



REGULAR CITY COUNCIL MEETING

Tuesday, October 10, 2023, at 7:00 PM

CITY COUNCIL CHAMBERS - 120 Paint Rock Street, Eden, TX

Off: 325-869-2111 | Fax: 325-869-5075

MINUTES

1. CALL TO ORDER AND ROLL CALL

Mayor and Council Members

Mayor Agapito Torres

Mayor Pro Tem Jennifer Martinez

Council Member Renae Rodgers

Council Member Grover Hall

Council Member Randy Dunaway

Council Member Bradley Gandy

Staff

Priscilla Aguirre, City Secretary/Administrator

Victoria Ramirez, Executive Assistant to City Administrator

David Hutchings, Public Works

2. INVOCATION - Mayor Agapito Torres

3. WORKSHOP

No action to be taken. Staff reports regarding Current Projects and Plans, Ordinances and Compliance, Water Usage, Grant Opportunities and Status of Current Grants, Economic Development, Business, and Other Agenda Items listed below.

Workshop - David Hutchins, Public Works

We get our readings and daily residual at sewer and water plant We have had water leak on Smith st

We are patching potholes on several different areas

We have had a couple sewer stop ups Burleson, College st

We have had several animal control calls

We mowed and weed eated around city office, shop, cemetery and bardiches and all well locations

We had to pull pumps at sewer plant due to trash

We do meter readings and cut offs

We cut up several trees at Pfluger Park and hauled off all limbs to dump

We used several loads of concreter millings to fill holes

We have had WRT come in and fix the train on Well 3

We had a 2inch water tap and 1inch water tap

We had a 4 inch sewer tap on Johnson St.

Workshop - Priscilla Aguirre, City Administrator

Well #2 was struck by lightning, the motor and soft start were damaged. Jurgenson provided an estimate of \$82,000, Council approved Jurgenson and we are currently awaiting parts to complete this project, I have been informed on 10/5/2023 it would take about 10 days to receive parts.

I spoke with Charlie Campbell with TX communications; the foundation contractor is scheduled to set the foundation this week. AEP will then come in and complete their part of the project.

I have continued working with the TWDB, providing them with financial information for grant approval for the high tower/ above ground storage project.

We have hired an executive assistant and will be hiring a parks staff member this week.

I have followed up with John Voller, he is still awaiting a quote from Southwest Fluid Products in hopes of having the wastewater plant and water plant serviced at the same time.

We have installed a mini split at the Pfluger Park concession stand.

We have installed a new ice machine at the Civic Center/Burnes Pavilion

We have sent 16 sprinkler heads for refurbishing, 11 will be paid for by the Golf Association and 5 by The Creek.

We had our introduction call with our interim city attorneys, Bojorquez law.

Our cooling tower is currently down. We have been informed that our warranty was out 07/21/2023 however the manufacturer has a 5-year warranty on parts. Duncan Mechanical Services came onsite 10/06/2023 and is now putting together an estimate. Sage has provided me with an Operation & Maintenance Manual, I will begin to review and educate myself with the information.

Our Annual NetBio Sludge report was due September 30, and submitted timely.

Brandon Neece with EHT has been assisting with plant operator services while Ronnie has been unavailable.

Brandon has also informed me of a TWDB funding opportunity that will provide the City of Eden with an Asset Management Program. The Asset Management Program for Small Systems can assist with budgeting and Capital Improvement Projects. - the application is due by November 2; I will keep you updated.

We have been working with Eden CISD and will be hosting the district Cross Country meeting this week at Concho Springs Golf Course.

We have continued working with Fast Signs and hope to get the LED sign functioning soon. We have ordered "NO engine brake signs" TXDOT will be installing them.

4. EXECUTIVE SESSION

The City Council for the City of Eden has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices, and 551.086 (Economic Development).

5. PRESENTATIONS BY CITIZENS

Floor open to discussion on any subject. No action may be taken by law. Citizens wishing to speak shall do so after being recognized by the Mayor. The Mayor and City Council may establish a time limit, as necessary.

Citizen Linda Markham asked what the status of the street repair was. Mayor Torres informed Mrs.

Markham that was part of the USDA project and as of today the contractor has signed and still needs to be finalized. City Administrator Priscilla Aguirre stated the contracts are being sent to the attorney for review.

Mrs. Markham then questioned who the city attorney was, in which Mrs. Aguirre replied Jeff Betty,

however, we are transitioning to our new interim law firm Bojorquez Law Firm. Mrs. Markham then asked for when the start date for the street repair in which the Mayor informed her we do not have that

information and the attorneys will have to review the contracts. Mrs. Markham then asked if the City has

hired a manager for the golf course and opening dates. Mrs. Aguirre responded we do not have an opening

date for the golf course and the City is in negotiations with the Creek for the management of the golf

course. Mrs. Markham asked if the City has set back funds if the pump at the water plant was to go out. The

Mayor responded that the City has not discussed that specifically.

Another citizen asked how to get on the emergency notification list. Mrs. Aguirre advised them to call the sheriff's office to get on the notification list, they can also look on our website as well as social media for

notifications such as a Boil Water Notice. Council Member Rodgers also stated it was on the news on the local channels.

