

**THE CITY OF CISCO
CITY COUNCIL, REGULAR CALLED MEETING
August 22, 2022**

**CISCO, TEXAS §
EASTLAND, COUNTY §**

The City Council of the City of Cisco met in a regular called session at the Cisco Council Chambers in Cisco as scheduled, and notice was posted 72 hours in advance and prior to the meeting.

MEMBERS PRESENT:

<u>MAYOR</u>	<u>STEPHEN FORESTER</u>
<u>COUNCILMEMBER PLACE II</u>	<u>ROBERT JOHNSTON</u>
<u>COUNCILMEMBER PLACE III</u>	<u>WILLARD JOHNSON</u>
<u>COUNCILMEMBER PLACE IV</u>	<u>NATHAN BRUNER</u>
<u>COUNCILMEMBER PLACE V</u>	<u>CHRIS JOHNSON</u>

PERSONNEL PRESENT:

<u>CITY MANAGER</u>	<u>DARWIN ARCHER</u>
<u>CITY SECRETARY</u>	<u>TAMMY OSBORNE</u>

PERSONNEL ABSENT:

<u>COUNCILMEMBER PLACE I</u>	<u>JASON WHETSTONE</u>
<u>COUNCILMEMBER PLACE VI</u>	<u>TRAVIS TOOF</u>

Guests: Kenneth Preston, Philip Jones, Brian Jones, Justin Jaworski, Walter Fairbanks

I. MEETING CALLED TO ORDER:

Mayor Forester called the meeting to order at 6:00 p.m.

II. PLEDGES

- A. Pledge of Allegiance
- B. Pledge to the Texas Flag

III. INVOCATION:

Mayor Forester gave the invocation.

IV. CITIZEN-VISITOR COMMENTS:

None.

V. APPROVE MINUTES OF THE MEETING CONDUCTED ON:

- **August 22, 2022**

Motion was made by Councilmember C. Johnson to accept the minutes as presented, second was made by Councilmember Johnston. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

VI. THE CITY COUNCIL MAY DISCUSS AND/OR TAKE ACTION ON ANY OF THE FOLLOWING AGENDA ITEMS:

- A. Consider and Discuss Variance to Parks & Wildlife Code, Chapter 31, Regarding the Placement of Buoys in the Lake by a Non-Controlling Entity.**

Mr. Archer explained that Mr. Jones had spoken to the Council last week during visitor comments requesting that he be allowed to keep buoys in the lake marking his private property line that is, at certain points, under the water controlled by the city. The Council discussed the options and Councilmember C. Johnson commented that his concern was other lake residents wanting to do the same for their leased property and that would severely limit usable space at the lake. He recommended denying the variance.

Motion was made by Councilmember Bruner to deny the variance as requested, second was made by Councilmember W. Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

B. Consider and Discuss TML Health Board Ballot.

Mr. Archer again explained that the ballot for the TML Health Board, for which he has been nominated, needed to be verified by the Council before it could be submitted.

Motion was made by Councilmember C. Johnson to approve the ballot and cast the vote for Darwin Archer, second was made by Councilmember Bruner. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

C. Consider and Discuss Approval of Application for RAMP Grant.

Motion was made by Councilmember W. Johnson to approve the application as presented, second was made by Councilmember Johnston. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

D. Consider and Discuss Resolution No. 2022-08-22 (Executive Session)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, AUTHORIZING AND APPROVING THE CISCO DEVELOPMENT CORPORATION (“CDC”) ENTERING INTO A PERFORMANCE AGREEMENT AND COMMERCIAL LEASE WITH CC RICE ENTERPRISES LLC (“DEVELOPER”) TO OPERATE A FAMILY DENTIST OFFICE IN CISCO, TEXAS, AUTHORIZED BY SECTIONS 501.103 AND 505.158 OF THE TEXAS LOCAL GOVERNMENT CODE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE. *(Second Reading)*

The Council convened into Executive Session at 6:22 p.m. under Section 551.087 Economic Development Negotiations.

The Council reconvened into Open Session at 6:29 p.m. and took the following action:

Motion was made by Councilmember W. Johnson to approve the resolution as presented, second was made by Councilmember C. Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

E. Consider and Discuss Ordinance No. 0-2022-09

AN ORDINANCE OF THE CITY OF CISCO, TEXAS AMENDING CERTAIN SUBSECTIONS OF CHAPTER 5 “ANIMALS AND FOWL” OF THE CITY’S CODE OF ORDINANCES; SPECIFICALLY SECTIONS 5-19 “REDEMPTION OF IMPOUNDED DOGS”, 5-23 “DOG SURRENDER FEE”, 5-34 “CONFINEMENT FOR OBSERVATION”, AND 5-75 “ANNUAL PERMIT” ESTABLISHING UPDATED FEES FOR PERMIT, IMPOUND, SHELTER, QUARANTINE, AND SURRENDER BY THE ANIMAL CONTROL OFFICER; AND ESTABLISHING AN EFFECTIVE DATE. *(Second Reading)*

Motion was made by Councilmember Johnston to approve the ordinance as presented, second was made by Councilmember C. Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

F. Consider and Discuss Ordinance No. 0-2022-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, AMENDING CHAPTER 12 “LICENSES AND BUSINESS REGULATIONS” SPECIFICALLY SECTION 12-21 “LICENSE FEE” AMENDING FEES FOR ITINERANT VENDOR/SOLICITORS LICENSE FEES; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE. (Second Reading)

