

CITY COUNCIL REGULAR MEETING MINUTES

February 13, 2024

BE IT REMEMBERED THAT the City Council of the City of Leonard, Fannin County, Texas, held a Regular Meeting in the Council Chambers of City Hall at 111 W Collin Street, Leonard, Texas, on February 13, 2024, at 6:30 P.M.

The meeting was broadcast live on the city’s Facebook page. A video recording of the meeting is available to members of the public at <https://www.facebook.com/CityofLeonard> .

Members Present: Mayor Michael Pye, Mayor Pro Tem Noel Nixon, Councilmembers Billy Wayne Martin, Leonard Phillips, Al Stephens, and Peyton Webster.

Staff present: City Administrator George Evanko, City Secretary Melissa Verde, Court and P&Z Secretary Kim Davis, Public Works Director Woody Patrick, and Police Chief Brian Meserole.

Also Present: Also present were Mike Ward, (City Auditor), David Perkins, (Kimley Horn, Inc.), D’Anne Carson (Government Capital), Darrell Grintz (P&Z Chair), Mark Blackerby, Teresa Nixon, Carol Dutilly, Doug & Debbie Morfeld, Terence Burnside, Austin Hickman, and John Skotnik.

1. Call Meeting to Order, Verification of Quorum

Mayor Pye called the meeting to order at 6:30 PM after confirming a quorum was present.

2. Invocation, Pledges of Allegiance to the United States and Texas Flags

Mayor Pye led the invocation, and the group recited the pledges of allegiance to the US and Texas flags.

3. Open Forum – Mayor Pye called for speakers, and Austin Hickman addressed the council about trying to cover the remaining expense for baseball field conditioner after LCDC’s agreed amount is paid for the baseball fields. No action was taken.

4. Consent Agenda

a. Approve previous meeting minutes- January 9, 2024 Regular Meeting	Approved
b. Approve an Order of Election calling for a general election to elect a mayor and two council members-at-large on May 4, 2024.	Approved
c. Adopt Resolution# 240213-1 authorizing the application and administration of the Department of Justice 2025 Byrne Justice Assistance Grant: Ballistic Helmet Grant #5052101, and designating the City Administrator, or his designee, as the official representative of the	Moved to item 17

City of Leonard in matters relating to the program.	
d. Adopt Resolution# 240213-2 authorizing the application and administration of the Department of Justice 2025 Byrne Justice Assistance Grant: Records Management Grant #5099801, and designating the City Administrator, or his designee, as the official representative of the City of Leonard in matters relating to the program.	Moved to item 18
e. Adopt Resolution# 240213-3 approving the Interlocal Cooperation Agreement between Fannin County, Texas, and the City of Leonard, Texas.	Approved

Mayor Pye called for approval of the consent agenda. Upon a motion by Mayor Pro-Tem Nixon to remove items “c” and “d” and move them to regular agenda items “17” and “18,” and approve items “a,” “b,” and “e;” after being duly seconded by Councilmember Webster; the motion passed unanimously.

5. Department Reports

Mayor Pye called for the department reports.

- a. Police Chief Brian Meserole presented the police department report, announcing that they are having some vehicle engine issues with a patrol vehicle (water pump), but Ford fixed it quickly and the patrol car has been returned to service. The department is accepting applications, and we are currently down one man.
- b. Public Works Director Woody Patrick presented the department report and spoke about some large challenges. Enjoyed being able to communicate more with the city utilizing the Facebook page. Mentioned they have dealt with some challenging tasks and appreciate the council’s words of encouragement. On a citizen reminder, when it was raining a few weeks ago, they were out in the rain cleaning out culverts and getting the water to flow. So, citizens regularly cleaning the leaves from their culverts would help the city tremendously when it rains.
- c. City Administrator George Evanko presented the administrative report and mentioned that the city has started receiving some of the advalorem taxes, so the cash flow is increasing. Next month, we will be doing the sewer averaging again. The repeater is fully operational. The final interlocal agreement with Fannin County is enclosed. The new school was issued a grading permit. We are working with Leonard Crossing on the hardship request, in the packet. Grants: CDBG- Decision to make tonight in the agenda. We put it back out for bid to spend the rest of the grant, more in the packet. Sewer: We are still working with David to get the stuff together. At this rate, the way the bidding is, the scope of work might be limited because prices are high. Water: we got through the financial review. We are waiting for the board meeting next month. If we pass that meeting, it may fund around June timeframe, then back to David for more work. New ground storage: Opened bids Feb 6, in the packet. Came in high. ARPA generators: signing contract Feb 28. HOME program has been approved. Published in the paper that the city starts accepting applications Feb 29th. Comprehensive Plan: RFP is out; and the deadline is March 29th.
- d. Financial Report- was covered by Mike Ward’s auditor report.

