

The Early City Council met in regular session on Tuesday, February 14, 2023 at 6:00 p.m. with the following members present:

Mayor Mangrum

Council members:

Benny Allcorn

Leland Acker

Garry Forisha

City Administrator Tony Aaron

Economic Development Director Larry McConn

City Secretary Brenda Kilgo

The following were absent:

Council members Charles Matlock and Travis Eoff

City Attorney Mark Bessent

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

Consideration of the minutes of regular meeting held on January 10, 2023.

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

Citizen's comments

There were no citizen comments.

Special Recognition of Service

Mayor Mangrum recognized Robert Stewart for 50 years of dedicated service to the Early Volunteer Fire Department. Mr. Stewart was presented with a plaque and acclamations from City Council and staff.

Nathan Land and Joshua Crowder were each recognized for 5 years of service to the City of Early.

Consider a revision of Resolution 2022-R10, amending the City's designated official for the Bullet Resistant Shield Grant Program.

The previously approved resolution designated Chief of Police as the authorized grant official, the amended version changes that designation to the City Administrator.

Mr. Allcorn made motion, seconded by Mr. Acker, to approve Resolution 2022-R10 as amended for the change designating City Administrator as authorized grant official. All members present voted "aye".

Consider approving Resolution 2023-R02, ordering an election to be held May 6, 2023 to elect Mayor and two (2) Council members and providing details relating to the holding of such election.

Mr. Allcorn made motion to approve Resolution 2023-R02 ordering an election on May 6, 2023 to elect Mayor and two Council members. Mr. Allcorn seconded the motion and all members present voted “aye”.

Consider approval of Resolution 2023-R03, authorizing continued participation with the Steering Committee of cities served by ONCOR, and authorizing payment to fund regulatory and related activities related to ONCOR.

As an annual membership, Mr. Aaron reiterated the asset of having the Steering Committee advocating for the City and recommends the continued participation. The 2023 membership assessment fee is 0.10 per capita for a total of \$329.60.

Mr. Allcorn made motion to approve Resolution 2023-R03 for the continued participation with the Oncor Steering Committee and payment of \$329.60 for the 2023 membership assessment fee. Mr. Forisha seconded the motion and all members present voted “aye”.

Consider approval of Resolution 2023-R04, authorizing continued participation with the Steering Committee of cities served by Atmos Energy Corporation, and authorizing payment to fund regulatory and related activities related to Atmos Energy Corporation.

Also an annual membership, Mr. Aaron stated that having the Steering Committee advocating for the City is a great asset and recommends the continued participation. The 2023 membership assessment fee is 0.05 per capita for a total of \$164.80.

Mr. Acker made motion to approve Resolution 2023-R04 for the continued participation with the Atmos Steering Committee and payment of \$164.80 for the 2023 membership assessment fee. Mr. Forisha seconded the motion and all members present voted “aye”.

Discuss and consider adoption of an Ordinance, 2023-01, authorizing the Issuance and Sale of City of Early, Texas Combination Tax and Revenue Certificates of Obligation, Series 2023; levying an annual Ad Valorem Tax and providing for the security for and payment of said Certificates of Obligation; providing an effective date; and enacting other provisions relating to the subject.

Mr. Aaron explained that for the approval of this item a super quorum (4 members, Mayor is not counted) is required and with two members absent it is recommended to table this action until the next meeting with the required quorum of members present.

A discussion regarding the projected revenue sources for the Town Center development pre-empted the action to table the item. Mr. Aaron provided the Council with a spreadsheet for the purpose of this discussion that showed the potential revenue to include property sales for hotel, restaurants and retail of approximately \$3.35 million. It also showed estimated annual revenue projections for sales tax, property tax, alcohol tax and hotel occupancy tax, as well as utility revenues for the City of Early. These annual projections for the City of Early were approximately \$2.62 million.

Mr. Acker made motion to table this item until the next meeting. Mr. Forisha seconded the motion and all members present voted "aye".

Consider approval of an inter-local agreement with West Central Texas Council of Governments to provide application preparation and administration for the EDA Public Works grant.

Mr. Aaron explained that West Central Texas Council of Governments is the EDA District and with Council approval will write the grant and perform all administrative services for the grant. This grant would be used for street construction, park walkway and the boardwalk at Town Center. The fee charged for their services would be 2% of the grant funds received and there will only be a charge if we are awarded the grant. While there is no specific deadline to apply, they plan to apply by the end of April.

Mr. Acker made motion to approve the inter-local agreement with WCTCOG and a service fee not to exceed \$40,000. Mr. Allcorn seconded the motion and all members present voted "aye".

Consideration to approve final plat for Early Town Center.

The final plat displays approximately 60 acres inclusive of the lake/boardwalk area as well as approximately 25 acres as recreational use and +/- 25 acres as multi-use. Mr. McConn stated that the plat meets all UDC requirements and the Planning & Zoning Commission met last night to review the plat and it is their recommendation to approve the plat.

Mr. Forisha made motion to approve the final plat as presented. Mr. Acker seconded the motion and all members present voted "aye".

