

**THE CITY OF CISCO  
CITY COUNCIL, REGULAR CALLED MEETING  
September 10, 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:**

**COUNCILMEMBER PLACE I (MAYOR PRO TEM)** \_\_\_\_\_ **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:**

**MAYOR** \_\_\_\_\_ **TAMMY DOUGLAS**  
**COUNCILMEMBER PLACE IV** \_\_\_\_\_ **ANDY ESCOBEDO**

Guests: Walter Fairbanks, Scott McAuley, Heather Boles, Randy Boles, Helen Boles, Blakely Boles, Braylee Boles, Butch Petree, Richard Vandergriff, Debbie Vandergriff, Heather Smith, Peggy Ledbetter, Ivan Hernandez, Kim Garrett, Wes Modawell, Shelley Burnett, John Diers, William Wright

**I. MEETING CALLED TO ORDER:**

Mayor Pro Tem Weger 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:**

Mayor Pro Tem Weger presented former Councilmember Boles with a plaque of appreciation for his service to the city both as an employee and a Councilmember.

**V. APPROVE THE MINUTES OF THE MEETING CONDUCTED:**

**August 27, 2018**

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

Ayes: Councilmembers: Weger, Campbell, W. Johnson, Forester, C. Johnson  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Escobedo, Douglas

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

**A. Consider and Discuss Granting a Variance to the Fencing Ordinance.—Ivan Hernandez**

Mr. Hernandez addressed the Council regarding a recent citation he had received for his fence. He explained that several months ago he had spoken with the Code Enforcement Officer who said that the fence was too tall and blocking sight lines for traffic. Mr. Hernandez lowered the fence height and was told his fence was in compliance. Last week he received a citation from the Code Enforcement Officer for his fence not being set back 15 feet from the right-of-way. The Council considered photographs of the fence in question provided by the City Manager and discussed whether the fence impeded the view of oncoming traffic. Mayor Pro Tem Weger stated that the problem he had with the fence was not one of aesthetics, but of safety. Councilmember Campbell agreed that from the photos it appeared the fence made sight lines difficult and suggested Mr. Hernandez work on abating that problem and return to the Council to request the variance.

No action was taken on this item.

**B. Consider and Discuss Lake Lot Lease Regulations.—Richard Vandergriff**

Mr. Vandergriff brought several issues before the Council regarding various city regulations, including signs in the right of way, the grading of North Shore Drive, and fencing regulations for Lake Lots. The Council and the City Attorney both agreed that most of Mr. Vandergriff's issues were civil in nature and would need to be addressed through civil court.

No action was taken on this item.

**C. Consider and Discuss Cooperative Ambulance Contract.**

Mr. Archer explained that that there were no changes to the contract from last year.

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

Ayes: Councilmembers: Weger, Campbell, W. Johnson, Forester, C. Johnson  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Escobedo, Douglas

**D. Consider and Discuss Approval and Adoption of 2018-2019 Budget for CDC and C4ADC.—John Diers**

Mr. Diers presented both budgets for the Cisco Development Corporation and the Cisco 4A Development Corporation.

Motion was made by Councilmember Forester to approve and adopt both budgets, second was made by Councilmember Campbell. Motion prevailed by the following vote:

Ayes: Councilmembers: Weger, Campbell, W. Johnson, Forester, C. Johnson  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Escobedo, Douglas

**E. Consider and Discuss Resolution No. 2018-09-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, REGARDING A FINANCE CONTRACT FOR THE PURPOSE OF PROCURING A POLICE DEPARTMENT VEHICLE AND A PUBLIC WORKS VEHICLE.**

Mr. Archer stated that one of the Police Department Tahoes was out of service and the purpose of the proposed resolution was to amend a previously passed resolution that the Council had approved to purchase two Public Works vehicles to purchase one Police Department vehicle and one Public Works vehicle instead. Some of the Council inquired if not getting the second Public Works vehicle would leave that department short a vehicle. Mr. Archer explained that the city was constantly in need of new vehicles and he tried to use the USDA grant program as a fleet vehicle replacement program. He went on to say that the next year would bring one vehicle for each department and then back to two per year. Both Councilmembers C. Johnson and W. Johnson argued that the city would be better off repairing the damaged Tahoe and going forward with the purchase of two Public Works vehicles. Mr. Archer argued that the Tahoe repair would be around \$5,000.00 and it was reaching the end of its serviceable life.

