



*The City of Bruceville-Eddy Rising into the Future*

143 Wilcox Drive  
Eddy, Texas 76524

[www.bruceville-eddy.org](http://www.bruceville-eddy.org)

Phone: (254) 859-5964  
Fax: (254) 859-5779

Minutes of the **Called Meeting** of the governing body of the City of Bruceville-Eddy was held on the 10th day of October 2019 at 6:30 PM at City Hall Council Chambers, located at 143 A Wilcox Drive, Eddy, Texas.

Call to Order. Mayor Connally Bass called the meeting to order at 6:32 PM. In attendance:

**Councilmen present:**

Mayor Connally Bass  
Pat Hargis  
Allen Trigg  
Linda Owens  
Gary Lucas

**Employees present:**

Sonya Bishop  
Juan Cardenas  
Pam Combs  
Gene Sprouse  
Frank Warren  
Jay Stewart

Citizens attendee sign-in sheet attached.

Citizen Time: None

Consent Agenda:

1. Council to consider A/P for General/Water funds for September 2019.
2. Council to consider minutes of regular meeting on September 8, 2019.

Motion made by councilman Gary Lucas to accept both the AP for general/water funds and minutes from September 8, 2019. 2<sup>nd</sup> by councilwoman Linda Owens. All in favor 4 Against 0 Absent 0

1. Council to discuss, consider and possibly take action on supplying a water meter at 110 Pinto Lane. Ms. Aurora Garcia addressed the council stating she purchased property at 110 Pinto Lane 2 months ago. She is not able to get a meter at the residence. That the meter was removed about 5 years ago. Councilwoman Linda Owens repeated what Ms. Garcia stated. Councilman Gary Lucas asked if Ms. Garcia if she purchased or leased the property. Ms. Garcia responded by saying she purchased the property. Councilman Gary Lucas asked did she buy the property with intent that there where water and utilities there. Ms. Garcia replied yes. Councilwoman Linda Owens asked, "how long ago did you buy the property?". Ms. Garcia replied by saying 2 months ago. Mayor Bass asked, "Did the owner was aware there was not a meter on the property?". Ms. Garcia responded by stating she was told there was a meter there. Councilwoman Linda Owens asked did she know who took the meter. Ms. Garcia replied Bruceville-Eddy took it. Mayor Bass explained that about 5 years ago the city removed meters that was not used. The owners of the property were notified. Mrs. Sonya Bishop, City Administrator stated that the realtor should have disclosed to Ms. Garcia that there was not water at the property. Ms. Garcia asked if a well could be drilled. Mayor Bass stated a well cannot be drilled. Mayor asked if Ms. Garcia applied for a meter. Ms. Garcia said yes, she did, and she was waiting to here about the study. Pam Combs, City Secretary addressed the council stating the city refunded the meter study because the city is out of compliance in that area because there was no reason to charge Ms. Garcia for a meter study when she knew the city would not be able to install another meter in the area. Councilwoman Linda Owens asked if Ms. Garcia purchased the property from an agency or directly, Ms. Garcia stated she purchased the property from her brother. Mayor Bass explained if the city allowed a meter to be put back at the property the city would be out of compliance with TCEQ. Mayor asked the engineer if that was correct. Mr. Tabor stated

that is correct there is more than 20 meters on that line. Mr. Tabor stated he cannot recommend the city add a meter that the decision is the cities, but he is bound to tell them it is out of compliance. Ms. Garcia asked what she does about water. Mayor Bass told Ms. Garcia the city cannot provide a water meter at this time unless she was willing to pay for the upgrade the line which would be extremely high. Ms. Garcia asked if she would be responsible for her own water but isn't that the cities responsibility. The Mayor responded by saying yes but if they can, but you would have to pay for any upgrades required to bring you water. Councilwoman explained right now the city cannot do it because the lines are at capacity. Ms. Owens asked if there was anyway Ms. Garcia could contact the person, she purchased the property from and request them to put in a line. Ms. Garcia responded by saying no because it is my brother. Ms. Owens asked how long the property was vacant, apparently five years. Ms. Garcia responded by saying more than five years. Ms. Owens explained the brother, or his daughter was notified that the meters were not just removed, that a customer can keep a meter by paying the minimum fee each month. Ms. Garcia stated her brother did not want to pay because he was not using the water. Mayor Bass explained that if they do not pay the meter is removed. Ms. Owens explained to keep the meter you must pay the fee. Mayor stated it is not the city denying the meter that it is TCEQ, the city operates under their management and we must follow their rules and regulations. Ms. Garcia asked if that means she will never have water there. The Mayor told her that until the city can upgrade the lines a meter will not be provided. Ms. Garcia said she was told that if she bought a water line, she would be able to get paid from anyone that tapped into her line. Ms. Owens told her no. Mayor Bass told her no that is not possible. Ms. Garcia asked how long she will be without water. Mayor Bass said you are going to have to move I guess; you can't live there without water. Ms. Garcia stated she already has builders starting to build. Mayor Bass said there can be no more meters out there at this time that they are at full capacity. Ms. Garcia asked if it will be a year. The city administrator it could be longer. Mayor explained there are others that would like a meter out there and can't. Mrs. Wiggins asked if TCEQ would allow the city to have an exception for one meter. Johnny Tabor said he has never heard of TCEQ being asked of a waiver. The city administrator explained that the problem is that the water supply is not there. TCEQ is going to require the city to update the water lines. Mrs. Bishop explained even if the city had the funds to upgrade the lines it would be a year or more before the project would be done. Mrs. Bishop explained other people have asked for meters in that area and have been told the same thing. Mr. Moore from Horseshoe bend addressed the council stating there are abandoned homes in the area that the city should investigate to see if any of those people would be willing to forfeit their meter to Ms. Garcia. Mrs. Bishop said she would investigate that and do everything in her power to help. There are not any promises, but she would try. Pam Combs explained if the customer is paying for the meter, we are not able to pull it.