Consider approval of an Ordinance, 2023-02, establishing No Parking zones and regulations for Early Town Center development.

The purpose of this ordinance is to establish no parking on either side of both Kelcy Way and Buena Vista as well as no truck parking in the parking lot located at the northwest end of Buena Vista.

Mr. Acker made motion, seconded by Mr. Allcorn, to approve Ordinance 2023-02 as presented. All members present voted "aye".

Consideration to approve EMDD funds for the bid awarded for construction of the batting cages at Town Center.

Early MDD solicited bids for the concrete material and labor for the batting cage at Town Center. Three sealed RFPs were received and opened on February 8th:

Mobley Construction	\$129,500
Ribble Concrete	\$107,500
Tony's Concrete	\$74,000

Mr. McConn stated that the MDD Board met yesterday and approved the bid for Tony's Concrete. The original budget for this project was \$68,250 but there are other funds available to make up the difference for the awarded bid of \$74,000.

Mr. Forisha made motion, seconded by Mr. Acker, to approve EMDD funds for the batting cage in an amount of \$74,000.

Presentation of TMCN Leadership Program Team for their 2023 project proposal.

Jeremy Essary explained the basis of the TMCN Leadership Program to encourage high school students to engage within the community on projects that require a 'business plan' type of presentation, from the creation through the construction and completion. The projects are presented to the TMCN committee and scholarship winners are selected from the competing groups.

This year's students Reese Estes and Aryn Lesley, juniors at Early High School, introduced themselves and thanked the Council for the opportunity to present their proposed project for the community of Early, Texas.

A "Time to Shine" is the title of their project which includes the idea, design and construction of a sundial to be located within the Town Center development. They selected this idea because of the historical and celestial qualities that they feel will be a unique and expressive piece that will draw not only residents of Early and Brown County but also tourists and visitors.

Their presentation included design photos, proposed location, construction material ideas and cost as well as fundraising ideas.

Consider approval for 2023 TMCN Leadership Program project to be constructed on the grounds of the Early Town Center Development.

Mr. Allcorn thanked the girls for their presentation and commended them on their idea and plans for completing the project. He made motion, seconded by Mr. Acker, to accept the project donation and approved its construction on the grounds of Town Center development. All members present voted "aye".

Consideration to award bid for ARPA Project 05-2023 of a sole source supplier for the purchase of fire bunker gear with the use of American Rescue Plan Act (ARPA) funds.

The purchase of two (2) sets of bunker gear from NAFECO is quoted at a cost of \$6,380. NAFECO is a sole source supplier for the specific fire equipment items.

Mr. Acker made motion to approve the purchase of fire bunker gear with the use of ARPA funds. Mr. Forisha seconded the motion and all members present voted "aye".

Consideration to award bid for ARPA Project 05-2023 of a sole source supplier for the purchase of fire equipment air packs with the use of American Rescue Plan Act (ARPA) funds.

The purchase of three (3) air packs from Casco Industries is quoted at a cost of \$28,005. Casco is a sole source supplier for the specific fire equipment items.

Mr. Forisha made motion to approve the purchase of air packs with the use of ARPA funds. Mr. Acker seconded the motion and all members present voted "aye".

Discuss, consider, and adopt a resolution, 2023-R05, to designate authorized signatories for the Texas Community Development Block Grant program.

Mr. Aaron explains that this action and the two following items are related to the CDBG program in the amount up to \$500,000 to be used for the reconstruction of McDonald Drive street project. This resolution is designating the authorized signors for the City of Early.

Mr. Acker made motion, seconded by Mr. Allcorn, to approve Resolution 2023-R05 as presented. All members present voted "aye".

Discuss, consider, and adopt a resolution, 2023-R06, authorizing the submission of a Texas Community Development Block Grant program application and adopting required CDBG Civil Rights policies.

This resolution is authorizing the submittal of the grant application and adopting its required policies.

Mr. Allcorn made motion, seconded by Mr. Acker, to approve Resolution 2023-R05 as presented. All members present voted "aye".

Discuss, consider, and adopt a Citizen Participation Plan for the City of Early.

A Citizen Participation Plan includes the intention to notify and update the citizens of the plans and progress of the program as well as provide a place to report grievances.

Mr. Forisha made motion to adopt the Citizen Participation Plan as presented. Mr. Acker seconded the motion and all members present voted "aye".

Consideration to approve application submittal for Assistance to Firefighter Grant Program.

Mr. Aaron stated that this grant program is through FEMA and would be used for a new tanker-pumper truck for the Fire Department. It was noted that the opportunity to receive enough through the program to purchase a ladder truck was very low and the tanker-pumper could be more useful for mutual aid throughout the county. The grant is a 95% funding with a 5% match from the City.

If awarded the department would look at selling one of the current units, like Engine 89, and use funds received toward the purchase of a ladder truck or other truck needs.

Mr. Forisha made motion, seconded by Mr. Acker, to approve the submittal of the application for the Assistance Firefighter Grant Program. All members present voted "aye".

Discuss and consider approval of parameters for a Memorandum of Understanding (MOU) with City of Brownwood regarding the sale and transfer of camera equipment.