6. REPORTS OF OTHER AGENCIES, COMMISSIONS, & STAFF

A. Eden Economic Development Corporation: Brent Frazier, President

Brent Frazier is present for the EEDC update. He reports having a monthly meeting and a workshop after the meeting. New projects is still in limbo. A few people have looked at the warehouse downtown but no news yet. EEDC did vote on going to City Council about purchasing the Green Apple. Frazier also reports that Mr. Borrego has the framing up at the Methodist church and all are welcome to tour when Mr. Borrego is there.

7. CONSENT ITEMS

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member, in which event those items will be pulled from the consent agenda for separate consideration.

A. Approval of June 20, 2023, Special Session Minutes

B. Approval of September 12, 2023, Regular Session Minutes

Motion to approve minutes 06/20/2023 Special session minutes and 09/12/23 Regular Session minutes as corrected.

Motion made by Council Member Rodgers, Seconded by Council Member Gandy to approve the minutes as corrected

Voting Yea: Mayor Pro Tem Martinez, Council Member Rodgers, Council Member Hall, Council Member Dunaway, Council Member Gandy

8. BUSINESS

Consideration and Possible Action On:

A. Discussion regarding Concho County Hospital project at 33.523 Acres Block 5, Abstract 1178, Survey A McGregor Jr.

Citizen Antonio Aguilar present for Item A. Mr. Aguilar started by reading an excerpt from a report from Concho County Hospital. He states the total cost for this project is \$1,960,811. His question to the Council is What did the Hospital approach council with regarding this project. Mr. Aguilar stated he had spoken with the previous City Administrator regarding this matter. The previous city administrator said the appraiser approached her and CCH would have to have an engineer's report to do this project. City Administrator read the Agenda Vs the Minutes for December 20, 2021. The minutes did not reflect the agenda item. Brent Frazier spoke up about having an email from the city administrator to Brian Lady, Priscilla made copies for council to review. After reviewing said email, Mayor Torres asked if there were any minutes reflecting the subject. Mayor Torres also reviewed the Agenda and Minutes from December 20, 2021, along with the email and read them aloud for the meeting. Mr. Aguilar is asking if the City approved the construction to start on the lift station at the golf course? Is there an engineering report made for the area? The mayor did state the project does need to be approved by the city. Mr. Aguilar stated they are rebuilding the lift station on the west end of the golf course. Brent then spoke about the city approving the survey from SKG in April. Mr. Aguilar stated there was concrete being poured out at the lift station location. David Hutchings then stated there was no concrete being poured or any other work being done in that area.

B. Discussion and possible action regarding 406 Barnett Street, City Ordinance 2009-3 and 2008 Citizen Linda and Eddy Markham present for Item B. Mrs. Markham spoke of a letter she wrote to the City dated July 17, 2023, regarding this property. Mrs. Markham stated former City Administrator Laura Beeson was the recipient of the letter regarding two junk containers placed on the property. Ms. Beeson then wrote a letter to the property owner and the the junk containers were removed. On July 16, 2023, more items appeared in the yard at this property. Ms. Markham stated the buildings are deteriorating and the weeds and grass are overgrown. The Markham's then came to City Hall and expressed their concerns to city administrator Priscilla Aguirre. Linda asked what is being done about the violation of the ordinances. Priscilla responded stating she has contacted the City Attorney regarding the letter that was sent out. The attorney advises the City not to send any letters until we have Code Enforcement on staff. Priscilla told Mrs. Markham that the city is in the process of hiring a code enforcement person. Once someone is in place in this position, the city can start enforcing city ordinances. Mayor Torres told Mrs. Markham the City will officially designate a code enforcement person. We are in the process of hiring someone and when the council decides, ordinance items will be assessed.

C. Discussion and possible action regarding property next to Eden Public Library causing damage to surrounding buildings

No representative from the library is present.

D. Discussion and possible action regarding property next to the Antique Mall, 123 Market Street, causing damage to surrounding buildings

Laura Sherwin present for item D. Ms. Sherwin presented a packet of pictures of her property at 123 Market Street. Her property is next to the Antique Mall. The building has been abandoned and neglected. Both properties' roofs are deteriorating and are caving in. Ms. Sherwin expressed her concern about the roof and the surrounding buildings due to rain collecting on the roof. It damages the walls and water is flowing under the foundation and heading down stream affecting the Library. She expresses her concern for the structure of the buildings all along Market Street. AJ Doole of the Eden Echo expressed how his floor is becoming damaged every time it rains. Ms. Sherwin is excited to open her business soon, however she is worried about the liability issues due to the condition of the surrounding buildings. The mayor questioned if they were able to contact the owner, and they have not nor do they know who it is. AJ Doole would like the building condemned. The Mayor then stated the owner of the building is responsible for the building and its repairs. The city is in the process of hiring a code enforcement person to take care of situations of this matter.

E. Presentation of EPS Group by Ryan McKinnis

Ryan McKinnis with EPS is not present for the meeting.

