



REGULAR CITY COUNCIL MEETING

Tuesday, December 13, 2022 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

PRESENT:

Mayor Agapito Torres

Priscilla Aguirre

Randy Dunaway

Jennifer Martinez

Grover Hall

Bradley Gandy

2. INVOCATION

City Administrator Laura Beeson provided the invocation.

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.

City Administrator Laura Beeson provided a monthly update for Public Works. Public Works employees performed daily monitoring and maintenance such as obtaining the readings and checking the residual at the Water and Wastewater Treatment Plants. They repaired four water leaks: two on Highway 87, one on Allen Street, and one on Harrod Street. They completed a walk through of the USDA North Water Project to get a list of things needed for a final walk through to complete the project. They cleaned drainage ditches to allow water to flow. They worked on three sewer stoppages on Petty Street, on Hwy 87, and on Johnson Street. They had several animal control calls. They mowed and weed-eated around the City Office, and had several late night call outs for the Sewer Plant due to pumps stopping up with trash and debris. They cleaned out the Lift Stations daily and pulled pumps at the Sewer Plant Lift Stations and the SBR to clean out the trash. They completed a water and a sewer tap on Welch, Smith, and Harrod Streets due to line kill outs on the USDA project. They located water valves for Darnell Construction, so they could complete their project. They put up banners around the square and made a list of supplies on hand for the USDA South Water and Sewer Projects.

City Administrator Laura Beeson provided a monthly update. On the USDA Project, Darnell is working on final line kill outs, as well as, finishing their final punch list. A meeting was held today with City staff, the Mayor, the City Attorney, eHT Engineers, and USDA officials to set parameters, come to a common consensus, and forge a path forward on the South Water and Sanitary Sewer Projects. We hope to have a list of what is remaining on each of these projects to provide to the Surety Bond Company by the end of the week. The City Attorney will be heavily involved in all communication and the process forward. We will discuss the Texas Water Development Board Project tonight. We anticipate the remaining work to Basin #2 at the Sewer Plant to be completed by Purcell in January to finish the installation of the new diffusers. WRT has completed the necessary repairs for the leak in the piping to one of the trains at the Water Plant. WRT has committed to exchange the media in one more train in January. We were hoping to get both of the two remaining trains completed in January, but did not want to take two trains down at the same time. Talks

continue with Core Civic. I am working with the City Attorney to establish a Special Zoning District for the proposed housing project next to the Detention Center. eHT is finishing up the survey and report for the Hospital Water and Wastewater evaluation, and the Industrial Park Road Project has been advertised with bids due by December 27, 2022. We held our first few auctions for office furniture. We had two that sold, and two that did not. We will put up several more auctions this month.

4. 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.

There was no public comment.

5. REPORTS OF OTHER AGENCIES, COMMISSIONS, & STAFF

A. Eden Economic Development Corporation Monthly Report - Brent Frazier, Vice President

The Eden Economic Development Corporation received two resignations this month from Shan Click and from Celina Hemmeter. Peregrine Energy approached the EEDC with an interest in purchasing all of the remaining interior lots inside of the Eden Industrial Park. Peregrine Energy is proposing to install a number of containers that will each sit on a concrete slab and which will contain a number of battery storage units to store energy which will in turn be sold when the energy is needed. Talks continue with Peregrine Energy as to the sale of these Eden Industrial Park tracts.

6. 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 November 10, 2022 Regular Session Minutes
- B. Approval of November 10, 2022 Executive Session Minutes
- C. Approval of November 21, 2022 Special Session Minutes
- D. Approval of November 29, 2022 Regular Session Minutes
- E. Approval of December 6, 2022 Special Session Minutes
- F. Approval of Financial Statement Month Ending November 2022
- G. Approval of City of Eden Investment Report Month Ending November 2022

Council Member Hall made a motion to approve Consent Items "A-G", seconded by Council Member Dunaway. Motion carried 5-0.

Motion made by Hall, Seconded by Dunaway.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

7. BUSINESS

Consideration and Possible Action On:

A. Approval of EEDC 2023 Spirit of Eden Request of \$22,000 for EEDC Coordinator position

Council Member Hall made a motion to approve Business Item "A", EEDC 2023 Spirit of Eden Request of \$22,000 for EEDC Coordinator position, seconded by Council Member Gandy. Motion carried 5-0.

Motion made by Hall, Seconded by Gandy.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

B. Consideration of City Board Applicants to fill Cemetery Board, Zoning Board, and Eden Economic Development Corporation (EEDC) Vacancies:

1. Cemetery Committee - Omar Saldibar
2. Zoning Board - Tanya Garcia
3. Eden Economic Development Corporation - Edna Carnine

Council discussed Business Item "B", City Board Applications to fill positions on the Cemetery Board, Zoning Board, and Eden Economic Development Corporation. Council Member Martinez made a motion to approve the following Board Applications to fill open positions: Omar Saldibar to the Cemetery Committee, Tanya Garcia to the Zoning Board, and Edna Carnine to the Eden Economic Development Corporation, seconded by Council Member Hall. Motion carried 5-0.

