



The City of Bruceville-Eddy Rising into the Future

143 Wilcox Drive
Eddy, Texas 76524

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 9th day of January 2020 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 6:30 PM. In attendance:

Councilmen present:

Mayor Connally Bass
Allen Trigg
Linda Owens
Phil Reyna
Rick Eaton
Ricky Wiggins

Employees present:

Sonya Bishop
Juan Cardenas
Johnny Tabor City Engineer
Pam Combs
Frank Warren
Gene Sprouse
Officer Dorsey

Citizens attendee sign-in sheet attached.

Mayor Bass called the meeting to order 6:32 PM. Mayor Bass welcomed everyone.

Councilwoman Linda Owens led the prayer and Pledge of Allegiance.

Citizen Comments: NONE

Mayor called roll all council present

Consent Agenda:

I. Council to consider A/P for General and Water Funds December 2019

Motion made by Ricky Wiggins 2nd Linda Owens all in favor 5

Mr. Wiggins stated he has thoroughly reviewed the financials and has been working with city staff to review the documents.

II. Council to consider minutes of regular meeting on December 10, 2019

Motion made by Ricky Wiggins 2nd Linda Owens all in favor 5

1. Engineers Report: See attachment A

Mr. Tabor passed out his report. There has been no change in the sewer project, other than the realtor getting the lift stations. Mr. Tabor stated he knows the city has made process with the project. The city must get the title to the land for the USDA grant.

Creekside Ranch Group is a development in process, waiting on documents.

Remington Ranch contract was awarded to BT Russel from sealed bid award. Mr. Tabor explained this project did not cost the city anything. The developers paid 60,000 for tap fees in advance.

2. Police Chief Report- see attachment B

Chief Cardenas informed council he moved Jay Stewart over to the police department and hired another

officer to fill his vacant position. Mrs. Bishop asked if the officer has seen Esther yet for his benefits. Chief Cardenas stated he has all agency reports to bring all local agencies on to one radio frequency.

Mr. Wiggins informed Chief that he has been asked to have officers patrol Franklin Road. Chief explained he has the officers on a rotation and will address the concern with his officers.

Mr. Wiggins asked the audience if they knew of any areas that need more police presence. Mr. Eaton stated that citizens complain they never see officers.

Chief asked to meet in executive session to discuss legal matters, that cannot be discussed publicly. Council, City Administrator and Chief Cardenas went into executive session 6:45 PM

Council Returned from Executive Session 7:27 PM- no action to be taken from executive discussion only.

3. **Code Enforcement Report:** Mr. Warren had to leave. Ms. Owens stated he said everything was about the same. Mayor Bass said he stated the new city hall was progressing.
4. **Water Department- attachment b**
 - a. **Council to discuss, consider and possibly take action on contracting U.S. Underwater Services, LLC for ROV yearly inspection in the amount of \$3,005.00.**

Mayor Bass asked if they dive into the tank. Mr. Sprouse replied no, they send in their cameras. Gene explained this covers all expenses.

Motion made by Linda Owens to accept 2nd by Ricky Wiggins approved by 5
5. **Council to discuss, consider and possibly take action on purchasing of property for lift stations (Executive Session)**
6. **Council to discuss, consider and possibly take action on approving the final plat of the Wall Addition**

Councilwoman Owens asked if they knew what they planned on doing with the property? Jennifer Ryken with Turley Associates stated the owners do not know what they are planning on doing as of yet. City Administrator, Sonya Bishop stated if they decided to do something other build a home, they would have to come back to city council to have the property re-zoned. The property is zoned residential. Linda Owens made a motion to approve the final plat 2nd Rick Eaton all in favor 5
7. **Council to discuss, consider and possibly take action on abandoning Field Street and Harris Field Addition.**

City Administrator, Sonya Bishop explained that the property was separated the property and put a road in the property. Mrs. Bishop explained the taxes was paid by the owners Mr. Wall. Mrs. Bishop stated it will not reflect anything for the city.

Linda Owens made the motion to abandon 2nd Allen Trigg all in favor 5
8. **Council to discuss, consider and possibly take action the record retention policy.**

Mr. Wiggins explained one of the things the council talked about in the class he attended was record retention policy. He discovered that the policy is 20 years old.

