



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

**City Council Workshop
February 22, 2024, 5:00 p.m.
Minutes**

1. Call to Order by Mayor Owens at 5:00 pm

Council members present: Graham McGruer-Mayor Pro-Tem, Ricky Wiggins, Joyce McGlothlin, Richard Prater, and Cecil Griffin

Staff Present: Kent Manton-City administrator, Pam Combs-City Secretary, Gene Sprouse-Public Works Director, Jannie Rodriguez- Water Clerk, and Chief Dorsey.

2. 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.

3. Annual Financial Statements with Independent Auditor's Report – Adam Haberer

Council to discuss and consider the City's fiscal year 2022-2023 financial statements with independent auditor's report thereon and required supplementary information.

4. WBW Development – Community Presentation and Discussion on Eagle Prairie Subdivision

Council and community to receive a presentation from WBW Development on their proposed Eagle Prairie housing development; property located at 901 Eagle Drive Eddy, Texas 76524, containing a total of 122.46 acres.

5. Adjournment

Per Mayor Ownes meeting adjourned at 5:39 pm



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**Regular City Council Meeting
February 22, 2024, 6:00 p.m.
Minutes**

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Council members present: Graham McGruer-Mayor Pro-Tem, Ricky Wiggins, Joyce McGlothlin, Richard Prater, and Cecil Griffin

Staff Present: Kent Manton-City administrator, Pam Combs-City Secretary, Chief Dorsey, Gene Sprouse-Public Works Director, Jannie Rodriquez-Water Clerk,

2. Community Announcements

Bonnie Deleon Benefit, Saturday, February 24th at the Elk's Lodge, 3896 Old Lorena Rd, Lorena from 12 until 6:00 pm

Vendor Fund Raiser for Bonnie Deleon on March 16th at City Hall Grounds

April Spring Fest with be on April 20, 2024

Bruceville-Eddy United Church is going to have a Friday Bingo Night at 6:30, it is a \$1.00 card and \$5.00 for 6 cards. No cash prizes. First Friday starting March 1st.

B-E ball club opening day will be April 13th starting at 9:00am

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. **None**

4. Citizen Request for Consideration – Carmen Baker

Council to discuss, consider, and possibly take action on a request by Mrs. Carmen Baker of 102 Brown Drive to rezone property in between Old Moody Road and Brown Drive from Single Family Dwelling District to General Business.

No action taken will need to do a rezoning application and have a public hearing.

**5. Open Public Hearing – Zoning Change from Agricultural District to Manufactured Home District:
613 4th Street Eddy, Texas 76524**

Council Meeting adjourned and Public Hearing in session at 6:18 pm

Council to hear public comments pertaining to an owner/agent initiated zoning change on property located at 613 4th Street Eddy, Texas 76524, containing a total of 14.397 acres; and further described as being located within the City limits of Bruceville-Eddy; and in-between 4th Street and Franklin Road from its current designation of Agricultural District to Manufactured Home District.



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The public hearing is open to any interested persons with opinions, objections, and/or comments related to this matter. Comments related to this matter may only be expressed via mail, e-mail or, by appearing in person. Another person or attorney may also represent you.

Citizens that got up and spoke during the Public Hearing:

John Coleman, 320 Franklin Rd, against rezoning.

Daniel Petru, 509 4th St, against rezoning.

Judy Mullins, 702 4th St, against rezoning.

Colby Reed, 609 4th St, against rezoning.

Mr. Reed brought a letter in from Betty Dulaney, 607 4th St, against rezoning

6. Close Public Hearing – Zoning Change from Agricultural District to Manufactured Home District:

613 4th Street Eddy, Texas 76524

Public Hearing adjourned and Council Meeting back into session at 6:29 pm.

7. Zoning Change from Agricultural District to Manufactured Home District:

613 4th Street Eddy, Texas 76524

At the request of property owners' agent, Council to discuss, consider, and possibly take action on ordinance 2-22-2024-1; changing the zoning classification on property located at 613 4th Street Eddy, Texas 76524, containing a total of 14.397 acres; and further described as being located within the City limits of Bruceville-Eddy; and in-between 4th Street and Franklin Road from its current designation of Agricultural District to Manufactured Home District; amending the official Zoning Map of the City of Bruceville-Eddy, McLennan County, Texas to rightly reflect said changes.

