

**MINUTES OF
BULLARD CITY COUNCIL REGULAR MEETING
FEBRUARY 11, 2020**

A Regular Meeting of the City Council of the City of Bullard, Texas, was held Tuesday, February 11, 2020, 6:00 p.m. at Bullard City Hall, 114 South Phillips, Bullard, Texas, with the following present:

**Mayor: Pam Frederick
Mayor Pro Tem: Bryan Willis
Councilmember: Mark Anderson
Councilmember: Ralph Britt
Councilmember: Shirley Coe
Councilmember: David Rhodes**

**City Manager: David Hortman
Police Chief: Gary Don Lewis
City Engineer: Brian Capps
Finance Director: Sonja Richey
Utility Director: David Wells
City Secretary: Doris Crockett**

Meeting Order: Call to Order; Roll Call; Invocation; Pledge to Flag

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ITEM 1: CITIZEN PARTICIPATION

Mrs. Shannon Jones, 2822 FM344 E, was present speaking in regard to Items 2 and 4. Her concern about any development is the impact it will have on drainage and what she believes will be increased water that will be diverted to her property and to neighboring property; increased traffic; impact on the school system; infrastructure; and decreased home values. * She also expressed her support for the request for the Spring Fling, Item 5, which she successfully participated in previously.

Police Chief Gary Lewis introduced **David Graham** new Police Department employee who will be the second SRO for The Brook Hill School.

City Secretary Doris Crockett relayed information furnished in the way of outdoor temporary signage and printed cards regarding the need for 2020 Census workers.

ITEM 2 – PUBLIC HEARING - ANNEXATION – JASON CAMPBELL CUSTOM HOMES 5, LP – 1 ACRE – NORTH OF AND ADACJENT TO FM 344 E.

The Public Hearing was declared open to consider the (voluntary) annexation of 1 acre in the Vinson Moore League, Abstract 15, Smith County, Texas, adjacent to and north of FM 344 E., Bullard Texas, known as the Jason Campbell Custom Homes 5, LP tract.

No one, besides Mrs. Shannon Jones in the Citizen Participation portion of the meeting, spoke at the Public Hearing. *

Mayor Frederick declared the Public Hearing closed.

**ITEM 3 – JASON CAMPBELL CUSTOM HOMES 5, LP – 1 ACRE –
NORTH OF AND ADACJENT TO FM 344 E. – SERVICE PLAN AND
ANNEXATION ORDINANCE ADOPTED ***

The Annexation Service Plan was presented to and accepted by the petitioner for annexation of a 1 acre tract of land in Smith County, Texas, described in Exhibit "A" in the Vinson Moore League, A0015, adjacent to and north of FM 344 E., Smith County, Texas. **(Service Plan Attached to and made a part of the Annexation Ordinance as Exhibit "C.")**

On motion by Councilmember Coe, seconded by Mayor Pro Tem Willis and carried unanimously, acting on a petition from property owner Jason Campbell Custom Homes 5, LP for voluntary annexation of a 1 acre tract of land in Smith County, Texas, described in Exhibit "A" in the Vinson Moore League, A0015, adjacent to and north of FM 344 E., Smith County, Texas, was annexed and the Annexation Ordinance captioned below was adopted including adoption of the Annexation Service Plan which is attached as Exhibit "C":

**ORDINANCE NO. 2020-0211-1
CITY OF BULLARD, TEXAS
ANNEXATION
JASON CAMPBELL CUSTOM HOMES 5 LP 1 ACRE TRACT**

AN ORDINANCE PROVIDING FOR ACCEPTANCE OF A VOLUNTARY PETITION FOR ANNEXATION, ATTACHED HERETO AS EXHIBIT "A", AND THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF BULLARD, TEXAS, FOR CERTAIN PROPERTY (THE "PROPERTY"), DESCRIBED AS JASON CAMPBELL CUSTOM HOMES 5 LP TRACT CONTAINING 1 ACRE IN THE VINSON MOORE LEAGUE, ABSTRACT 15, SMITH COUNTY, TEXAS, ADJACENT TO AND NORTH OF FM 344 E., BULLARD, TEXAS, MORE FULLY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO; DIRECTING THE CITY SECRETARY TO FILE A CERTIFIED COPY OF THIS ORDINANCE WITH CERTAIN AUTHORITIES; DIRECTING THAT THE MAP OF THE CITY BOUNDARIES AND EXTRATERRITORIAL JURISDICTION BE CORRECTED TO INCLUDE THE PROPERTY; PROVIDING FOR THE APPROVAL OF THE SERVICE PLAN, EXHIBIT "C"; GRANTING TO SAID PROPERTY AND ALL FUTURE INHABITANTS ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY; PROVIDING FOR SEVERABILITY; PROPER NOTICE AND MEETING; EFFECTIVE DATE.

