

**THE CITY OF CISCO
CITY COUNCIL, REGULAR CALLED MEETING
April 9, 2018**

**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:

MAYOR	TAMMY DOUGLAS
COUNCILMEMBER PLACE II	DENNIS CAMPBELL
COUNCILMEMBER PLACE III	WILLARD JOHNSON
COUNCILMEMBER PLACE IV	RANDY BOLES
COUNCILMEMBER PLACE V	STEPHEN FORESTER
COUNCILMEMBER PLACE VI	CHRIS JOHNSON

PERSONNEL PRESENT:

CITY MANAGER	DARWIN ARCHER
CITY SECRETARY	TAMMY OSBORNE

PERSONNEL ABSENT:

COUNCILMEMBER PLACE I	JASON WEGER
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Guests: Scott McCauley, Steve Hileman, Jay R. Slaughter, Mary Rains, Teresa Slaughter, Ryan Haggard, Connie Vick, John Diers

I. MEETING CALLED TO ORDER:

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

II. PLEDGES

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

III. INVOCATION:

Councilmember Forester gave the invocation.

IV. CITIZEN-VISITOR COMMENTS:

None

V. APPROVE THE MINUTES OF THE MEETING CONDUCTED:

March 26, 2018

Councilmember Forester pointed out one error in a vote count that needed correction.

Motion was made by Councilmember C. Johnson to accept the minutes with the amendment, second was made by Councilmember Forester. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

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

A. Consider and Discuss Approving Expenditure by Cisco Development Corporation for Sidewalk Replacement for the Laguna Lofts.

Mr. John Diers explained that the Laguna Housing Partners have run into unexpected costs in the renovation of the Laguna Hotel. One of which is the sidewalk at the front of the property, which was not initially expected to be replaced. Mr. Diers inquired about grant funding, for which the project would most likely qualify, but the timing of receiving funds would not work for the completion of the project. The CDC Board agreed to cover the cost of the materials and replacement in order to keep the project on track. The city would do the demolition of the existing sidewalk to keep costs low. The expenditure would be \$16,500.00 and would require Council approval. The curb would also be replaced and the new sidewalk would be ADA compliant.

Motion was made by Councilmember W. Johnson to approve expenditure, second was made by Councilmember Boles. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

B. Consider and Discuss Real Property Lease at Airport for the Cisco Development Corporation.

Mr. Archer stated that an agreement was made between the city and the C4ADC to lease the property where the hangar for Spitfire was located. There was never actually a lease drawn up to support this agreement and Mr. Archer recommended approving the lease presented.

Motion was made by Councilmember Forester to approve the lease, second was made by Councilmember Campbell. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

C. Consider and Discuss Fence Variance for Steve Hileman.

Mr. Hileman addressed the Council regarding his desire to build a fence around his property which would encroach on the city's easement by 3 feet making it 12 feet from the alley instead of 15 feet. He requested a variance for the 3 feet.

Motion was made by Councilmember W. Johnson to grant the variance, second was made by Councilmember Forester. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

D. Consider and Discuss Resolution No. 2018-04-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION FOR WATER SYSTEM IMPROVEMENTS.

Mr. Archer commented that this resolution was the first step in securing funds from the Texas Water Development Board for the new Water Treatment Plant.

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

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

E. Consider and Discuss Resolution No. 2018-04-09-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION FOR SEWER SYSTEM IMPROVEMENTS.

Additionally, Mr. Archer explained that this resolution would accomplish the same goal for the Wastewater Treatment Plant.

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

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

F. Consider and Discuss Ordinance No. 0-2018-04

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 SECTION 5-16 “DEFINITIONS” ADDING A DEFINITION FOR SHELTER; SECTION 5-62 ADDING ADDITIONAL SPECIFIC REQUIREMENTS; AND ADDING SECTION 5-65 “COMPLIANCE STANDARDS”; AND ESTABLISHING AN EFFECTIVE DATE. (*First Reading*)

The Council discussed the changes made to the ordinance since the previous meeting including adding a provision to restrain animals outside without the benefit of a fence.

