

**MINUTES OF
BULLARD CITY COUNCIL REGULAR MEETING
August 13, 2019**

A Regular Meeting of the City Council of the City of Bullard, Texas, was held Tuesday, August 13, 2019, 6:00 p.m. at Bullard City Hall, 114 South Phillips, Bullard, Texas, with the following present:

**Mayor: Pam Frederick
Mayor Pro Tem: Bryan Willis
Councilmember: Mark Anderson
Councilmember: Shirley Coe**

**City Attorney: Robert Davis
Police Chief: Gary Don Lewis
Police Captain: Jeff Bragg
City Engineer: Brian Capps
Finance Director: Sonja Richey
Utility Director: David Hortman
Human Resources Director: Jennifer MacWhirter
Code Enforcement: Danny Ray
Communication Manager: Lexie Hudson
City Secretary: Doris Crockett**

**Absent: Councilmembers
Ralph Britt and David Rhodes**

Meeting Order: Call to Order; Roll Call; Invocation; Pledge to Flag

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CITIZEN PARTICIPATION: NONE

ITEM 1 – PRESENTATION AND INTRODUCTION

Blast Over Bullard “Distinguished Volunteer Award” presented to Callie Adelfio.

New City of Bullard Communication Manager Lexie Hudson was introduced.

ITEM 2 – PUBLIC HEARING – JOE G. AND ANNE E. MOODY –

**201 WEST MAIN STREET – ZONING CHANGED FROM “C-2” TO “C-3
APPROVED**

Mayor Frederick declared the Public Hearing Open to consider the request of Joe G. and Anne E. Moody to change the zoning from “C-2” General Commercial District to “C-3” Central Business District being Lots 6A-9A and Lot 10, Block 16, 201 West Main Street, Bullard, Texas.

The applicant Joe Moody explained to the Council that he would like to enlarge his building to accommodate a growing business. The “C-3” Central Business District would remove the need for meeting the building setbacks required in the “C-2” General Commercial District.

The Planning and Zoning Commission on August 26, 2019, recommended approval of the request.

The Public Hearing was declared closed.

On motion by Councilmember Coe, seconded by Mayor Pro Tem Willis and carried unanimously, the Council approved the change in zoning from “C-2” General Commercial District to “C-3” Central Business District being Lots 6A-9A and Lot 10, Block 16, 201 West Main Street, Bullard, Texas, as requested and the following Ordinance was adopted:

ORDINANCE NO. 2019-0813-1

AN ORDINANCE AMENDING THE CITY OF BULLARD ZONING ORDINANCE; DIRECTING THE AMENDMENT OF THE ZONING MAP; APPROVING A ZONING CHANGE FROM “C-2” GENERAL COMMERCIAL DISTRICT TO “C-3 CENTRAL BUSINESS DISTRICT BEING LOTS 6A-9A AND LOT 10, BLOCK 16, 201 WEST MAIN STREET, BULLARD, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ITEM 3 – COFFEE AROUND THE CORNER – FALL FLING – AUTHORIZED

Mr. Bill Jones from Coffee Around the Corner in Downtown Bullard requested permission for using sidewalks and half of the green area in front of Timeless Treasures for vendors for “Fall Fling” sponsored by businesses Downtown.

On motion by Mayor Pro Tem Willis, seconded by Councilmember Anderson and carried unanimously, authority was granted for Downtown Businesses to use the sidewalks and half the green area in front of Timeless Treasures for vendors for the “Fall Fling” on October 19, 2019, as requested.

ITEM 4 – BULLARD AREA CHAMBER OF COMMERCE – RED, WHITE AND BLUE FESTIVAL – SALE OF BEER, WINE AND LIQUOR

On motion by Councilmember Coe, seconded by Mayor Pro Tem Willis and carried unanimously, Council granted the request of the Bullard Area Chamber of Commerce to use City property on November 2, 2019, for the Annual Red, White and Blue Festival, and authorized beginning at 4:00 p.m. on that date the sale of beer, wine and liquor for on-premises consumption, under an approved license certificate, with liability insurance holding the City harmless, and being conducted with security and inside of fencing.

ITEM 5 - RESOLUTION ADOPTED AUTHORIZING THE CITY TO TEMPORARILY CLOSE STREETS OR PORTIONS OF STREETS IN THE DOWNTOWN AREA AS NEEDED FOR RED, WHITE AND BLUE FESTIVAL NOVEMBER 2, 2019

On motion by Councilmember Anderson, seconded by Councilmember Coe and carried unanimously, the attached Resolution was adopted granting authority to temporarily close a portion of West Emma Street from Houston Street (FM 2493) to Phillips Street, on Phillips Street from Tyler Street to Main Street and Phillips Street from Main Street to West Emma Street and Cain Street from Rather Street to Phillips Street on Saturday, November 2, 2019, from 7:00 a.m. to 9:00 p.m. (or as needed) for the Annual Red, White, and Blue Festival: **(Attach Resolution)**

ITEM 6 – SPECIALIZED PUBLIC FINANCE, INC. – FINANCIAL ADVISOR – TAX NOTE SERIES 2019 – AGREEMENT AUTHORIZED

On motion by Mayor Pro Tem Willis, seconded by Councilmember Anderson and carried unanimously, Council authorized entering into an agreement with Specialized Public Finance, Inc. to serve as the City’s Financial Advisor for the Tax Note Series 2019, subject to review by the City’s Attorney.