Motion made by Ricky Wiggins to deny ordinance 2-22-2024-1; changing the zoning classification on property located at 613 4th Street Eddy, Texas 76524 from Agricultural District to Manufactured Home District; 2nd by Joyce McGlothlin, yeas 5, nay 0, motion passes.

8. Police Chief's Report – Chief Michael Dorsey-January 2024 Activity Report

Calls for Service: Total 130; Arrest, Offense, Incident Reports: Total 15; Criminal Offense Arrests: Total 13; Citations & Warnings: Total 134; Citations Total: 57; Warnings: Total 77

Police Depart Activity Report for January 2024

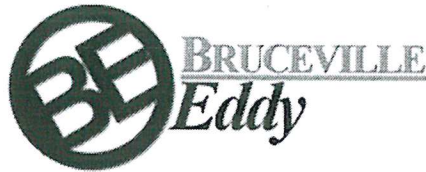
Security Checks: 160; School Zone Enforcement: 16; Neighborhood Patrol: 44; Directed Traffic Enforcement: 41.

SRO Activity Report for January 2024

Calls for Service: 14; Security Checks: 96; Citations/Warnings:0; Juvenile Complaints filed in Municipal Court: 2; Criminal Offense Arrests: 2.

9. Oath of Office – Chief Michael Dorsey

Chief Michael Dorsey will formally administer the Oath of Office to our newest Patrol Officer, TeRico Cade



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10. New Water Well Site Recommendations and Site Selection

Council to discuss, consider, and possibly take action on a recommendation for a new municipal water well site from the commissioned MRB Group feasibility study. Presented by Sue with MRB Group

Motion made by Ricky Wiggins that we proceed with well Site #1 and also with the recommendation we proceed with getting with the Cook Family or the girls there and try to buy the land for the road from Hwy 7 up to the well site, 2nd by Richard Prater, yeas 5, nays 0, motion passed.

11. Public Works Director's Report – Gene Sprouse

12. Engineering Reports “See attachment A”

13. City Administrator's Report – Kent Manton

City Administrators Report: 2/22/2024

Chapter 54 Case

The case for 101 Shady Shores was submitted on Friday 2/2/2024 in District Court. Our City Attorney's office will begin attempting to serve the affected parties next week after receiving further direction from the Court on our requested temporary restraining order.

Durapatcher

We worked quickly to put Council's approval on the Durapatcher purchase into action. A delivery/training date was scheduled for 2/16/2024. Our crews have already placed this unit into action restoring our streets most in need of repair, starting off with a large section of Eagle Drive near the post office.

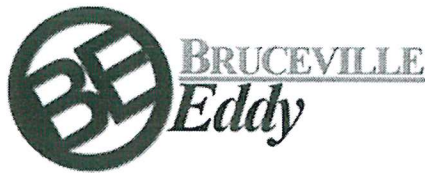
Eagles Landing – Alcohol Sales

Olivia Weaver, Eagles Landing's FOH and Marketing Manager, has provided the city with their new TABC certificate which authorizes them to sell wine and malt beverages effectively immediately. They are working to shore up internal processes to ensure accountability with staff/inventory before proceeding with the offering for these sales. They are shooting for a 4/1/2024 launch date.

SAMCO

We hosted a remote meeting on our major upcoming projects with representatives with SAMCO Capital earlier this month. I have provided them with project information on our waterline improvements, new water well, and sewer system projects. They are currently creating a pro forma to advise staff and Council on the best course of action to properly finance these major undertakings.

Sewer System



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After Council's approval of the revised sewer system design and rebid plan, both Tabor and Associates and the city hopped right into action.

The city forwarded the unofficial minutes from the 2/1/2024 meeting to Terri Chenoweth at USDA to verify Council's recent decision to move forward with a rebid of the sewer system project using revised plans and a base bid, with options for alternatives. I'm awaiting the next

steps from Terri to prepare for a bid reauthorization. We are going to do our very best to ensure that this takes place before June when the Build America, Buy America Act waiver expires.