**ITEM 4 – JASON CAMPBELL CUSTOM HOMES 5 LP – ZONE CHANGE
FROM “AG” AGRICULTURAL DISTRICT TO “R-1A” SINGLE
FAMILY RESIDENTIAL DISTRICT – 1 ACRE TRACT IN VINSON
MOORE LEAGUE, ABSTRACT 15, SMITH COUNTY, TEXAS
(THE MEADOWS EAST SUBDIVISION) – APPROVED – ORDINANCE
ADOPTED**

The Public Hearing was declared open to consider the request of Jason Campbell Custom Homes 5, LP, owner, to change the zoning from “AG” Agricultural District to “R-1A” Single Family Residential District (minimum lot area of 9,000 square feet) Tract 52A, a 1 acre tract in the Vinson Moore League, Abstract 15, Smith County, Texas, adjacent to and north of FM 344 E., Bullard, Texas (2493/2593 FM 344 E).

No one, besides Mrs. Shannon Jones in the Citizen Participation portion of the meeting, spoke at the Public Hearing.

The Planning and Zoning Commission on January 27, 2020, recommended approval of the zone change request.

The Public Hearing was declared closed.

On motion by Councilmember Mark Anderson, seconded by Councilmember Rhodes and carried unanimously, the request of Jason Campbell Custom Homes 5, LP, owner, to change the zoning from “AG” Agricultural District to “R-1A” Single Family Residential District (minimum lot area of 9,000 square feet) Tract 52A, a 1 acre tract in the Vinson Moore League, Abstract 15, Smith County, Texas, adjacent to and north of FM 344 E., Bullard, Texas (2493/2593 FM 344 E) was approved and the following Ordinance was adopted:

ORDINANCE NO. 2020-0211-2

**AN ORDINANCE AMENDING THE CITY OF BULLARD ZONING
ORDINANCE; DIRECTING THE AMENDMENT OF THE ZONING MAP;
APPROVING ZONING CHANGE FROM “AG” AGRICULTURAL
DISTRICT TO “R-1A” SINGLE FAMILY RESIDENTIAL DISTRICT A 1
ACRE TRACT IN THE VINSON MOORE LEAGUE, ABSTRACT 15,
SMITH COUNTY, TEXAS, ADJACENT TO AND NORTH OF FM 344 E.,
BULLARD TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND
PROVIDING AN EFFECTIVE DATE.**

**ITEM 5 – SPRING FLING SATURDAY, APRIL 18, 2020– COFFEE AROUND
THE CORNER - REQUEST APPROVED**

Mrs. Dee Riley from Coffee Around the Corner in Downtown Bullard requested permission for using sidewalks and half of the green area in front of Timeless Treasures for vendors for “Spring Fling” sponsored by businesses Downtown. The event last year was very successful and it is anticipated that attendance this year would be even better.

On motion by Councilmember Coe, seconded by Mayor Pro Tem Willis and carried unanimously, authority was granted for Downtown Businesses to use the sidewalks and half the green area in front of Timeless Treasurers for vendors for the “Spring Fling” on Saturday, April 18, 2020, as requested.

**ITEM 6 – CHAMBER FAMILY FUN DAY SATURDAY, APRIL 25, 2020 –
REQUEST APPROVED**

A request was made by the Bullard Area Chamber of Commerce for permission to use the green space in front of Legends Restaurant on Saturday April 25, 2020, for Family Fun Day (Festival). In discussing the plans for the Festival it was determined that the Chamber needs to request closure of portions of certain streets. That request will be brought back on March 10, 2020.

On motion by Mayor Pro Tem Willis, seconded by Councilmember Britt and carried unanimously, the Council approved the request of the Bullard Area Chamber of Commerce for conducting the Chamber Family Fun Day on Saturday, April 25, 2020, in the downtown area across from Legends Restaurant.

**ITEM 7 – TEXAS DEPARTMENT OF PUBLIC SAFETY (TXDPS) –
INTERLOCAL COOPERATION CONTRACT FOR FAILURE TO APPEAR
PROGRAM RATIFIED – AUTHORIZED**

On September 5, 2019, the Council authorized entering into an Interlocal Cooperation Contract for Failure to Appear Program with the Texas Department of Public Safety (TXDPS). Following execution of that agreement, the City of Bullard as well as other Texas cities was notified that the agreement was incorrect and would need to be re-authorized and executed.

On motion by Mayor Pro Tem Willis, seconded by Councilmember Rhodes and carried unanimously, the Council authorized entering into an Interlocal Cooperation Contract with Texas Department of Public Safety (TXDPS) for Failure to Appear Program to replace the agreement authorized September 5, 2019.

