



THE STATE OF TEXAS §
COUNTY OF FANNIN §

December 13, 2022

BE IT REMEMBERED THAT the City Council of the City of Leonard, Fannin County, Texas held in the Council Chambers of City Hall on December 13, 2022, a Regular Meeting at 6:30 P.M.

Members Present: Mayor Michael Pye, Mayor Pro Tem Noel Nixon, Councilmembers Billy Wayne Martin and Al Stephens.

Absent: Councilmembers Garry Doyle and Debra Wilcox.

Staff present: City Administrator George Evanko, City Secretary Melissa Verde, Utility Billing Clerk Kim Davis, Police Chief Brian Meserole, and Public Works Director Woody Patrick.

Registered Guests: Carol Dutilly and Patti Witcher.

MINUTES

1. Call Public Hearing to Order, Verification of Quorum

Mayor Michael Pye called the meeting to order at 6:30 P.M.

2. Invocation, Pledges of Allegiance to the United States and Texas Flags

3. Approval of November 8, 2022 & November 18, 2022 Minutes

Mayor Pro Tem Nixon moved to approve. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – Mayor Pro Tem Nixon and Councilmember Stephens were in favor, Councilmember Martin abstained. The motion carried.

4. Department Reports

- a. Police Department
- b. Public Works
- c. Administrative
- d. Financial Report

5. Open Forum:

This portion of the agenda is the public's opportunity to address the Council about any item listed on the agenda, except public hearings. Comments related to public hearings will be heard when the specific hearing begins. Public comments are limited to three (3) minutes per speaker, unless otherwise required by law. Per the Texas Open Meetings Act, the Council is not permitted to take action on or discuss any item not listed on the agenda. Texas Government Code Sec. 551.007 (Texas Open Meetings Act 2020).

No speakers.

6. **Conduct a public hearing regarding the rezoning of Property ID 90316 and 90319 Legal Description REECE ADDN, BLOCK 2, LOT 7-10, ACRES 0.6841 and BLOCK 3, LOT 3-10, ACRES 0.948, also known as E Austin, from MH-1 (Manufactured Home District) to SF-2 (Single Family Residential District-2).**
No speakers. Mayor Pro Tem Nixon motioned to close the public hearing. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – all were in favor and the motion carried.
7. **Discussion and Action regarding the rezoning of Property ID 90316 and 90319 Legal Description REECE ADDN, BLOCK 2, LOT 7-10, ACRES 0.6841 and BLOCK 3, LOT 3-10, ACRES 0.948, also known as E Austin, from MH-1 (Manufactured Home District) to SF-2 (Single Family Residential District-2).**
Mayor Pro Tem Nixon motioned to approve. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – all were in favor and the motion carried.
8. **Conduct a Public Hearing for a Specific Use Permit to move a tiny home to Property ID 100773, Legal Description SUDDERTH ADDN 3, ACRES 1.127 also known as 200 S Westlake.**
Noel Nixon commented that tiny homes should only be in a specified area. Councilmember Stephens motioned to close the public hearing. Second by Mayor Pro Tem Nixon. Mayor Michael Pye called for a vote – all were in favor and the motion carried.
9. **Discussion and Action regarding a Specific Use Permit to move a tiny home to Property ID 100773, Legal Description SUDDERTH ADDN 3, ACRES 1.127 also known as 200 S Westlake.**
Mayor Pro Tem Nixon motioned to deny. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – Mayor Pro Tem Nixon and Councilmember Stephens were in favor, Councilmember Martin opposed. The motion carried.
10. **Conduct a Public Hearing for a Specific Use Permit for Pipe Sales & Supply at Property ID 80425 Legal Description A0781 M MOORE, ACRES 1.349, also known as 600 S Sycamore St. and Property ID 122588 Legal Description PARK ADDN, BLOCK 7, ACRES 4.001.**
Councilmember Stephens motioned to close the public hearing. Second by Mayor Pro Tem Nixon. Mayor Michael Pye called for a vote – all were in favor and the motion carried.
11. **Discussion and Action regarding a Specific Use Permit for Pipe Sales & Supply at Property ID 80425 Legal Description A0781 M MOORE, ACRES 1.349, also known as 600 S Sycamore St. and Property ID 122588 Legal Description PARK ADDN, BLOCK 7, ACRES 4.001.**
Councilmember Stephens motioned to approve specific use permit after the execution of a signed agreement from Yagi, as discussed. Second by Councilmember Martin. Mayor Michael Pye called for a vote – all were in favor and the motion carried.
12. **Conduct a Public Hearing regarding the rezoning of Property ID 90265, 90266, and 90267 Legal Description PARK ADDN, BLOCK 3, LOT 1-6, ACRES 0.9607, BLOCK 4, LOT 1-3, ACRES 0.4821, and BLOCK 4, LOT 4-6, ACRES 0.4821 from M-1 (Manufacturing/Industrial District-Light) to SF-1 (Single Family Residential District -1).**
No speakers. Mayor Pro Tem Nixon motioned to close the public hearing. Second by Councilmember Martin. Mayor Michael Pye called for a vote – all were in favor and the motion carried.
13. **Discussion and Action regarding the rezoning of Property ID 90265, 90266, and 90267 Legal Description PARK ADDN, BLOCK 3, LOT 1-6, ACRES 0.9607, BLOCK 4, LOT 1-3, ACRES**

0.4821, and BLOCK 4, LOT 4-6, ACRES 0.4821 from M-1 (Manufacturing/Industrial District-Light) to SF-1 (Single Family Residential District -1).

