

The City Council of the City of Alvord, Texas met in regular session on **Thursday, September 15, 2022** in the Council Chambers of City Hall. The meeting was called to order at 6:00 p.m. and a quorum was present. Mayor Enochs was present and presiding with Council Members Hatzenbihler, Sherwood, Raney and White. Also in attendance were City Attorney Jim Shepherd, City Administrator Clint Mercer, City Secretary Pam Gregg, City Engineer Mark Hill and Finance Director Martha Nivens. There were eleven people in attendance from the public.

Jim Shepherd gave the invocation and the Pledge of Allegiance to the American flag was recited.

**(agenda item out of order)**

**VII.a. Consider and take appropriate action to appoint Caleb Caviness to Place 4 of the City Council**

Council Member Raney made a motion to appoint Caleb Caviness to Place 4 of the City Council. Mayor Pro-Tem Sherwood seconded the motion. All votes were yes. The motion carried. Caleb was sworn in by the City Secretary and took his place at the Council desk.

**CITIZENS FORUM**

No one from the public requested to speak during this time.

**PUBLIC HEARINGS AND POSSIBLE ACTION**

A public hearing was opened at 6:05 p.m. to hear comments for or against a proposed replat of the property located on a 0.257 acre tract of land, Lots 1 and 2, Block 62 of the Original Alvord Subdivision, Wise County, Texas. The applicant was Danny Neighbors. City Engineer, Mark Hill, was present and informed Council he would recommend approval of the replat contingent upon all of his requirements being met that were addressed in his letter. Danny also requested a variance on the setback requirements for the corner lot on Proctor Street. After a brief discussion, the public hearing was closed at 6:16 p.m. and Council Member White made a motion to approve the replat as long as all conditions were satisfied for the City. She also added to her motion that the Proctor Street lot would not have a side entrance garage. Council Member Raney seconded the motion. All votes were yes. The motion carried. Council Member Caviness then made a motion to approve the 15' variance on Lot 1-A on the east side of the lot. Council Member White seconded the motion. All votes were yes. The motion carried.

A public hearing was opened at 6:17 p.m. to receive comments for or against a proposed annexation of the property described as a 3.481 acre tract of land, lying within the James Pinchback Survey, Abstract Number 674, City of Alvord, Wise County, Texas. The applicant was Sherri Hartfield. City Administrator Clint Mercer explained to Council about the development agreement that is needed in order to lessen the four month process for this type of annexation and protect the City and the developer. He asked Council to take no action until next month when there should be a pre-approved development agreement in place for them that will hopefully move this project a little faster. With no one requesting to speak regarding the annexation, the public hearing closed at 6:21 p.m. The agenda item was tabled.

A public hearing was opened at 6:22 p.m. to receive comments for or against a request for a Specific Use Permit to open a second hand store at 105 North Wickham, a 0.080 acre tract of land, Lot 18, Block 18 of the Original Alvord Subdivision, Wise County, Texas. The property is currently zoned Commercial-1. The applicants were Mayra Rivera and Ana Diaz. City Administrator Clint Mercer explained to Council that this was the same SUP case heard last month requiring two public hearings in order to be approved and this was simply a formality unless someone had changed their vote. With no one requesting to speak, the public hearing closed at 6:23 p.m. Council Member Hatzenbihler made a motion to grant the Specific Use Permit to open the second hand store at 105 North Wickham. Mayor Pro-Tem Sherwood seconded the motion. All votes were yes. The motion carried.

A public hearing was opened at 6:25 p.m. regarding the Alvord municipal budget for fiscal year 2023, maintenance and operations tax rate and interest and sinking fund tax rate (debt tax rate) to support the budget and public debt payments. City Attorney Jim Shepherd told Council that this year's proposed tax rate exceeds the known new revenue tax rate. The vote on the ordinance setting the tax rate must be a record vote and 60% of the governing body (or 4 out of 5 members) must vote in favor of the adoption of the tax rate. It does not exceed the voter approval rate but it does, however, raise revenue a little higher than the known new revenue.

With no one requesting to speak, the public hearing closed at 6:32 p.m. Council Member Caviness made a motion that the property tax rate be increased by the adoption of a tax rate of 0.418147 which is effectively a 7.45% increase in the tax rate. Council Member White seconded the motion. The votes were individually made as follows: Council Member White: Aye. Council Member Caviness: Aye. Council Member Raney: Aye. Mayor Pro-Tem Sherwood: Aye. Council Member Hatzenbihler: Aye. The motion carried.

