

The Early City Council met in regular session on Tuesday, February 13, 2024 at 6:00 p.m. with the following members present:

Mayor Mangrum

Council members:

Benny Allcorn

Charles Matlock

Leland Acker

Garry Forisha

City Administrator Tony Aaron

Economic Development Director Larry McConn

City Secretary Brenda Kilgo

City Attorney Mark Bessent

Council member Travis Eoff was absent.

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

**Consideration of the minutes for regular meeting held on January 23, 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.

**Public Hearing – Review of Building and Permit Fees**

Mangrum opened the Public Hearing at 6:01 p.m. and asked City Administrator Tony Aaron to proceed with the information for this matter. Mr. Aaron explained that a State statute was updated in last year's Legislative Session requiring a review of a municipalities building fees every 10 years and reauthorize those fees if no updated ordinances have been approved within a 10-year period.

A list of the current building permit and inspection fees were presented for review.

Having no questions or comments, Mayor Mangrum closed the Public Hearing at 6:02 p.m.

**Consideration to approve Ordinance 2024-01, reauthorizing building permit and inspection fees.**

Mr. Acker made motion to approve Ordinance 2024-01, reauthorizing building permit and inspection fees as presented. Mr. Matlock seconded the motion and all members present voted "aye".

**Consideration to approve Ordinance 2024-02, establishing facility use fees for City of Early ballpark.**

Mr. Aaron provided a list of proposed facility use fees for the City ballparks. He stated that these fees were more for private organizations and travel teams instead of local associations.

He also noted that the proposed fees are in line with what neighboring entities and facilities are charging. The proposed fees include hourly fees for fields and lights as well as tournament fee options. Fees for the use of the pavilions are also included within the proposed ordinance.

Mr. Forisha made motion, seconded by Mr. Acker, approve Ordinance 2024-02 to establish facility use fees for City Park. All members present voted "aye".

**Consider adoption of a Resolution, 2024-R01, creating 2024 Building Early, Texas Initiative; an economic development program under Chapter 380 of the Texas Local Government.**

This program waives all building permits and tap fees for any new single residential construction within city limits. 2023 resulted in approximately \$7700 of fees waived but the growth in the property tax value is the added benefit for the city.

Mr. Allcorn made motion, seconded by Mr. Acker, to approve Resolution 2024-01 creating 2024 Building Early, Texas Initiative. All members voted "aye".

**Consider approval of a Resolution, 2024-R02, approving the submission of a Justice Assistance Grant (JAG) application.**

Chief Mercer explains that this grant is through the West Central Texas Council of Governments. The application for the grant is to use the funds to purchase a phone recording system for the Early Police Department. This grant is a 100% refundable, with no cost match from the City; the amount of the grant requested is for the cost of the equipment at \$13,000.

Mr. Allcorn made motion to approve Resolution 2024-R02 for the submission of a Justice Assistance Grant application. Mr. Forisha seconded the motion and all members voted "aye".

**Consideration of Resolution 2024-R03, approving an application for the Bullet Resistant Shield Grant Program**

Chief Mercer stated that the Police Department received this grant last year for the purchase of two shields; this application is for eight shields so that each patrol unit is equipped with one. This is also a 100% reimbursable grant, with no cost match from the City; the cost of the equipment is \$23,000.

Mr. Forisha made motion, seconded by Mr. Matlock, to approve Resolution 2024-R03 for an application for the Bullet Resistant Shield Grant Program. All members present voted "aye".

**Consider approval of Resolution 2024-R04, authorizing continued participation with the Steering Committee of cities served by ONCOR, and authorizing payment to fund regulatory and related activities related to ONCOR.**

The continued participation with the ONCOR Steering Committee is recommended. With a minimal assessment fee of \$329, the benefits far outweigh the cost.

Mr. Acker made motion to approve Resolution 2024-R04 authorizing the continued participation and payment of the assessment fee as presented. Mr. Allcorn seconded the motion and all members present voted "aye".

**Consider approving Resolution 2024-R05, ordering an election to be held May 4, 2024 to elect three (3) Council members and providing details relating to the holding of such election.**

Mr. Allcorn made motion, seconded by Mr. Matlock, to approve Resolution 2024-R05 ordering an election for three Council members on May 4, 2024. All members present voted "aye".

**Consider continuation of the variance granted to City Ordinance Code Chapter 23, Section 2-2, to place a firework stand to sell fireworks at 710 Garmon Drive.**

Reviewed on an annual basis, the firework stand passed all inspections and meets all requirements with the building code. There were no responses received for or against this request and it is recommended that the variance be granted for another year.

Mr. Allcorn made motion to approve the variance as requested. Mr. Acker seconded the motion and all members present voted "aye".

**Consider approval of Economic Development grant application, Resolution 2024-EDR01, to City of Early for Town Center Boardwalk and utilities construction.**

This item is included within the EMDD budget for the Boardwalk construction and related utilities such as gas (Atmos) and electric (Oncor) at Town Center in the amount \$600,000. The MDD Board approved the grant funds in their meeting earlier this month.

Mr. Acker made motion, seconded by Mr. Matlock, to approve Resolution 2024-EDR01 in the amount of \$600,000 for the Boardwalk and utilities construction at Early Town Center. All members present voted "aye".

Mayor Mangrum announced that item #10 will be moved for discussion and consideration after Executive Session.

**Executive Session in accordance with the provisions of Chapter 551, Texas Government Code, Section 551.071, Consultation with Attorney.**

Mr. Matlock made motion, seconded by Mr. Acker, to enter into Executive Session. All members voted "aye" and entering into closed session at 6:17 p.m.

