

**THE CITY OF CISCO  
CITY COUNCIL, REGULAR CALLED MEETING  
October 11, 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:**

<b>MAYOR</b>	<b>STEPHEN FORESTER</b>
<b>COUNCILMEMBER PLACE I</b>	<b>JASON WHETSTONE</b>
<b>COUNCILMEMBER PLACE II</b>	<b>ROBERT JOHNSTON</b>
<b>COUNCILMEMBER PLACE III</b>	<b>WILLARD JOHNSON</b>
<b>COUNCILMEMBER PLACE V</b>	<b>CHRIS JOHNSON</b>

**PERSONNEL PRESENT:**

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

**PERSONNEL ABSENT:**

<b>COUNCILMEMBER PLACE IV</b>	<b>NATHAN BRUNER</b>
<b>COUNCILMEMBER PLACE VI</b>	<b>TRAVIS TOOF</b>

Guests: Kenneth Preston, Jared Frazier, Walter Fairbanks, Justin Jaworski, Scott Hay, Kara Richardson, Tim Richardson

**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:**

Councilmember Whetstone gave the invocation.

**IV. CITIZEN-VISITOR COMMENTS:**

None.

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

- **September 26, 2022**

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

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

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

- A. Consider and Discuss and Take Possible Action on the Award of the Texas Water Development Board CWSRF Project No. 73668-Wastewater Collection System Improvements Contract Contingent Upon Concurrence of the Award by the Texas Water Development Board.—Scott Hay**

Mr. Hay explained to the Council that two bids had been received for the project and the apparent low bidder was Leetech Solutions, LLC with a bid of \$1,044,850.00. After vetting the bidders qualifications, Mr. Hay as a representative of Enprotec Hibbs & Todd, makes recommendation that the city award the bid to Leetech Solutions, LLC. Mr. Archer explained the purpose of the project would be to replace the Humbletown lift station as part of a larger overall Wastewater System Improvements project.

Motion was made by Councilmember Whetstone to award the bid for the CWSRF Project No. 73668 to Leetech Solutions, LLC, second was made by Councilmember C. Johnson. Motion prevailed by the following vote:

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

**B. Consider and Discuss Cooperative Dispatch Interlocal Agreement.**

Mr. Archer presented the dispatch agreement.

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

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

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

Mr. Archer presented the ambulance contract.

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

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

**D. Consider and Discuss Firefighting Contract.**

Mr. Archer presented the firefighting contract.

Motion was made by Councilmember Whetstone to accept the contract as presented, second was made by Councilmember Johnston. Motion prevailed by the following vote:

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

**E. Consider and Discuss Resolution No. 2022-10-11 (Executive Session)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, TERMINATING AN EXISTING COMMERCIAL LEASE AGREEMENT AND APPROVING A NEW COMMERCIAL LEASE AGREEMENT BY AND BETWEEN THE CITY AND THE CISCO 4A DEVELOPMENT CORPORATION; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

The Council retired into Executive Session for Items E & F at 6:14 p.m. under Section 551.087 Economic Development Negotiations.

The Council reconvened into Regular Session at 6:41 p.m. and took the following actions:

Mr. Jaworski explained that the resolution would terminate the current lease between the city and the CDC and institute a new lease more in line with current rates and in anticipation of development on the property.

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

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

**F. Consider and Discuss Resolution No. 2022-10-11-01 (Executive Session)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, APPROVING A PERFORMANCE AGREEMENT AND COMMERCIAL LEASE BY AND BETWEEN THE CISCO 4A DEVELOPMENT CORPORATION AND BHXC0, LLC, A TEXAS LIMITED LIABILITY COMPANY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

Mr. Jaworski again, said that the CDC wants to enter a performance agreement to lease Hangar 1 to a prospective business building tiny homes out of the hangar.

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

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

**G. Consider and Discuss Ordinance No. 0-2022-21**

**AN ORDINANCE OF THE CITY OF CISCO, TEXAS, PROVIDING THE ALLEY BETWEEN E. 17<sup>TH</sup> STREET AND E. 18<sup>TH</sup> STREET AND BETWEEN FIR AND WALNUT STREETS IN BLOCK 15 OF THE ELFRETHER HEIGHTS ADDITION TO THE CITY OF CISCO, EASTLAND COUNTY, TEXAS, BE CLOSED AND THAT THE DEDICATION OF THE RIGHT OF WAY 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 explained that the proposed ordinance had been denied at the last meeting, but at the behest of the owner, Mr. Matt Holm, it was being presented again. Mr. Holm has expressed that he wanted to ensure that the Council understood his intentions for the property fully before making a final decision on the abandonment of the easement. Councilmember C. Johnson indicated that the vote previously taken should stand regardless of ownership of the property or intention of that owner, stating that the reasons the Council denied the abandonment had nothing to do with what would happen to that particular property, but more about how that abandonment would affect other property owners in the block.

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

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

**H. Consider and Discuss Ordinance No. 0-2022-22**

**AN ORDINANCE OF THE CITY OF CISCO, TEXAS, PROVINGING THAT HARTMAN AVENUE IN BLOCK M OF THE COLLEGE HEIGHTS ADDITION FROM THE WEST SIDE OF AUSTIN STREET TO THE END OF HARTMAN AVENUE, OF THE CITY OF CISCO, EASTLAND COUNTY, TEXAS, BE CLOSED AND THAT THE DEDICATION OF THE RIGHTS-OF-WAY 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 stated that the proposed abandonment had again been requested by Mr. Matt Holm. The Council discussed the other property owners in the block and the City Secretary pointed out potential issues with 911 addressing if those property owners ever decided to develop their property and the only right of way that accesses their property had been abandoned.

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

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

**I. Consider and Discuss Ordinance No. 0-2022-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, AMENDING APPENDIX A “ZONING” OF THE CITY’S CODE OF ORDINANCES; SPECIFICALLY, SECTION 23 “DESCRIPTIONS/DEFINITIONS OF USES” ADDING A DEFINITION OF A SHORT TERM RENTAL, AND SECTION 22 “SCHEDULE OF USES” REGULATING THE PLACEMENT AND RENTAL OF SHORT TERM RENTALS; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE. (First Reading)**

Mr. Archer explained that the proposed ordinance would regulate short term or vacation rentals within the city limits. The City Secretary expounded, saying that the ordinance would allow short term rentals without prohibition in any commercially zoned area, and would potentially allow them in a residential area if they first obtain a Specific Use Permit. She further explained that the process by which an owner would get a Specific Use Permit requires approval by the Planning & Zoning Board, a public hearing, and finally approval by City Council, allowing all parties and opportunity to weigh in.

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

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

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

Mr. Archer reminded the Council that Piefest would be 10/21/22-10/22/22 and there would be a car show in conjunction with the event. Also, the Lions Club would be holding their annual Vision Screening on 10/12/22.

**K. Announcements from Council.**

Councilmember Johnston asked if the city had an ordinance against engine brakes in town to which Mr. Archer replied, ‘no’. He asked if the City could look at presenting one at a future meeting.

**VII. ADJOURNMENT**

Motion was made by Councilmember Whetstone to adjourn, second made by Councilmember Johnston. Motion passed unanimously and the meeting adjourned at 7:07 p.m.

**ATTEST:**

**Tammy Osborne, City Secretary**

**Stephen Forester, Mayor**

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