

Minutes for the City Council meeting

333 West McLeroy Boulevard, Saginaw, Texas, 76179.

September 19, 2023, 6:00 PM - September 19, 2023, 7:28 PM

Roll Call: (The following members were in attendance)

Todd Flippo, Mayor
Cindy Bighorse, Place 5
Mary Copeland, Place 6
Paul Felegy, Place 1
Nick Lawson, Place 2
Valerie Junkersfeld, Mayor Pro Tem

1. Call To Order

1A. Call To Order -- Todd Flippo, Mayor - 6:00 PM

Mayor Flippo called the meeting to order at 6:00 p.m.

Present:

City Attorney Bryn Meredith

City Engineer Trenton Tidwell, P.E.

City Manager Gabe Reaume

Asst. City Manager Lee Howell

Finance Director Kim Quin

City Secretary Janice England

Police Chief Russell Ragsdale

Fire Chief Doug Spears

Director of Public Works Randy Newsom

Director of Human Resources Melanie McManus

Director of Community & Economic Development Keith Rinehart

Library Director Ellen Ritchie

Animal Services Manager Jose Wheeland

Deputy Building Official Chris Dyer

Code Enforcement Officer Michelle Emmett

Planning Manager Susy Victor

Planner I Maria Hernandez

Police Officer Osteen

Absent:

Councilmember Randy Edwards

Visitors:

John Peet

Mary Humphries

Ronnie Mills

Joe Stout

Brack St. Clair

Ronnie Horton

Megan Le

Nicholas Caram

**1B. Pledges--Pledge of Allegiance to the United States; Pledge of Allegiance to the State of Texas--
"Honor the Texas Flag; I pledge allegiance to thee, Texas, one State under God, one and indivisible" -**

6:00 PM

1C. Invocation--Pastor Ronnie Mills, Kingdom Chapel - 6:01 PM

Pastor Ronnie Mills of Kingdom Chapel gave the invocation.

1D. Audience Participation--Anyone wishing to speak during the discussion of an item listed on the agenda must complete an audience participation form. These forms are located by the Police Chief. After completing the form, give it to the City Secretary. She will give it to the Mayor. The Mayor will call on you when that item is discussed. You will have three (3) minutes to make your comments. - 6:01 PM

PM

2. Consent Agenda

All items listed are part of the Consent Agenda. Public hearing and review are held collectively unless opposition is presented, in which case the contested item will be heard separately.

Valerie Junkersfeld made a motion to Approve that was seconded by Paul Felegy with a result of 6-0-0-0

2B. Action regarding Approval of Minutes, August 15, 2023--Janice England, City Secretary - 6:01 PM

The minutes of the City Council Meeting held on August 15, 2023 are presented for consideration.

2C. Action regarding Approval of Minutes, September 5, 2023--Janice England, City Secretary - 6:01 PM

The minutes of the City Council Meeting held on September 5, 2023 are presented for consideration.

2D. Action regarding increasing the General Fund emergency reserve balance by \$485,000 and the Enterprise Fund emergency reserve balance by \$310,000 to comply with Financial Management Policies--Kim Quin, Finance Director - 6:01 PM

The purpose of this item is to ensure that the emergency reserves of the General and Enterprise Funds comply with the Financial Management Policies adopted by the City Council on March 17, 2020. Both funds are required to reserve 25% of the operating budget for unexpected emergencies. The current emergency reserve in the General Fund is \$4,990,000; based on the FY2023-2024 adopted budget less capital and one-time items the emergency reserve should be \$5,475,000. An additional \$485,000 should be added to the emergency reserve balance in the General Fund. The current emergency reserve in the Enterprise Fund is \$2,450,000; based on the FY2023-2024 adopted budget less capital and one-time items the emergency reserve should be \$2,760,000. An additional \$310,000 should be added to the emergency reserve balance in the Enterprise Fund. There is no

financial impact as this is not an expenditure but a reclassification from unrestricted to restricted fund balance.

