

May

2018



City of Bruceville-Eddy



143 Wilcox Drive
Eddy, Texas 76524

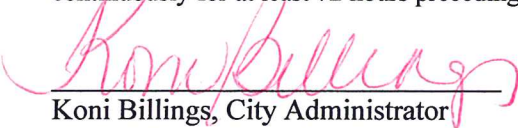
254/859-5964
254/859-5779 fax

Notice is hereby given that a Public Hearing (II) of the governing body of the City of Bruceville-Eddy will be held on the 10th day of May 2018 at appx. 6:00 pm, directly after Public Hearing I. The hearing will be held at City Hall Council Chambers, located at 143 A Wilcox Drive, Eddy, Texas at which time the following will be discussed, to wit:

- a. Call to Open Public Hearing II.
- b. Application by property owners Mary L. Barr and Stephen J. Oliver for a Zoning Variance for property in the City of Bruceville-Eddy, situated in Falls County and described as A0317 SCRANTON F 1.42 ACRES, with a street address of 205 State Highway 7, Eddy, TX 76524, and located in the City's "A" Agricultural Zoning District, which application seeks approval for the subject property of an exception from the regulation in Sec. 9-101 of the Zoning Ordinance, specifically limiting the height of buildings and structures in the "A" Agricultural Zoning District to no more than three (3) stories, in order to allow a 210' high self-supporting cellular tower to be located upon a portion of the subject property, to wit: at 103 State Highway 7, Eddy, TX 76524 (E-911 address).
- c. Public Hearing to adjourn.

All items on the agenda are for discussion and/or action. The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development). The City is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at least 48 hours in advance. Please contact the City Secretary at (254) 859-5964 or by fax at (254) 859-5779 for information or assistance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named City of Bruceville-Eddy is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the official notice case, at City Hall of City of Bruceville-Eddy, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the 7th day of May 2018 at 4:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.


Koni Billings, City Administrator
City of Bruceville-Eddy

seal



City of Bruceville-Eddy



143 Wilcox Drive
Eddy, Texas 76524

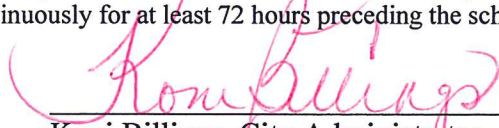
254/859-5964
254/859-5779 fax

Notice is hereby given that a Public Hearing (I) of the governing body of the City of Bruceville-Eddy will be held on the 10th day of May 2018 at 6:00 pm, directly the regular session of council meeting at City Hall Council Chambers, located at 143 A Wilcox Drive, Eddy, Texas at which time the following will be discussed, to wit:

- a. Call to Open Public Hearing I.
- b. Application by property owners Mary L. Barr and Stephen J. Oliver for a **Conditional Use Permit** for property in the City of Bruceville-Eddy, situated in Falls County and described as A0317 SCRANTON F 1.42 ACRES, with a street address of 205 State Highway 7, Eddy, TX 76524, and located in the City's "A" Agricultural Zoning District, which application seeks approval to allow a 210' high self-supporting cellular tower to be located upon a portion of the subject property, to wit: at 103 State Highway 7, Eddy, TX 76524 (E-911 address).
- c. Public Hearing to adjourn.

All items on the agenda are for discussion and/or action. The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development). The City is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at least 48 hours in advance. Please contact the City Secretary at (254) 859-5964 or by fax at (254) 859-5779 for information or assistance.

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Koni Billings, City Administrator
City of Bruceville-Eddy

seal

NOTICE OF PUBLIC HEARINGS AND A REGULAR MEETING OF THE GOVERNING BODY OF BRUCEVILLE-EDDY

Notice is hereby given that **PUBLIC HEARINGS** and a **REGULAR MEETING** of the governing body of the City of Bruceville-Eddy will be held on the 10th day of May 2018 at 6:00 PM, in the City Hall at 143 Wilcox Drive, Eddy, Texas at which time the following subjects will be discussed, and or approved, to-wit:

(1) Call to Order Regular Meeting and remarks by Mayor Connally Bass.

(2) Prayer: Councilman Jason Dean

(3) Pledge of Allegiance.

(4) **PUBLIC HEARINGS:**

a. **PUBLIC HEARING I:** Application by property owners Mary L. Barr and Stephen J. Oliver for a Conditional Use Permit for property in the City of Bruceville-Eddy, situated in Falls County and described as A0317 SCRANTON F 1.42 ACRES, with a street address of 205 State Highway 7, Eddy, TX 76524, and located in the City's "A" Agricultural Zoning District, which application seeks approval to allow a 210' high self-supporting cellular tower to be located upon a portion of the subject property, to wit: at 103 State Highway 7, Eddy, TX 76524 (E-911 address).

