

The Early City Council met in regular session on Tuesday, May 9, 2023 at 6:00 p.m. with the following members present:

Mayor Mangrum

Council members:

Benny Allcorn

Leland Acker

Travis Eoff

Charles Matlock

Garry Forisha

City Administrator Tony Aaron

Economic Development Director Larry McConn

City Secretary Brenda Kilgo

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 April 11, 2023.

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

Citizen's comments

There were no citizen comments.

Administer Oath of Office to Elected Officials

City Secretary administered the Oath of Office to Mayor Mangrum.

Mayor Mangrum administered the Oath of Office for Council members Travis Eoff and Garry Forisha.

Proclamations

Mayor Mangrum read aloud proclamations for the following recognitions:

- National Tourism Week – May 7-13, 2023
- National Police Week – May 14-20, 2023
- National Public Works Week – May 21-27, 2023

Consideration to elect a Council member as Mayor Pro-Tem.

Mr. Forisha made motion to elect Council member Benny Allcorn as Mayor Pro-Tem. Mr. Eoff seconded the motion and all members present voted "aye".

Consideration to re-appoint Sandra Garcia to serve as Deputy Municipal Court Clerk for a two-year term ending May 2025.

Mr. Allcorn made motion to re-appoint Sandra Garcia. Mr. Matlock seconded the motion and all members present voted "aye".

Consideration to re-appoint Lee Haney as Municipal Judge for a two-year term ending May 2025.

Mr. Acker made motion to re-appoint Lee Haney as Municipal Judge for a two-year term. Mr. Forisha seconded the motion and all members present voted "aye".

Consideration for the use of American Rescue Plan Act (ARPA) funds to purchase fire equipment air packs from a sole source supplier.

Mr. Aaron presented a request of purchase 1 SCBA air pack with 5 backup cylinders, harness and 3 backup batteries in the amount of \$13,610 from Casco. A letter from MSA confirming Casco as a sole authorized distributor of SCBA packs and accessories. Casco meets all requirements within the ARPA procurement procedures.

Mr. Allcorn made motion, seconded by Mr. Matlock, to approve the use of ARPA funds to purchase the fire equipment requested for an amount not to exceed \$14,000. All members present voted "aye".

Consideration to award bid for Autumn Drive construction.

Mr. Aaron stated that this is the third time for the solicited bids on this project. Three bids were received by the deadline.

Bid 1 disqualified because itemized material list was not included with the submitted bid. Bid 2 in the amount of \$485,669 included 180-day construction time beginning September 1st and ending March 1, 2024; in addition the rental of barricades for the duration of the construction at a cost of \$4000 per month.

Bid 3 in the amount of \$506,691 included 126-day construction beginning June 9th and ending October 22nd; milling the road and reuse of the material for access areas during construction and reclaim after construction for use on other locations.

It is staff recommendation to award bid to Bid 3, Grider Paving, even though it is higher bid the earlier start date and shorter construction time along with the suggestion of milling use are basis for this recommendation.

Mr. Matlock made motion, seconded by Mr. Allcorn, to award the bid to Grider Paving in the amount of \$506,691. The motion passed with 3 "aye" and 2 "nay" votes.

Consideration to approve an addendum to the Town Center streets contract with Volkert, Inc. revising the scope of work to include the west roadway/parking lot area.

Mr. Aaron explained that the design was extended to include drainage, west parking and road to connect at Kelcy Way. It was noted that the City would own the right-of-way, MDD would own the parking lot and retail/developer would own the building. Mr. Aaron also stated that the Economic Development Assistance (EDA) grant funds would be used for this project.

Mr. Forisha made motion, seconded by Mr. Matlock, to approve the addendum with Volkert as presented for an amount not to exceed \$48,000. All members present voted and the motion passed with 4 "aye" and 1 "nay" votes.

Review and consider for approval the City of Early Investment Policy & Strategy as adopted by Ordinance 2021-03 on May 11, 2021.

As part of the Comprehensive Financial Policy compliance, an annual review of the city's investment policy & strategy is required. Mr. Aaron stated that there have been no changes to the policy as it was adopted by Ordinance in May 2021.

Mr. Allcorn made motion, seconded by Mr. Matlock, to approve the Investment Policy & Strategy as reviewed with no changes. All members present voted "aye".

Consideration to approve the disposal or sale of items as salvage or surplus.

Public Works department is in the process of replacing some of the utility pickups as budgeted. One of the new vehicles has been received and Mr. Land is requesting approval to list the previous one as salvage or surplus to dispose or sale the vehicle. It is a 2015 F250 with utility bed and 110,000 miles on the odometer, the estimated value for this vehicle is approximately \$18,000. If approved the vehicle will be listed on a government auction site, GovDeals.