Motion was made by Councilmember Bruner to approve the ordinance as presented, second was made by Councilmember Johnston. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

G. Consider and Discuss Ordinance No. 0-2022-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, AMENDING CHAPTER 13 “MOTOR VEHICLES AND TRAFFIC” SPECIFICALLY SECTION 13-106 “PERMIT REQUIRED” AMENDING FEES FOR GOLF CARTS/UTILITY VEHICLES; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE. (Second Reading)

Motion was made by Councilmember C. Johnson to approve the ordinance as presented, second was made by Councilmember W. Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

H. Consider and Discuss Ordinance No. 0-2022-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, AMENDING CHAPTER 8 “FIRE PREVENTION AND PROTECTION” SPECIFICALLY ARTICLE IV “OUTDOOR BURNING PERMITS” AMENDING SECTION 8-45.1 “ISSUANCE OF PERMIT”; OFFENSES” TO INCLUDE THE FEE FOR A BURN PERMIT; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE. (Second Reading)

Motion was made by Councilmember C. Johnson to approve the ordinance as presented, second was made by Councilmember Johnston. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

I. Consider and Discuss Ordinance No. 0-2022-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, AMENDING CHAPTER 10 “GARBAGE AND TRASH” SPECIFICALLY ARTICLE III “CITY CONVENIENCE STATION” AMENDING SECTION 10-38 “RATES/REGULATIONS” AMENDING THE FEE FOR A CONVENIENCE STATION PERMIT; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE. (Second Reading)

Motion was made by Councilmember Bruner to approve the ordinance as presented, second was made by Councilmember C. Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

J. Consider and Discuss Ordinance No. 0-2022-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, AMENDING CHAPTER 16 “PARKS AND RECREATION” OF THE CITY’S CODE OF ORDINANCES, SPECIFICALLY ARTICLE II “CITY LAKES AND RESERVOIRS”; ESTABLISHING AMENDED BOAT DOCK PERMIT FEES; AND ESTABLISHING AN EFFECTIVE DATE. (Second Reading)

Motion was made by Councilmember C. Johnson to approve the ordinance as presented, second was made by Councilmember Johnston. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

K. Consider and Discuss Ordinance No. 0-2022-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS AMENDING CHAPTER 10 “GARBAGE AND TRASH”, SPECIFICALLY SECTION 10-19 “RATES” OF THE CITY’S CODE OF ORDINANCES ESTABLISHING SANITATION RATES; AND ESTABLISHING AN EFFECTIVE DATE. (Second Reading)

Motion was made by Councilmember Johnston to approve the ordinance as presented, second was made by Councilmember W. Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

L. Consider and Discuss Ordinance No. 0-2022-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS PROVIDING THAT THE CITY’S CODE OF ORDINANCES BE AMENDED BY REVISING CHAPTER 20 “UTILITIES”, ARTICLE II “WATER AND SEWER SERVICE”, INCREASING TAPPING FEES, WATER RATES,, SEWER TAP FEES, AND SEWER RATES; AND ESTABLISHING AN EFFECTIVE DATE (Second Reading)

Motion was made by Councilmember C. Johnson to approve the ordinance as presented, second was made by Councilmember W. Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

M. Consider and Discuss Ordinance No. 0-2022-18

AN ORDINANCE OF THE CITY OF CISCO, TEXAS, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, FOR THE CITY OF CISCO, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE. (Second Reading)

Motion was made by Councilmember Bruner to approve the ordinance as presented, second was made by Councilmember Johnston. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

N. Consider and Discuss Ordinance No. 0-2022-19

AN ORDINANCE OF THE CITY OF CISCO, TEXAS, ESTABLISHING THE TAX LEVY FOR THE 2022-2023 BUDGET YEAR OF CISCO, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE. (Second Reading)

Motion was made by Councilmember Bruner to approve the ordinance as presented, second was made by Councilmember Johnston. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

O. Consider and Discuss Ordinance No. 0-2022-20

AN ORDINANCE OF THE CITY OF CISCO, TEXAS, ADJUSTING AND AMENDING THE CITY’S FISCAL YEAR 2021-2022 BUDGET; AND ESATBLISHING AN EFFECTIVE DATE. (First Reading)

Motion was made by Councilmember W. Johnson to accept the ordinance as presented, second was made by Councilmember C. Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Johnston, W. Johnson, Bruner, C. Johnson, Forester
Nays: None/Motion Carries
Voted: 5 to 0
Absent: Whetstone, Toof

P. Consider and Discuss Long Range Planning.

Mr. Archer reminded the Council that city offices would be closed October 10, 2022 in observance of Columbus Day and that the City Council meeting regularly scheduled for that day had been moved to Tuesday, October 11, 2022. He further stated other dates city offices would be closed for Thanksgiving and Christmas holidays and upcoming events would be Trick-Or-Treat on the last Saturday of October with the Christmas Parade scheduled for December 1, 2022.

Q. Announcements from Council.

Councilmember Whetstone thanked city staff for the hard work preparing the budget and related ordinances.

VII. ADJOURNMENT

Motion was made by Councilmember Johnston to adjourn, second made by Councilmember C. Johnson. Motion passed unanimously and the meeting adjourned at 6:42 p.m.

ATTEST:

Tammy Osborne, City Secretary

Stephen Forester, Mayor
