



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

**Regular City Council Meeting
July 27, 2023, 6:00 p.m.
Minutes**

1. Call to Order by Mayor Owens at 6:00 pm

Councilmembers present: Connally Bass-Mayor Pro Tem, Ricky Wiggins, Cecil Griffin, Richard Prater, and Graham McGruer.

Staff present: Kent Manton-City Administrator, Pam Combs-City Secretary, Danielle McGruer-Court Clerk, Gene Sprouse-Public Works Direct, Thomas Arnold-Code Enforcement, and Chief Dorsey.

2. Community Announcements

1. **On August 5th at 2:00-4:00 going to have personal security/active shooter class at the Family Life Center at the Eddy United Methodist Church in Eddy.**
2. **On August 15th at 10:00 am we are going to be praying for all the teachers and school employees. It will be in the high school cafeteria.**
3. **August 19th on the lawn of the Bruceville-Eddy United Methodist Church they are going to have a fun day with bounce house, pony rides, water sprinklers, and food.**

3. Citizen Presentations

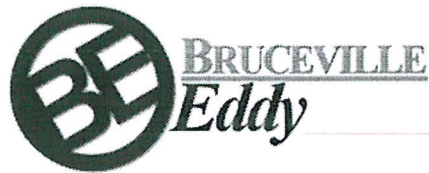
The City Council welcomes public comments at this point on items **not** specifically listed on the agenda. Speakers must sign up before the meeting begins. Speakers are limited to five (5) minutes each. The Council cannot respond to matters not listed on the agenda until a future meeting.

Letter from Mr. Wiggins on 105 Church St, Bruceville, he just wanted to thank Mr. Arnold

4. Replat - Lots 95-99 of the Shady Shores Estates Addition

Council to discuss, consider, and possibly take action on the submission of a replat for property owned by Thomas and Donna Buffington; being five lots (95-99) totaling 0.574 acres to be named lot 102 of the Shady Shores Estates Addition in the City of Bruceville-Eddy, McLennan County, Texas. Replating of property called lot 95 0.1148 acres described in a deed to T.J. Buffington as recorded in volume 67, page 613 of the deed records of McLennan County; further of property called lot 96 0.1148 acres described in a deed to T.J. Buffington as recorded in volume 754, page 245 of the deed records of McLennan County; further of property called lot 97 0.1148 acres described in a deed to T.J. Buffington and Donna Buffington recorded as MCC 2001006170 of the deed records of McLennan County; finally as properties called lots 98 and 99, 0.2296 acres described in a deed to T.J. Buffington and Donna Buffington as recorded in volume 419, page 763 of the deed records of McLennan County.

Motion made by Connally Bass, I move we approve the plat with conditions and recommendations from MRB Group letter, dated 7-19-23, 2nd by Ricky Wiggins, yeas 5, nay 0, motion passes



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

5. **Police Chief's Report – Chief Michael Dorsey**
Calls of Service: Total 107, Arrest, Offense, Incident Reports: Total 12, Crash Reports: Total 7, Citations and Warnings: Total 284
Citations Total: 188, Warnings Total: 96
Police Department Activity Report: June 2023
Security checks: 327; School Zone Enforcement: 0; Neighborhood Patrol: 92; Directed Traffic Enforcement: 86
6. **Public Works Director's Report – Gene Sprouse**
Friendly Oaks well is back on and flushing we are waiting on Bac T sample before we can put it back on the system.
Street patching county had started Crescent Meadows.
Currently under a burn band
7. **Engineering Reports**
Please see attachment
8. **Community Development Report – Thomas Arnold**
Please see attachment
9. **City Administrator's Report – Kent Manton**
City Administrators Report: 7/27/2023

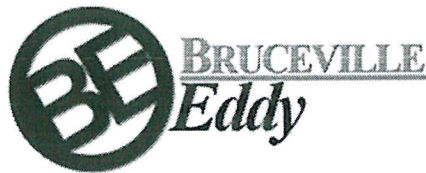
Chapter 54 Case Update

On 7/12/2023 I received an update from our City Attorney on the status of the case we are working to file under Chapter 54 of the Local Government Code. He is working on shoring up his petition and will be reaching out to us to finalize some of the required statements. Bottomline, he is looking to file in District Court in the coming weeks.