Mr. Acker made motion to approve the 2015 F250 to be listed for sale on the GovDeals auction website. Mr. Eoff seconded the motion and all members present voted "aye".

Consideration to approve Resolution 2023-R10, regarding a contract for the purpose of financing a Sideload Sanitation Truck.

Mr. Aaron explained that this contract is to finance the purchase of a 2022 Automizer Labrie sideload sanitation truck with a Peterbilt cab and chassis. The terms of the contract include a seven-year note for a principal amount of \$389,750 with a 5.4% interest rate, with annual payments of approximately \$67,000. This item is included within the current budget and plans are to cycle out the oldest sideload at some time in the future.

Mr. Forisha made motion, seconded by Mr. Acker, to approve Resolution 2023-R10 for purpose of financing contract for purchase of sideload sanitation truck in the amount of \$389,750 for a 7-year term. All members present voted "aye".

Executive Session in accordance with the provisions of Chapter 551, Texas Government Code, Section 551.071 Consult with Attorney, Section 551.072 Real Property, and Section 551.086 Economic Development.

Mr. Allcorn made motion, seconded by Mr. Matlock, to enter in to Executive Session. All members present vote “aye” to go into closed session at 6:32pm.

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

Mr. Acker made motion, seconded by Mr. Matlock, to reconvene into Open Session. All members present voted “aye”, coming out of closed session at 7:09pm.

Consider Resolution 2023-EDR01, on second and final reading, approving Municipal Development funding request from Winston Water Cooler, LTD.

Mr. McConn provided the reading of Resolution 2023-EDR01:

A RESOLUTION OF THE EARLY MUNICIPAL DEVELOPMENT DISTRICT A POLITICAL SUBDIVISION OF THE CITY OF EARLY, TEXAS, APPROVING AN AGREEMENT BETWEEN THE EARLY MUNICIPAL DEVELOPMENT DISTRICT AND WINSTON WATER COOLER, AWARDING ECONOMIC DEVELOPMENT SALES TAX FUNDS TO WINSTON WATER COOLER LOCATED AT 817 EARLY BLVD. IN EARLY TEXAS IN THE AMOUNT NOT TO EXCEED \$10,415.58 FOR FISCAL YEAR 2022/2023; AND AUTHORIZING THE DIRECTOR OF ECONOMIC DEVELOPMENT TO EXECUTE THE NECESSARY DOCUMENTS; AND PROVIDE AN EFFECTIVE DATE.

Mr. Acker made motion to approve Resolution 2023-EDR01 for a funding request from Winston Water Cooler, LTD in an amount not to exceed \$10,415.58. Mr. Matlock seconded the motion and all members present voted “aye”.

Consideration to approve Resolution 2023-EDR03, approving a loan for the purchase of real property.

Mr. Acker made motion to approve Resolution 2023-EDR03 for a loan to purchase real property. Mr. Forisha seconded the motion and all members present voted “aye”.

Department Reports

Mr. Aaron stated that the complete report packet has been emailed to the Council members for review prior to the meeting. As a consideration of time during this meeting no presentations were given, however, department heads are in attendance should there be any questions or discussions necessary.

Administrator's Report

- Currently there are 3 full-time and 1 part-time positions open within Administration, Sanitation and Water/Sewer departments
- Request for bids to be solicited for 1000-feet of sidewalk at Town Center development along the west side of the lake; original budget included for \$200,000 of ARPA funds for the sidewalk project and \$100,000 of ARPA for the public restroom project, adjustment to be for the full \$300,000 to be used toward the sidewalk project
- Anticipate the solicitation of bids for the public restroom project within the next month; structure to include 2 stalls in each Women and Men facility and a small supply closet; \$150,000 budgeted
- Kelcy Way and Buena Vista along with parking lot at Town Center to be open to the public this weekend to accommodate graduations and Mother's Day traffic
- Two (2) RFQs have been submitted to Brown County for the Ambulance Service contract, estimating a county-wide increase, for the City of Early allocation portion to be approximately \$24,000 increase from \$6,000 to \$30,000 annually
- Certified Estimate of 2023 Appraisal Values from Brown County Appraisal District:

2022 Certified	\$546.8 million
2023 Estimated	\$570 million
Contested value	(\$260 million)
Estimated Net	\$310 million

Announcements

Print out of a QR code provided for the purpose of a Community Needs Assessment for adult and youth activities. This QR code has been posted on social media and website for anyone living in or out side of Brown County. Please scan and complete the assessment to help staff collect this information.

Adjourn

Mr. Acker made motion, seconded by Mr. Matlock, to adjourn the meeting. All members present voted "aye" adjourning the meeting at 7:23pm.

06-13-2023

DATE

Robert Manger

MAYOR

Brenda Kilgo
CITY SECRETARY