Tabor and Associates did not prepare an engineering update for Council this month, but they did pass along the following statement:

We have scheduled to submit all required amended documents to USDA RD on Tuesday (February 20th) and then will be waiting on USDA RD's review and response to proceed with rebid.

I'm currently working with a representative with MRB Group to establish a TXDOT RULIS account (TXDOT's new Right of Way Utility and Leasing Information System) that will be used both for the FM 1239 water system improvement and the sewer system projects. Johnny Tabor has informed us that we will need to update our permits with TXDOT to coincide with the revised sewer system plans.

I have followed up with Congressman Pete Sessions office on our need for additional funding and requested the difference in our allocation and the estimate cost as a direct grant to be added onto the USDA project. I will be attempting to carve out some time to meet with congressional aides over the next month to discuss the matter further.

We have also hosted meetings with the USDA rider agency, Texas Rural Water Association, on our current sewer budget and rate structure on the needed adjustments with the revised cost and design in mind.

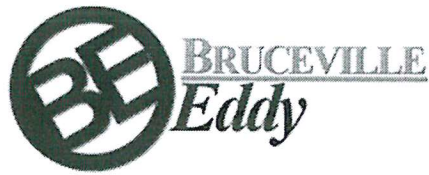
I have also touched base with bond attorney on the revised designs.

Water System

PUC Case Update

PUC is currently reviewing both parties' submitted response and will provide further direction on the case by 2/22/2024.

Friendly Oaks



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Alliance has performed their installation of the Sensaphone and is awaiting energization to ensure all equipment is functioning properly. Here is what we lack before getting this well back up and running:

- o Site glass repair: Wallace awaiting parts
- o VFD manufacturer site visit to tune equipment and train staff: on track to be scheduled within next two weeks
- o SKE remote inspection of work to verify ohms resistance for grounding is within specs and to see if wiring has been installed according to their recommendations.

The temporary voltage meter has been installed and is actively collecting electricity intake data, see photo. The permanent voltage meter will be installed at a later date inside our secure electrical paneling.

Westridge

Booster pump was pulled and is currently undergoing rehab. This process is expected to take 90 days. The groundwater well remains on standby, but has yet to be hooked up to the power grid as we continue to focus our efforts on the Friendly Oaks situation.

Vac trailer arrival

PW Crews are in receipt of the ordered Vermeer Vac trailer as of 2/15/2024.

Committee/Board Updates

Infrastructure Planning Committee

I have followed up with MRB Group regarding the establishment of impact fees for future development. While I'm still awaiting a step-by-step guide on the topic, we discussed the matter in a recent staff meeting with our project manager and I have been informed that the process is quite a lengthy one that requires the development of a commissioned study along with a capital improvement plan. More information will be forthcoming!

Solar Eclipse Committee

I will be working to get our first solar eclipse meeting on the books for either late February or early March.

Economic Development Corporation

The BEEDC held their first meeting on 2/15/2024. The agenda consisted mostly of formalities such as swearing in of Directors, approval of the bylaws, and the election of the officers for the remainder of the year.

Officers are as follows:

Darrin Weaver – President



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James Tolbert – Vice President
Kent Manton – Secretary
Patsy Duty – Treasurer

The EDC spent the remainder of the meeting getting up to speed on some of the current projects and development currently underway within the city.

Regular meetings will take place once a quarter at 5:30 p.m. on the 2nd Wednesday of a given month.

Development

Commercial Activity

No additional updates to provide at this time regarding the vacant Kissing Tree building.

Mrs. Heaven's Childcare, or Little Eagles Daycare as it is now being called, is in the process of hiring staff and enrolling children. They are planning a mid-March date for opening.

WBW (Fowler Land):

The developer has requested an open forum to meet with Council and the community on their project and have been added to a Council workshop the night of 2/22/2024.

KBAR - Eagle Ranch:

The developer is currently working on their construction documents and final plat.

BE Travel Center (Ascent):

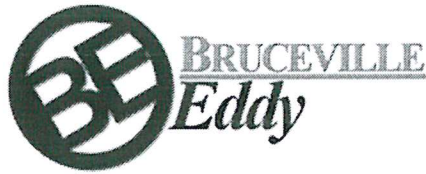
This developer has been provided with the next steps needed to move towards acquisition of a construction permit. We are awaiting their submission of their formal request, a signed easement for the utility easement, and the payment of associated fees.

