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## CITY COUNCIL REGULAR MEETING MINUTES

**December 12, 2023**

BE IT REMEMBERED THAT the City Council of the City of Leonard, Fannin County, Texas, held a Regular Meeting in the Council Chambers of City Hall at 111 W Collin Street, Leonard, Texas, on December 12, 2023, at 6:30 P.M.

The meeting was broadcast live on the city's Facebook page. A video recording of the meeting is available to members of the public at <https://www.facebook.com/CityofLeonard>.

**Members Present:** Mayor Michael Pye, Mayor Pro Tem Noel Nixon, Councilmembers Billy Wayne Martin, Leonard Phillips, Al Stephens, and Peyton Webster.

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

**Also Present:** Also present were David Perkins, (Kimley Horn, Inc.), D'Anne Carson (Government Capital), Darrell Grintz (P&Z President), Brad Maxwell, Eddie Garcia, Tyler McCarley, Doug Morfeld, Terence Burnside, and Teresa Nixon.

**1. Call Meeting to Order, Verification of Quorum**

Mayor Pye called the meeting to order at 6:30 PM after confirming a quorum was present.

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

After the invocation led by Mayor Pye, the group recited the pledges of allegiance to the US and Texas flags.

**3. Open Forum – Mayor Pye called for any speakers; there was one. Doug Morfeld came forward, addressed the council, and expressed his thanks for the care that is being taken of the area on 78 by the railroad tracks; as a focal point coming into town, and wanted to express his appreciation.**

**4. Discussion and possible approval of previous meeting minutes- November 14, 2023.**

Mayor Pye called for the reading of the minutes. Upon a motion made by Mayor Pro-Tem Nixon and followed by a second from Councilmember Martin, the motion passed unanimously.

**5. Department Reports**

Mayor Pye called for the department reports.

- a. Police Chief Brian Meserole presented the police department report, mentioning that Shipman has installed the equipment for the repeater project, waiting on a patch/upgrade so that it can communicate with the tower in Bailey. Motorola is working on it. The new squad vehicle is

in, striped, and on patrol. Calls are slower currently, so the department is working on open investigations.

- b. Public Works Director Woody Patrick presented the department report and addressed the public regarding a Water Boil Notice- encouraged customers to sign up for CodeRed City alerts to stay abreast of important city information. He then reminded the public that Facebook posts on the City page are not monitored, and encouraged citizens to contact City Hall with needs and or concerns. Citizens are encouraged when calling the city and after-hours emergency dispatch line, to please leave a name, address, and return phone number. Woody also expressed appreciation for the courtesy of citizens during the six-inch water line repair that week.
- c. Mayor Pye called for the administrative report.
  - i. City Administrator George Evanko presented the administrative report, and mentioned big projects are waiting for the first quarter due to cash balances being more available after ad valorem starts rolling in. Received initial bids for the street repair projects.
  - ii. The emergency communication repeater project is waiting for the batch/connection to Bailey's tower, and waiting for confirmation when that is done.
  - iii. Legal counsel has offered their opinion on the Fannin County Commissioners' Court's proposed interlocal agreement; not recommending signing at this time.
  - iv. Working through infrastructure issues with the new school development team.
  - v. Working with Leonard Crossing development team to complete infrastructure; on agenda.
  - vi. Rebidding CDBG grant project to utilize as much of the grant funds as possible.
  - vii. Texas Water Development Board "TWDB-Sewer" project is still with engineering for environmental review, engineering feasibility report.
  - viii. Texas Water Development Board "TWDB-Water" loan to be reviewed by TWDB in February, working with their financial analyst on proposed terms for repayment.
  - ix. The water system improvement "Ground storage tank project" is waiting for TCEQ's approval.
  - x. Good news on the American Rescue Plan Act "ARPA" grant project – both bids received lie within the grant funds allowed; on the agenda to select contractor.
  - xi. FEMA grant "HMGP" for the generators at the wells and wastewater treatment plant is still in review. We fulfilled a request for information in October, still in review.
  - xii. Reminded the public that the best method to report matters of public safety is directly to City Hall, not Facebook.
  - xiii. Hickory Creek CCN situation is on the agenda.
  - xiv. Audit will be done before February.
- d. Mayor Pye called for the financial report.
  - i. City Secretary Melissa Verde reported reconciling through the end of November.