Sewer System

On June 22nd, City staff sent a finalized list of our verified and anticipated sewer connections to Tabor and Associates for review. Johnny and his team are working to verify the count of LUEs on the forthcoming system and to see if there are any engineering design changes that must occur to serve new connections that have been established since the preliminary work was completed years ago. Further, on 6/28/2023, I submitted requested documentation from our closing instructions to Terri Chenoweth, our USDA Loan Officer, regarding our sewer rate structure as well as our business operations plan. She has responded that it will likely take several weeks for a review of the documentation due to a mold issue they are currently dealing with at the USDA regional offices in Hillsboro.

On 7/10/2023 we received an unexpected and welcome e-mail from USDA. A waiver has been granted for all projects planned prior to 5/14/2022 from the Build America, Buy America requirements should we need to receive additional funding from USDA for our project. As a reminder, while BABA did not apply to our currently secured loan and grant, BABA would come into play should the USDA choose to provide additional funding for our project, making us



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

short and long haul depending on how everything else plays out. The waiver is valid until 6/20/2024 and Tabor and Associates has already asserted that we will be able to meet this deadline.

BVRT is still working on the agreements for the Council's consideration on a possible public private partnership (P3) to help offset costs for the sewer system. Both Tabor and Associates and USDA thought it prudent to move forward with these agreements now to give us plenty of options as bids come in.

August 3rd, 2023 has been set for the tour of the BVRT Plum Creek WWTP. Staff and elected officials from Bruceville-Eddy, McLennan County and surrounding municipalities have been invited to visit the site to better envision how a similar setup here in B-E could serve as a regional approach to wastewater treatment.

At this time, we are currently on track for a fall bid on the sewer project pending no other major barriers arise.

Water System

Westridge Well:

On 7/3/2023 we were informed that our warranty request for the motor at the Westridge wellsite has been approved. They will be shipping us a new motor in the coming weeks and Juergensen Pump has offered to provide the pull/replacement of this wellhead at no cost should the motor be covered by Franklin's warranty department. The remaining cost for this site will be for the electrical protections and the purchase of new electrical and air lines that were affected by the surging event we experienced. The cost of the new electrical and airlines has been included in the agenda for your approval.

I still of the opinion that we need to keep this wellsite offline and disconnected from the electrical distribution system until we are able to install similar electrical protections as we have at the Friendly Oaks site needed to protect the well from inevitable surges.

Friendly Oaks Well:

Our Public Works crews were able to complete the trenching work to prep the Friendly Oaks site for the electrical upgrades being performed by Wallace Electric.

The VFD (variable frequency drive) arrived this past week and is planned for a 7/21/2023 installation/calibration date. The booster pump VFDs are already installed and ready to go so we will begin flushing the well immediately after the VFD is in place. We are anticipating this well to be back on-line the week of 7/24/2023 with only a few more final needs left outstanding on this project.

Feasibility Study for New Water Well:

On 6/23/2023, MRB Group engineers joined us as we toured three potential locations in Falls County for the site of our newest groundwater well. Their team is continuing to work on a proposal for a well feasibility study and this tour undoubtedly helped move the sticks forward.

The Mayor and I have already met with a financial advisor from SAMCO to discuss some of the options we have to finance this project and will be meeting with First National Bank of Moody later this month in the same regards. Initial expectations are pointing towards a price tag of 1.5 – 2 million dollars.



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

Storage Tank Inspections

Ron Perrin Water Technologies completed the annual inspections of our water system storage tanks on 7/17 and 7/18/2023. The full inspection reports will be made available to you as received. The proposed budget for 2023-2024 includes funding for additional tank cleanings and repairs.

Water Loss Report Findings

At the June Council meeting, staff were requested to study the water loss report to determine what is included in the calculation. I have included my findings along with a separate set of recommendations to address the water loss issue below:

Definitions on Water Loss Report:

Total Pumped: This is the culmination of our daily meter readings from the past month on ALL groundwater well sites as well as the intake from Bluebonnet WSC.