CEFCO:

The preliminary plat for CEFCO convenience store and gas station has been submitted by Turley and Associates as of 2/8/2024 along with the associated preliminary plat fee. We have performed an initial review of the documentation and have deemed the plat worthy of submission. It has since been provided to MRB Group for review to ensure that the plat can be considered 'filed', thus beginning the 30-day shot clock for council action.

RV Parks – Brown Drive, Bruce Street, Hodge Road

The owner of property located in between Brown Drive and Old Moody has requested to speak before council regarding a potential rezoning to allow for an RV Park prior to moving forward with an official rezone application.



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Deer Creek MUD

Joe Birdwell reached out this week to provide an update on the happenings over at Deer Creek.

Firstly, they wanted to make good on their offer to allow the city to nominate a representative to serve as a MUD Director. You will see I have added this to our agenda for the month along with the responsibilities and obligations that come with appointment to the MUD.

Secondly, Pape-Dawson, the MUDs engineering firm has finalized the district's discharge permit for a new WWTP and they plan on submitting this in the coming weeks.

Third, the MUD has retained a hydrologist to evaluate the potential of developing well fields on the property that will supplement the available water supply for not only Deer Creek, but potentially additional water for the City should an agreement be made.

Fourth, they are now in conversations with some of the adjacent landowners that front along IH 35 to secure right-of-way to connect Deer Creek to the frontage road of IH 35, thus improving traffic circulation.

Lastly, Mr. Birdwell informed me that they will soon be entering into an agreement with Hunt Properties out of El Paso for the development of the MUD.

14. 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 January 11, 2024, February 1, 2024, and February 13, 2024 Special Called City Council Meetings as well as the January 25, 2024 Regular City Council Meeting.

B. Finances – January 2024

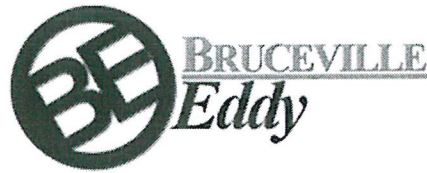
i) Council to discuss, consider, and possibly take action on the January 2024 financial reports for the general, water, and sewer fund accounts.

ii) Council to discuss, consider, and possibly take action on the January 2024 accounts payable for the general, water, and sewer fund accounts.

C. Grazing Lease Agreement - Dorothy Coker

Council to discuss, consider, and possibly take action to authorize the Mayor to enter into a grazing lease agreement with Mrs. Dorothy Coker, of 843 W 3rd Street for land owned by the City of Bruceville-Eddy for the purpose of cattle grazing.

D. Grazing Lease Agreement – Troy Parker



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Council to discuss, consider, and possibly take action to authorize the Mayor to enter into a grazing lease agreement with Mr. Troy Parker, of 1194 County Spring Road for land owned by the City of Bruceville-Eddy for the purpose of cattle grazing.

E. Annual Financial Statements with Independent Auditor's Report

Council to discuss, consider, and possibly take action to approve the City's fiscal year 2022-2023 financial statements with independent auditor's report thereon and required supplementary information.

F. Interlocal Cooperation Contract – Failure to Appear Program

Council to discuss, consider, and possibly take action to enter into a revised Interlocal Cooperation Contract (ICC) with the Texas Department of Public Safety for the purpose of continuing our participation in the failure to appear program.

G. SKE Engineering – Friendly Oaks Groundwater Well

Council to discuss, consider, and possibly take action to authorize the City Administrator to exceed the previously established \$10,000 NTE amount at the 10/26/2023 Council meeting for electrical engineering services with SKE Engineering, LLC. for the diagnosis of the faulty water well at Friendly Oaks; authorization of an additional \$5,000 to pay for services rendered to date and to provide a cushion for the planned final inspection of recently performed electrical upgrades at the site prior to the reenergizing the well.

Motion made by Ricky Wiggins to accept all the consent agenda items (A, B (i)(ii), C, D, E, F, and G) 2nd by Cecil Griffin, yeas 5, nay 0, motion passes.