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

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

G. Consider and Discuss Ordinance No. 0-2018-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM (“RRM”) AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX” OR “COMPANY”) AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE. (*Second Reading*)

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

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

H. Consider and Discuss Ordinance No. 0-2017-14

AN ORDINANCE OF THE CITY OF CISCO, TEXAS, ADOPTING A COMPREHENSIVE ZONING PLAN AND ZONING MAP AND DIVIDING THE CITY INTO SEVERAL DISTRICTS; ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS AND CREATING ZONING DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; WITHIN SUCH DISTRICTS REGULATING THE USE OF LAND, BUILDINGS AND STRUCTURES; REGULATING THE HEIGHT, SIZE, AND LOCATIONS OF BUILDINGS; ESTABLISHING DENSITY, OPEN SPACE, SCREENING, AND MINIMUM OFF-STREET PARKING REQUIREMENTS; REGULATING THE ERECTION, REPAIR, AND ALTERATION OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR SPECIFIC USE PERMITS FOR CERTAIN USES; RECOGNIZING NONCONFORMING USES AND STRUCTURES AND PROVIDING RULES FOR THE REGULATION THEREOF; PROVIDING FOR CERTIFICATES OF OCCUPANCY AND COMPLIANCE; DEFINING CERTAIN TERMS; PROVIDING A METHOD OF AMENDMENT; PROVIDING A PENALTY FOR VIOLATION OF SUCH ORDINANCE AND FOR INJUNCTIVE RELIEF TO PERSONS AFFECTED BY THE VIOLATION OF SAID ORDINANCE; PROVIDING A SAVING CLAUSE. (*Second Reading*)

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

Ayes: Councilmembers: Campbell, Boles, Forester, C. Johnson, Douglas
Nays: W. Johnson/Motion Carries
Voted: 5 to 1
Absent: Weger

I. Consider and Discuss Ordinance No. 0-2018-06

AN ORDINANCE OF THE CITY OF CISCO, TEXAS, AMENDING SECTION 10-19 "RATES" OF THE CITY'S CODE OF ORDINANCES ESTABLISHING SANITATION RATES; AND ESTABLISHING AN EFFECTIVE DATE. (*First Reading*)

Mr. Archer stated that sanitation rates have not been amended in approximately two years. He provided a spreadsheet showing what the city currently bills for trash pickup, what Republic Services charges the city for that service, and finally, the rates he recommended charging to customers so the city would not be losing money on some of those items. Specifically, he noted that Republic had been charging a fee for delivery and removal of receptacles that was not being charged to customers and he recommended passing that charge on for commercial containers, and having the city deliver and remove the residential containers to alleviate that cost for the city and residential customers. Councilmember Forester suggested not raising the price for the disabled pick up. The Council as a whole agreed. Mr. Archer further proposed that some portion of the funds from trash service be invested into street improvements.

Motion was made by Councilmember Campbell to approve the ordinance with the amended rate for disabled, second was made by Councilmember Boles. The motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

J. Consider and Convenience Station Ordinance.

Mr. Archer conveyed that there was some confusion in the interpretation of the convenience station ordinance passed in 2015. The main question was regarding a customer who is a resident and pays the convenience station fee on their residential water bill using the convenience station to dispose of waste from other properties in the performance of work for hire. The Council discussed whether this fell under commercial dumping or if they should be afforded the courtesy of free dumps based on their residential status or the residential status of the customer for whom the work is being done.

No action was taken on this item.

K. Consider and Discuss Ordinance No. 2018-05

AN ORDINANCE OF THE CITY OF CISCO, TEXAS AMENDING CHAPTER 13 “MOTOR VEHICLES AND TRAFFIC” OF THE CITY’S CODE OF ORDINANCES, ADDING ARTICLE VI “PARKING, STORAGE, AND OCCUPANCY OF RECREATIONAL VEHICLES”; PROVIDING A PENALTY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE. (First Reading)

Mr. Archer opened discussion of the proposed ordinance saying that this would regulate permanent residency in recreational vehicles. The Council took issue with several provisions of the ordinance including requiring parking of RV’s on private property on an improved pad and connecting an RV to city utilities on a temporary basis.

Motion was made by Councilmember W. Johnson to table the ordinance for further review, second was made by Councilmember Boles. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, W. Johnson, Boles, Forester, C. Johnson, Douglas
Nays: None/Motion Carries
Voted: 6 to 0
Absent: Weger

L. Consider and Discuss Employee Salaries (Executive Session)

The Council convened into Executive Session under Section 551.074 Personnel Matters at 7:05 p.m.

The Council reconvened into Open Session at 7:47 p.m. and took no action.

M. Consider and Discuss Long Range Planning.

Mr. Archer reminded the Council that Folklife Festival would be April 28, 2018 and that the Lions Club would be hosting a hamburger dinner the night before and encouraged all to attend. Also, the city wide cleanup will be April 21.

N. Announcements from City Council.

Councilmember W. Johnson expressed thanks that the dumpster being used by the Laguna project had been moved to a safer location and suggested that now that it was on a city street, it should be properly barricaded.

Councilmember Boles asked that the Convenience Station Ordinance be brought back to the next meeting.

VII. ADJOURNMENT

Motion was made by Councilmember W. Johnson to adjourn, second made by Councilmember Forester. Motion passed unanimously and the meeting adjourned at 7:53 p.m.

ATTEST:

Tammy Osborne, City Secretary

Tammy Douglas, Mayor
