

**THE CITY OF CISCO  
CITY COUNCIL, REGULAR CALLED MEETING  
October 24, 2016**

**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:**

<b>MAYOR</b>	<b>JAMES KING</b>
<b>COUNCILMEMBER PLACE II</b>	<b>DENNIS CAMPBELL</b>
<b>COUNCILMEMBER PLACE III</b>	<b>WILLARD JOHNSON</b>
<b>COUNCILMEMBER PLACE V</b>	<b>TAMMY DOUGLAS</b>
<b>COUNCILMEMBER PLACE VI</b>	<b>PHILIP GREEN</b>

**PERSONNEL PRESENT:**

**CITY MANAGER** \_\_\_\_\_ **DARWIN ARCHER**

**PERSONNEL ABSENT:**

<b>COUNCILMEMBER PLACE I</b>	<b>JASON WEGER</b>
<b>COUNCILMEMBER PLACE IV</b>	<b>RANDY BOLES</b>
<b>CITY SECRETARY</b>	<b>TAMMY OSBORNE</b>

Guests: Stephen Forester, Walter Fairbanks, Lloyd Fagan

**I. MEETING CALLED TO ORDER:**

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

**II. PLEDGES**

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

**III. INVOCATION:**

Mayor King gave the invocation.

**IV. CITIZEN-VISITOR COMMENTS:**

Glenna Kuczvara addressed the Council regarding street conditions on E. 11<sup>th</sup> Street and the lack of returned phone calls from City Hall. Mayor King responded that he would check into the situation and get back to Ms. Kuczvara.

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

**September 26, 2016**

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

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**VI. QUARTERLY REPORTS:**

**Quarterly Court Report—Judge Cheryl Howerton**

Judge Howerton presented the Quarterly Court Report.

**Quarterly Police Report—Chief Larry Weikel**

Sergeant Lloyd Fagan presented the Quarterly Police Report.

Motion was made by Councilmember Johnson to accept the reports as presented, second was made by Councilmember Douglas. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

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

**A. Consider and Discuss Ordinance No. 0-2016-13**

**AN ORDINANCE OF THE CITY OF CISCO, TEXAS, AMENDING SECTION 13-55 “ADDITIONAL ZONES AUTHORIZED” OF THE CITY’S CODE OF ORDINANCES; DESIGNATING THE WEST SIDE OF AVENUE H BETWEEN 10<sup>TH</sup> STREET AND 11<sup>TH</sup> STREET AS A NO PARKING ZONE AND TOW AWAY ZONE ON THE STREET; AND ESTABLISHING AN EFFECTIVE DATE OF ENFORCEMENT. (*First Reading*)**

Mr. Archer explained that street congestion around the Elementary School was impeding school buses and was the motive for the proposed ordinance.

Motion was made by Councilmember Campbell to accept the ordinance as presented, second was made by Councilmember Douglas. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**B. Consider and Discuss Ordinance No. 0-2016-14**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS GRANTING TO AEP TEXAS NORTH COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE LINES AND APPURTENANCES AND APPLIANCES FOR CONDUCTING ELECTRICITY IN, OVER, UNDER, AND THROUGH THE STREETS, AVENUES, ALLEYS, AND PUBLIC PLACES OF THE CITY OF CISCO, TEXAS. (*First Reading*)**

Mr. Archer again presented the ordinance saying this would allow for a renewal of AEP’s contract which expires in December. He pointed out that the proposed contract has a 25 year term while the outgoing contract was only a 10 year term. He suggested that the term be amended to a 10 year term. The Council agreed that the term was too long and asked Mr. Archer to appeal to AEP to amend the term of the new contract to 10 years.

This item was tabled pending a new contract.

**C. Consider and Discuss Resolution No. 2016-10-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, ALLOWING PARTICIPATION IN TASB ENERGY COOPERATIVE.**

Mr. Archer explained that joining this cooperative by means of the proposed resolution would allow the City to have access to bulk pricing for fuel.

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

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**D. Consider and Discuss Resolution No. 2016-10-11-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CISCO, TEXAS, RECOGNIZING THE IMPORTANCE OF MUNICIPAL COURTS, THE RULE OF LAW, AND THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE.**

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

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**E. Consider and Discuss Naming the Street to the Convenience Station.**

The Council discussed various names for the street to the convenience station and also whether or not to separately identify the Highway 6 bypass street.

