

**MINUTES OF A REGULAR MEETING  
CITY COUNCIL OF WOLFFORTH, TEXAS  
302 Main Street, WOLFFORTH, TX  
Monday, September 18, 2023, 6:00 p.m.**

**MEMBERS PRESENT:** Mayor Addington; Mayor Pro Tem Hutcheson; Council members Stout, Cooper, Brashier, McDonald

**MEMBERS ABSENT:**

**OTHERS PRESENT:** City Manager Randy Criswell; Assistant City Manager Rick Scott; City Secretary Terri Robinette; Public Works Director Randy Hall; Compliance Candace Layman; Public Works Director Henry High; Fire Chief Lance Barrett; Development Director Tara Tomlinson; Library Director Kim Brantley; EDC Director Danielle Sweat

**OTHERS PRESENT BY TEAMS:** City Attorney Mike Guevara

Mayor Addington opened the meeting at 6:00 p.m.

1. Public Comments:
  - A. Jordan Wheatley – spoke in opposition to item #8 Impact Fees and asks that a subcommittee be appointed to further review before adopting
2. Item #2 Consider and take appropriate action on July and August 2023 Departmental Reports was removed from Consent by Council member Brashier.
3. Motion by Council member McDonald, second by Council member Cooper to approve the remaining Consent Agenda. Motion carried unanimously.
  - A. Consider and take appropriate action on minutes from August 21, 2023
  - B. Consider and take appropriate action on Resolution 2023-012

RESOLUTION TO ADOPT USE OF HART INTERCIVIC VERITY DUO  
CONTROLLER VERSION 2.5.3, HART VERITY DUO WRITER VERSION  
2.5.3, THE HART VERITY SCANNER VERSION 2.5.2 AND THE HART  
VERITY DUO GO

- C. Consider and take appropriate action on Resolution 2023-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WOLFFORTH, TEXAS, APPROVING A NEGOTIATED  
SETTLEMENT BETWEEN THE EXECUTIVE COMMITTEE OF

CITIES SERVED BY ATMOS WEST TEXAS (“CITIES”) AND ATMOS ENERGY CORP., WEST TEXAS DIVISION REGARDING THE COMPANY’S 2023 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE CITIES’ LEGAL COUNSEL.

- D. Consider and take appropriate action on Resolution 2023-014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, DESIGNATING AN OFFICIAL NEWSPAPER FOR THE CITY OF WOLFFORTH FOR THE FISCAL YEAR 2023 - 2024.

- E. Consider and take appropriate action on contract with Utility Service Company, Inc., for water tank maintenance

- F. Consider and take appropriate action on Lubbock County Fire Suppression and Rescue Services Agreement for fiscal year 2024

- 4. Motion by Council member Hutcheson, second by Council member McDonald to approve the July and August Departmental Reports. Motion carried unanimously.
- 5. PUBLIC HEARING: Consider and take appropriate action on public hearing on Land Use Assumptions and Capital Improvements Plan relating to possible adoption of impact fees. Mayor Addington opened the public hearing at 6:14pm
  - A. Chris Berry with Betenbough Homes spoke in opposition to this item with a request to bring more feedback from supporting entities.

- B. Victoria Whitehead with the West Texas Home Builders Association spoke in opposition to this item and presented a letter to Council from the WTHBA, Lubbock Apartment Association and Lubbock Association of Realtors.
- C. Dustin Eggelston with Betenbough Homes spoke in opposition of this item with concerns about affordability of housing.
- D. Robert Wood with 806 Land Group spoke in opposition of this item voicing concerns about slowing new construction in residential and commercial.

No further comments were received, and Mayor Addington closed the public hearing at 6:31pm.

- 6. PUBLIC HEARING: Consider and take appropriate action on public hearing on a proposed economic development project not to exceed \$50,000 to fund a Business Improvement Grant Program. Mayor Addington opened the public hearing at 6:27pm and after no comments were presented, closed the hearing at 6:28pm
- 7. PUBLIC HEARING: Consider and take appropriate action on public hearing on a proposed economic development project not to exceed \$65,000 to purchase land on major roads within the City of Wolfforth to promote new or expanded business development. Mayor Addington opened the public hearing at 6:29pm and after no public comments were made, closed the public hearing at 6:29pm
- 8. Motion by Council member McDonald, second by Council member Cooper to approve Ordinance 2023-022.