Council Member Raney made a motion to adopt Ordinance No. 2022-09-01 "Adopting a Budget for Fiscal Year 2022-2023." Mayor Pro-Tem Sherwood seconded the motion. The votes were individually made as follows: Council Member White: Aye. Council Member Caviness: Aye. Council Member Raney: Aye. Mayor Pro-Tem Sherwood: Aye. Council Member Hatzenbihler: Aye. The motion carried.

### **ZONING BOARD OF ADJUSTMENT MEETING**

The City Council meeting recessed at 6:33 p.m. and the Zoning Board of Adjustment meeting opened. A public hearing was conducted to receive comments for or against a request for a variance to the City's Zoning Ordinance No. 10112007B in order to place an accessory structure closer than 15' to the main structure at 1369 South Wickham Street. The applicant was Duane Hofsiss. The applicant shared pictures of what the property looks like now and pictures of the proposed accessory structure. He told Council that it will fit within the City's setback requirements other than the 15' distance to the main structure. He asked for the requirement to

be reduced to 10'. After a brief discussion and clarification, Mayor Pro-Tem Sherwood made a motion to grant the variance to place the accessory structure 10' from the main structure. Council Member Hatzenbihler seconded the motion. All votes were yes. The motion carried.

The ZBA meeting closed and the regular session reconvened at 6:40 p.m.

### **NEW ITEMS FOR CONSIDERATION**

#### **Consider and take appropriate action to approve a Sales Contract with Continental Utility Solutions, Inc**

City Administrator Clint Mercer reported that this was the water billing vendor that was selected and previously discussed to replace the current software. He added that there was a little start up cost on the front end for them to transition our data but that our actual annual cost would be lower. The new billing program will also have its own reverse notification system which would allow the City to notify customers quicker and more efficiently in the event of a water main break or boil water notice. Clint continued by saying that there will be added payment solutions such as paying by text or with a link to the City website. Council Member Hatzenbihler made a motion to approve the sales contract with Continental Utility Solutions. Mayor Pro-Tem Sherwood seconded the motion. All votes were yes. The motion carried.

#### **Consider and take appropriate action to reappoint Autumn Garrison to another term on the EDC**

Mayor Pro-Tem Sherwood made a motion to reappoint Autumn Garrison to another term on the EDC. Council Member Raney seconded the motion. All votes were yes. The motion carried.

#### **Consider and take appropriate action for approval of fiscal year 2022 budget amendment**

City Administrator Clint Mercer pointed out that there were actually two proposed amendments and that this was done every year in order to "zero out the books." He explained that the amendment to the water/sewer fund was due to not receiving the second half of the expected SLFRF money which would be used to bridge the gap on the water project. He also said that on paper it looks like a deficit but we are just borrowing until that money shows up. Council Member Hatzenbihler made a motion to approve the budget amendments. Mayor Pro-Tem Sherwood seconded the motion. All votes were yes. The motion carried.

#### **Consider and take appropriate action to approve the minutes from the meeting on August 18, 2022 and the special meeting on August 25, 2022**

Mayor Pro-Tem Sherwood made a motion to approve the minutes from the meetings on August 18<sup>th</sup> and August 25<sup>th</sup>. Council Member Hatzenbihler seconded the motion. All votes were yes. The motion carried.

### **STAFF REPORTS**

Clint reported to Council on Doug's behalf regarding the significant water main break on Stadium Drive

City Administrator Clint Mercer presented a report that included:

- Work on budget and tax rate
- Update on water project – close to being 100% - tower is online but not the well

- Upcoming water projects
- Future development and discussed solutions for maintaining roads during construction
- Drainage work around town

Council Member Raney gave a report for the EDC that included:

- Exploring options for a different bank account for the EDC
- Welcome signs
- EDC is reaching out to all business owners in town
- Dog park
- Ribbon cutting ceremony for water tower possibly connected with Christmas Market
- Christmas tree for town – possibly purchase a larger one – found a company that will put it up each year, decorate, take down and store it

#### **FUTURE AGENDA ITEMS**

- Proposed annexation


#### **ADJOURN**

There being no further business, Mayor Pro-Tem Sherwood made a motion to adjourn the regular session of the Alvord City Council at 7:12 p.m. on Thursday, September 15, 2022. Council Member White seconded the motion. The Council voted five (5) in favor and none (0) opposed. The motion carried.

These minutes were approved on the 20<sup>th</sup> day of October, 2022.

APPROVED:

ATTEST:

  
Jim Enochs, Mayor

  
Pam Gregg, TRMC, City Secretary

