Resolution 2024-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS
APPROVING A CONTRACT FOR SERVICE WITH INDUSTRIAL SCIENTIFIC FOR AIR
MONITORING EQUIPMENT; AND PROVIDING AN EFFECTIVE DATE

7. Consider and take appropriate action on Ordinance 2024-022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH
AMENDING THE FISCAL YEAR 2023-24 OFFICIAL BUDGET, ADOPTED BY
ORDINANCE NO. 2023-020, PROVIDING A CUMULATIVE CLAUSE; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

8. Consider and take appropriate action on Pay Request No. 4 from UCA for Wolfforth
Disinfection System Improvements Phase 2

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REGULAR SESSION

9. Consider and take appropriate action on first reading of Resolution 2024-033, EDC land purchase, legal description Crestridge TR F.

Resolution 2024-033 First Reading, EDC land purchase, legal description Crestridge TR F. No action taken. Second Reading before City Council on October 7, 2024.

10. Consider and take appropriate action on nominations to the Lubbock County Appraisal District's Board of Directors

Current board members include Garza, Jones, McQueen, Goen and Reynolds. The City Council brought forth no new nominations.

11. Consider and take appropriate action on Resolution 2024-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS APPROVING A PERFORMANCE AGREEMENT BETWEEN THE WOLFFORTH ECONOMIC DEVELOPMENT CORPORATION AND ALL HALE MEATS, LLC, FOR INCENTIVES TO PROMOTE EXPANDED BUSINESS DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE

Motion to approve Resolution 2024-034

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 5 Brashier.

Voting Yea: Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

12. PUBLIC HEARING: Consider and take appropriate action on public hearing to consider the adoption of impact fees to be imposed.

A public hearing is held by the governing body in order for the public to hear the facts and offer their opinions. The governing body is not obligated to engage in dialogue with those present.

Impact fees will be assessed on water connections only phased in from FY 25 at \$2,000 through FY 2029 and beyond at \$4,372.

Public hearing was opened at 6:09 PM

Jerry Reeves questioned the phased in approach and the benefit to him as a current homeowner.

Public hearing was closed at 6:20 PM

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13. Consider and take appropriate action on Ordinance 2024-023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING THE CODE OF ORDINANCES BY ADDING 13.05.024 IMPACT FEES TO CHAPTER 13, ARTICLE 13.05, DIVISION 2 RATES; AMENDING APPENDIX A: FEE SCHEDULE BY ADDING THE WATER IMPACT FEES IN SECTION a1.007 METER FEES AND IMPACT FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance 2024-023

Motion made by Councilmember Place 1 Cooper, Seconded by Councilmember Place 4 McDonald.

Voting Yea: Councilmember Place 1 Cooper, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald

Voting Nay: Councilmember Place 2 Houck, Councilmember Place 5 Brashier

14. Consider and take appropriate action on Ordinance No. 2024-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13 UTILITIES ARTICLE 13.05 WATER AND SEWER, DIVISION 2 WATER RATES; PROVIDIING FOR THE ASSESSMENT OF RATES FOR UTILITY SERVICES WITHIN THE CITY; PROVIDING A REPEAL CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2024-024

Motion made by Councilmember Place 4 McDonald, Seconded by Mayor Pro Tem Hutcheson.

Voting Yea: Councilmember Place 1 Cooper, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

Voting Nay: Councilmember Place 2 Houck

15. Consider and take appropriate action on Resolution No 2024-035

A RESOLUTION BY THE CITY OF WOLFFORTH, TEXAS (“CITY”) DENYING SOUTHWESTERN PUBLIC SERVICE COMPANY’S PROPOSED SURCHARGE IN CONNECTION WITH FINAL RATES APPROVED RELATED TO ITS STATEMENT OF

(unapproved draft)

INTENT SUBMITTED ON ABOUT FEBRUARY 8, 2023; AUTHORIZING THE CITY'S CONTINUED PARTICIPATION WITH OTHER CITIES IN THE ALLIANCE OF XCEL MUNICIPALITIES ("AXM") AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT

Motion to approve Resolution No 2024-035

Motion made by Councilmember Place 4 McDonald, Seconded by Councilmember Place 5 Brashier.

Voting Yea: Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

16. Consider and take appropriate action on Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

Motion to cast votes for the following to serve on the TMLIRP Board of Directors:

Randy Criswell

Allison Heyward

Harlan Jefferson

Mike Land

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 5 Brashier.

Voting Yea: Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

17. Consider and take appropriate action on discussion of Solid Waste Request for Proposals

Discussion led by Assistant City Manager Rick Scott. The process to compile an RFP for sanitation services has begun to bring a new contract to the City Council for approval in Spring 2025

Bulky trash service: common for City's to provide some type of bulky trash service for its citizens. Options include curbside pickup, manned dump stations. Our current process is no longer working. Recommendation from staff is to create a manned drop off location that is

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staffed M-F 8-5 and for limited hours on Saturday to better serve the citizens. Council supports that recommendation

Customer Service Representatives: Currently citizens call City Hall for complaints on trash. Most RFP's reviewed require the contractor to have a customer service line. Council would like to see the new TextMyGov system used for trash complaints. Staff is concerned that if the complaints aren't monitored and logged by the City, it would be more difficult to accurately assess liquidated damages.