ITEM 7 – EMERGENCY MEDICAL SERVICES PROVIDER – AUTHORITY GRANTED FOR RFP’s

Mayor Frederick stated that the City’s current Emergency Medical Service provider is UT Health East Texas (formerly East Texas Medical Center Ambulance Service). The original agreement for EMS service authorized 2010 was for a 5 year period and a 5-year extension which will end in 2020. She stated there has been a lot of growth since that agreement was entered into. With the opening of the soon to be completed skilled nursing facility it would be wise/prudent to see what EMS services are best for our community. She requested authority to seek RFP’s for EMS service and to give sufficient notice to the current provider prior to the end of their contract.

On motion by Mayor Pro Tem Willis, seconded by Councilmember Anderson and carried unanimously, the Mayor was authorized to give advance notice to the current EMS provider UT Health East Texas (formerly East Texas Medical Center Ambulance Service) and authority was given to seek RFPs for the emergency medical services provider at the expiration of the current contract and encouraged the current provider to participate in the RFPs.

ITEM 8 – TXDOT PROJECT - FUNDS FOR CITY’S PARTICIPATION IN WIDENING OF FM 2493 (HOUSTON STREET) INSIDE THE CITY LIMITS – RESOLUTION ADOPTED

On motion by Councilmember Anderson, seconded by Councilmember Coe and carried unanimously, the following Resolution was adopted authorizing the City of Bullard Mayor to execute for and on behalf of the City of Bullard, Texas, an agreement to contribute funds to the State (TXDOT) for widening FM 2493 (Houston Street) inside the City limits for a participation cost of \$46,683.60: **(Attach Resolution)**

Council Minutes

ITEM 9 – SMITH COUNTY – INTERLOCAL AGREEMENT FOR DISPATCH SERVICES

AUTHORIZED

On motion by Mayor Pro Tem Willis, seconded by Councilmember Anderson and carried unanimously, the Council authorized execution of an Interlocal Agreement with Smith County, Texas, for emergency and non-emergency law enforcement dispatch services for a 4 year period beginning at a cost of \$33,676.29 for 2019-2020; \$39,879.48 for 2020-2021; \$46,974.98 for 201-2022; and \$53,644.82 for 2022-2023.

ITEM 10 – CITY OF JACKSONVILLE, TEXAS POLICE DEPARTMENT – INTERLOCAL AGREEMENT FOR PARTICIPATION PRIVILEGES IN DEPARTMENT’S S.W.A.T. TEAM – POLICE CHIEF AUTHORIZED TO EXECUTE AGREEMENT

On motion by Councilmember Coe, seconded by Councilmember Anderson and carried unanimously, the Council authorized Police Chief Gary Don Lewis to execute an Interlocal Agreement with the City of Jacksonville, Texas, Police Department for participation privileges in the Department’s S.W.A.T. Team.

ITEM 11 - TAX ABATEMENT POLICY RENEWED – AUGUST 13, 2019, THROUGH AUGUST 12, 2021

On motion by Councilmember Anderson, seconded by Councilmember Coe and carried unanimously, the Council renewed the attached Tax Abatement Policy for the period August 13, 2019, through August 12, 2021: (**ATTACH POLICY**)

ITEM 12 – TAX INCREASE PROPOSED – TWO PUBLIC HEARINGS SET

On motion by Mayor Pro Tem Willis, seconded by Councilmember Anderson and carried unanimously, Council agreed to a proposed tax rate of **\$.605347** (M&O rate of **\$.303845**, and the I&S rate to be **\$.301502**) for an expected revenue increase of **\$146,483.00 of which \$114,292.84** is tax revenue to be raised from new property added to the tax roll this year and set **Thursday, August 29, 2019**, and **Thursday, September 5, 2019**, at 6:00 p.m. as the dates for two public hearings to consider the proposed tax rate.

ITEM 13 - PUBLIC HEARING SET – PROPOSED 2019-2020 BUDGET

On motion by Councilmember Anderson, seconded by Mayor Pro Tem Willis and carried unanimously, **Thursday, September 5, 2019**, at 6:15 p.m. was set as the date for the public hearing on the proposed 2019-2020 Budget.