Total Sold: This is the amount of water that was billed to customers and will be collected as water sales revenue.

Total Flushed: This number is comprised of staff estimates on water loss from known leaks, flushing activities, an allocation for the volunteer fire departments operations, and our unbilled accounts' actual meter readings (City facilities).

Total Loss: This is the remaining water that is currently unaccounted for in our water system from the previous month. This water is going out the door via leaks, flushing, faulty meters, and any possibly illegal connections.

At the end of the day, it is clear we have a water loss problem. However, our engineering firm does not believe our current water loss average is too far off from other systems similar in size and age.

I will begin providing you with the annual water loss average for our system with the monthly Public Works Director's report, that in my opinion, paints a more accurate picture of our water loss situation and removes the variable of overlapping billing and reporting dates.

Water Loss Recommendations

MRB Group has stated that they will be able to provide us with an acceptable water loss rate based on our system's total linear feet once the hydraulic analysis has been completed.

My desire is to use this number as a target for us to begin working internally and through external assistance to address the water loss that is currently occurring on a system wide scale.

Step 1: Continue the practice of having our Public Works crews search for water leaks by riding roads and walking through pastures to look for the tell-tale signs of water leaks. This is the most cost-effective approach to locating surface level leaks. We will also rely on leaks reported to us from our customers and we will continue to ask for public assistance through public outreach. This approach is limited however and does not always result in us crews being able to locate the primary source.



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

Step 2: Engage with a company with the ability and incentive to review our billing software and practices to ensure we are currently collecting at every available opportunity. I have reached out to a vendor that could potentially result in a water revenue increase of anywhere from 3 to 8%. More information coming soon.

Step 3: Work with our engineering firm and/or a leak detection company to perform a more advanced and comprehensive water loss audit. This will likely be performed through a combination of tactics such as thermal drones, acoustical sound detection, and master meters to better pinpoint leaks that are likely undetectable through visual practices. We have already requested information from at least one vendor on what it would take to perform this study.

Step 4: Ensure we are properly preparing for the cost that it will take to get these potentially large water leaks repaired correctly by replacing the aging lines that are the main contributor to our water loss issues.

Bluebonnet WSC

On 7/18/2023 I attended the regularly scheduled meeting of Bluebonnet WSC with Gene. Directors were presented with two options (A & B) for the annual operating budget. One was based on the current \$3.50/1,000 gallon rate structure (Option A) and another at a rate of \$4.00/1,000 gallons (Option B). Directors elected to go with their Budget Committee's recommendation to stay with the \$3.50/1,000 gallon rate for the time being (Option A).

A copy of the 2023-2024 adopted annual operating budget along with Option B has been attached to my report as 'Exhibit A'.

Unfortunately, it seems that Option B is inevitable due mainly to the financing of a new 6.8-million-dollar pipeline to deliver increased water to Spring Valley WSC. The Board of Directors requested that General Manager Jim Lilley make every attempt to push the payments on the forthcoming loan to coincide with the following fiscal year's budget (2024-2025). Bottomline, we may be having to revisit our water rate structure much sooner than expected.

Street Repairs

McLennan County is planning on beginning work in Bruceville-Eddy mid-July for the street repairs approved earlier in the year: Crescent Creek, N Mesquite, Archie, Ausborn, a portion of Hungry Hill, and the southern section of Temple. The plan is to begin with downtown area streets and work out from there. Public Works crews have already responded to the County's request to trim back trees along these streets in anticipation of project commencement.

Our team tackled as much as the possibility could with the materials, we received from Rock Asphalt in May and have since run out of street patching material. Our budget for street repairs for the year is essentially all accounted for with the road repairs from the County in the equation. We will readdress funding availability after we receive an invoice from the County and make additional patching materials purchases if able.

TXDOT has informed us that we will need to contract out the repairs for the section of road that was recently cut for emergency repairs to a water line underneath FM 107 / 3rd Street. We have contacted a local vendor for a quote for hot mix asphalt and a new stripe and are awaiting to hear back as of 7/20/2023.

Rental Registration Program

The research into the establishment of a rental registration and inspection program was paused while we awaited the outcome of a new State law that sought to remove authority from cities in regard to the creation of certain regulations.