Motion was made by Councilmember Green to name the Highway 6 bypass as Armory Circle and the road that leads to the convenience station as Convenience Way, second was made by Councilmember Campbell. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**F. Consider and Discuss Taking Bids on 5.12 Acres Near the Convenience Station.**

Mr. Archer stated that the city would need to take bids on this property under advisement of the City Attorney. The Council discussed the bidding process and what, if any, deed restrictions would be necessary to ensure the property would have a commercial use and the appropriate level of said restrictions.

Motion was made by Councilmember Campbell to take bids on the property and allow the City Attorney to craft restriction language to ensure the property could only be used as a commercial beef processing facility, second was made by Councilmember Green. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**G. Consider and Discuss Proposals for Administrative Consultant for Application Preparation for the TxCDBG 2017-2018 Community Development Fund Application for Water System Improvements and Authorizing the Mayor or City Manager to Negotiate Agreeable Terms and Approve Contract with Selected Firm.**

Mr. Archer clarified that we had taken RFP's and RFQ's for several different grants. Mayor King added that we had only received one proposal for Grant Administration for this particular item from Langford Community Services. Councilmember Green inquired about the procurement process and how the city solicited proposals. Mr. Archer described the process saying the RFP's were run in the local newspaper and direct mailed to a list of agencies. Councilmember Green suggested finding a way to encourage wider participation and therefore more competition.

Motion was made by Councilmember Johnson to select Langford Community Services as Grant Administrator for the Water System Improvements Project, second was made by Councilmember Campbell. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**H. Consider and Discuss Approval of Scoring Recommendation Priority List for Engineering Services for the TxCDBG 2017-2018 Community Development Fund Application for Water System Improvements and Contract with Funding Availability, and Authorizing the Mayor or City Manager to Negotiate a Contract with the Selected Firm, and if a Contract Cannot be Negotiated with the Selected Firm to Negotiate a Contract with the Second Ranked Firm.**

Mayor King revealed that two proposals had been received for this item, one from Enprotec Hibbs & Todd and the second from Befco. Each agency had been scored by a 3 individual scoring board. Scoring results indicated that Eh/t was the highest ranked agency between the two. Councilmember Green questioned the scoring criteria, to which Mr. Archer responded with explanation of the scoring process. Councilmember Green again commented that he wants to ensure fair and competitive practices when procuring for the city. Mayor King provided the qualification packets to the Council and advised, based on the scoring board's totals, that Eh/t was the best choice for the project.

Motion was made by Councilmember Campbell to select Enprotec Hibbs & Todd as the Engineer for the Water System Improvements project, second was made by Councilmember Douglas. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**I. Consider and Discuss Awarding Contract for Grant Administration Services for Water Improvements for the Texas Department of Agriculture (TDA) TxCDBG 2016 disaster Relief Fund and Authorizing the Mayor or City Manager to Negotiate Agreeable Terms and Approve Contract with Selected Firm.**

Mayor King stated that again only one proposal had been received from Langford Community Services.

Motion was made by Councilmember Johnson to select Langford Community Services as the Grant Administrator for the Water System Improvements Project, second was made by Councilmember Campbell. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**J. Consider and Discuss Approval of Scoring Recommendation Priority List for Engineering Services for the Texas Department of Agriculture (TDA) TxCDBG 2016 Disaster Relief Fund for Water Improvements and with a Contract Authorizing the Mayor or City Manager to Negotiate a Contract with the Selected Firm, and if a Contract Cannot be Negotiated with the Selected Firm to negotiate a Contract with the Second Ranked Firm.**

Mayor King indicated two submissions had been received from Enprotec Hibbs & Todd and Befco. Again, the Scoring Board indicated that Eh/t was the highest ranked firm.

Motion was made by Councilmember Johnson to select Enprotec Hibbs & Todd for Engineering Services for the Water System Improvements project, second was made by Councilmember Campbell. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**K. Consider and Discuss Awarding Contract for Grant Administration Services for Street Improvements for the 2016 Texas Capital Fund Real Estate and Infrastructure Program and Authorizing the Mayor or City Manager to Negotiate Agreeable Terms and Approve Contract with Selected Firm.**

Once again, only Langford Community Services submitted a proposal.

Motion was made by Councilmember Douglas to select Langford Community Services as Grant Administrator for the Street Improvements Project, second was made by Councilmember Campbell. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**L. Consider and Discuss Approval of Scoring Recommendation Priority List for Engineering Services for the Texas Department of Agriculture (TDA) TXCDBG Texas Capital Fund for Street Improvements, and Authorizing the Mayor or City Manager to Negotiate a Contract with the Selected Firm, and if a Contract Cannot be Negotiated with the Selected Firm, to Negotiate a Contract with the Second Ranked Firm.**

Mayor King indicated that the same two firms had made submissions, Enprotec Hibbs & Todd and Befco. He continued by saying that Eh/t had less experience in road projects than in water and wastewater improvements, but the Scoring Board still indicated that they were ranked highest of the two firms.