F. Discussion and possible action regarding Employer Group Medical Plan Allocation and Approval

City Administrator did homework on the group medical plan for City Employees. TML increased our rate by 29%. Priscilla contacted the broker Zesh and Pickett and received two options that would cost the city less for a medical plan. The gold PPO plan has a \$1,000 less deductible than TML and a lower rate of \$985.15. The HMO plan is at a \$2000 deductible and is \$636.08. The broker was also able to provide basic life insurance and AD&D with a \$10,000 coverage at a lower amount as to where TML only provided \$3,000 coverage. The TML dental plan was \$37.86 per employee and the Broker was able to provide dental at \$22.16 per employee. The vision with TML is \$10.47 and the broker provided vision at \$7.32. Total per month per employee is \$12436.92 per employee. The broker Zesh and Pickett is around \$2,000 less. The mayor asked Priscilla if she had a recommendation on the plans. Priscilla stated the HMO plan is a great plan and most doctors are located in San Angelo. The PPO plan would

allow employees to go to any doctor of their choosing. Priscilla would also like to meet with staff and find out what their needs may be.

Motion to move forward with the Zesh and Pickett plans upon review with city staff.

Motion made by Council Member Gandy, Seconded by Council Member Dunaway.

Voting Yea: Mayor Pro Tem Martinez, Council Member Rodgers, Council Member Hall, Council Member Dunaway, Council Member Gandy

- G. Approval for the Mayor to sign Letter of Engagement with Fullerton & Associate PLLC for 2022-2023 Auditing Services

Engagement Letter is for our new fiscal year audit. This is the same auditing company the City used last year.

Motion to approve the Mayor to sign the letter of Engagement.

Motion made by Mayor Pro Tem Martinez, Seconded by Council Member Rodgers.

Voting Yea: Mayor Pro Tem Martinez, Council Member Rodgers, Council Member Hall, Council Member Dunaway, Council Member Gandy

- H. Discussion and possible action of installing a mini split system in the Burns Pavilion

Discussion of installing mini split system in the Burns Pavilion. Mayor Torres expressed how hot it can get during the summer months. Mayor is proposing to put the mini split system in the front portion of the building. This will allow it to condition the small conference area along with the bathrooms and kitchen area. The bid is present from Ralph Guevara for two mini-split systems in the amount of \$12,000. Brent Frazier would like the City to work with the EEDC on the insulation of the building and installing a system for the entire area.

Defer action on Item H

- I. Consideration and possible action of transfer of \$100,000 funds from the City's IGA account #278547 to the City's Pool Cash Account #6401

Priscilla would like to transfer this amount for bills as well as the \$82,000 pump repair for Well 2

Motion to approve the transfer of \$100,000 from the City's IGA account #278547 to the City's Pool Cash Account #6401

Motion made by Council Member Hall, Seconded by Council Member Dunaway.

Voting Yea: Mayor Pro Tem Martinez, Council Member Rodgers, Council Member Hall, Council Member Dunaway, Council Member Gandy

- J. Discussion regarding allocation of votes for candidate of Concho Central Appraisal District Board of Directors for the 2023-2024 term

Motion to nominate Council Member Grover Hall for the allocation of votes of Concho Central Appraisal District Board of Directors for the 2023-2024 term.

Motion made by Council Member Rodgers, Seconded by Mayor Pro Tem Martinez.

Voting Yea: Mayor Pro Tem Martinez, Council Member Rodgers, Council Member Hall, Council Member Dunaway, Council Member Gandy

- K. Approval of Resolution designating the allocation of votes for candidate of the Concho Central Appraisal District Board of Directors for the 2023-2024 term

City Administrator Priscilla Aguirre read the resolution to Council.

Motion to approve the resolution designating the allocation of votes to Grover Hall for the Concho Central Appraisal District Board of Directors for the 2023-2024 term.

Motion made by Council Member Rodgers, Seconded by Mayor Pro Tem Martinez.

Voting Yea: Mayor Pro Tem Martinez, Council Member Rodgers, Council Member Hall, Council Member Dunaway, Council Member Gandy

L. Approval of City of Eden Investment Report Month Ending September 2023

Motion to approve the City of Eden Investment Report month ending September 2023

Motion made by Council Member Hall, Seconded by Council Member Rodgers.

Voting Yea: Mayor Pro Tem Martinez, Council Member Rodgers, Council Member Hall, Council Member Dunaway, Council Member Gandy

M. Approval of Financial Statement Month Ending September 2023

Motion to approve the Financial Statement Month ending September 2023

Motion made by Council Member Hall, Seconded by Council Member Gandy.

Voting Yea: Mayor Pro Tem Martinez, Council Member Rodgers, Council Member Hall, Council Member Dunaway, Council Member Gandy

N. Approval of September 2023 Bills

Motion to approve the September 2023 Bills

Motion made by Council Member Gandy, Seconded by Council Member Hall.

Voting Yea: Mayor Pro Tem Martinez, Council Member Rodgers, Council Member Hall, Council Member Dunaway, Council Member Gandy

9. ADJOURN

Meeting adjourns at 8:29pm

Attest:

Mayor Agapito Torres

City Administrator Priscilla Aguirre