1. Staff report.

2. Applicant presentation.

3. Persons wishing to speak for or against the application.

4. Close of First Public Hearing.

b. **PUBLIC HEARING II:** Application by property owners Mary L. Barr and Stephen J. Oliver for a Zoning Variance for property in the City of Bruceville-Eddy, situated in Falls County and described as A0317 SCRANTON F 1.42 ACRES, with a street address of 205 State Highway 7, Eddy, TX 76524, and located in the City's "A" Agricultural Zoning District, which application seeks approval for the subject property of an exception from the regulation in Sec. 9-101 of the Zoning Ordinance, specifically limiting the height of buildings and structures in the "A" Agricultural Zoning District to no more than three (3) stories, in order to allow a 210' high self-supporting cellular tower to be located upon a portion of the subject property, to wit: at 103 State Highway 7, Eddy, TX 76524 (E-911 address).

1. Staff report.

2. Applicant presentation.

3. Persons wishing to speak for or against the application.

4. Close of Second Public Hearing.

c. Adjourn Public Hearings. Convene into Regular Meeting.

5) **CITIZEN TIME:** At this time we would like to listen to members of the audience (*which have turned in a speaker form*) comments or concerns. All comments are limited to a maximum of five minutes for each speaker. In accordance with the Open Meeting Act, Council Members may **NOT** discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly before making your comments. Thank you.

6) **CONSENT AGENDA:**

a. Council to consider Accounts Payables for General and Water Funds for April 2018.

b. Council to consider minutes of meeting of April 2018.

7) **CONDITIONAL USE PERMIT APPLICATION:** In compliance with Sec. 19-101(2) of the Zoning Ordinance, Council to consider and take action to table its consideration and action on the C.U.P. application by property owners Mary L. Barr and Stephen J. Oliver, a Public Hearing for which was scheduled as Item (4)a of this Agenda.

8) **VARIANCE APPLICATION:** Council to consider and possibly take action on the application by property owners Mary L. Barr and Stephen J. Oliver for a Zoning Variance, a Public Hearing for which was scheduled as Item (4)b of this Agenda.

9) Council to consider and possibly take action regarding the current position of Building Inspector, to consider a wage renumeration for position, and discussion regarding the possibility of position handling all inspections, permits, codes and enforcement.

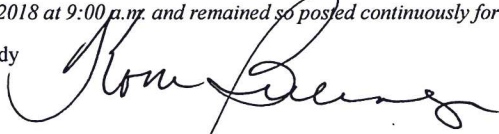
10) Council to consider the CPI adjustment cost from Waste Connections-Waco. This is per the increase agreement made with Progressive on May 1st 2014, which was the last time we increased. The current cost of residential pick-up is \$15.20 per month. This includes all operating costs for the water company. Proposed rate increase will be for residential and commercial pick up and for an additional cart rate per month. The increase to cost is: 3.16% and our additional operating costs are appx. 2.55-2.88%. Cost increase is effective with May billing, not reflected until June billing, customer will be notified with next bill.

Council to adjourn.

All items on the agenda are for discussion and/or action. The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development). The City is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at least 48 hours in advance. Please contact the City Secretary at city-sec@bruceville-eddy.org, or (254) 859-5964 or by fax at (254) 859-5779 for information or assistance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named City of Bruceville-Eddy is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the official notice case, at City Hall of City of Bruceville-Eddy, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the 7th of May 2018 at 9:00 a.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

By: Koni Billings, City of Bruceville-Eddy



seal



City of Bruceville-Eddy



143 Wilcox Drive
Eddy, Texas 76524

254/859-5964
254/859-5779 fax

Minutes of the May 10th, 2018 Meeting of the Bruceville-Eddy City Council

REGULAR MEETING of the governing body of the City of Bruceville-Eddy was held on the 10th day of May 2018 at 6:01 p.m.

- 1) Call to Order Regular Meeting and remarks by Mayor Connally Bass.
- 2) Roll: Council: Bass, Holt, Trigg, Lucas, and Wilcox. Dean, excused. K. Billings, J. Tabor, I. Perez, (admin).
- 3) Prayer: Koni Billings, Pledge of Allegiance.
- 4) Mayor Bass recessed into Public Hearings I & II at 6:06 pm.
- 5) K. Billings presented a Staff Report to the citizens and attendees of the Public Hearings on the request of Tillman Infrastructure for a variance regarding limitations on height for a 210' cell tower in an Agriculture District.

- Public Hearing I Open: 6:11 pm.
 - : Application by property owners Mary L. Barr and Stephen J. Oliver for a **Conditional Use Permit** for property in the City of Bruceville-Eddy, situated in Falls County and described as A0317 SCRANTON F 1.42 ACRES, with a street address of 205 State Highway 7, Eddy, TX 76524, and located in the City's "A" Agricultural Zoning District, which application seeks approval to allow a 210' high self-supporting cellular tower to be located upon a portion of the subject property, to wit: at 103 State Highway 7, Eddy, TX 76524 (E-911 address).