Motion was made by Councilmember W. Johnson to approve the resolution as presented, second was made by Councilmember Forester. Motion was as follows:

Ayes: Councilmembers: Weger, W. Johnson, Forester  
Nays: Campbell, C. Johnson/Motion Does Not Carry  
Voted: 3 to 2  
Absent: Escobedo, Douglas

**F. Consider and Discuss Ordinance No. 0-2018-16**

**AN ORDINANCE OF THE CITY OF CISCO, TEXAS PROVIDING THAT ALL STREETS AND ALLEYWAYS LOCATED WITHIN THE LAND DESCRIBED IN TRACTS A AND TRACT B, HEREIN CALLED “THE VILLAGE AT CISCO”, BE VACATED AND ABANDONED, EXCEPT FOR EXISTING UTILITY AND/OR DRAINAGE EASEMENTS; PROVIDING FOR REVERSION OF THE FEES IN SAID LAND; AND, PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON FINAL PASSAGE. (First Reading)**

Mr. Archer again commented that the dedicated streets within the Business Park were never vacated and this was a “house-cleaning” item. Mr. Diers added that in order to get insurance on the new strip mall, the vacation of the streets would be required.

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: Weger, Campbell, W. Johnson, Forester, C. Johnson  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Escobedo, Douglas

**G. Consider and Discuss Ordinance No. 0-2018-15**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2017 RATE REVIEW MECHANISM FILINGS; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING RECONCILIATION AND RATE ADJUSTMENTS IF FEDERAL INCOME TAX RATES CHANGE; TERMINATING THE RRM PROCESS FOR 2018 PENDING RENEGOTIATION OF RRM TERMS AND CONDITIONS; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL. (First Reading)**

Ms. Burnett of Atmos Energy explained the ordinance stating that the overall rate would be lower to customers as a result of being members of the cooperative.

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: Weger, Campbell, W. Johnson, Forester, C. Johnson  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Escobedo, Douglas

**H. Consider and Discuss Ordinance No. 0-2018-13**

**AN ORDINANCE OF THE CITY OF CISCO, TEXAS, ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019, FOR THE CITY OF CISCO, TEXAS; AND ESTABLISHING AND EFFECTIVE DATE. (Second Reading)**

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  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Escobedo, Douglas

**I. Consider and Discuss Ordinance No. 0-2018-14**

**AN ORDINANCE OF THE CITY OF CISCO, TEXAS, ESTABLISHING THE TAX LEVY FOR THE 2018-2019 BUDGET YEAR OF CISCO TEXAS; AND ESTABLISHING AND EFFECTIVE DATE. (Second Reading)**

Motion was made by Councilmember C. Johnson 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  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Escobedo, Douglas

**J. Consider and Discuss Ordinance No. 0-2018-17**

**AN ORDINANCE OF THE CITY OF CISCO, TEXAS, ADJUSTING AND AMENDING THE CITY'S FISCAL YEAR 2017-2018 BUDGET; AND ESTABLISHING AN EFFECTIVE DATE. (First Reading)**

Councilmember C. Johnson asked questions about the amendments for the Police Department and the Fire Department and Mrs. Ledbetter answered accordingly that both the revenues and expenditures for those departments had been adjusted.

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  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Escobedo, Douglas

**K. Consider and Discuss Westbound Water Rates.**

Mr. Archer said that the city was contractually able to increase rates each year, but recommended tabling the item until the next meeting as Mr. Johnson, the Water Treatment Plant Supervisor, was unable to attend the meeting and provide usage information for Westbound Water.

Motion was made by Councilmember C. Johnson to table the item, second was made by Councilmember W. Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Weger, Campbell, W. Johnson, Forester, C. Johnson  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Escobedo, Douglas

**L. Consider and Discuss Long Range Planning.**

Mr. Archer pointed out that the Street Improvements schedule was provided in the packets for Council information. He further stated that City Hall would be closed October 8, 2018 in observance of Columbus Day.

**M. Announcements from City Council.**

Councilmember W. Johnson asked about a large gouge in the newly constructed Beech Street at E. 18<sup>th</sup> Street. He is concerned that permanent water damage will be done if not repaired quickly. Mr. Archer answered that he had already contacted the contractor regarding the damage and they were coming to fix it as soon as their current project was complete.

Councilmember Forester commended the Fire Chief for his participation in the stair climb honoring 9/11.

**VII. ADJOURNMENT**

Motion was made by Councilmember Forester to adjourn, second made by Councilmember Campbell. Motion passed unanimously and the meeting adjourned at 7:19 p.m.

**ATTEST:**

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**Tammy Osborne, City Secretary**

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**Tammy Douglas, Mayor**

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