**ITEM 8 - CITY COUNCIL ELECTION – MAY 2, 2020 –
ORDER AND NOTICE OF GENERAL ELECTION ADOPTED**

On motion by Mayor Pro Tem Willis, seconded by Councilmember Rhodes and carried unanimously, the Council adopted the attached Order and Notice of General Election for May 2, 2020, for the purpose of electing three City Council Members: **(Attach Order and Notice)**

**ITEM 9 – JOINT ELECTION AGREEMENT AUTHORIZED –
BULLARD INDEPENDENT SCHOOL DISTRICT AND CITY -
MAY 2, 2020, GENERAL ELECTION**

On motion by Councilmember Anderson, seconded by Councilmember Rhodes and carried unanimously, the Council authorized entering into a Joint Election Agreement with Bullard Independent School District for the May 2, 2020, General Election.

**ITEM 10 – INTERLOCAL AGREEMENT WITH SMITH COUNTY –
TO CONDUCT GENERAL ELECTION ON MAY 2, 2020**

On motion by Mayor Pro Tem Willis, seconded by Councilmember Britt and carried unanimously, the Council authorized execution of an Interlocal Agreement with Smith County to conduct the General Election on May 2, 2020.

ITEM 11 – STAFF REPORTS

- a. Building Permits/Code Violations/Warrant Processing Report; building related permits and inspections, solicitors and temporary use permits; growth in various subdivisions; Code violations; and processing of warrants – **Danny Ray**
- b. City Engineer Report – current and future water and sewer needs - **Brian Capps**
- c. City Secretary Report – Secured new Election Polling Place at Bullard Southern Baptist Church; prepared and coordinated Election documents for May 2, 2020 Joint Election; prepared and filed release of lien; attended Census Local Government Subcommittee in Tyler; continue processing paperwork associated with the Bluebonnet Point Wellness nursing home project; and processing requests, giving notice, attendance and recording of City Council Meetings, P&Z Meeting and BEDCO Meeting; and preparation of legal documents – **Doris Crockett**
- d. Finance Report – review of expenditures, receipts and balances since last report, including Budget summaries – **Sonja Richey**
- e. Human Resources Department Report – processed 3 payrolls; processed new SRO Officer; open records request; maintained shared office calendar; processing department change information access; and related duties associated with employees and employment - **Jennifer MacWhirter**
- f. Municipal Court Report – Statistics for warrants issued, court activity and fines and fees collected – **Diana Folmar**
- g. Police Department Report - Calls for Service or Case Investigations, Traffic, Arrest, Warrants, Cases Filed and general Police activity – **Gary Don Lewis**
- h. Public Relations/Communications Department Report – usage statistics of City’s website, Facebook, Police Facebook, Instagram, Twitter, and Civic Ready; worked with Finance Director to finish 19-20 Budget document; booked Blast over Bullard entertainment; reserved Blast over Bullard activities and successful bulky item pickup – **Lexie Hudson**
- i. Utilities Director – Monthly Work Report for Water Department, Wastewater Department, Street Department and Parks Department; routine daily checks for water and wastewater; water line leaks; patching pot holes and clearing and cleaning rights-of-way; routine daily cleaning and inspection of equipment at Parks; and completed TCEQ quarterly report – **David Wells**

Council Minutes

*During the staff report time, City Engineer Brian Capps addressed concerns expressed in regard to the annexation and zoning request in Items 3 and 4 particularly regarding drainage issues. He stated that drainage concerns are close to TxDOT culvert and he relied on TxDOT for suggestions. The Meadows East Subdivision has been designed to drain more to the north and will reduce the amount of acreage that drains toward FM 344 than previously.

Finance Director Richey reviewed the financial report.

On motion by Councilmember Coe, seconded by Mayor Pro Tem Willis and carried unanimously, Staff Reports were approved as presented.

ITEM 12 – MINUTES APPROVED – JANUARY 13, 2020 AND JANUARY 14, 2020

On motion by Councilmember Anderson, seconded by Councilmember Coe and carried unanimously, City Council Minutes for the Joint Meeting with BISD on January 13, 2020, and the Regular Meeting on January 14, 2020, were approved as presented.

ITEM 13 - EXECUTIVE SESSION – CONSULTATION WITH CITY ATTORNEY

Mayor Frederick announced that the Council would convene in Executive Session at 6:45 p.m. in accordance with Texas Government Code, Open Meetings Act under Section 551.071 (2) Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding selecting provider for emergency services (ambulance).

On motion by Councilmember Coe, seconded by Mayor Pro Tem Willis and carried unanimously, Council invited City Manager David Hortman and EMS review committee member Matthew Mckeethan to be present in the Executive Session.

ITEM 14 – RETURN TO OPEN SESSION

Mayor Frederick announced that the Executive Session had concluded and Council reconvened in Open Session at 7:50 p.m. Mayor Frederick announced that no action was taken during the Executive Session.

ITEM 15 – ADJOURNMENT

On motion by Councilmember Coe, seconded by Mayor Pro Tem Willis and carried unanimously, the meeting adjourned at 7:53 p.m.

PAM FREDERICK, MAYOR

A T T E S T:

DORIS CROCKETT, CITY SECRETARY