

The Early City Council met in regular session on Tuesday, September 12, 2023 at 6:00 p.m. with the following members present:

Mayor Mangrum

Council members:

Benny Allcorn

Leland Acker

Garry Forisha

Charles Matlock

Travis Eoff

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. Matlock gave the invocation and led the Pledge of Allegiance.

**Consideration of the minutes for regular meeting held on August 22, 2023.**

Mr. Matlock 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.

**Consider appointment of two (2) board members to Early Municipal Development District.**

Mr. Acker made motion for the reappointment of David Mercer and Kris Sparks to the Early MDD Board. Mr. Matlock seconded the motion and all members present voted "aye".

**Consider appointment of three (3) board members to Planning and Zoning Commission.**

Mr. Acker made motion, seconded by Mr. Matlock, to reappoint Gary Stovall, James Finch and Brian Callaway to the Planning and Zoning Commission. All members present voted "aye".

**Consideration to approve street closure and barricades for Early ISD Homecoming parade.**

Mr. Essary provided a map showing a clockwise route from the high school and ending at the stadium for the 2023 Homecoming parade to be held on October 4, 2023. Road closures include Sudderth Drive and Sunrise.

Mr. Allcorn made motion to approve the road closures as presented for the Early ISD Homecoming parade. Mr. Forisha seconded the motion and all members present voted "aye".

**Consideration to approve Resolution 2023-R15, approving the negotiated settlement between Atmos Cities Steering Committee and Atmos Energy regarding the 2023 Rate Review Mechanism filing.**

Mr. Aaron stated that the Atmos Cities Steering Committee negotiated the RRM filing with the billing rate impacts as follows:

Residential – average monthly rate impact \$6.47, a 7.31% increase

Commercial – average monthly rate impact \$24.72, a 5.19% increase

Mr. Allcorn made motion, seconded by Mr. Matlock, to approve Resolution 2023-R15 as recommended by Atmos Cities Steering Committee. All members present voted “aye”.

**Consideration to award bid proposal, RFP 2023-006, for Sewer Line Replacement.**

Mr. Aaron noted that the planning for this project started back in 2017 after the completion of the Wastewater Treatment Facility with the use of the remaining TWDB funds. Jacob and Martin are the approved engineers on this project and they handled the bid process. Three bids were received with one of those being disqualified for not in compliance with the requirements of the RFP. A bid tabulation was provided and based on the information included Jacob & Martin recommend the contract be awarded to Bontke Brothers for Base Bid A, Alternate #1 with additional change order options as noted, for a total of \$596,581 subject to TWDB concurrence.

Mr. Aaron stated that with the contract amount and the cost of engineering for \$40,000, approximately \$76,000 would be remaining within the TWDB funds that would be used for the materials used for the portion of the project to include Park Drive that will be completed by city employees.

Mr. Matlock made motion to award the contract to Bontke Brothers in the amount of \$596,581 and for the use of TWDB funds for this project to include the \$40,000 of engineering cost. Mr. Forisha seconded the motion and all members present voted “aye”.

**Consideration to approve Ordinance 2023-10, amending 2022-2023 Fiscal Year Budget.**

Mr. Aaron provided a summary sheet to show the amounts per fund to be included within the requested budget amendment.

General Fund: Revenue amendments include Sales Tax receipts and fund transfers; Expenditure amendments include various cost increases for budgeted items and the early payoff of an equipment note.

MDD Fund: Revenue amendments include Sales Tax receipts and loan proceeds; Expenditure amendments include for the purchase of real property with the use of loan proceeds.

Sewer Fund: Revenue amendments include Agriculture income and interest income; Expenditure amendments include the cost increase above original PO amount for equipment and fund transfer for the early payoff of equipment/truck notes.

Sanitation Fund: Revenue amendments include fund transfers; Expenditure amendments include the early payoff of trash truck note.

All amounts included in this amendment have been accounted for and included within the beginning fund balances for the 2023/2024 fiscal year budget.

Mr. Acker made motion, seconded by Mr. Allcorn, to approve Ordinance 2023-10 to amend the 2023/2024 Budget as presented. All members present voted “aye”.

**Consideration to approve Ordinance 2023-11, authorizing a change to the City's TMRS benefits.**

As discussed during budget workshops and approved within the 2023/2024 fiscal budget, the City is changing its match rate ratio from 1.5 to 2.

Mr. Forisha made motion, seconded by Mr. Allcorn, to approve Ordinance 2023-11 and authorizing a change to the City's TMRS benefits. All members present voted "aye".