2E. Action regarding Resolution No. 2023-19, Annual Approval of Investment Policy--Kim Quin, Finance Director - 6:01 PM

Chapter 2256 of the Government Code, also known as the Public Funds Investment Act, requires the City to have a written investment policy that must be reviewed annually by the governing body. The policy was last revised on September 20, 2022. The investment policy has been reviewed by the Investment Committee, which is comprised of the Mayor, City Manager, Finance Director, and Finance Manager. The committee has reviewed the policy and has no recommended changes.

2F. Action regarding Approval of a Preliminary Plat on the Approximate 9.569 acres out of the B. Thomas Survey, Abstract No. 1497, The Square, Block 1, Lot 4 (Alpine Development)--Susy Victor, Planning Manager - 6:01 PM

The City has received a formal preliminary plat submission for the 9.569 acres out of the B. Thomas Survey, Abstract No. 1497, The Square, Block 1, Lot 4. This project is part of The Square Planned Development and is referred to as The Alpine on the Square Project. The Development Review Committee has formally reviewed the proposed preliminary plat and determined that it meets all city standards and requirements for approval.

2G. Action regarding Approval of a Final Plat on the Approximate 9.569 acres out of the B. Thomas Survey, Abstract No. 1497, The Square, Block 1, Lot 4 (Alpine Development)--Susy Victor, Planning Manager - 6:01 PM

The City has received a formal final plat submission for the 9.569 acres out of the B. Thomas Survey, Abstract No. 1497, The Square, Block 1, Lot 4. This project is part of The Square Planned Development and is referred to as The Alpine on the Square Project. The Development Review Committee has formally reviewed the proposed final plat and determined that it meets all city standards and requirements for approval.

3. Proclamations-Presentations

No Items

4. Public Hearings

4A. PUBLIC HEARING - Consideration and Action regarding Resolution No. 2023-20, Adoption of the Revised Budget for Fiscal Year 2022-2023--Kim Quin, Finance Director - 6:03 PM

Mayor Flippo declared the public hearing for this item opened at 6:03 p.m. Finance Director Quin explained that budget adjustments are made at fiscal year end to more closely reflect the actual revenues and expenditures for the year. The budget must be amended in the same manner in which it was adopted. Resolution No. 2023-20 reflects the recommended budget adjustments for fiscal year 2022-2023.

Mayor Flippo called for public input. Mr. John Peet addressed the Council. He encouraged the Council and Staff to research the Texas Comptroller's website regarding fiscal transparency. There being no further comment, Mayor Flippo declared the public hearing closed at 6:06 p.m.

Paul Felegy made a motion to Approve that was seconded by Nick Lawson with a result of 6-0-0

5. Business

5A. City Ordinance Review -- Inspections & Code Compliance Staff - 6:07 PM

Deputy Building Official Dyer gave a presentation regarding ordinances that consume the most staff time and effort, and/or result in the most violations. The presentation included the following subjects: residential property standards-outside storage; property maintenance; overgrown grass, weeds, and brush; off street parking-blocking the walkway; and inoperable motor vehicles.

5B. Consideration and Action regarding a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (1005 N. Saginaw Blvd.) - 6:43 PM

Director of Community and Economic Development Rinehart explained that the proposed agreement is a Chapter 380 Economic Development Incentive Agreement with Blazing Hospitality (SP SA Development, LLC). The agreement addresses the demolition of the existing building at 1005 N. Saginaw Blvd. The building has been vacant for many years. The purpose of the demolition is to support future development of the property thus increasing property values and sales tax revenues. This item was originally approved by the City Council on May 16, 2023 for the amount of \$25,000. However, the agreement was not executed. The proposed revised agreement sets the City's participation at an amount not to exceed \$42,500. The proposed agreement is set up with an incentive for two desirable food establishments due to increased demolition costs. The proposed agreement is set up as a reimbursement of up to \$25,000 to the developer for demolishing the current structure on the property. The remaining \$17,500 will be paid to the developer upon the issuance of two certificates of occupancy for two food establishments that may not be either a chicken-based restaurant or donut only shop. The financial impact is not to exceed a total of \$42,500 and will be paid from Account 01-6141-1300, Economic Development Incentives.