6. Presentation, discussion, and possible action on Board and Commission reports:

- a. Planning & Zoning Commission
 - i. George mentioned that he tasked Planning & Zoning with a review and feedback of the zoning ordinance and zoning map for updates.

b. Parks & Recreation Board

- i. Mark Blackerby, Chair, presented bid proposals for some improvements they'd like to make to the City Park on Locust. Request entailed:

Part A	Relocation and restoration of the current playground system at the City Park.	\$7,100
Part B	Addition of new playground amenities and freestanding play units.	\$43,947
Part C	Removal of "Ga-Ga Ball" structure	staff to complete
Part D	Design and planning possibilities for future improvements (MHS Planning & Design estimate dated Feb 9, 2024)	\$57,250
Totals		\$108,297

- ii. Councilmember Peyton Webster moved to table the Parks & Recreation request, except Part A, as long as LCDC is willing to approve the full funding for the relocation and restoration of the current playground system at the City Park. Part C will be taken care of by the City. Mayor Pro-Tem Nixon seconded, and the motion passed.

c. Leonard Community Development Corporation

- i. (heard after item 7.) President Rex Womack commented on the Parks request for Part A. 4B is excited to partner with the City to improve the park as it is, and making the repairs that need to be made. LCDC would consider the request, happily.

7. Presentation, discussion and possible action regarding the audited financial reports for the period ending September 30, 2023. (Mike Ward)

- a. Mike Ward spoke over the audit. Started with thanks to the staff for their help, mentioning that this year was a big improvement over last and seems to be getting better and better, making the process easier. Went through his independent auditor's report.
- b. Councilman Webster moved to approve the audited financial report for the period ending September 30, 2023. Second from Councilman Stephens. Motion was approved unanimously.

8. Presentation, discussion and possible action regarding agenda request – Lancet Court Apartments: "Ordinance 13.02.063 (a) and (b): Asking the council to amend or exempt Lancet Court Apartments from this ordinance." (Darvin and Wendy Nolen)

- a. Darvin Nolen presented his issue again to the council. Discussion ensued regarding laundromat, water consumption, and other issues.
- b. Councilman Webster moved to table the item until March to allow George to redo the numbers to see what it would be if each apt was its own individual unit and to allow the applicant to see where the consumption use is going, and revisit in March. Seconded by Councilman Stephens. The motion carried unanimously.

Councilman Webster moved to switch items 9 & 11. Seconded by Councilman Stephens. The motion carried unanimously.

9. Discuss and consider the adoption of Ordinance #240213-4 Authorizing the Issuance and Sale of the

City of Leonard, Texas Combination Tax and Revenue Certificate of Obligation, Series 2024; Levying an Annual Ad Valorem Tax and Providing for the Security for and Payment of Said Certificate; and Enacting Other Provisions Relating to the Subject.

- a. Mayor Pro Tem Nixon moved to take the item into Executive Session, seconded by Councilman Webster. The council entered Executive Session at 8:07PM.

**NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.*

- b. The council closed the Executive Session at 8:28 PM and reentered the Regular Session. Seconded by Councilman Martin. The motion carried unanimously.
- c. Councilman Webster moved that the council take no action on Ordinance 240213-4 at this time; seconded by Councilman Phillips. Mayor Pro Tem Nixon mentioned that the council wishes to move in a different direction for the ambulance service housing. The motion passed unanimously.

10. Discussion and action regarding application #PZ-2024-001 Petition for Hardship Exception to extend the preliminary plat expiration date of Leonard Crossing a Planned Development, Fannin CAD Property ID 131452 and 131454, located at Palamino Dr., being an approximate 17.65-acre tract of land situated in the M Moore Survey Abstract A0785, Fannin County, TX.

- a. Terence Burnside presented his application for an extension of preliminary plat approval for Leonard Crossing. Based on the timeline for US Waterways to conduct necessary work took 11 to 16 months and caused them to exceed the timeline.
- b. Councilman Webster moved to approve application #PZ-2024-001 Petition for Hardship Exception to extend the preliminary plat date of Leonard Crossing planned development for six months. Seconded by Councilman Phillips, the motion passed unanimously.