**Discuss and consider approval of entering into an agreement with Stantec Consulting Services to provide a cultural assessment for Early Town Center project.**

As part of the EDA Grant process, a cultural assessment is required for the Town Center project's funding eligibility. Stantec Consulting Services include both a Historical and a State archeological review and cultural assessment that satisfies this requirement. A copy of the agreement and Scope of Work was provided for the Council's review. Stantec submitted a proposal in the amount of \$25,655 for their services.

Mr. Acker made motion to approve the agreement with Stantec Consulting Services for an amount not to exceed \$25,655. Mr. Matlock seconded the motion and all members present voted "aye".

**Consideration to approve a supplement agreement with Volkert for engineering services on the TXDOT Transportation Alternative (TA) grant sidewalk project.**

Mr. Aaron stated that the supplement in the amount of \$35,000 includes for the engineering design of the Orchard/Parkway intersections to coincide with the construction of the sidewalk project.

Mr. Allcorn made motion, seconded by Mr. Matlock to approve the supplement agreement as presented for an amount not to exceed \$35,000. All members present voted "aye".

**Consideration to approve a supplement agreement with Volkert for engineering services for Mangrum Street project at Early Town Center.**

A supplemental scope of work includes for Mangrum Street, Boardwalk and parking areas at the South end near the Batting Cage and Kelcy Way in the amount of \$26,000.

Mr. Matlock made motion, seconded by Mr. Acker, to approve the supplement agreement with Volkert as presented for an amount not to exceed \$26,000.

**Progress report on the Early YMCA project.**

Mr. Aaron provided several images and charts showing the various designs, amenities and square footage discussed in progress meeting held every two weeks with the consultant architect, YMCA director and city staff. The conceptual layout of the facility shows square footage to be approximately 30,000 to 33,000 square feet for a 2-story building. Meetings and progress has been very productive and still moving forward. Mr. Aaron anticipates that if this project is called for election it could be as early as May 2024.

**Executive Session in accordance with the provisions of Chapter 551, Texas Government Code, Section 551.071, Consult with Attorney; Section 551.072, Real Property; Section 551.087, Economic Development.**

Mr. Allcorn made motion, seconded by Mr. Acker, to enter into Executive Session. All members present voted "aye", entering into closed session at 6:39 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 at 7:08 p.m. All members present voted "aye".

**Consideration to approve Resolution 2023-R16, authorizing a 380 Agreement between City of Early and Sunrise Property Group, LLC regarding the Longhorn Subdivision development project.**

Mr. Allcorn made motion to approve Resolution 2023-R16 as presented. Mr. Acker seconded the motion and all members present voted "aye".

**Consideration to approve the use of Economic Development Municipal Development grant, Resolution 2023-EDR07, between Early MDD, City of Early, and Dos Lanzas, LLC.**

Mr. Matlock made motion, seconded by Mr. Acker, to approve Resolution 2023-EDR07. All members present voted "aye".

**Consideration to approve Resolution 2023-R17, authorizing a 380 Agreement between City of Early, Early MDD and Dos Lanzas, LLC regarding property at 201 Parkway.**

Mr. Acker made motion to approve Resolution 2023-R17 as presented. Mr. Matlock seconded the motion and all members present voted "aye".

**Consideration to authorize Early MDD to solicit proposals for the sale and development of property within the Early Town Center Development.**

Mr. Acker made motion, seconded by Mr. Matlock, to authorize Early MDD to proceed with solicitation of proposal for the sale of land and development of property within Early Town Center Development. All members present voted "aye".

#### **Administrator's Report**

Autumn Drive project:

Slow progress due to the original depth of water and sewer mains; City employees re-doing those lines, it is not a contractor issue; positive note is the communication process from the City to the residents on the status and notifications of the project.

Early Town Center project:

Approximately 700 feet of sidewalk left to pour/complete; setting of the light post will follow very quickly after the completion of the sidewalks; some delay on design of Boardwalk

where it is to meet Mangrum Street, a retaining wall of some kind is needed so researching options.

Anticipate a Council tour of the Early Town Center project once the sidewalks are complete.

### Announcements

- West Central Texas Council of Governments Sub-region V Meeting - Wednesday, September 27th 12PM
- National Night Out - Tuesday, October 3<sup>rd</sup>
- Early Chamber of Commerce Annual Banquet - Thursday, October 19th 6PM

### Adjourn

Mr. Matlock made motion, seconded by Mr. Acker, to adjourn the meeting. All members present voted "aye" adjourning the meeting at 7:24 p.m.

10-10-2023  
DATE  
Rohit Mayur  
MAYOR

Brenda Kilgo  
CITY SECRETARY