Mr. Wiggins made the motion to table the item Linda Owens 2nd. All in favor 5
9. **Council to discuss, consider and possibly take action draft of social media policy**

Mr. Wiggins made the motion to table the item Linda Owens 2nd. All in favor 5
10. Mr. Wiggins asked to table the item due to the attorney not being present **Council to discuss, consider and possibly take action placing the city attorney on a retainer fee**

Mr. Wiggins made the motion to table the item Linda Owens 2nd. All in favor 5
11. **Council to discuss, consider and possibly take action amending Ordinance 112019, referring to controlling the use of storage containers within the city limit.**

Mayor stated this was just passed November 10, 2019. Mr. Wiggins stated that section 3 states that cargo containers are not permitted on residential property and section 4 gives the home owners 120 days



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to comply. Councilman Wiggins said the people should be grandfathered. Jay Stewart asked to address council to explain that some folks have the containers blocking their driveway. Councilman Wiggins asked if they violated any ordinance when they put it there? Mr. Stewart replied no sir. Councilman Reyna asked how many of these situations do we have. Jay responded by saying several. Councilman Reyna asked Jay if he or Frank Warren could talk to the person and ask them to move them. City Secretary, Pam Combs explained to council that the owners did not get a permit. Mr. Reyna said if they are in violation of the permit, they need to take care of it. Mr. Wiggins asked why hasn't anyone talk to the Owners about the situation. Jay Stewart stated they had spoken to the resident. Linda Owens made a motion to amend ordinance 112019 that citizens who owned cargo trailers prior to the ordinance on November 14, 2019 be grandfathered. Motion 2nd by Phil Reyna all in favor 5

12. Council to discuss, consider and possibly take action on amending resolution 112019-01 allowing employees vacation and sick leave benefits to accrue.

Councilwoman Linda Owens asked if an item can be put back on the agenda that was recently voted on. Mayor Bass said he thought there was a 90 grace before an item can go back on the agenda. Councilman Wiggins asked to amend the resolution. He stated there was some confusion to the item. Mr. Wiggins asked the city administrator if she said employees can roll over vacation days 2 weeks at a time and roll over again in the second year. Mrs. Bishop explained no that this is just a way the employee can roll over vacation into personal days up to 2 weeks, never to exceed 2 weeks. Mr. Wiggins asked what is the maximum of personal days an employee can earn? Mrs. Bishop stated 2 weeks. That prior to her coming to the city employees lost all unused time. The policy makes the employee feel obligated to be sick to use the time earned. Mr. Wiggins asked why not roll over the time into vacation? Mrs. Bishop stated she was trying to look out for the city by rolling into personal days as they are not paid if the employee leaves. Mrs. Bishop said she is not opposed but it is not beneficial to the city. The employees are on board with the plan. Mrs. Bishop stated she is protecting the city and giving the employees an extra benefit. Councilman Rick Eaton stated the company he works as a PTO, as an example. Gene Sprouse explained that the city had to buy 2 weeks of his vacation because he could not take vacation. Mr. Wiggins asked why couldn't he take his vacation? Gene Sprouse explained because there were only 2 staff at the time due to employees being out on sick leave. Gene stated he appreciates being able to roll vacation and sick leave.

Motion made by Councilwoman Linda Owens to amend November 14, 2019 minutes to state the correct verbiage to the resolution. Amend the minutes to say 2 not 3 and remove the 2nd year verbiage. 2nd by Phil Reyna all in favor 5

13. Council to discuss, consider and possibly take action on amending the water company policy regarding charging a water customer a minimum month charge whenever someone is going out of town for a few months and want to have their water cut off.

Mr. Wiggins stated he had this placed on the agenda so that if someone is going out of town, they don't have to pay minimum fee, saying they can cut the water off with a time limit if somebody does not utilize the fee. Mayor Bass stated a lot of people have meters that they do not use and pay the base rate to reserve the meter. Gene Sprouse explained the utility department has to maintain the meter and the

water to that meter. Alisha Bass explained they have a meter on her property that is not being used, do you think she could have the service for free. Mr. Wiggins stated he says yes. Gene Sprouse stated again that the city is obligated to supply water to that meter and read the meter. Councilman Rick Eaton stated that if he goes on a trip to the Caribbean, he still has to pay county taxes, city taxes and other bills. Mr. Wiggins said in some cases you do not have to pay if your gone, you can have it disconnected like cable TV. Sonya Bishop explained the difference is that it is not a utility service. The city has debt obligation to the water system. The flat rate is determined by the debt obligation. If a person has his meter removed there is a risk of the citizen not being able to get their meter back without paying line upgrades. Mr. Wiggins asked if it was less than 1% of customers we are asking. Gene stated he would have to get with the utility clerk to get precise numbers. Mr. Wiggins said why can't we do this for those people. Sonya Bishop explained you can help those people; however, you are going to hurt the majority because we will have to increase water rates to recoup the loss. Mr. Wiggins asked does she really think it will make that much of a difference. Mrs. Bishop stated yes it would be hurtful to the city.