Chief Mercer explained that the Watch Guard system that the Early Police Department currently use has been bought out by Motorola and phasing out the Watch Guard equipment. The Early PD has a brand new camera system that they planned to use in one the new patrol vehicles but since there will be a change in the systems and service on the equipment being phased out Chief Mercer reached out to other entities that would still use the camera system. City of Brownwood stated that they are willing to buy the equipment to use in one of their units. The proposed MOU includes the transfer of the camera system unit from Early to Brownwood for a total cost of \$4500.

Mr. Allcorn made motion to approve the MOU for the sale and transfer of the camera equipment as presented. Mr. Forisha seconded the motion and all members present voted "aye".

Discuss and consider approval of parameters for a Memorandum of Understanding (MOU) between Early ISD and Early Police Department for a School Resource Officer on campus.

Chief Mercer, Early ISD, City Administrator and City Attorney reviewed and amended the MOU draft from the last meeting discussion. The effective date for the SRO to start is August 1, 2023. There is a required training course in April to be paid by Early ISD and both entities want this MOU finalized and in place before that payment is made. Amendments and clarifications included:

- Better identification of the equipment breakdown and entity responsibility
- Clean up of language for the notification process between entities and the Officer
- Further detail of the 50/50 salary and benefit cost responsibility
- More specific schedule for the SRO's time on campus and with the Early PD

Mr. Aaron clarified that there will be no need for a budget amendment for this item because Early ISD will cover the salary cost for August and September, the City will cover salary cost for October and November and the remaining term will be split 50/50 as stated in the agreement.

Mr. Forisha made motion, seconded by Mr. Acker, to approve the parameters of the MOU between Early ISD and Early Police Department as presented. All members present voted "aye".

Consideration to approve Ordinance 2023-03, amending 2022-2023 Fiscal Year Budget.

The purpose of this budget amendment is to account for the expenditures and transfer of ARPA funds for the approved equipment and projects. The amounts and use of the funds is included in the notations of the accounts but the amounts were not included in the line item detail for the specific funds in the fiscal budget adopted in August 2022.

Mr. Forisha made motion, seconded by Mr. Allcorn, to approve Ordinance 2023-03 to amend the 2022-2023 Fiscal Year Budget. All members present voted "aye".

Executive Session in accordance with the provisions of Chapter 551, Texas Government Code, Section 551.086 – Economic Development

Mr. Allcorn made motion to enter into Executive Session. Mr. Acker seconded the motion and all members present voted "aye". Closed session started at 7:13 p.m.

Reconvene into Open Session and consider action, if any, on items discussed in executive session

Mr. Acker made motion, seconded by Mr. Forisha, to reconvene into open session. All members present voted “aye” and Council returned to open session at 7:28 p.m.

Consideration to approve a professional services agreement for Victoria Retail Group.

Mr. Acker made motion to approve entering into a professional services agreement for Victoria Retail Group. Mr. Allcorn seconded the motion and all members present voted “aye”.

Quarterly Department Reports

Fire Department (Fire Marshal Ringler):

- 174 total calls for October – December 2021
 - o 14 Fire
 - o 110 Medical
 - o 10 Hazardous conditions
 - o 20 Good intention
 - o 10 Service
 - o 9 False alarm
 - o 1 Overheat
- 738 total calls for calendar year 2021
- 2 new full-time positions open
- Time to start thinking / looking for replacement trucks; approximately a 2-year availability turnaround as well as preparing for cost increases

Fire Marshal report:

- 1 plan review; 5 inspections; 0 investigations
- Several repeat trips for compliance issues, amended process
 - o Business inspection form for all locations as a preemptive measure; gives business owners information as to what inspector is looking at/for; potential for more passing inspections and less repeat trips on compliance issues
 - o Create blueprint archive for all High-Octane buildings; Field Maps iPad application; long process but great progress and ability to maintain code/compliance

Police Department (Chief Mercer):

- 730 total calls
- 624 traffic stops
 - o 295 citations
 - o 473 written warnings
- Code Enforcement
 - o 72 inspections
 - o 8 new cases
 - o 21 citations
 - o 9 abatements
- Dispatch
 - o 20,437 total calls for all entities within County
 - o 5714 total for Early Police and Fire

Finance Department (City Secretary):

- All funds Revenue and Expenditures tallying as normal for 1st quarter; +/- 30%
- Sales Tax revenues are higher; potential to exceed annual budget amount by the end of 2nd quarter
- Total Checking accounts balance \$5.752 Million; total pledged security \$7.9 Million

No Administrator's Report

Announcements

Anticipate a special called meeting within the next week for action on the debt issuance item.

Adjourn

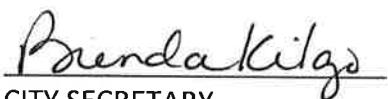
Concluding all business, Mr. Acker made motion to adjourn the meeting. Mr. Forisha seconded the motion and all members present voted "aye", adjourning the meeting at 7:57 p.m.

03-14-2023

DATE



MAYOR



CITY SECRETARY