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

The super preemption bill, as it has been labeled in the media, was signed into law, but is currently being challenged in Court by The City of Houston among others. Regardless, the final bill language did not seem to affect us in this realm and we have once again begun working on our next step of engaging stakeholders for feedback.

Committee Updates

Budget

The budget committee has finished its work for the year and has made an initial recommendation via the proposal FY 2023-2024 operating budget.

Infrastructure Planning Committee

No recent meetings were held. We are waiting finalization of hydraulic model and GIS mapping as well as the feasibility study for the proposed new water well in Falls County.

Development

WBW Development, INC. – Unnamed Residential Housing

The land purchase for 901 Eagle supposedly closed on July 10th, although I have not yet received confirmation.

KBAR - Eagle Ranch:

Staff and our Engineering Firm held the initial predevelopment conference for the proposed Eagle Ranch subdivision on 6/6/2023. The development team discussed their current site plan and had some questions regarding our subdivision ordinance as they finalize their preliminary plat for submission.

We have yet to receive any additional information concerning this project. It is likely they are currently tied up with larger development activities in the City of McGregor.

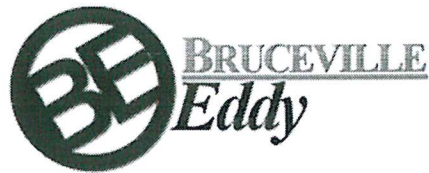
Ascent Travel Center:

On 6/27/2023 a follow-up e-mail was sent to representatives with Ascent Travel Center informing them of their next steps as they near the home stretch and begin looking to turning dirt. MRB Group completed their construction plan review on this same date and have approximately 4-5 pages worth of comments for their revision needed to conform with our code of ordinances. We are hopeful that their team will be able to quickly make these adjustments and submit updated plans along with the final plat for your consideration.

Neither MRB Group nor The City of Bruceville-Eddy have been engaged for additional information. We have received the Engineer's invoice for the construction plan review and our Finance Director is working on preparing an invoice for their attention.

CEFCO:

No additional updates from CEFCO at this time. The Mayor and I will be meeting with BEISD Superintendent and Board President on 8/7/2023 to discuss the project and look for opportunities to work together and hopefully find a path forward.



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

FM Land Holdings:

No further plans at this time. They are awaiting the completion of the water model by MRB Group and look forward to potential negotiations for water system capacity when we are able to explore our water system upgrade options in Falls County.

Deer Creek MUD:

On Friday 7/7/2023, representatives with the City and MRB Group met with the team from Deer Creek Ranch including their newly acquired engineering firm (Pape and Dawson) to begin discussions on potential agreements for water/wastewater infrastructure operations. The original MUD bill that was sent to the Governor was one of the items vetoed as a result of the property tax standoff between the House and Senate last month.

The MUD ended up getting passed under HB 5344 / SB 2596

The MUD is currently reviewing their options for moving forward with their engineering firm and has begun engaging with BEISD for potential future school sites dedications.

10. Consent Agenda

All items listed on the consent agenda will be considered by the City Council and will be enacted on by one motion. There will be no separate discussion of these items unless a Councilmember or a member of the public so requests.

A. Approval of Minutes

Council to discuss, consider, and possibly take action to approve the minutes from the June 22, 2023 City Council Meeting.

B. Finances – June 2023

i) Council to discuss, consider, and possibly take action to approve the June 2023 financial reports for the general, water, and sewer fund accounts.

ii) Council to discuss, consider, and possibly take action on approving June 2023 accounts payable for the general, water, and sewer fund accounts.

C. Establishing the 2024 City Holiday Schedule

Council to discuss, consider, and possibly take action on resolution 7-27-2023-1, establishing the city holiday schedule for calendar year 2024.

D. Designation of Official Newspaper

Council to discuss, consider, and possibly take action on resolution 7-27-2023-2, designating the official newspaper of the City of Bruceville-Eddy for the upcoming 2023-2024 fiscal year.

Mr. Wiggins would like to pull out Item 10A for discussion.

