

**THE CITY OF CISCO
CITY COUNCIL, REGULAR CALLED MEETING
March 26, 2018**

**CISCO, TEXAS §
EASTLAND, COUNTY §**

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

MEMBERS PRESENT:

MAYOR _____	TAMMY DOUGLAS
COUNCILMEMBER PLACE I _____	JASON WEGER
COUNCILMEMBER PLACE II _____	DENNIS CAMPBELL
COUNCILMEMBER PLACE III _____	WILLARD JOHNSON
COUNCILMEMBER PLACE V _____	STEPHEN FORESTER
COUNCILMEMBER PLACE VI _____	CHRIS JOHNSON

PERSONNEL PRESENT:

CITY MANAGER _____	DARWIN ARCHER
CITY SECRETARY _____	TAMMY OSBORNE

PERSONNEL ABSENT:

COUNCILMEMBER PLACE IV _____	RANDY BOLES
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Guests: Butch Petree, Scott McCauley, Paul Flores, Peggy Ledbetter, Randy Johnson, Blake Pence, Steve Hileman, Jay R. Slaughter, Mike Sublett, Norman Adams, Greg Grymko, Walter Fairbanks, John Diers, Misty Bussell

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:

Mr. Hileman addressed the Council in regard to his request for a 3 foot variance in the alley to build a fence that would include the crepe myrtle trees at the back of his property. Mayor Douglas instructed the City Secretary to place the item on the next meeting's agenda for consideration.

V. APPROVE THE MINUTES OF THE MEETING CONDUCTED:

February 26, 2018

Councilmember C. Johnson pointed out three typographical errors that needed correction.

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

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

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

A. Consider and Discuss Designating Blake Pence as the Local Rabies Control Authority.

Mr. Archer explained that this designation was never formally adopted by the City Council and recommended doing so.

Motion was made by Councilmember Weger to designate Blake Pence as the Local Rabies Control Authority, second was made by Councilmember C. Johnson. Motion prevailed by the following vote:

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

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

AN ORDINANCE OF THE CITY OF CISCO, TEXAS, AMENDING CERTAIN SUBSECTION OF CHAPTER 5 “ANIMALS AND FOWL” OF THE CITY’S CODE OF ORDINANCES; SPECIFICALLY SECTION 5-16 “DEFINITIONS” ADDING A DEFINITION FOR APPROPRIATE SHELTER; SECTION 5-62 “COMPLIANCE STANDARDS”; AND ESTABLISHING AN EFFECTIVE DATE.

Ms. Pence, the Animal Control Officer, presented the ordinance to the Council. There was discussion of specific sections of the ordinance and the Council asked Ms. Pence to work on the wording of one item to include an option for dogs to be tethered outside of a fenced yard.

No action was taken on this item.

C. Consider and Discuss Resolution No. 2018-02-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, APPROVING APPLICATION FOR A CRIMINAL JUSTICE DIVISION GRANT THROUGH THE OFFICE OF THE GOVERNOR FOR THE PURCHASE OF UPGRADED POLICE DEPARTMENT EQUIPMENT.

Chief McAuley informed the Council that this resolution had been previously passed, but necessitated a change in the grantee’s authorized official. Otherwise, the resolution was unchanged since its first passage.

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

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

D. Consider and Discuss Resolution No. 2018-03-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, ACCEPTING THE INFRASTRUCTURE IMPROVEMENTS ON EAST 18TH STREET IN SUPPORT OF PROFRAC, INC UNDER THE CITY’S TX CDBG CAPITAL FUND PROJECT NO. 7216192.

Mr. Archer confirmed that the project on E. 18th was complete and had been inspected and all requirements met for by Profrac, Inc. to satisfy the grant. He went on to comment that the project had been completed 1 ½ years ahead of the scheduled completion date. The resolution would close the grant.

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

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

E. 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. (*First Reading*)

Mr. Archer stated that this was an annual renewal of the city’s participation with the steering committee that negotiates rates on the city’s behalf.