Valerie Junkersfeld made a motion to Approve that was seconded by Mary Copeland with a result of 6-0-0-0

5C. PUBLIC HEARING--Consideration and Action regarding Ordinance No. 2023-25, a Change in Zoning from Neighborhood Commercial (NC) to Community Facility (CF) on the approximately 0.436 acres out of the Worthy Addition, Lot 1, Block 4 (300 W. McLeroy Boulevard)--Susy Victor, Planning Manager - 6:55 PM

Mayor Flippo declared the public hearing for this item opened at 6:55 p.m. Planning Manager Victor explained the proposed zoning change from Neighborhood Commercial (NC) to Community Facility (CF) is for the City property at 300 W. McLeroy Blvd. This is the site for the future library and senior citizens center. Ordinance No. 2023-25 addresses the zoning change. There being no public input, Mayor Flippo declared the public hearing closed at 6:57 p.m.

Valerie Junkersfeld made a motion to Approve that was seconded by Cindy Bighorse with a result of 6-0-0-0

5D. Consideration and Action regarding Resolution No. 2023-21, an Ordinance Amending the Subdivision Ordinance for the Administrative Approval of all Plats --Bryn Meredith, City Attorney - 6:57 PM

City Attorney Meredith stated that currently all preliminary and final plats are considered by the Planning and Zoning Commission and the City Council. However, neither the Planning and Zoning Commission nor the City Council have the authority to deny a plat that meets all city standards and requirements. All plats submitted go through an extensive review process by the Development Review Committee which is managed by city staff to ensure all city standards and requirements are met prior to approval. City Attorney Meredith explained that the Texas Legislature during their session earlier this year, passed legislation that gave municipalities the authority to approve all plats

internally. They also approved an aggressive thirty day shot clock rule which forces a decision to be made thirty days after a plat is submitted. If city staff nor the applicant acts on a denial or extension within the thirty day period the plat is forcibly approved by Texas law. Resolution No. 2023-21 gives the city staff the authority to administratively approve all plats which will benefit the city staff as well as the applicant by alleviating time-restrictive requirements. The Council agreed that copies of all approved plats should be available for viewing on the City's website. This will enable the public to be aware of upcoming projects.

Nick Lawson made a motion to Approve that was seconded by Valerie Junkersfeld with a result of 6-0-0-0

5E. Consideration and Action regarding Ordinance No. 2023-26, multi-pet permit and fostering of dogs and cats--Lee Howell, Asst. City Manager - 7:12 PM

Asst. City Manager Howell stated that proposed Ordinance No. 2023-26 addresses the addition of a multi-pet permit and the fostering of animals as discussed at the September 5th City Council Meeting. He pointed out a correction made in the wording in two sentences on page 7 (j) of the proposed ordinance after the meeting packet was posted. The correction is to change the word "multi-pet" to "foster".

Asst. City Manager Howell explained the staff needs direction regarding the fees to be charged for a multi-pet permit, and for a foster permit. After some discussion the Council concurred with the annual fee of \$50 for a multi-pet permit and \$25 for a foster permit. Asst. City Manager Howell stated these fees will be added to the City's Master Fee Schedule for approval by the Council at the next meeting. The Council agreed that these new permits and fees should be publicized through the City's website and various social media sites.

Nick Lawson made a motion to Approve that was seconded by Paul Felegy with a result of 6-0-0-0

6. Executive Session

The City Council may take action on any Executive Session item posted.

6A. 551.071. Texas Government Code. Consultation with Attorney. The City Council may convene in executive session to conduct a private consultation with its attorney on any legally posted agenda item, when the City Council seeks the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the provisions of Chapter 551, including the following items: - 7:27 PM

6B. Any Posted Item - 7:27 PM

7. Adjournment

7A. Adjournment--Todd Flippo, Mayor - 7:27 PM

Mayor Flippo declared the meeting adjourned at 7:27 p.m.

Valerie Junkersfeld made a motion to Approve that was seconded by Cindy Bighorse with a result of 6-0-0-0