15. Executive Session

Council meeting adjourned at 7:38 pm to go into Executive Session.

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

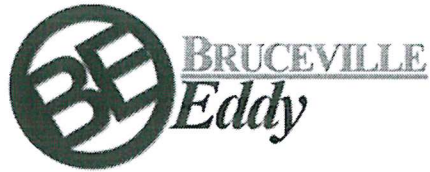
Termination Appeal to Mayor and City Council

Texas Government Code 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: Community Development Specialist. Tex. Gov't Code Ann. § 551.074.

Consultation with Attorney regarding Review of Termination Appeal

Texas Government Code Section 551.071 (Consultation with City Attorney) and Section 1.05, Texas Disciplinary Rules of Professional Conduct. Confer with City Attorney to receive legal advice regarding a review of termination appeal.

B. Reconvene into Open Session



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Executive session adjourned and Council Meeting back into session at 8:15 pm

C. Possible Action on Issues Discussed in Executive Session

Motion made by Graham McGruer, after the Executive session and discussion with our attorney we received a recommendation from our city administrator for the termination of Thomas Arnold from city employment. We reviewed all the materials presented, at this time I move to uphold the recommendation of the city administrator for the termination of Thomas Arnold, 2nd by Cecil Griffin, yeas 5, nay 0, motion passed.

16. Water Company of America Contract

Council to discuss, consider, and possibly take action on a contract with Water Company of America for the provision of services that will include data analysis and field investigation of the City of Bruceville-Eddy's water system and billing software to search for missed billing opportunities with the end goal of increasing revenue and reducing water loss.

Motion made by Graham McGruer that the council approve the contract with Water Company of America for the provision of services that will include data analysis and field investigation of the City of Bruceville-Eddy's water system and billing software to search for missed billing opportunities with the end goal of increasing revenue and reducing water loss. 2nd by Richard Prater, yeas 5, nay 0, motion passes.

17. Falls County Water Main Improvements (Phase 1) – Project Update

Council to discuss, consider, and possibly take action to receive an update from the City Administrator on the project along with a request to proceed with this project without the previously sought after easements from adjacent property owners.

Motion made by Ricky Wiggins we approve as the City Administrator stated, as we just go within the Public Right of Way. 2nd by Richard Prater, yeas 5, nay 0, motion passes.

18. National Day of Prayer

Council to discuss, consider, and possibly take action on the hosting of a second annual National Day of Prayer at City Hall on May 2, 2024.

Motion made by Richard Prater to approve hosting of a second annual National Day of Prayer at City Hall on May 2, 2024. 2nd by Graham McGruer, yeas 4, nay 0, abstain 1(Joyce McGlothlin), motion passes.

19. Deer Creek Municipal Utility District: Director Nomination

Council to discuss, consider, and possibly take action to nominate an appointment to the Board of Directors of the Deer Creek Municipal Utility District.

Motion made by Graham McGruer to nominate Colton Smith to the Board of Directors of the Deer Creek Municipal Utility District. 2nd by Richard Prater, yeas 5, nay 0, motion passes.

20. Authorization to Join Class Action Lawsuits: 3M & DuPont

Council to discuss, consider, and possibly take action authorize the City Administrator to submit the City of Bruceville-Eddy Water System as a party to two separate class action lawsuits associated with the alleged contamination of public water sources across the United States polyfluoroalkyl substances (PFAS); further to



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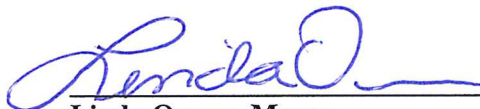
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authorize the City Administrator to order the necessary discounted sampling kits for the analysis of our water sources as required by the settlement to determine damages to be awarded in an amount NTE \$2,500.

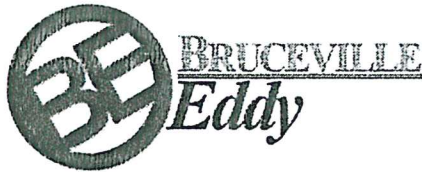
Motion made by Graham McGruer to authorize the City to join in on the lawsuit and authorize the City Administrator to spend the necessity funds for the samples. 2nd by Joyce McGlothlin, yeas 5, nay 0, motion passes.