Motion was made by Councilmember Green to select Enprotec Hibbs & Todd for Engineering Services on the Street Improvements Project, second was made by Councilmember Johnson. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**M. Consider and Discuss Update on Texas Capital Fund Grant for the Paving of E. 18<sup>th</sup> St.**

Mr. Archer informed the Council that the grant had been awarded in its entirety to the city in the amount of \$750,000.00. The above agenda items took care of procuring both grant administrator and engineer for the project.

No action was taken on this item.

**N. Consider and Discuss Requesting Proposals on City of Cisco Deposit Accounts.**

Mr. Archer explained that the city was required to periodically examine options for deposit accounts. He was unaware of the last time this action was taken by the city and suggested it was needed. He had additionally received a request from a local financial institution that would like the opportunity to bid for the city's business. He had put together a RFP to provide to the two local banks in town and give them the opportunity to make proposals.

Motion was made by Councilmember Green to proceed with the Request for Proposals for Deposit Accounts, second was made by Councilmember Douglas. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

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

Mr. Archer stated that this was a renewal of the current contract with the ambulance service which was unchanged from last year and would be for the same amount as previously paid. Councilmember Green initiated conversation regarding other options for ambulance service including having our own ambulance. Mr. Archer replied that the city was currently unable to

financially support independent ambulance service, but he would begin gathering information and numbers regarding the feasibility for the next budget year.

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

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**P. Consider and Discuss Daily Water Usage Since Adoption of Stage 3 Water Restrictions Variance and Possible Amendments.**

Mr. Archer commented that he had not been able to gather daily water usage data, but felt certain that the water system was not being over taxed. He mentioned that there had been a structure fire recently and the system had been able to provide the water necessary to effectively fight the fire. He recommended no changes to the Water Restrictions Variance.

No action was taken on this item.

**Q. Consider and Discuss Wake Restrictions at Lake Cisco.**

The Council discussed the current level of the lake (1520.26) and how that level affects the properties either still currently flooded or in imminent danger of flooding in the near future especially with wakes as an issue.

Motion was made by Councilmember Green to remove wake restrictions unless the lake level rises to 1521 ft. at which time the restrictions would resume, second was made by Councilmember Campbell. The vote was as follows:

Ayes: Councilmembers: Campbell, Johnson, Green  
Nays: Douglas, King  
Voted: 3 to 2  
Absent: Weger, Boles

Motion does not carry.

Mayor King suggested that the wake restriction should be lifted only after the level of the lake falls below 1520 ft. to which Councilmember Douglas agreed.

Motion was made by Councilmember Douglas to leave the wake restrictions in place until the lake drops below 1520 ft. and if the level rises above 1520 ft., the restrictions would be put back in place, second was made by Councilmember Green. Motion prevailed by the following vote:

Ayes: Councilmembers: Campbell, Johnson, Douglas, Green, King  
Nays: None/Motion Carries  
Voted: 5 to 0  
Absent: Weger, Boles

**R. Consider and Discuss Progress on the Water Treatment Plant and Financial Ramifications in Reference to FEMA and Insurance Funds.**

Mr. Archer indicated that the city was still in discussions with FEMA, but no definitive answers had been provided as of yet. He commented that he was still in favor of waiting for a decision from FEMA on funding before proceeding with any further action on the Water Treatment Plant.

No action was taken on this item.

**S. Consider and Discuss Employee Memorials.**

Mr. Archer informed the Council that he would like to examine options for memorializing city employees. The Council agreed that this was a good and appropriate idea. Chief Fairbanks offered to allow the city to construct a memorial to city employees on the property owned by his family where his father's memorial is erected saying it would always be properly maintained by him and his family.

No action was taken on this item.

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

Mayor King reminded the Council of the town hall meeting with Senator Charles Perry on November 2, 2016 at 2:00 p.m.

**VIII. ADJOURNMENT**

Motion was made by Councilmember Green to adjourn, second made by Councilmember Campbell. Motion passed unanimously and the meeting adjourned at 7:47 p.m.

**ATTEST:**

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**Tammy Osborne, City Secretary**

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**James King, Mayor**

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