AN ORDINANCE OF THE CITY COUNCIL OF WOLFFORTH, TEXAS,  
APPROVING THE SERVICE AND ASSESSMENT PLAN FOR THE CITY OF  
WOLFFORTH PUBLIC IMPROVEMENT DISTRICT NUMBER THREE

Motion carried unanimously.

- 9. PUBLIC HEARING: Public Improvement District #3 Proposed Assessments. Mayor Addington opened the public hearing at 6:33pm. No comments were given, and the public hearing closed at 6:34pm.
- 10. Motion by Council member Hutcheson, second by Council member Brashier to approve Ordinance 2023-023

AN ORDINANCE OF THE CITY COUNCIL OF WOLFFORTH, TEXAS, LEVYING  
AN ASSESSMENT AGAINST YEAR 2023 ASSESSMENT ROLL ONE PROPERTIES  
WITHIN THE CITY OF WOLFFORTH PUBLIC IMPROVEMENT DISTRICT  
NUMBER THREE (HARVEST SUBDIVISION); AND MAKING CERTAIN  
FINDINGS RELATED THERETO

Motion carried unanimously.

11. Motion by Council member Hutcheson, second by Council member Cooper to approve an interlocal agreement with Lubbock Central Appraisal District for the collection of Public Improvement District assessments. Motion carried unanimously.
12. Director of Development Services Tara Tomlinson gave a presentation to Council regarding the City's Subdivision Ordinance and platting procedures. Mayor asked that a meeting be held to include Council member Hutcheson and stakeholders in the development industry and recommendations be brought back to the Council.
13. Motion by Council member Cooper, second by Council member Brashier to approve Ordinance 2023-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES BY THE FIRE DEPARTMENT FOR SERVICES PROVIDED/RENDERED FOR THE CITY OF WOLFFORTH, TEXAS

Motion carried unanimously.

14. Fire Chief Lance Barrett reported to the Council on the schedule for Outdoor Warning System testing. Due to staffing issues, monthly testing is not possible. The Council asked for Sirens to be tested at least quarterly until staffing issues are resolved with a full-time department in April 2024.
15. The Wolfforth City Council convened into Executive Session at 7:20pm on September 18, 2023 to discuss matters pertaining to the following:
  - A. 551.071 Consultation with Attorney: To consult with Attorney 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 Chapter 551 – Open Meetings, regarding (i) Pending or Contemplated Litigation
  - B. 551.087 Deliberations Regarding Economic Development Negotiations: to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of financial or other incentive to a business

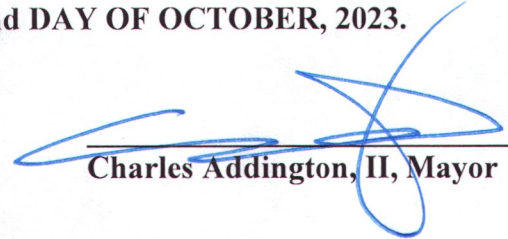
prospect.

C. 551.089 Deliberation Regarding Security Devices or Security Audits: To deliberate certain security matters in accordance with Section 551.089 of the Texas Government Code (i) Information Technology and Cyber Security Contracts

16. The City Council reconvened into open session at 8:14pm on September 18, 2023. Motion by Council member Hutcheson, second by Council member Brashier to authorize the execution of a contract with VC3 for IT Services and authorize the City Manager to sign. Motion carried unanimously.

17. With no other business to come before the Council, a motion was made by Council member McDonald, second by Council member Hutcheson to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 8:16pm.

**PASSED AND APPROVED THIS THE 2nd DAY OF OCTOBER, 2023.**



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**Charles Addington, II, Mayor**

**ATTEST:**



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**Terri Robinette, City Secretary**