

The Early City Council met in regular session on Tuesday, October 12, 2021 at 6:00 p.m. with the following members present:

Mayor Mangrum
Council members:
Leland Acker
Charles Matlock
Benny Allcorn

City Administrator Tony Aaron
Economic Development Director Larry McConn
City Secretary Brenda Kilgo
City Attorney Mark Bessent

Councilmen Garry Forisha and Travis Eoff were absent.

Establishing a quorum present, Mayor Mangrum called the meeting to order. Mr. Acker gave the invocation and led the Pledge of Allegiance.

Consideration of the minutes of special meeting held on September 28, 2021.

Mr. Alcorn made motion, seconded by Mr. Matlock to approve the minutes as written. All members present voted "aye".

Citizen's comments

No citizen comments.

Special Recognition of Early Municipal Development District Board member Kris Sparks.

Mayor Mangrum presented Kris Sparks with a service plaque and expressed sincere appreciation for his four years of service on the EMDD Board and to the City of Early.

Mr. McConn explained that the MDD by-laws limits the term length for the board members to two consecutive full terms. Each term is two years. He also acknowledged his pleasure in working with Mr. Sparks on the Board, stating that as a small business owner he provided a great balance between national names and local businesses.

Mr. Allcorn also expressed appreciation for Kris' valuable input and perspective during his service on the Board.

Consideration to approve a variance request submitted for 1213 Sonja Drive to install a carport.

Mr. McConn stated that Mr. Baugh, property owner of 1213 Sonja Drive, has submitted the application to secure a permit for the installation of a carport within the 25-foot setback as documented on the plan.

Below is the four criteria established by the UDC to determine if a carport is allowed within the 25-foot setback along with the staff notes specific to this request:

1. *No portion of the proposed carport would be within five feet of the property line;* It appears the edge of the carport will be about 6' from the property line.
2. *Within 300 feet, as measured from property line to property line and within the same block an existing carport within the 25 feet setback in front of the primary structure;* there currently is no

house within the block that has the carport in front of the house so this condition would not be met. The neighboring house, 1211 Sonja has a carport beside the house and it appears both the carport and the house are within the 25 foot setback. Because the carport is beside the house, not in front, this condition should not apply to this application.

3. *The pad to park a vehicle is no greater than 20 feet deep;* this condition would be met with the intended size proposed.
4. *The structure constructed is open on all sides;* the plans submitted show this to be correct.

As noted above, conditions within #2 were not met and a permit was not issued for the carport construction. City staff met with Mr. Baugh and suggested that he install the carport on the side of the house instead of the front in order to comply with all conditions and not variance would be needed. However, Mr. Baugh indicated that his preference is to have the carport in front of the house as requested and therefore submitted the variance request for Council review.

The adoption of the Unified Development Code (UDC) allowed the staff some flexibility regarding the decision of granting a variance without each request being brought before Council. Section 8-5-2 of the UDC regarding Variances outlines the criteria to be met before a variance is granted.

Mr. Baugh presented his request to the Council and an in depth discussion followed as Council members went through each criteria item specifically regarding 1213 Sonja Drive and surrounding properties. As discussion progressed, it was determined that this variance request could be granted and still uphold the purpose and intent of the UDC.

Mr. Matlock made motion, seconded by Mr. Acker, to approve the variance request to construct a carport at 1213 Sonja Drive as requested. The motion passed with (2) "ayes" and (1) "nay".

Consideration to approve Resolution 2021-R14, supporting the adoption of the Opioid Settlement Agreement.

Mr. Aaron stated that the Texas Attorney General Office along with several other states have reached an agreement and settlement with certain drug companies to resolve legal claims against the opioid crisis. Each city/county/entity has the ability to accept the agreement and receive a portion of the settlement funds to apply toward abatement and treatment of opioid use/addiction.

With support and acceptance of this agreement, an estimated \$14,000 is the calculated portion for the City of Early.

Mr. Acker made motion, seconded by Mr. Matlock, to approve Resolution 2021-R14 supporting the adoption of the Opioid Settlement Agreement. All members present voted "aye".

Consideration to approve the Early Town Center master development concept.

This item was postponed for a later meeting.

Discuss and consider projects for use of the American Rescue Plan funds.

Mr. Aaron reported that the City has received the first allocation payment of the American Rescue Plan funds in the amount of \$391,000, with the second payment to be at least 12-months after the first payment. As these are Federal funds issued through the Texas Department of Emergency Management to cities and counties, there are specific restrictions for the use of the funds along with required reports and schedules. Water and Sewer line infrastructure is an eligible use of these funds and the City does have a few projects that will fall into this category:

- Sewer rehabilitation project for Crescent Drive and Mitsy Lane; most funds from TWDB Wastewater Treatment Plant project but with material prices up approximately 300% the ARP funds will help fill the gap.
- Longhorn Subdivision development; Phase 1 approved last meeting with three more phases approved on the final plat.
- Wastewater Treatment Plant facility; maintenance, repair and/or replacement of (3) pumps/grinders as well as pump at the Sliger Lift Station.

Due to the complexity of the Act and the ever changing requirements from Federal and/or State level as still trying to develop the process, the possibility of the hiring of a Grant Administrator to handle all the required reporting, assist with RFQ and RFP for services, contractors, materials and equipment, and all administrative duties for the funds over the next three to four years may be recommended.

No action was needed or taken on this item.

Executive Session in accordance with the provisions of Chapter 551, Texas Government Code.

No Executive Session.

Administrator Report

City Projects Reports:

a. Early Town Center

- presentation and discussion regarding the master plan by the architects will be at the next meeting.
- Transfer of the fish from the pond scheduled for tomorrow morning beginning at 7am.
- Plans for Kelcy Way are almost complete and anticipate to be ready for Council review in next month's meeting

b. Street Construction / Repairs

- most 2020/2021 projects are complete
- 2021/2022 projects include Kelcy Way and Autumn Drive
- Concrete work at Longhorn Drive / Early Blvd intersection to be completed this week

c. Economic Development

- CEFCO construction moving along nicely; some delay by Oncor for the relocation of service lines; anticipate store to be open before end of year.
- Brothers RV Park still in process; delay by Oncor as well
- Up In Smoke BBQ some delays but moving along
- Anticipating information of new economic development possibilities coming soon

d. Parks & Recreation

- Working on installation of new scoreboards
- Christmas Lighting last week of November

e. Boards & Commissions

- 2 places open for Planning & Zoning
- 1 place open for Early Municipal Development District
- received 4 resumes for the 3 places to date
- personal meeting with each to discuss places open, responsibilities, interest, general Q&A to make recommendations to the Council
- present to Council for appointment

Employee Staffing Report:

- Police Department has filled 2 positions – Code Enforcement and Police Office to replace resigning officer
- Fire Department accepting applications for 1 full-time position
- Public Works accepting applications for 1 full-time position

Announcements

October 14th – Ribbon Cutting at Hendrick's Medical Plaza 1:00-2:00 p.m.

October 14th – Early Chamber of Commerce Banquet at Hideout Resort and Golf Club 6:00 p.m.

October 16th – Hocus Pocus movie night at McDonald Park

November 3rd – West Central Texas Council of Governments Annual Meeting, 12:00 Noon

Adjourn

Completing all business matters, Mr. Matlock made motion to adjourn the meeting. Mr. Acker seconded the motion and all members present voted “aye”, adjourning the meeting at 6:59 p.m.

10.26.2021

DATE

Robert Manger

MAYOR

Brenda Kile

CITY SECRETARY