Councilman Reyna asked why are we discussing this. Mayor agreed

Councilwoman Linda Owens made the motion that the ordinance is left as is. Mr. Talbert from the audience stated the reason the city implemented the base rate for unused meters is because the city is responsible to maintain the minimum water pressure allowed by the state, is 35 psi (pounds per square inch) for every meter in the city, maintaining that PSI for unused meters cost the city money.

No action taken. The ordinance remains in effect

14. Council to discuss, consider and possibly take action on AC solutions being low bid on the pavilion conversion and accepting an affidavit of substantial interest in. Also, the filing the local government officer conflicts disclosure statement.

Mayor Bass removed himself from this item due to his son having part ownership of AC Solutions.

Mayor Pro-Tem Linda Owens took the meeting over.

Mr. Reyna asked to table the item until we hear from the attorney. Councilwoman Linda Owens stated at this time there is no reason to contact the attorney, the council voted on the item and as acting mayor she researched and that the council was aware that the son of Mayor Bass is part owner that the decision was made by the council. That council researched the company prior to accepting the bid and the quality of their work. Councilman Reyna asked if the council was aware, does that mean everybody in the audience was? Mrs. La Donna Reyna stood in the audience stating she was not aware that the company was part owner and that neither was her mother. Mrs. Reyna said that on social media one of the concerns from citizens is transparency that there are rumors people are lining their pockets with the city's money. Mayor Pro-tem Owens stated that the council was aware and she apologized the citizens did not know. Wes Bass stated he understands what councilman Reyna is saying. Mr. Bass stated he typically does not work in the city but he made an exception for the city. He and his partner cut the cost 12 hours 5 men and better equipment as a donation to the city. He stated he would remove himself it was going to cause problem and it definitely is not lining his pockets, that he cut his numbers to help the city. Councilman Reyna stated he has no problem with the Bass family but when citizens see the mayor's son working on the city hall they will talk. Mr. Bass said you can't make everyone happy and you can't run the city from Facebook. Mr. Wiggins stated the process in hiring for the conversion was not the handled correctly. That bids were not put out there. Mr. Wiggins stated he wanted the bids to be sealed and posted on the website. Sonya Bishop asked if she needed to go back and redo the process for bids? Mayor Pro-Tem stated no. Councilman Phil Reyna asked if anyone else was related. Sonya replied not to her knowledge. That since this issue came-up she contacted the lawyer and was advised to have mayor fill out the forms from the ethics board and remove himself when talking about this topic. Mrs. Bishop apologized the citizens for not informing the community that she assumed everyone knew. Councilman Wiggins stated that he and councilman Reyna asked Sonya Bishop the other day if the bids were said and she replied no. Sonya Bishop stated that is true but what she considered a seal bid is not the same as what Frank Warren calls a sealed bid. Sonya explained to her a sealed bid is a bid in an envelope that is opened in public and read aloud with one person in charge. That is not what happened with the conversion.



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Motion made by Phil Reyna from January 9, 2020 going forward bids are made open to the public, publicized and sealed bids not opened until a public meeting. 2nd by Allen Trigg all in favor

Motion made by Allen Trigg to adjourn 8:32 PM

Connally Bass
Mayor Connally Bass

seal

Attest:

Sonya Bishop
Sonya Bishop, City Administrator

attachment A p 91



Police Department

143 Wilcox Dr.
Eddy, TX 76524

www.bruceville-eddy.org

Phone: 254-859-5072
Fax: 254-859-5258

Police Department Activity report: December 1, 2019 – December 31, 2019

Calls for Service: Total 109

890 Cardenas	893 Lopez	894 Pham	895 Dorsey
10	23	47	29

Reports: Total 39

890 Cardenas	893 Lopez	894 Pham	895 Dorsey
5	7	10	17

Crash Reports: Total 4

890 Cardenas	893 Lopez	894 Pham	895 Dorsey
1	1	0	2

Citations & Warnings: Total 470

("c" citation – "w" warning)

890 Cardenas	893 Lopez	894 Pham	895 Dorsey
9c – 24w	31c – 28w	129c – 26w	179c – 44w

- Moved City employee James Stewart to the Bruceville-Eddy Police Department from City Water Maintenance Department. Is currently acting as Admin Assistant until Stewart can start the Central Texas College Police Academy in February.

attachment pg 2



Police Department

- Interviewed 1 person after receiving only 1 application for Patrol Position. Conducted background investigation for the 1 person that applied.
- Released 3 guns from evidence room based on discovering 2 were reported stolen out of different counties and 1 was released based on McLennan County DA's office not convicting on related case.
- Processed 3 registered sex offenders.
- Worked on seizure property (vehicles) due to paperwork not displaying correct vehicle identification (model).
- Worked on approval letters from neighboring agencies to join their radio channel to improve communication with agency assist calls.
- Worked on Police Department Policy (New).
- Worked on Evidence room. Attempting to get evidence removed so Officer Lopez can focus on cases that have evidence able to go for destruction or be used by department.
- Did Bruceville-Eddy Christmas assistance program, we only received 1 application for assistance and that person was given toys for 3 small boys. We did receive money donations to buy presents for children and Myself and Officer Lopez picked 2 children from the Angle Tree program and gave those children presents using the money donations.