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

F. 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. (*First Reading*)

Mr. Archer said that the Council had been presented with two copies of the ordinance. One copy, presented in October of 2017, showed the more stringent residential standards zoning the city into several different residential zones. The second copy, presented in December of 2017, showed the commercial and manufacturing zones already passed by Council and then defaulting all other areas into one unregulated residential zone. The Council discussed the merits of each.

Motion was made by Councilmember Campbell to accept the December 2017 version of the ordinance, second was made by Councilmember W. Johnson. The vote was as follows:

Ayes: Councilmembers: Campbell, W. Johnson
Nays: Weger, Forester, C. Johnson, Douglas/Motion Does Not Carry
Voted: 2 to 4
Absent: Boles

Motion was made by Councilmember C. Johnson to accept the October 2017 version of the ordinance, second was made by Councilmember Forester. Motion prevailed by the following vote:

Ayes: Councilmembers: Weger, Forester, C. Johnson, Douglas
Nays: Campbell, W. Johnson/Motion Carries
Voted: 4 to 2
Absent: Boles

G. Consider and Discuss Policy for Pumping Water From Battle Creek.

Mr. Archer explained that the pumps at Battle Creek have been shut down since the flood of 2016. Now that the level of the lake is dropping he is asking the Council to set a policy for when to turn those pumps on based on water elevation. The Council discussed the current level of 1517 ft, and that the high water mark previously determined to be 1520 ft. was now known to actually be 1522.5 ft. The Council agreed that the pumps should be run only to bring the lake up to the 1520 ft. mark to avoid going over the spillway.

Motion was made by Councilmember Campbell to run the Battle Creek pumps anytime the level of the lake is under 1520 ft., second was made by Councilmember C. Johnson. Motion prevailed by the following vote:

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

H. Consider and Discuss Closing W. 10 Street from Ave. K then 240 Feet West.

Mr. Archer discussed that the city might be eligible for grant funding for this project, but it would be around a year before funding could be secured and he felt some sort of action needed to be taken immediately. Councilmember W. Johnson stated that he was not in favor of closing the street and would like to maybe see a low water crossing if repairing the bridge was cost prohibitive to which Councilmembers Campbell and C. Johnson agreed. Mr. Archer said the cost of repairing the bridge would be approximately \$20,000.00. Mr. Archer commented that he would look into the cost differences between bridge repair and a low water crossing and discuss at a later meeting.

No action was taken on this item.

I. Consider and Discuss Appointing Randy Boles to the Planning & Zoning Commission.

Although Councilmember Boles was absent from the meeting, he had made his wishes known to the Council that he was agreeable to sitting on the board.

Motion was made by Councilmember Forester to appoint Randy Boles to the Planning & Zoning Commission, second was made by Councilmember Weger. The motion prevailed by the following vote:

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

The Council recessed for a brief break at 6:44 p.m.

The Council reconvened into open session at 6:54 p.m.

J. Consider and Discuss Budget Workshop.

Mr. Archer brought several items to begin budget discussions namely the EMS contract, life insurance for the K-9's, and employee salaries. The Council discussed each item. The Council asked that an Executive Session be added to the next agenda to discuss specific employees' salaries.

No action was taken on this item.

K. Consider and Discuss Long Range Planning.

Mr. Archer reminded the Council that Folklife Festival would be April 28, 2018 and Cisco TX Piefest would be in June.

Chief Walter Fairbanks told about the recent active shooter training with the Fire Department, Police Department, EMS, and the city.

L. Announcements from City Council.

Councilmember C. Johnson asked about the legality of the cars parked on Conrad Hilton Blvd. across the street from the dollar store stating that the cars in question seemed to be inoperable and had been unmoved for several weeks. Chief McAuley said that he would look into it.

VII. ADJOURNMENT

Motion was made by Councilmember Forester to adjourn, second made by Councilmember C. Johnson. Motion passed unanimously and the meeting adjourned at 7:56 p.m.

ATTEST:

Tammy Osborne, City Secretary

Tammy Douglas, Mayor