Motion made by Graham McGruer to approve items B (i & ii), C, and D of the consent agenda, 2nd by Ricky Wiggins, yeas 5, nay 0, motion passes



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

Motion made by Ricky Wiggins to amended item 10A to read Minutes on it, and also want to call our attention to Item # 17 of those minutes which was about the employee's health insurance plan selection and we talked about that in length and that was a miss interpretation on his part about the total cost and he informed everyone of the correct amount and apologized for the misunderstanding and his misleading information concerning the cost of the health insurance. 2nd by Richard Prater, yeas 5, nay 0, motion passes.

11. Presentation of the Proposed 2023-2024 Budget and Tax Rate

Council to discuss and consider the proposed 2023-2024 budget and tax rate. City Administrator, Kent Manton will provide an overview of the proposed 2023-2024 budget and tax rate and solicit initial feedback and/or amendments prior to the council budget workshop.

No Action taken

12. Friendly Oaks and Westridge Water Plants – Repairs to Groundwater Wells

Council to discuss, consider, and possibly take action to address electrical and mechanical issues at the Friendly Oaks Water Plant site and the Westridge Water Plant site that has resulted in their inoperability, including the approval of any needed repairs and related expenditures.

Motion made by Ricky Wiggins that we approve the bid for Westridge Well not to exceeded \$8,000.00, 2nd by Graham McGruer, yeas 5, nay 0, motion passes.

13. Zoning Interpretations and Classification– Bed and Breakfasts / Short-term Rentals

Council to discuss, consider, and possibly take action pursuant to Exhibit 14A, Zoning Ordinance, Section 7-200 on a request by the City Administrator and City Secretary for the interpretation and classification of new uses of land and buildings: bed and breakfasts / short-term rentals; creating definitions and classifications; usage in certain zoning districts.

No action taken need more information

14. B-E Safe Program Overview and Discussion

Council to discuss, consider, and possibly take action on the development and implementation of the B-E Safe Community Group - presentation by Chief Dorsey.

Motion made by Graham McGruer recommended that we try this out for 60 days, 2nd by Ricky Wiggins, yeas 5, nay 0, motion passes.

15. Employee Handbook Changes: Overtime & Compensatory Time

Council to discuss, consider, and possibly take action on amendments to, or further clarification and direction of, existing policies relating to employee overtime and compensatory time.

Motion made by Ricky Wiggins; I don't disagree with you but I would like to see it written up. It needs to be clarified so down the road everyone is able to understand it, 2nd by Richard Prater, yeas 5, nay 0, motion passes.

**Council Meeting adjourned into Executive Session at 7:37 pm
Executive Session adjourned at 7:53 pm.**



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

16. Executive Session

A. The City Council Shall Meet in Executive Session to Discuss the Following:

City Administrators Annual Performance Review

Section 551.074 – Personnel Matters – Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee: City Administrator. Tex. Gov't Code Ann. § 551.074.

B. Reconvene into Open Session


Council meeting back in session a 7:53 pm

C. Possible Action on Issues Discussed in Executive Session

Motion made by Graham McGruer to increase the city administrator's salary by what they discussed in the executive session, 2nd by Connally Bass, yeas 5, nay 0, motion passes.

17. Adjournment

Motion made by Cecil Griffin to adjourned the meeting at 7:55 pm, 2nd by Connally Bass, yeas 5, nay 0, motion passes

 8/24/23
Linda Owens, Mayor Date:

 8/24/23
Pam Combs, City Secretary Date:



The City of Bruceville-Eddy Rising into the Future

144 Wilcox Drive
Eddy, Texas 76524

www.bruceville-eddy.us

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

Sign in Sheet
Regular Council Meeting
July 27, 2023, 6:00 pm

Name

Address

Cherie McGruer

915 Old Meady Rd, Eddy

Colton Smith

215 Hungry Hell Rd, Eddy

Rick & Cindy Edmiston

ROBERT LAZZAR DAINNA CALDWELL

306 EAGLE DR.

Jayco McElhannon

604 Eagle Dr

DUTCH SHOLLENBERGER

475 WARD DR.

Jonathan Clark

210 Cedar Hill Dr

CHRISTINA ROSATI

210 CEDAR HILL DR.