WARNING, some information may be considered sensitive information and is only shared with city employees to inform them of the operations and or task that have been preformed by the Bruceville-Eddy Police Department. Details of open cases will not be shared to the public or certain staff until the investigation is deemed closed or the District Attorneys Office handling the case authorizes information to be shared.

CITY of BRUCEVILLE-EDDY

ENGINEER'S REPORT ON PROJECTS – 1-9-2020

(See past Engineer's Reports for historical updates.)

USDA-RD New Wastewater System:

10-10-19 City Staff and my office continue to meet regularly to work on this project:

	Project Milestones	Current Status	Due Dates	Notes
1	Engineer - TCEQ Permit - Application	COMPLETED		
2	Engineer - WWTP Field Topo Survey	COMPLETED		
3	Engineer - Sewer System Topo Survey	COMPLETED		
4	Engineer - Plant Site Soil Testing	COMPLETED		
5	TCEQ Issues Final Discharge Permit	COMPLETED		
6	City - Approved Service Area & Residential Grinder Pumps	COMPLETED		
7	City - Annex County Right-of-Way	COMPLETED		McLennan County approved Memo of Understanding on 5-21-19
8	City - Approve Draft Sewer Use Ordinance	COMPLETED		Council approved and passed on 3-28-19
9	City - Acquire Easements	COMPLETED		Reviewing final easements and right-of-way map
10	City - Acquire Lift Station Sites	Work in progress	9/24/19 <i>TKDOT</i>	Sites B & D approved; City's Real Estate Agent working on Sites A, C, E, F, G, H. Legal Counsel working on Cohn property <i>Rod/Rosa w/ Johnson.</i>
11	City - Acquire Street Right-of-Way	Work in progress	9/24/19	Waiting on 2 roadway easements
12	Engineer - Acquire Right-of-Way Permits (Railroad, TxDOT, County)	Work in progress	45 Days after 9 - 11	<i>Completed</i> Engineer is working on permit data
13	Engineer - Final Plans & Specs for Wastewater Treatment Plant	Work in progress	45 Days after 9 - 11	Engineer is working on structures design
14	Engineer - Final Plans & Specs for Sewer Collection System	Work in progress	45 Days after 9 - 11	Engineer is working on cost saving re-routes and services design
15	Engineer - Submission of Final Plans & Specs to TCEQ & USDA RD	Work in progress	45 Days after 9 - 11	
16	Engineer - Final Right-of-Way Map	Work in progress	45 Days after 9 - 11	
17	Plans & Specs Approve by TCEQ & USDA RD		60 Days after 14	
18	Letter of Conditions deadline	Date	January 7, 2020	

11-14-19 Update: No change.

12-12-19 Update: No change.

1-9-20 Update: No change.

Creekside Ranch Group:

This is a 25 Meter Subdivision on Winchester Drive and is funded by Creekside Ranch Group.

8-8-19 Update: Waiting on a final plat from the Developer.

9-12-19 Update: No change.

10-10-19 Update: No change.

11-14-19 Update: No change.

12-12-19 Update: No change.

1-9-20 Update: No change.

Eden Farms – Remington Ranch Subdivision:

This is a 42 Meter Subdivision on Remington and is funded by Eden Farms LLC. ✓

11-14-19 Update: Nine (9) sealed bids were received and opened on 10-31-19 at City Hall (see attached Bid Tabulation). The low bidder was B&T Russell Contracting from Abbott, Texas. The City Staff and I met with the Developer representative on Thursday, 11-7-19, to discuss the project and possible award of construction contract. I explained that B&T Russell Contracting has been doing water construction and repair for many years and my firm has worked with this contractor on other projects and found their work to be satisfactory. I recommend that the Council authorize the Mayor to sign the Notice of Award to B&T Russell Contracting for a total construction cost of \$148,080 (see attached Recommended Award) after the City receives full payment from the Developer (see attached Developer Cost Breakdown).

12-12-19 Update: After receiving full payment from the Developer for the project, the Mayor signed the Notice of Award. The construction contract has been executed by the contractor including Payment and Performance Bonds. The Mayor signed the construction contract today and a Pre-Construction Conference is scheduled for Tuesday, December 17th at City Hall. The Notice to Proceed will be issued at that time.

1-9-20 Update: Under construction. Construction complete date is May 28, 2020.