ITEM 14 - STAFF REPORTS

The following written monthly reports had been furnished to Council in advance:

- a. Building Permits/Code Violations/Warrant Processing Report; building related permits and inspections, solicitors and temporary use permits; growth in various subdivisions; Code violations; and processing of warrants; The View Subdivision working on irrigation system to help with erosion before building begins; new homes in Pecan Valley Ranch, Three Doves,

West Ridge and Windsor Subdivisions, new Spirit Shop at The Brook Hill School has been completed; and continuing addressing issues at the house at 506 Third Street (Hanson) – **Danny Ray**

- b. Not the City Manager Report – Opened bids for Bluebonnet infrastructure project; conducted several meetings with KSA Engineers, Goodwin Gladney, Gary Traylor and AW Hines concerning Bluebonnet Wellness Nursing home that is expected to be complete in December; met with Ketil Deidrichson concerning Papillion Development; meetings with City Manager Search Committee and SGR consultants; researching possibility of releasing an RFP for EMS services; met with Morrow Construction and Brook Hill School representatives regarding erosion coming from The View Subdivision; met with investors of The View Subdivision regarding erosion control; met with representatives from Bullard Chamber to discuss Red, White and Blue Festival; met with City Attorney Davis and attorney representing Travis Evans to discuss requirements for structure on Mr. Evans’ property; met with Finance Director Richey, City Attorney Davis and Smith County Tax Assessor Barber to discuss tax reporting and truth in taxation; attended a “Truth in Taxation Refresher” with Finance Director Richey presented by Linebarger and Associates; and worked closely with Finance Director Richey to present a balanced budget – **Pam Frederick**
- c. City Engineer Report – current and future water and sewer needs - **Brian Capps**
- d. City Secretary Report – Attended Census meetings; prepared calendar for budget and tax rate process; met with a property owner regarding annexation and zoning questions; continue processing paperwork associated with the Bluebonnet Point Wellness nursing home project; and processing requests, giving notice, attendance and recording of City Council Meetings, P&Z Meeting and BEDCO Meeting; and preparation of legal documents – **Doris Crockett**
- e. Finance Report – review of expenditures, receipts and balances since last report, including Budget summaries – **Sonja Richey**
- f. Human Resources Department Report –processed 2 bi-weekly payrolls; processed hiring of new employee Lexie Hudson; processed termination paperwork for part-time employee Grady Nixon; completed insurance renewal; provided backup support for various departments; and related duties associated with employees and employment - **Jennifer MacWhirter**
- g. Municipal Court Report – Statistics for warrants issued, court activity and fines and fees collected – **Diana Folmar**
- h. Police Department Report - Calls for Service or Case Investigations, Traffic, Arrest, Warrants, Cases Filed and general Police activity – **Gary Don Lewis**
- i. Public Relations/Communications Department Report – usage statistics of City’s website, Facebook, Police Facebook, Instagram, Twitter, and Civic Ready– **Lexie Hudson**
- j. Utilities Director – Monthly Work Report for Water Department, Wastewater Department, Street Department and Parks Department; routine daily checks for water and wastewater; water line leaks; patching pot holes and clearing and cleaning rights-of-way; routine daily

Finance Director Richey reviewed the financial report.

On motion by Councilmember Coe, seconded by Mayor Pro Tem Willis and carried unanimously, Staff Reports were approved as presented.

ITEM 15– MINUTES APPROVED – JULY 9, JULY 16, AND AUGUST 6, 2019

On motion by Councilmember Anderson, seconded by Mayor Pro Tem Willis and carried unanimously, City Council Minutes for the Regular Meeting July 9, 2019, and Called Meetings on July 16, 2019 and August 6, 2019, were approved as presented.

**ITEM 16 – EXECUTIVE SESSION – PERSONNEL MATTERS –
FILING POSITION OF CITY MANAGER**

City Attorney Davis opined that the Council could include the City Manager Search Committee Members and the representative from the consulting firm Strategic Government Resources (SGR) in the Executive Session and that their interests are not adverse to the interests of the City Council and is necessary to the anticipated deliberation. (**Attach Letter**)

On motion by Mayor Pro Tem Willis, seconded by Councilmember Coe and carried unanimously, the Council voted to convene in Executive Session at 6:52 p.m. in accordance with Texas Government Code, Open Meetings Act under Section 551.074 (a)(1) regarding Personnel Matters to discuss filling the position of City Manager and voted to include the City Manager Search Committee Members and the representative from the consulting firm Strategic Government Resources (SGR) in the Executive Session and that their interests are not adverse to the interests of the City Council and is necessary to the anticipated deliberation.

**ITEM 17 – RETURN TO OPEN SESSION – MOTION REGARDING
HIRING NEW CITY MANAGER**

Mayor Frederick announced that the Executive Session had concluded and Council reconvened in Open Session at 7:12 p.m. Mayor Frederick announced that no action was taken during the Executive Session.

On motion by Councilmember Coe, seconded by Councilmember Anderson and carried unanimously, Council authorized Mayor Pam Frederick to negotiate contract details with the candidate recommended by the Search Committee for the position of City Manager and that the City Manager would be named on August 29, 2019.

ITEM 18 – ADJOURNMENT

On motion by Commissioner Coe, seconded by Mayor Pro Tem Willis and carried unanimously, the meeting adjourned at 7:13 p.m.

PAM FREDERICK, MAYOR

A T T E S T:

DORIS CROCKETT, CITY SECRETARY