

**CITY OF SHEPHERD
BOARD OF ALDERMEN
Regular Called Meeting
10251 Hwy 150- Shepherd Community Center
Monday, April 12, 2021 6:30 PM
OFFICIAL MINUTES**

Regular Called Meeting:

Members Present: Charles Minton, Curtis Ainsworth, Ray Marrs, Yvonne Cones, Mark Porter, Kurtz Stowers

Members Absent:

City Staff Present: City Secretary Debra Hagler, Larry Foerster

Others Present: Kevin Payne, Tammy Russel, Mary Kyle, Ray Atchley, Wilbur Bridges, Hayden & Bunny Irwin, Tessie & Jamie Branham, Mary Kyle, Mr. Torres, Calvin Kinder, Jamie White, Lori Davis and her family, JROTC along with Mr. Maurice and Mr. Stevenson, Jeri Baily, Freddy McDowell, Kim Hoot and her husband, Jeb Morris, Torian Wyatt and his wife.

CALLED TO ORDER /INVOCATION

Mayor Minton called the meeting to order. The pray was stated by Yvonne Cones. The JROTC presented the flags and the pledges were given. Mayor Minton commended the JROTC and their leaders for helping with a recent cemetery clean up.

PUBLIC INPUT:

Tammy Russell handed the council a packet of paperwork but then chose to discuss it later in the meeting following the Mayor's recommendation.

PUBLIC INPUT FOR ITEMS NOT LISTED ON AGENDA:

NONE

REPORTS:

Terri MacIntyre: Terri introduced herself. She announced they have updated a pamphlet for the library and have given the Facebook page and Website an update. She reported they have New Events being scheduled and that she is attempting to fulfill requirements to maintain accreditation with the State. Terri stated the biggest hurdle she has right now is funding for refreshments for the events they have scheduled but she is getting donations. She explained that the Friends of the Library are having a table at the upcoming Chamber Spring Event. Ms. Cones expressed her gratitude and stated she can see a huge difference since Terri has come on board.

Yvonne Cones: Announced the Chamber Spring Event coming up. The Event will be a fund raising event for Scholarships.

OLD BUSINESS

NEW BUSINESS:

Discuss and take action necessary to award the GLO Harvey contract to remove sludge from the oxidation ditch.

Curtis Ainsworth made a motion to award the bid to Magna Flow. Kurtz Stowers seconded and the motion passed with a unanimous vote. Jeb Morris, Engineer with Goodwin Lasister, reported that bids were opened on March 23rd and that two bids were received. Rebel Construction submitted the lower bid at the time but after verifying the bids and a couple of questions from the engineer, Rebel asked that their bid be withdrawn. It appears the method they were intending to use was not going to work. Jeb recommended that the City accept the bid from Magna Flow although the quote came in a little over the construction budget. The challenge is the plant has to stay active and the sludge removal has to come from the bottom of the tank where the dead sludge is without killing the active process to the top.

Discuss and take action on Request from Torian & Denise Wyatt for a Manufactured Home Variance on Youngblood St.

Curtis Ainsworth made the motion to grant this variance. Yvonne Cones seconded and the motion passed with a unanimous vote. The home is a 2021 Palm Harbor Home. The lot is clear and utilities are available.

Discuss and take action on a request from Casandra Staacke for a Manufactured Home Variance at 1480 S. Byrd.

No Action was taken on this item. Ms. Staacke was not present and sufficient paperwork was not presented to be able to take any action.

Discuss and take action on a request from Juan Moncivais Torres for a Manufactured Home Variance on Ross Street.

Mark Porter made a motion to table this item to be discussed further after photos and an inspection report. Kurtz Stowers seconded and the motion passed with a unanimous vote. His request was to move a 2002 home onto the property. The age of the home concerned the council. Therefore they want to see pictures and have an inspection report to base the decision on.

Discuss and take action on a request from Lori Davis for a Manufactured Home Variance at 1831 S. Byrd.

Curtis Ainsworth made a motion to table until the Davis family can shop. Kurtz Stowers seconded and the motion passed with a unanimous vote. Ms. Davis wants to use this Manufactured Home as rental property. She has over 2 acres of land. The council informed her that if the home is over 5 years old an inspection will be required.

Discuss and take action on a request from Lori Davis for an additional building to house a Gift Shop and Wellness Store at 1831 S. Byrd.

Mark Porter made a motion to table this item. Yvonne Cones seconded and the motion passed with a unanimous vote. Ms. Davis stated they want to add a building to the front of their home to be used as a Gift Shop. She is hoping other small businesses with sell things from her building too. She has addressed the parking issue. She had photos of some metal building and storage containers. Ms. Cones applauded her ideas and research. This item will be tabled until Ms. Davis can present a more definite idea of what she wants built here.

Discuss and take action to designate a name for a private road for Kim Hoot.