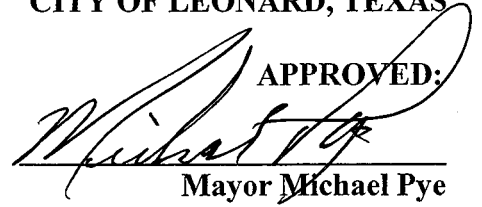
- ii. Still closing the financial report for the period ending September 30, 2023, so we can turn over reports to the auditor.
  - iii. Melissa reviewed the financial revenue and expense reports.
- 6. Discussion and possible action regarding hearing a variance application from LISD for the property at 1200 N US Hwy 69, legally described as Proposed Leonard Elementary School, Lot 1, Block A, (Fannin CAD property ID 132898) for a reduction in a proposed concrete roadway section of CR4720 from 37' width with curbs and underground storm drainage to 31' width with no curbs and surface (borrow ditch) drainage.
  - a. Brad Maxwell presented the status of the school development and presented the request for a variance reducing the current roadway requirements for CR4720 from 37 feet with curbs and underground storm drainage to 31 feet width with no curbs and surface/bar ditch drainage due to materials and cost escalation creating a hardship for the school development.
  - b. After plenty of discussion and questions, Councilmember Martin made a motion to approve the variance. With a second from Councilmember Webster, Mayor Pye called for the vote. Mayor Pro Tem Nixon and Councilmember Phillips opposed, the motion passed 3-2.
- 7. Discussion and action regarding zoning application #2023-008 for a preliminary development plat of Fannin CAD Property IDs 132898 and 138136, located at 1200 N US Hwy 69, being an approximate 20- and 0.857-acre tract of land situated in the M Moore Survey Abstract A0778, Fannin County, TX, joining two lots.
  - a. Brad Maxwell presented the plat application #2023-008.
  - b. There was some lengthy discussion about the possible fire lane and requirements thereunto, and the Fire Code adopted by the City. Upon confirmation from David Perkins that all preliminary plat engineering questions have been satisfied, and with Planning & Zoning President Grintz that P&Z had no concerns; Mayor Pye called for a vote.
  - c. Mayor Pro Tem made a motion to approve application #2023-008 for a preliminary development plat with the condition that we verify that it meets with our Fire Code. After a second by Councilmember Webster, the motion passed unanimously.
- 8. Discussion, and possible action on a portion of utility tap fees sold in Leonard Crossing development as a potential funding source for overlaying all of Palomino with concrete.
  - a. Background: George shared that Terence Burnside was to discuss the possibility of providing a credit to the builders of \$500 at the point of purchasing a water/sewer tap, to fund the concrete overlay all the way up Palamino. It was a question asked during the original approval process, but no decision was made as to running concrete all the way up Palamino, just to the entrance. The credit would offset the material cost difference between asphalt and concrete, all the way to the second entrance or further.
  - b. After some discussion, Councilmember Stephens made the motion to provide the \$500 off of the tap fee for the concrete road to go all the way up to the end of the development. With a second from Councilmember Phillips, the motion passed unanimously.
- 9. Presentation, discussion, and possible action regarding a concept plan for the future development of property currently titled "Johnson Property".
  - a. Background: Terence Burnside presented a high-density map and concept plan for a second

development in the city. This one would possibly be a PID (“Public improvement district”), which would fund the lift station that would be required, running the water lines, concrete streets and curb-and-gutter, with a possible future request of P&Z for a side yard variance. Average size is a 50-foot pad. Homes would be the same size (1600 sf. Under roof) at approximately \$350K price-point.

- b. There was some discussion about setbacks, air conditioner placement at the rear of homes, and the cleanliness of the development/construction site in town. No action was taken.
10. Discuss and consider the adoption of a Resolution directing publication of Notice of Intention to issue up to \$250,000 in Combination Tax and Revenue Certificates of Obligation to provide funds for Fire Department Facilities; and resolving other matters relating to the subject.
  - a. Background: George outlined the publication process for certificates of obligation, regarding the possible loan to provide for an emergency facility, not to exceed \$250K.
  - b. Upon a motion from Councilmember Phillips to post the notice of intention, and a second from Councilmember Stephens, the motion passed unanimously.
11. Presentation, discussion, and possible action on a settlement agreement regarding Public Utility Commission of Texas (PUC) Docket Nos. 54372 and 54632.
  - a. Background: George shared the result of the mediation, and that it was the same as the original offer the City made to clean up the CCN.
  - b. There was some discussion regarding the expense and extent the city had to go through to arrive at the same settlement it initially offer. Upon a motion from Mayor Pro Tem to approve the settlement agreement regarding the PUC Docket Nos. 54372 and 54632, and a second from Councilmember Martin, the motion passed unanimously.
12. Discussion and possible action regarding the City of Leonard Personnel Policies and Procedures Manual as it pertains to employee benefits: vacation renumeration.
  - a. After much discussion about the personnel policies regarding this chapter, and upon a motion from Councilmember Webster to address the question at the next budget meeting, and a second from Councilmember Phillips, the motion passed.
13. Consider and take possible action regarding bids received for Lift Station Emergency Power Improvements project as part of the American Rescue Plan Act (ARPA) funds for city projects.
  - a. Background: George shared that the bids came back under budget.
  - b. Upon a motion from Mayor Pro Tem Nixon that we award the lift station power improvements contract to Taknek for the \$264,100; and after a second by Councilmember Webster, the motion passed unanimously.
14. Announcements
  - a. Mayor Pye expressed his thanks for a great Christmas parade.
15. Adjournment
  - a. After a motion by Councilmember Martin and a second from Councilmember Webster, the meeting adjourned at 8:52 P.M.

CITY OF LEONARD, TEXAS

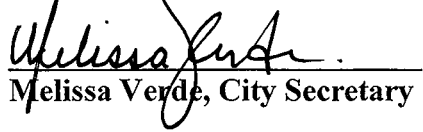
APPROVED:



Handwritten signature of Michael Pye in black ink, written over a horizontal line.

Mayor Michael Pye

ATTEST:



Handwritten signature of Melissa Verde in black ink, written over a horizontal line.

Melissa Verde, City Secretary