Liquidated damages: will be in place to hold the contractor responsible for failures in service to ensure a higher level of service to citizens.

Councilmember McDonald stated she felt bulky pickup should be paid for only by those utilizing the service. Mr. Criswell stated that even though that sounds fair it typically does not work that way. If people are charged for the service, many will simply dispose of their bulky items in an illegal or unapproved manner, and the City will end up responsible for cleaning up the mess.

18. Consider and take appropriate action on discussion of amendment to the Wolfforth Code of Ordinances, Article 14.03 Use Regulations (Old Town Mixed Use Zone).

Development Director Tara Tomlinson discussed the steps being taken to create the Old Town Mixed Use. The Planning and Zoning Commission has reviewed and discussed this land use over several meetings. Recommendations include a commercial, pedestrian based atmosphere with living space on upper floors with restrictions on types of business in the zone.

Motion to direct staff to proceed with the establishment of an Old Town Mixed Use Zone by calling a public hearing.

Motion made by Councilmember Place 1 Cooper, Seconded by Councilmember Place 5 Brashier.

Voting Yea: Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

19. Consider and take appropriate action on Ordinances 2024-025 through 2024-034 amending Chapter 3 Building Regulations and Chapter 5 Fire Prevention and Protection and adopting the following Building Codes:

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2021 International Mechanical Code, 2021 International Building Code, 2020 National Electrical Code. 2021 International Residential Code, 2021 International Fuel Gas Code, 2021 international Energy Conservation Code, 2021 International Existing Building Code, 2021 Swimming Pool and Spa Code, 2021 International Fire Code, 2021 International Plumbing Code

Motion to approve Ordinances 2024-025 through 2024-034

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 1 Cooper.
Voting Yea: Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

20. Consider and take appropriate action on Resolution 2024-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS
APPROVING AN ATTORNEY/CLIENT ENGAGEMENT AGREEMENT WITH
GUEVARA LAW, P.C.; AND PROVIDING AN EFFECTIVE DATE

Motion to approve Resolution 2024-036

Motion made by Councilmember Place 4 McDonald, Seconded by Councilmember Place 2 Houck.

Voting Yea: Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

21. Consider and take appropriate action on update status on Safe Haven Baby Box update.

Baby Box installation is complete and testing has been done. Currently waiting on dispatch reports from Lubbock County. Those will then be submitted for review to Baby Box and the final "blessing" will be scheduled.

22. Consider and take appropriate action on Fire EMS department implementation update

Fire Chief Barrett updated the Council on water line placement to serve the temporary living quarters for full-time fire staff. Invitation for bids for the manufactured home has been published and a bid will be brought to the Council for approval on October 7. Interviews for new staff will begin next week.

23. Consider and take appropriate action Resolution 2024-037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS
APPROVING CONTRACT NO 23-160-051-E805 WITH THE STATE OF TEXAS

(unapproved draft)

GENERAL LAND OFFICE FOR A COMMUNITY DEVELOPMENT BLOCK GRANT;
AND PROVIDING AN EFFECTIVE DATE

Motion to approve Resolution 2024-037 contingent upon the amendments to changes in the contract in regards to the adopting of building codes.

Motion made by Mayor Pro Tem Hutcheson, Seconded by Councilmember Place 4 McDonald.
Voting Yea: Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

EXECUTIVE SESSION

In accordance with Texas Government Code, section 551-001, et seq., the City Council will recess into executive session (closed meeting) to discuss the following:

The City Council entered into executive session at 7:35 PM

24. 551.071 Consultation with Attorney: To consult with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 – Open Meetings (i) Wolfforth Land Company 380 Agreement

RECONVENE INTO OPEN SESSION

In accordance with Texas Government Code, chapter 551, the City Council will reconvene into regular session to consider action, if any, on matters discussed in executive session.

The City Council reconvened into open session at 8:00 PM

Motion to authorize staff to negotiate final terms and payment to Wolfforth Land Company 380 Agreement and authorize City Manager to execute once complete.

Motion made by Councilmember Place 5 Brashier, Seconded by Mayor Pro Tem Hutcheson.
Voting Yea: Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Cybersecurity update by Councilmember David Cooper for the October 7 agenda.

ADJOURN

Motion to adjourn at 8:04 PM

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Motion made by Councilmember Place 4 McDonald, Seconded by Mayor Pro Tem Hutcheson.

Voting Yea: Councilmember Place 1 Cooper, Councilmember Place 2 Houck, Mayor Pro Tem Hutcheson, Councilmember Place 4 McDonald, Councilmember Place 5 Brashier

PASSED AND APPROVED THIS THE 7TH DAY OF OCTOBER 2024.

Charles Addington, II, Mayor
City of Wolfforth, Texas

ATTEST:

Terri Robinette, City Secretary

DRAFT