2. Item was tabled at the request of Frank Warren
3. Item was tabled to speak to attorney
4. Council to discuss, consider and possibly take action on conceptual review of plans for property at 202 Evergreen. Deanna Warren introduced herself as being the Vice-President of Moreno Solutions Incorporated. Ms. Warren stated the company is proposing to build a 90-room hotel. The company plans on building the property to look like it belongs in Bruceville-Eddy. She explained it is going to have a walking trail that is landscaped with benches and covered pick-nick areas. The theme will be southern elegance. Ms. Warren explained the hotel will require some rezoning. Ms. Warren presented a presentation on the overhead projector. Alisha Bass asked if there would be a fence separating the hotel from the residences. Ms. Warren replied stating that is a good idea. City Administrator questioned if the company is asking the city to build Mimosa for access. Mrs. Bishop explained the city is not in a financial position to build roads. Alisha Bass said if the company uses Mimosa it will increase traffic on Evergreen. Councilwoman Linda Owens asked who was going to be developing this. Ms. Warren stated Moreno Solutions Incorporated. Ms. Owens asked where they are out of. Ms. Warren said Bruceville-Eddy. Ms. Warren let the council know the owners of the company are Frank Warren, Nelson Tabrez and Deanna Warren.
5. Council to discuss, consider and possibly take action on Ordinance 2019. Ordinance accepting the permit and platting fees for 2019-2020. Gary Lucas made a motion Allen Trigg 2<sup>nd</sup> all in favor 4 Against 0 Absent 0
6. Council to discuss, consider and possibly take action on Resolution 2020 Ordinance accepting the holiday schedule for the 2019-2020. Sonya Bishop, City Administrator explained the employees would like to ask council to consider letting the employees trade October 14<sup>th</sup>, 2019 Columbus Day for Monday December 23<sup>rd</sup>. Mayor asked if we are asking to just switch the days. Mrs. Bishop responded by saying yes. Councilwoman Linda Owens made a motion 2<sup>nd</sup> by Allen Trigg all in favor 4 against 0 absent 0.
7. Council to discuss, consider and possibly take action on Resolution 2019-05 authorizing Sonya Bishop, city administrator to apply for local park grant. Mrs. Bishop explained there are not any definite plans on a park



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that this is just asking for permission to apply for the grant.

Motion made by Gary Lucas 2<sup>nd</sup> by Linda Owens all in favor 4 against 0 absent 0

8. Code Enforcement report-

City Administrator read the code enforcement report due to Jay Stewart going out on a call. Mrs. Bishop stated code enforcement has 88 open cases, 37 of those in September and 9 cases in court.

9. Water Department Report-

Gene Sprouse was out due to a fire. Mrs. Bishop read the report provided by Mr. Sprouse. See attached.

10. Police Department Report. See attached.

Motion made by Linda Owens to allow officers to use vehicles off duty, allowing the Christmas assistance program and to remove officer Dorsey from probation to a full-time officer. 2<sup>nd</sup> by Gary Lucas. All in favor 4 Against 0 Absent 0

11. Engineers Report Question and Answers (see attached document for the Engineers Report)

Mayor Bass asked Mr. Tabor how many lift stations are lacking. Mr. Tabor responded by saying there are seven sites left that have issues. Mr. Tabor explained there is an issue with the Chon property. Mayor Bass asked if the surveying is the issue. Mr. Tabor explained this property is being traded for city property. Mayor Bass asked if one of the main lift stations was next to the railroads but the county and TxDot was confused about ownership. Mr. Tabor agreed and explained the property has been resolved. Mr. Tabor explained that another troubled area is Pine Street. There is going to need some work for the other stations.

