

**MINUTES OF
BULLARD CITY COUNCIL REGULAR MEETING
MAY 17, 2022**

A Regular Meeting of the City Council of the City of Bullard, Texas, was held Tuesday, May 17, 2022, 6:00 p.m. at Bullard City Hall, 114 South Phillips, Bullard, Texas, with the following present:

**Mayor: Pam Frederick
Mayor Pro Tem: Mark Anderson
Councilmember: Shirley Coe
Councilmember: Glen Cowart *
Councilmember: Lane McDaniel
Councilmember: Terry Mebane**

**City Manager: David Hortman
City Attorney: Robert Davis
Police Lieutenant: John Hill
Police Lieutenant: Chase Berryhill
Finance Director: Sonja Richey
Director of Utilities: David Wells
Director of Communication: Raiven Whatley
City Secretary: Doris Crockett**

***Video Conference Attendance**

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

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ITEM 1 - CITIZEN PARTICIPATION

Mayor Frederick informed the Council that the City had received a certificate from TML Health Benefits Pool recognizing 10 years of partnership with the City.

Mayor Frederick also recognized National Police Week and expressed the City's appreciation for Bullard's Police Department.

Mayor Frederick reminded Council that she has 6 meetings remaining as Mayor and that she anticipates being sworn in as Smith County Commissioner in early November. Council would consider in October appointing a Mayor for the unexpired term.

Council Minutes

ITEM 2 – STATEMENTS OF ELECTED OFFICER RECEIVED – COUNCIL MEMBERS ELECT SHIRLEY COE AND LANE MCDANIEL – COUNCIL MEMBER ELECT GLEN COWART WAS UNABLE TO BE PRESENT TO TAKE THE OATH OF OFFICE

Statements of Elected Officer were executed and received from Council Members Elect Shirley Coe and Terry Mebane.

(On March 7, 2022, a Certificate of Unopposed Candidates was presented, and Council adopted an Order of Cancellation for the May 7, 2022, General Election certifying the candidates [Shirley Coe, Glen Cowart, and Terry Mebane] unopposed and declared elected.)

ITEM 3 - OATHS OF OFFICE ADMINISTERED TO COUNCIL MEMBERS ELECT SHIRLEY COE AND TERRY MEBANE – COUNCILMEMBER ELECT GLEN COWART TO TAKE OATH MAY 23, 2022

City Secretary Doris Crockett administered Oaths of Office to Council Members Elect Shirley Coe and Terry Mebane for two-year terms to expire May 2024.

In order to comply with “Local Government Code Sec. 22.007. VACANCY CREATED ON FAILURE TO QUALIFY. If a municipal officer-elect fails to qualify for office with 30 days after the date of the officer’s election, the office is considered vacant” the Council agreed for a call meeting on Monday, May 23, 2022, at 5:30 p.m. to swear in Councilmember Elect Glen Cowart.

ITEM 4 – “R-1A” SINGLE FAMILY RESIDENTIAL ZONING – MINIMUM LOT SIZE REDUCED FROM 12,000 SQ. FT. TO 10,500 SQ. FT. – ORDINANCE

Council considered the request of Jason Campbell and others to move back the 12,000 sq. ft. minimum lot requirement (adopted 8-10-21) for an “R-1a” Single Family Residential lot to 9,000 sq. ft. minimum lot requirement. This item was tabled on April 12, 2022.

Council had reviewed the information furnished by Jason Campbell and others regarding the impact that the requirement of a minimum 12,000 sq. ft. lot for “R-1a” Single Family Residential Development would cause. Financial costs, other surrounding cities have less minimum lot size requirements where developers could build, and could be pricing out some homebuyers in today’s market were some of the reasons considered.

On motion by Councilmember Coe, seconded by Councilmember Mebane and carried with the following vote, the minimum lot size requirement for “R-1a” Single Family Residential District was reduced from 12,000 sq. ft. to 10,500 sq. ft. and Chapter 10 Planning and Zoning Ordinance was amended accordingly:

AYES: Anderson, Coe, McDaniel, Mebane

NOES: Cowart

ORDINANCE 2022-0517

AN ORDINANCE AMENDING CHAPTER 10 PLANNING AND ZONING ORDINANCE, ARTICLE IV, ZONING, SECTION 10-209. R-1A SINGLE FAMILY RESIDENTIAL DISTRICT; BY REDUCING THE MINIMUM LOT SIZES FROM 12,000 SQ. FT TO 10,500 SQ. FT.; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR A PENALTY

ITEM 5 - ONCOR ELECTRIC – ORDINANCE DENYING PROPOSED CHANGE IN RATES

Mr. Charles Hill, Oncor Regional Customer Operations Manager, was present regarding the April 13, 2022, filing of proposed change in rates of Oncor Electric Delivery Company LLC.

Mr. Hill also informed the Council that he would be retiring in July and conveyed how much he had enjoyed his relationship with the City of Bullard. The Council congratulated him on his upcoming retirement and expressed their appreciation for his professional relationship and friendship with the City.