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

Mr. Acker made motion, seconded by Mr. Matlock, reconvene into open session at 6:42 p.m. All members present voted "aye".

**Discussion and consideration of approval to enter a Memorandum of Understanding (MOU) between YMCA of Abilene, the City of Early and Brown County regarding Brown County Family YMCA.**

Mr. Acker made motion, seconded by Mr. Forisha, to approve to enter a MOU between YMCA of Abilene, the City of Early and Brown County regarding the Brown County Family YMCA.

**Reports:**

Building & Developing services (1<sup>st</sup> Quarter FY 2023/2024)

Jeremy Essary reported:

- 123 Permits; 85 open, 44 closed
- Skyview development
  - o 3 new houses, final inspections pending
  - o Upcoming new builds
  - o 8 lots sold for new builds
- 8 new houses built; 4 qualified under the 2023 Building Initiative
- Longhorn Subdivision – 25 lots

2023 Racial Profile

Chief Mercer reported:

- 2277 traffic stops / pedestrian contacts
- 1067 on city streets, 1160 on State highways or County
- 217 of the stops the race/ethnicity was known
  - o 0 Alaskan
  - o 3 Asian
  - o 105 African American
  - o 633 White
  - o 703 Hispanic

Police Department (1<sup>st</sup> Quarter FY 2023/2024)

- 839 calls
  - o 315 traffic stops
  - o 264 tickets
  - o 36 accidents
  - o 46 arrests
  - o 16 drug arrests
  - o 8 DWI
  - o 0 use of force

Two new patrol units: Dodge Durango and Dodge Charger

Mr. Aaron also reported 3 “Atta boys” to the department:

Officer Olalde saved a life with use of a tourniquet in an accidental shooting

Officer Fletcher made arrest of fleeing suspect in a Brownwood homicide

Officer Simpson and Sergeant Sheedy made arrest for an armed robbery fleeing from Lometa

CVB (1<sup>st</sup> Quarter FY 2023/2024)

- 34 EVEC Rentals
- 64 Business Complex room rentals
- Approximately 1100 attended October's Movie in the Park event
- Sponsored or provided grant funds to five (5) other events this quarter
- Social media
  - o 14,637 content engagement
  - o 112,305 Facebook reaches
- 353 visitors logged at the EVEC

- Beyond Early program – feature stories of surrounding smaller communities including Blanket, Zephyr and May on the Visit Early website to help promote tourism for all communities

Finance Department (1<sup>st</sup> Quarter FY 2023/2024)

- Budget progress is consistent with expectations with few exceptions for 22/23 projects continuing over into new budget year (Autumn Drive, Town Center)
- Base Sales Tax still averaging above budget; industrial sector has decreased
- Interest earned on all bank accounts for the quarter \$103,000

Administrator's Report

Fraud Risk Assessment – annual review to determine likelihood, significance, and strength/weakness of internal controls regarding theft risks; report shows good internal controls for majority of items reviewed; key discussion from the review involved the topic of “smaller items add up” resulting in a closer look into inventory management for such items as tools, fuel, etc.

TA Grant (TXDOT) – Sidewalk project contractor is on site to begin on north side of Early Blvd, includes Longhorn/W. Industrial, Oak Street to Early Blvd, and then move to Orchard intersection; grant is at \$0 cost to city; TXDOT handles all inspections and contractor communication;

Orchard intersection will include a calming circle/roundabout at Parkway with a 3-way yield at the circle itself and a 3-way stop at the Orchard(s) intersection; construction to begin soon in conjunction with the sidewalk project.

Autumn Drive – concrete work will be completed this week; final base layer and asphalt to follow within a few weeks.

Park Drive sewer line – replacement is almost complete; next move will be to Crescent Drive for the sewer line rehab project; additional work on City side will be to rehab the lines across McDonald Park (behind pavilion and concession stands) for water and wastewater infrastructure to Bluebonnet and the Longhorn Subdivision.

Adjourn

Mr. Matlock made motion, seconded by Mr. Forisha, to adjourn the meeting. All members present voted “aye” adjourning the meeting at 7:21 p.m.

Ronell Maynor  
-DATE mayor

03/12/2024  
-MAYOR DATE

Brenda Kilgo  
CITY SECRETARY

COUNCIL MEETING  
CITY HALL - 960 EARLY BLVD.  
TUESDAY, MARCH 12, 2024 6PM  
**AGENDA**

**A. Call to order, Invocation, Pledge of Allegiance**

**B. Consideration of the minutes for regular meeting held on February 13, 2024**

**C. Citizen's comments**

**D. Matters of New Business**

1. Consideration to approve a Hotel Occupancy Tax Fund Grant application for Howard Payne University Athletics, **Resolution 2024-CVR02**.
2. Consider approval of **Resolution 2024-R06**, 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.
3. Consideration to award bid proposal, **RFP 2024-04**, Light Poles for Boardwalk.
4. Consider adopting an **Ordinance 2024-03**, cancelling the General Election for May 4, 2024 and declaring the unopposed candidates elected.
5. Consideration to approve **Ordinance 2024-04**, authorizing the Municipal Maintenance Agreement between TxDOT and City of Early.
6. Consideration to approve the use of American Rescue Plan Act (ARPA) funds for Early Town Center infrastructure.
7. Consideration to approve **Ordinance 2024-05**, amending 2023-2024 Fiscal Year Budget.

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

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

**G. Administrator's Report**

1. Autumn Drive project
2. Park Drive sewer line project
3. Early Town Center project
4. Transportation Alternative (TA) Grant project
5. Orchard Drive / Parkway Drive intersection

**H. Announcements**

1. State of the City - Friday, April 12th
2. Smart City Expo - Thursday, May 2nd

**I. Adjourn/Recess**