11. Discussion and action regarding application #PZ-2024-002 final subdivision plat of Leonard Crossing a Planned Development, Fannin CAD Property ID 131452 and 131454, located at Palamino Dr., being an approximate 17.65-acre tract of land situated in the M Moore Survey Abstract A0785, Fannin County, TX.

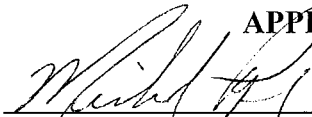
- a. P&Z recommended approval with contingencies, and there is a letter from the city engineer stating their approval. If we approve conditionally tonight, we'll get a copy of their Mylar plats but won't be signed by the mayor or secretary until all the infrastructure is complete and the engineer approves.
- b. Mayor Pro Tem Nixon moved to approve the application #PZ-2024-002 final subdivision plat of Leonard Crossing a Planned Development, with the contingencies that the recommendations from the City Engineer Kimley Horn are satisfied, Seconded by Councilman Martin. The motion carried with unanimous approval.

12. Presentation, discussion, and possible action regarding awarding the bid for improvements to the water tank and pump station as a part of the "Water System Improvements Project".

- a. George shared information on the bids for Well 2 improvements. Recommended that we do not accept any of the bids and divide the work into different sections.

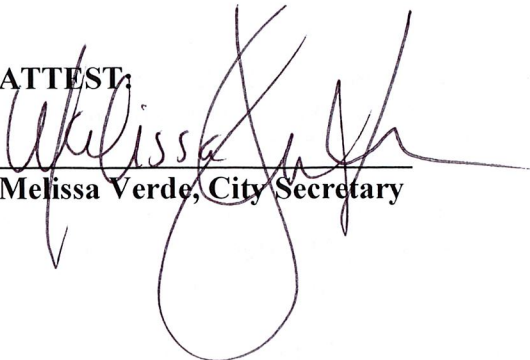
- b. Councilman Webster moved to reject the bids that were presented and ask George and David to get together and split the project up however they expect will be most beneficial for the city. Councilman Martin seconded, and the motion passed unanimously.
13. Consider/Act: The City of Leonard received bids on January 30th, 2024, for the construction of “Tx CDBG Sewer line Improvement Project CDV21-0040.” Council to consider Resolution# 240213-5 awarding the lowest bidder, Atkins Bros Equipment Co Inc. for the base bid amount of \$130,497.
 - a. George and David shared some information on the process of bidding more work to utilize more of the grant funds, but the city will have to fund \$12,000 to finish the scope.
 - b. The mayor called for a motion. Councilman Webster moved to award the second phase of the CDBG sewer line replacement grant to Atkins Bro for \$130,497. Seconded by Councilman Phillips, the motion carried unanimously.
14. Discussion and possible action on Resolution# 240213-6 regarding a city recommendation for the Texas Health Benefits Pool Board of Trustees Region 13 Vacancy.
 - a. Councilman Martin moved to nominate George Evanko for the position since he volunteered. Councilman Stephens seconded, and the motion carried unanimously.
15. Discussion regarding streets (Phillips)
 - a. Mayor Pro Tem Nixon mentioned that if public works get caught up on leak repairs, they tap into contract labor to keep us on the expected street repair schedule within the budget.
16. Discussion regarding fences (Phillips)
 - a. Councilman Phillips mentioned he’d like the council to consider improving our fence ordinance, because “T-posts” shouldn’t be approved. (cattle panel fencing on Willard Hall). George said he would research the issue.
17. Picking up item “c” from the Consent Agenda. Mayor Pro Tem Nixon asked for confirmation of the due date as Feb 8. Chief Meserole let him know that we applied on time and that there is no city match; this grant is full reimbursement. Mayor Pro Tem Nixon moved to approve Resolution 240213-1 as presented. Seconded by Councilman Webster.
18. Picking up item “d” from the Consent Agenda. Mayor Pro Tem Nixon moved to approve Resolution 240213-2. Councilman Martin seconded, and the motion carried unanimously.
19. Adjournment
 - a. Mayor Pye closed with comments about the election and reminded the public to vote. Expressed that he is proud to serve with this council and thanked everyone for their support. Councilman Webster moved to adjourn. Seconded by Mayor Pro Tem Nixon. The meeting adjourned at 9:00 PM.

CITY OF LEONARD, TEXAS

APPROVED:


Mayor Michael Pye

ATTEST:


Melissa Verde, City Secretary