Motion made by Martinez, Seconded by Hall.
Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

C. Discuss and consider Resolution Adopting 2023 Investment Policy

City Administrator Laura Beeson discussed Business Item "C", a Resolution adopting the City of Eden 2023 Investment Policy. The policy will remain the same from last year. Motion to approve a Resolution Adopting the City of Eden 2023 Investment Policy was made by Council Member Gandy, and seconded by Council Member Aguirre. Motion carried 5-0.

Motion made by Gandy, Seconded by Aguirre.
Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

D. Zoning Ordinance Discussion and possible action

Council discussed Business Item "D", the City's Zoning Ordinance. City Administrator Laura Beeson explained that Core Civic is looking to add some housing units for their guards and other staff, and discussions with the City Attorney are ongoing as to the best solution for this project, as it does not really fall into any of the current zoning categories. No action was taken on Business Item "D".

E. Updates and possible action regarding current status of the USDA Water and Wastewater Improvement Project

Council discussed Business Item "E" in regards to the default on the USDA South Water and Sanitary Sewer Projects. Sage Diller, eHT engineer, discussed the project and noted that a meeting had been held with the Mayor, City Administrator, eHT engineers, the City Attorney, and USDA Officials as to the best path forward.

Mayor Torres noted that in the meeting it seemed the City Attorney already had a plan in mind. Mayor Torres felt the City Attorney should have briefed City Council prior to this meeting to obtain their approval as to this plan. He felt that the City Council had been bypassed, and that the City Attorney may have taken steps forward without authorization. Mayor Torres requested that the City Administrator reach out to the City Attorney to brief him on today's discussion.

F. Texas Water Development Board Project and Application Update and possible action

Council discussed Business Item "F", the Texas Water Development Board Project and Application. Mayor Torres provided an update. At the last meeting, City Council voted to assign the engineering portion of the project to SKG Engineering; however, further discussions with SKG Engineering revealed that they would not have adequate time to complete the TWDB Application by the required deadline. If City Council wants to submit an application by the required deadline, then the City will need to use eHT Engineering to complete this project. Sage Diller, eHT Engineer, noted that eHT had started the application process back in January of last year. Council Member Dunaway asked which engineer would be in charge of this project, and would that engineer have the City of Eden's best interest at heart. Mr. Diller noted that he would be the Project Manager for the TWDB project, and that eHT has 5 engineers who will complete different portions of the project which include permit specialists, funding specialists, and CAD/Surveyors. Council Member Hall made a motion to assign the engineering portion of the 2023 DWSRF Texas Water Development Board Project to eHT Engineering, seconded by Council Member Gandy. Motion carried 5-0.

Motion made by Hall, Seconded by Gandy.

Voting Yea: Martinez, Aguirre, Hall, Dunaway, Gandy

G. Update and possible action regarding Agreement with Core Civic

City Administrator Laura Beeson provided an update on Business Item "G", agreement with Core Civic. The Mayor and City Administrator are still negotiating an updated agreement with Core Civic. The USMS contract with the City has Core Civic's approval and is ready to sign. Core Civic is willing to provide the City with at least one emergency generator at the Sewer Plant, as well as, provide a Sewer System Grinder Pump at the facility to help eliminate the trash coming into our system. No action was taken on this item.

H. Update and possible action regarding lawsuit from Jeremy Burney

City Administrator Laura Beeson provided an update on Business Item "H", a possible settlement in the lawsuit with Jeremy Burney. A settlement offer of \$15,000 has been provided by TML to settle the case. We are waiting to see if Mr. Burney signs the settlement offer, or if the case is to continue. No action was taken on this item.

I. Updates and possible action regarding Management, Maintenance, and Funding of Golf Course

Council Member Gandy provided an update on Business Item "I", updates regarding the Golf Course. The Spirit of Eden Fund is willing to provide \$20,000 towards resodding the greens, as well as, the \$5,000 that they have already provided to reseed. The delivery of the greens would be in stages and would include a grass roller, sand, and fertilizer. We received word that the check valve is not rebuildable, so we will need a new one. The Spirit of Eden is willing to help cover some costs to replace sprinkler heads. Council Member Martinez asked if we could use part of the \$20,000 allotted last year for the Golf Course towards the cost of the check valve. Mayor Torres noted that we need a commitment towards continuation of the Golf Course before spending any money. It is not acceptable to just lose money year over year, as the City has many other needs. Council Member Hall noted that we will also need to figure out how to hire a Manager if we go forward. We need a proper

assessment of the sprinklers as well. There are folks at both extremes; some who want to continue to fund the Golf Course, and some who do not, as they want to fund the other City needs. We need to come to a consensus as to how to go forward. We need an estimate on the cost of a new check valve. Council directed the City Administrator to bring forward the Spirit of Eden Requests at the next agenda. Available mowing equipment was discussed, as well as an agreement with the Golf Course Association for use of this equipment. We can reach out to other organizations such as the school and/or hospital for help with funding. We can also advertise work days to help with maintenance. No further action was taken on this item.

8. ADJOURN

The meeting was adjourned at 8:41 PM.

Agapito Torres, Mayor

Laura Beeson, City Secretary/Administrator