Mayor Bass asked if anybody in the audience had a question and requested the questions are to be directed to council and to come to the podium, state your name and address.

Kyle resident of Melissa Street asked

Is there going to be any increase in taxes to cover the sewer project.

City Administrator stated there will not be an increase in taxes. Mrs. Bishop explained 6-million-dollar loan at a low interest rate and 4-million-dollar grant is paying for the project.

Kyle asked would he have to pay if he was not on the sewer system. Councilwoman Linda Owens asked if he was in city limits. He responded yes. Mayor Bass stated if you live in the city limits it is mandatory. Sonya Bishop City Administrator explained that is a condition of the loan/grant. Mrs. Bishop explained this can be found on the website. Mrs. Bishop explained an ordinance was passed a few months ago. Kyle wanted to know what his monthly payment would be. Mayor Bass said approximately 35 or 40 dollars a month.

Councilman Gary Lucas stated that the council researched and determined this system was the most cost effective.

Kyle asked when will the citizens be billed the extra fee. Linda Owens said once you get hooked up. Mayor Bass said it will take a year to build it and hopefully we will take bids in January.

Phil Reyna asked if the city ordinance has been passed requiring citizens to hook up to sewer. What options will citizens have if they live far from the street and sewer line expense is not covered by the city?

Councilwoman Linda Owens stated the Mayor said in the beginning of the project that there should be no cost to our citizens. Ms. Owens said that is the goal of the council. The tap will be free, it is in the contract. The sewer line from the tap to the home is questionable and we will not know until we go to bid for the project.

What options does the citizens have if it comes down to having a cost? Is the city not going to give the citizen an option?

The mayor responded by saying that the goal is to not make anyone pay because the council knows citizens are not in the shape to pay. Mayor said if the home is a long distance off the road he may have to compromise and say the city will pay so many feet and the citizen pay the remainder or possibly having a provision to allow them to not hook up to the sewer. Johnny Tabor said there is some provisions that will allow citizens to be exempted under certain circumstances.

Mr. Reyna voiced his concern that if there is a large fee many people will be forced to move out of the city. Gary Lucas stated the city council is trying to come up with a plan. Mr. Reyna stated the council needs to be transparent.

Mayor asked Terri Chenowith from the USDA if bids come in and the city needs more funding is it possible to borrow more funds. Ms. Chenowith stated it is an option, but they would look at other areas to save cost first. The engineer will have alternate bid items. If the city takes another loan it will be at whatever the interest rate is at that time.

Mayor Bass stated that at the beginning of the project citizens were promised not to have to pay for sewer hookup.

Delores Compton from Mustang Drive. Ms. Compton asked if the city comes up with a way to get people hooked up what the tap fee will be?

Mayor Bass explained people that come in later will have to pay but existing residents will be provided a free tap.

Ms. Compton asked since the city is expecting growth will the city pay the loan off sooner. Mayor Bass explained the city would really have to grow to pay it off early. That we do not want to grow like Hewitt. Terri Chenowith explained there is no penalty for early pay off. Ms. Compton asked if sewer prices will constantly increase? How far off the road do you have to be to be considered exempt from getting on the sewer system? Mayor Bass stated they have not determined that at this time. Ms. Compton asked will citizens be required to have their septic pumped and filled. Mayor Bass said that will be up to McLennan County health department. Linda Owens said she thinks a septic tank can set for some time before it caves in. Ms. Owens asked Mr. Tabor. Mr. Tabor said if it is made from barrels it will cave. Mr. Tabor said in general they said that it is advisable to have the tank pumped and filled with sand. Generally speaking, they are filled with flowable sand.

Mayor Bass asked Ms. Chenowith if we are making good progress. Ms. Chenowith stated the city has made great strides just in this year.