21. Adjournment

Motion made by Richard Prater to adjourn the meeting at 8:51 pm, 2nd by Joyce McGlothlin, yeas 5, nay 0, motion passes.

 3/28/24
Linda Owens, Mayor Date

 3/28/24
Pam Combs, City Secretary Date



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Attendance Sheet
Workshop, February 22, 2024, 5:00 pm
Council Meeting, February 22, 2024, 6:00 pm

Name	Address
Colton Swartz	215 Hungry Hill Rd
Willard R. Murray	2134 LCR 124 Mt. PALM 76673
Cherie McGruer	915 Old Moody Rd
ROBERT LARZA/DIAUNNA CADWELL	306 EAGLE DR. 76524
Carmen/Dennis Baker	102 Brown Dr
City Development	109 W. 2nd St. Georgetown
Ronan O'Connor	179 W. 2nd St. Georgetown
Doug Reinke	109 W. 2nd St. Georgetown
Dodge Murray	805 Eagle Dr Eddy TX
Judy Mallis	702 4th St / Westgate II
Frank Warner	414 CR 437 EDDY
Kassidy Montgomery	108 Pine St. Eddy, TX 76524
Adam Huber	—
Denielle McGruer	215 Hungry Hill Rd
John Coleman	320 Franklin Rd.
RICK & CINDY EDWINSON	851 W. 3RD
DANIEL + DONNA PERRY	509 4 th ST

Please sign on back if full



March 20, 2024

City of Bruceville-Eddy
Mr. Kent Manton
144 Wilcox Drive
Eddy, Texas 76524

RE: CITY OF BRUCEVILLE-EDDY Monthly Engineering Status Report

Mr. Kent Manton,

MRB Group is pleased to provide to the city the following Items in regard to the Monthly Engineering Report. This report includes Engineering Tasks from February 16th through March 20th, 2024.

DEVELOPMENT REVIEW

- 1. Rajan Plaza / Ascent Travel Center** – An updated Preliminary Opinion of Probable Cost for the project was forwarded to staff on February 14, 2024. MRB Cost Estimate is to be used as a guideline to establish permit fees.
- 2. Eagle Ranch** – We are awaiting final plat and construction plans for review. This is the next step in the overall development approval process. No plans have been received as to the date of this report.
- 3. CEFCO** – We submitted our review of the preliminary plat on March 18 with comments and are anticipating revisions and clarifications.

WATER METER FEASIBILITY

We reviewed and approved (8) residential water meters, one meter for Property ID No. 106145 and 7 meters for SVDC Inc. near the intersection of Winchester Drive and Remington Circle. We have updated the GIS and water model to reflect the changes to the system since October 2023. We sent an updated meter capacity via email for the Bethany Pressure Plane indicating 55 additional meters remain before running out of capacity. We would like to receive an updated Meter Excel file to confirm our meter counts are correct. Receiving an updated Meter Excel file would be the easiest way for MRB to stay up to date with actual meters in the ground.

GENERAL DISCUSSION ITEMS

1. Water System 8" Water main Improvements: We have finished all surveying and progressed on design far enough to allow the submission of the TxDOT permit (submitted on March 19th). We will continue progressing the plans to 90% for a final review by the City. We plan to advertise the project in April and propose to open bids and award project in May 2024. The overall construction schedule for this project is estimated to be 8 months or a substantial completion date of December 2024. This schedule is subject to the administrative schedule required by the TxDOT permit division to review and approve permit applications.

2. New Water Well: MRB finalized the report for ranking of the (3) proposed water well sites. The report and recommendation were presented to the council on January 25, 2024, at a special called council meeting. The presentation included pros and cons for each site along with their associated cost estimate. The cost estimates ranged between 5-6.5 million dollars. This cost will fluctuate until final design and a funding mechanism is chosen by the council. The staff plans to organize a workshop with the council to continue discussion of the proposed well sites. MRB Group will attend this workshop to present the technical details of the project. The next step would be approving an Engineering proposal to start final design.

If you have any questions, please feel free to contact me.

Sincerely,



Armand Hunt, PE
Senior Engineer
armand.hunt@mrbgroupp.com