Speakers: Bebb Francis, attorney representing the American Cell Towers. S.A., TX. (*opposed*)
 Robert Kleeman, attorney for Tillman Infrastructure. Austin, TX. (*for*)
 Leonard Abiliez, citizen, COBE, Eddy, TX. (*opposed*)
 Pam Combs, customer & property owner Eddy, TX. (*opposed*)
 Hernando Abiliez, customer & property owner Eddy, TX. (*opposed*)
 Family member of Hernando Abiliez Eddy, TX. (Ms. Abiliez?) (*opposed*)

- Public Hearing I Closed: 6:55 pm.
- Public Hearing II Open: 6:56 pm.
 - Application by property owners Mary L. Barr and Stephen J. Oliver for a **Zoning Variance** for property in the City of Bruceville-Eddy, situated in Falls County and described as A0317 SCRANTON F 1.42 ACRES, with a street address of 205 State Highway 7, Eddy, TX 76524, and located in the City's "A" Agricultural Zoning District, which application seeks approval for the subject property of an exception from the regulation in Sec. 9-101 of the Zoning Ordinance, specifically limiting the height of buildings and structures in the "A" Agricultural Zoning District to no more than three (3) stories, in order to allow a 210' high self-supporting cellular tower to be located upon a portion of the subject property, to wit: at 103 State Highway 7, Eddy, TX 76524 (E-911 address).

Speakers: Bebb Francis, attorney representing American Cell Towers. S.A., TX. (*opposed*)
 Nicholas Cazza, attorney representing American Cell Towers. Boston, Mass. (*opposed*)
 Chris Prescott, representing Celeris Group, Inc. Arlington, TX. (*for*)
 Mark Stapleton, representing Celeris Group, Inc. Arlington, TX. (*for*)
 Pam Combs, customer & property owner Eddy, TX. (*opposed*)
 Hernando Abiliez, customer & property owner Eddy, TX. (*opposed*)
 Leonard Abiliez, citizen, COBE, Eddy, TX. (*opposed*)

- Public Hearing II Closed: 7:28 pm.
- ❖ Regular Meeting Opened: 7:29 pm.
 - i. CONSENT AGENDA:
 - ii. Council to consider Accounts Payables for General/Water
 - iii. Council to consider minutes of meeting of May 2018.

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6/23/2018 KPB



City of Bruceville-Eddy

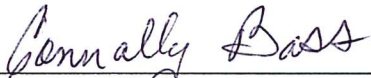


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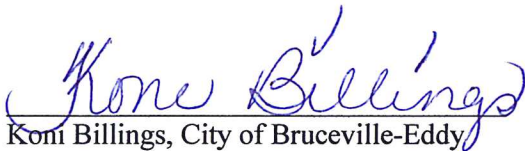
254/859-5964
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A motion to accept the minutes of the May 2018 meeting and the Financials of May 2018 was tendered by Council Holt, seconded by Allen Trigg. All in favor recorded.

- 6) Council to consider and possibly take action on the application by property owners Mary L. Barr and Stephen J. Oliver for a **Zoning Variance** for property in the City of Bruceville-Eddy, to allow a 210' high self-supporting cellular tower to be located upon a portion of the subject property, to wit: at 103 State Highway 7, Eddy, TX 76524 (E-911 address), was tabled until the June 14th Regular meeting by a motion that was made by Mr. Wilcox, and a second on the motion by Gary Lucas. All in Favor. (A motion to table by request of property owner's representatives, in order for a super majority vote to be considered.) A motion to table the Conditional Use Permit Application consideration was put forward by Frank Holt, second cast by Gary Lucas. All in Favor. (Item will be considered at June Regular Meeting 2018, as noted in item 6 above).
- 7) Council to consider and possibly take action regarding the current position of Building Inspector. Motion to table until more information can be assessed. Motion by Hal Wilcox, seconded by Gary Lucas. All in Favor.
- 8) Council to consider the CPI adjustment cost from Waste Connections-Waco. Ordinance #051418 was considered. It is re: Proposed rate increase for residential and commercial pick up and for an additional cart rate per month. The increase to cost is: 3.16% and our additional operating costs are appx. 2.55-2.88%. Cost increase is effective with May 2018 billing, not reflected until June 2018 billing, customers will be notified with next bill. Approved by a motion made by Gary Lucas, which was then seconded by Hal Wilcox, and approved by an All in Favor vote.
- 9) No Other Business. Adjourned by motion: Allen Trigg at 8:20 pm.



Mayor Connally Bass
City of Bruceville-Eddy



Koni Billings, City of Bruceville-Eddy

seal