Curtis Ainsworth made a motion to name this private road Hoot & Holler Lane. Ray Marrs seconded and the motion passed with a unanimous vote. This private lane will be accessed at the end of Irwin Lane. Kim and her husband own a 15 foot strip of land between Irwin Lane and Ms. Pittman. The road will continue from there along Ms. Hoot's property line until it crosses the creek and then it will connect with an existing easement that turns to the West. The second recommended name selected is Sugar Shack Lane. This is a private road being named for 911 purposes. The City of Shepherd will not be responsible for this road in any way.

Discuss and take action required regarding a request from John "Freddy" McDowell to abandon a City easement on the corner of 3rd and Ross St.

Mark Porter made a motion to abandon this easement as requested. Curtis Ainsworth seconded and the motion passed with a unanimous vote. Mr. McDowell purchased this property several years ago as a cash deal to be used as rental property. He is now in the process of selling the property. The survey revealed the house is sitting in City Right of Way. He requested that the City abandon that section of right of way that the house is sitting on. The City agreed. The attorney stated simply abandoning the easement may not be enough for the title company and that a deed could be required. Mr. McDowell is willing to do what it takes to be able to complete the sale of this property.

Discuss and take action necessary on concerns presented by Hayden Irwin regarding the permitting process.

No Action was taken on this item. Mr. Irwin presented some of his concerns. He stated the permitting process has been difficult. He admitted that he has met the inspector and he thinks Mr. Hanna is a nice guy. Mr. Irwin thinks the City should have a local inspector. He asked the council to re-evaluate the permitting process. He stated the paperwork is complicated. He added the process is expensive. He complained that the inspector is too busy. Mr. Irwin believed the City needs a manager because Debra can't oversee it all. The Council decided a workshop is needed and will be coordinating with Rick Hanna to get one scheduled.

Discuss and take action necessary regarding Utilities, drainage and enhancements to 10th street.

Yvonne Cones made a motion to table this item for more information. Curtis Ainsworth seconded and the motion passed with a unanimous vote. The City is still waiting on survey results to determine the scope of work. The survey

will include the elevation and will be used to determine if sewer is a possibility. Former Mayor Wilbur Bridges spoke up and gave insight regarding the current drainage flow. Ms. Russell presented her concerns about the undeveloped section of Ross Street where her property is located. The Mayor let her know that nothing has been determined as of yet since the survey has not been completed.

Discuss and take action on inquiry from Constable Atchley regarding his deputy's job duties.

Curtis Ainsworth made a motion to discuss this in the workshop once we get it scheduled. Mark Porter seconded and the motion passed with a unanimous vote. Constable Atchley has been working on a Policy/Procedure Manual and requested an official Job Description listing job duties that the City wants for the Deputy. He believes this will also increase productivity for the department.

Discuss and take action to update the interlocal agreement with the Constable Department.

Mark Porter made a motion to discuss this in the workshop. Ray Marrs seconded and the motion passed with a unanimous vote. Mayor Minton recommended this be added to the workshop agenda.

Discuss and take action regarding request from The Chamber of Commerce to pay for fireworks.

Mark Porter made a motion to pay for \$5000.00 worth of Fireworks for the July 3rd Chamber Event. Ray Marrs seconded and the motion passed with a unanimous vote.

Discuss and take action regarding options for S. Railroad to accommodate bus traffic

Mark Porter made a motion to table this item. Yvonne Cones seconded and the motion passed with a unanimous vote. Jamie is going to evaluate to see if the road can be widened.

Discuss and take action to hire a Utility Clerk.

No Action was taken on this item.

Discuss and take action to amend the budget and create a part time position to be the permitting/court clerk.

Mark Porter made a motion to amend the budget and create a part time permitting/court clerk position. Kurtz Stowers seconded and the motion passed with a unanimous vote.

Executive Session: Convene into closed executive session as authorized by the Texas Open Meetings Act to confer with city attorney on a personnel matter (Sections 551.071 and 551.074 of the Texas Government Code).

Reconvene into Open Session:

- 1. Discuss and take action if necessary regarding personnel matters.**

Discuss and take action if necessary regarding personnel matters.

The Council did not need to go into executive session at this time. No action was needed regarding personnel matters.

Minutes:

Yvonne Cones made a motion to accept the minutes as presented. Kurtz Stowers seconded and the motion passed with a unanimous vote.

Payment of the Bills:

Mark Porter made a motion to pay the bills. Curtis Ainsworth seconded and the motion passed with a unanimous vote.

ANNOUNCEMENTS

Food Truck Friday April 16

Chamber Spring Event- April 17th

ADJOURNMENT: 7:55 pm

Ray Marrs made a motion to adjourn. Kurtz Stowers seconded and the motion passed with a unanimous vote.

Charles Minton, Mayor
Prepared by City Secretary, Debra Hagler