Councilmember Stephens motioned to approve rezone to SF-2 as discussed. Second by Mayor Pro Tem Nixon. Mayor Michael Pye called for a vote – all were in favor and the motion carried.

14. Conduct a Public Hearing regarding adopting an ordinance governing the allowance and location of carports in the city limits.

Patti Witcher commented in favor of passing the carport ordinance. Mayor Pro Tem Nixon motioned to close the public hearing. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – all were in favor and the motion carried.

15. Consider and act on Ordinance 121322-1 governing the allowance and location of carports in the city limits by amending Section 25.1, “Accessory and Incidental Use Chart;” Section 26.7, “Accessory Uses;” Section 29.2, “Special Off-Street Parking Provisions – Residential Districts;” Section 30.2, “Area Regulations for Accessory Buildings or Structures in Residential and Apartment Districts;” Chapter 3, “Building Regulations;” and Appendix A, “Fee Schedule,” including sections related to Building and Development Related Fees, and Building Permits.

Mayor Pro Tem Nixon motioned to approve. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – Mayor Pro Tem Nixon and Councilmember Stephens were in favor, Councilmember Martin opposed. The motion carried.

16. Consider and act on Ordinance 121322-2 to provide for the registration and permitting of contractors and other businesses by amending Section 3.01.001, “Contractor’s License and Bond;” Section 3.03.075, “Contractor’s License and Bond;” Article 4.04, “Auto Salvage Dealers,” Division 2, “License;” Section 13.05.014, “License for Collection from Licensee’s Own Place of Business;” and Appendix A, “Fee Schedule,” including sections related to Building Contractor’s License, Electrician’s License, Auto Salvage License, and License for Collection of Solid Waste from Licensee’s Own Place of Business.

Mayor Pro Tem Nixon motioned to approve. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – all were in favor and the motion carried.

17. Consider and act on Ordinance 101122-3 ratifying water and sewer rates increases for 2022-2023 fiscal year, approved at a regular meeting on October 11, 2022; establishing new water and sewer base charges; redefining tiers and setting consumption charges for each tier.

Councilmember Martin motioned to approve. Second by Councilmember Martin. Mayor Michael Pye called for a vote – all were in favor and the motion carried.

18. Discussion and possible action on needed repairs to well #2 provided by CCS Water Specialists, in the amount of \$157,252, and approving funding source.

Councilmember Stephens motioned to approve. Second by Councilmember Martin. Mayor Pro Tem Nixon commented to verify procurement rules. Mayor Michael Pye called for a vote – all were in favor and the motion carried.

19. Consider and act on Resolution R121322-1 approving application to TDHCA to participate in the HOME Investment Partnerships Program, committing general funds up to \$40,000 as cash reserve, approving no match contribution, and designating City Administrator George Evanko as the authorized representative in all matters related to the Home Program.

Mayor Pro Tem Nixon motioned to approve. Second by Councilmember Martin. Mayor Michael Pye called for a vote – all were in favor and the motion carried.

- 20. Discussion and possible action on selecting a professional administrative services provider for the Homeowner Rehabilitation Assistance Program through the HOME Investment Partnerships Program Fund from the Texas Department of Housing and Community Affairs (TDHCA).**
Councilmember Stephens motioned to approve Grantworks as the administrative services provider. Second by Mayor Pro Tem Nixon. Mayor Michael Pye called for a vote – all were in favor and the motion carried.
- 21. Consider and act on Resolution 121322-2 approving the application of City of Leonard Police Department to the Office of the Governor’s grant program 4642001, titled Rifle Resistant Shield, agreeing to provide applicable matching funds, and designating Chief of Police as the authorized official for the fund.**
Councilmember Martin motioned to approve. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – all were in favor and the motion carried.
- 22. Discussion and possible action on Resolution 121322-3 opening a money market account for water system improvement loan funds totaling \$1,710,000.**
Councilmember Stephens motioned to approve. Second by Mayor Pro Tem Nixon. Mayor Michael Pye called for a vote – all were in favor and the motion carried.
- 23. Discussion and possible action on Resolution 121322-4 establishing City of Leonard Water Conservation Program.**
Mayor Pro Tem Nixon motioned to approve the Water Conservation Program. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – all were in favor and the motion carried.

NOTICE OF EXECUTIVE SESSION

- 24. In accordance with Texas Government Code, Chapter 551, the City Council will recess into Executive Session pursuant to the following sections:**
- a. Section 551.074, Deliberation regarding the appointment, evaluation, reassignment, duties, discipline or dismissal of public officer or employee: Chief of Police.**
 - i. Citizen complaint against an officer.**
- Council recessed into executive session at 8:23 P.M.
- 25. Reconvene into open session.**
Open session reconvened at 8:40 P.M.
- 26. Discussion and possible action on matters discussed in Executive Session.**
Mayor Pro Tem Nixon motioned to take no action. Second by Councilmember Martin. Mayor Michael Pye called for a vote – all were in favor and the motion carried.

27. Announcements

City Administrator George Evanko announced he would be out of the office next week for medical leave. Police Chief Brian Meserole thanked everyone who helped with that week’s storm and the citizens; it was great to see everyone come together and help. Mayor Pro Tem Nixon encouraged to do what you can to help those in need. Mayor Michael Pye stated it is great to be a part of something that gives back.

28. Adjournment

Councilmember Martin motioned to adjourn. Second by Councilmember Stephens. Mayor Michael Pye called for a vote – all were in favor and the meeting adjourned at 8:45 P.M.


CITY OF LEONARD, TEXAS

APPROVED:



Mayor Michael Pye

ATTEST:



Melissa Verde, City Secretary