On motion by Councilmember Coe, seconded by Mayor Pro Tem Anderson and carried unanimously, the following Resolution was adopted denying the proposed change in rates (filed April 13, 2022) of Oncor Electric Delivery Company, LLC so that the request would proceed to the Texas Public Utility Commission to adopt rates that would be the same for all of Oncor's customers throughout the state: **(Attach Resolution 2022-0517)**

ITEM 6 - FALL FLING ON SATURDAY, OCTOBER 22, 2022– COFFEE AROUND THE CORNER - REQUEST APPROVED

On motion by Councilmember McDaniel, seconded by Councilmember Coe and carried unanimously, authority was granted for Downtown Businesses to use the sidewalks and the green area in front of Timeless Treasurers for vendors for the "Fall Fling" on Saturday, October 22, 2022, as requested, including the operation of 2 food trucks; and close Phillips Street from Main Street to Emma Street and the attached Resolution was adopted: **(Attach Resolution 2022-0517-2)**

ITEM 7 - 2022 CORKSCREW WINE RUN – SATURDAY, OCTOBER 8, 2022 – APPROVED

Mrs. Meredith Bryans was present regarding the request for the 2022 Corkscrew Wine Run on Saturday, October 8, 2022, with authorization to close Phillips Street from Main to Emma, and from Main to Cain during the festival and any additional temporary street crossing closures for runners to be coordinated with the Police Department, and for authorization to sell alcohol for on premise consumption and use a portion of the green belt area at southwest corner of Main and South Houston Street to be fenced for such use.

On motion by Councilmember Coe, seconded by Councilmember Mebane and carried unanimously, Council approved the 2022 Corkscrew Wine Run as requested.

ITEM 8 – CAPCO ENGINEERING – WORK ORDER 2022 WASTEWATER TREATMENT PLANT CONSTRUCTION PRELIMINARY PHASE SERVICES – AUTHORIZED

On motion by Mayor Pro Tem Anderson, seconded by Councilmember Coe and carried unanimously, the Council approved Proposed Work Order with Capco Engineering for Preliminary Phase Basic Services, Landman Services and Surveying Services, Project No. 10024.42.2m 2022 Wastewater Treatment Plant (WWTP) Construction, Preliminary Phase Services.

ITEM 9 – SMITH COUNTY APPRAISAL DISTRICT – 2023 BUDGET APPROVED

On motion by Mayor Pro Tem Anderson, seconded by Councilmember McDaniel and carried unanimously, the City Council approved the proposed Smith County Appraisal District Budget for 2023 as presented.

ITEM 10 – BEDCO APPOINTMENT – TABLED

On motion by Councilmember Coe, seconded by Councilmember Mebane and carried unanimously, consideration of an appointment to the Bullard Economic Development Corporation Board (BEDCO) to replace Board Member Bryan Willis, who has been named by BEDCO as its part-time Executive Director, was tabled.

ITEM 11 – STAFF REPORTS

- a. Building Permits/Code Violations Report; building related permits and inspections, solicitors and temporary use permits; growth in various subdivisions; new businesses; and Code violations – **Danny Ray**
- b. City Engineer Report – current and future water and sewer needs - **Brian Capps**
- c. City Secretary Report – – **Doris Crockett**
- d. Finance Report – review of expenditures, receipts and balances since last report, including Budget summaries – **Sonja Richey**
- e. Human Resources Report – Assisted Utility Billing Clerk as needed; completed employee handbook final draft; and assisted employee with insurance benefit questions – **Maria Moreira**
- f. Municipal Court Report – Statistics for warrants issued, court activity and fines and fees collected – **Diana Folmar**
- g. Public Relations/Communications Department Report – continued working on website revamp; had successful Mayor’s Prayer Breakfast with 18 sponsors and over 100 in attendance; celebrated Judge Clayton’s last day of work; marketing on City’s Facebook page; and celebrated April birthdays - **Raiven Whatley**

- h. Police Department Report - Calls for Service or Case Investigations, Traffic, Arrest, Warrants, Cases Filed and general Police activity – **Jeff Bragg**
- 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 sewer stoppage calls – **David Wells**

Finance Director Richey reviewed the financial report.

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

ITEM 12 – MINUTES APPROVED – REGULAR MEETING ON APRIL 12, 2022,

On motion by Mayor Pro Tem Anderson, seconded by Councilmember Mebane and carried unanimously, City Council Minutes for the Regular Meeting of April 12, 2022, were approved as presented.

ITEM 13 – EXECUTIVE SESSION – CONSULTATION WITH ATTORNEY AND DELIBERATION REGARDING REAL PROPERTY

Mayor Frederick announced that the Council would convene in Executive Session at 7:15 p.m. in accordance with Texas Government Code, Open Meetings Act under Section 551.071, Consultation with Attorney and Section 551.072 Deliberation Regarding Real Property. Council reserves its right to include a non member of the Council in the Executive Session whose interests are not adverse to the interests of the City Council and the person's presence is necessary to the anticipated deliberation.

Attorney Celia Flowers was invited to attend the Executive Session.

*Councilmember Glen Cowart participated by telephone.

ITEM 14 – RETURN TO OPEN SESSION – 526 EAST MAIN – AUTHORITY TO OFFER TO PURCHASE AT APPRAISED VALUE

Mayor Frederick announced that the Executive Session had concluded, and Council reconvened in Open Session at 6:48 p.m. Mayor Frederick announced that no action was taken during the Executive Session.

On motion by Councilmember Coe, seconded by Councilmember Mebane and carried unanimously, City Manager Hortman was authorized to meet with property owner and offer purchase of property at 526 East Main Street for \$85,000 which was the appraised value from an independent appraiser who had been approved by the property owner.

ITEM 15 – ADJOURNMENT

On motion by Councilmember Coe, seconded by Councilmember McDaniel and carried unanimously, the meeting adjourned at 7:50 p.m.

PAM FREDERICK, MAYOR

A T T E S T:

DORIS CROCKETT, CITY SECRETARY