Wes Bass 320 Franklin Road. Mr. Bass stated former councilman Wilcox told citizens if we needed more money for the project it would be at 2%. He asked if we need more money what interest rates will the loan be at? Ms. Chenowith answered by stating the new loan would be at the interest rates at the time. Mr. Bass could the project start and then proceed with a loan if the city needed the funds. Ms. Chenowith explained construction cannot begin before that loan is in place. The bond council would need to act quickly to make sure the obligations are met in a timely manner. Ms. Chenowith stated she does not anticipate delays. Wesley Bass said that we all know the free hook really isn't free. Mr. Bass said that council will have to meet in the middle on the sewer line. Mayor Bass stated we may have to physically measure the amount of sewer line each home will require. Wesley Bass asked if the completion days are still the same and asked if the city is still on time for January 7<sup>th</sup>. Johnny Tabor stated he is going to doubt that we will be because the lift stations have not been secured. That the lift stations must be secured prior to him starting on the plans and permits to TxDot and Railroad. The longer that it takes to get the lift stations the longer it will take the engineer. The



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City Administrator stated she is pushing to get the lift stations. Mrs. Bishop stated we had a meeting with Mr. Thomas. Mayor Bass stated he invited Mr. Thomas to a meeting. Sonya Bishop stated we have made progress on 2 of the sites. Mr. Bass stated that \$35.00 a month is going to be low that the average sewer bill is \$49.00 a month. Mr. Bass said that the city needs to make sure they have a design map that is accurate and includes all changes. Johnny Tabor explained there is a big difference between a sewer line and other lines. The difference is the lines can't change grades or direction without a manhole. The sewer line runs manhole to manhole and there must be every 500 feet. Mr. Tabor stated that his contract states he must provide the city with drawings to show the project. Mr. Bass asked what kind of warranty the city gets on the sewer system. Johnny Tabor stated there will be a one-year warranty on the project. There are latent defect conditions if something happens if the contractor did something that causes the system to have a defect. If there is something that is done by Tabor Engineering that is not correct the company will pay for repairs.

Ricky Wiggins West 3<sup>rd</sup> Street. Mr. Wiggins stated reading the letter of intent to meet conditions there is roughly 600 meters and that is says mandatory. That the letter of conditions was done back in September 2017. Mr. Wiggins stated council leads people to believe they wouldn't have to hook up to the sewer and that is not true. Mr. Wiggins asked if people are going to have to sign up, that it was talked about before. Johnny Tabor said there will have to be some type of application for service to create an account for service with the city. There will be rules in that application example you can't put saw dust down the sewer, there are several things that will be restricted. Mayor Bass said the citizens will have to sign up like with water. Mr. Wiggins asked if we will have to have a rate prior to construction. Terri Chenowith stated USDA does require a budget prior of going to bid. Mr. Wiggins stated that information is in the letter of intent that the mayor signed two years ago. Mr. Wiggins suggested the city to go out and find companies that will offer discounts for filling in the septic tanks. Mayor Bass stated he didn't know this until recently that he did not think about it. Linda Owens stated they talked to somebody about it in a meeting previously. Sonya Bishop stated she emailed something from TCEQ that suggest the tanks are filled with sand. Mayor stated that it is right to have a contractor to come in at a reduced rate to fill the tanks, but the city would not pay for the tanks to be filled. Mr. Wiggins suggested that the council should seek a company to pump and fill the tanks at a discounted rate for the citizens. Mr. Wiggins said we just recently got the information put on the website, that is transparency and that is what we need.

Felicia Bass stated her septic tank is larger than most people and it cost 300.00 to have theirs pumped.

Kyle asked if the contractor does not complete the job in a timely manner, will they be responsible for paying a fee to keep the taxpayers from having to pay a higher price. Johnny Tabor said there will be a completion date and a liquidated damage amount. Kyle asked if the damage amount has been discussed? Mayor Bass said it would be normal amount. Johnny Tabor said it will be based from the amount of the contract.

Ms. Hinson 807 West 3<sup>rd</sup> asked if the bond was associated to citizens property. Terri Chenowith explained that the bond is not tied to property in anyway whatsoever. The bond is backed by revenue and taxes. Mayor Bass explained that the revenue from the sewer will pay for the bond. She asked to be able to see a hard copy of the plans so that the citizens know the plan. Johnny Tabor replied that there is a right of way map that was provided to the city, however, since that was done there has been done reroutes. The engineer company is working on generated a new right of way map. A new map will be sent out as quickly as it can be done. Sonya Bishop stated the map will be on the website. Ms. Hinson said she was told the sewer would be \$79.00 a month. Ms. Bishop explained there will not be a final amount of what the sewer monthly bill will not be

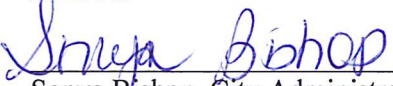
known until after we go to bid. Ms. Hinson said they were told only so much sewer line would be given. Sonya Bishop replied that has not been determined. Linda Owens said that was an example. Mayor Bass said we will not know until we go to bid. Ms. Hinson said she did not think the city needed easements because the sewer was mandatory. Mayor Bass explained that is not the case.

Meeting adjourned 8:52 PM

seal

  
\_\_\_\_\_  
Mayor Connally Bass



**Attest:**  
  
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Sonya Bishop, City Administrator