

The Early City Council met in regular session on Tuesday, April 22, 2025 at 6:00 p.m. with the following members present:

Mayor Mangrum

Council members:

Benny Allcorn

City Secretary Brenda Kilgo

Leland Acker

Economic Development Director Larry McConn

Garry Forisha

City Attorney Mark Bessent

Leland Acker

Travis Eoff

Councilman Charles Matlock and City Administrator Tony Aaron were absent.

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

Consideration of the minutes for regular meetings held on April 8, 2025

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

Citizen's comments

No comments

Roberts & McGee CPA will present Fiscal Year 2023/2024 audit for Council review and acceptance.

Cara Hilbrich of Roberts & McGee CPA presented the 2023/2024 Fiscal Year Audited Financials. Mrs. Hilbrich stated that there were no issues with management or staff and no reportable issues with the audit process. A Modified Opinion, a clean report, was given for the audited financial statements and indicating that the City is in good financial standing.

Consideration to accept the 2023/2024 Fiscal Year Audit.

Mr. Allcorn thanked Mrs. Hilbrich and made motion to accept the FY 2023/2024 Audit as presented. Mr. Eoff seconded the motion and all members present voted "aye" to pass the motion.

Consideration to approve Change Order No. 5 for the contract on City of Early Boardwalk Construction at the Early Town Center.

Mr. McConn explained that this change order is for material and labor to provide a more stable and secure support base for the light poles along the boardwalk. After the first few installs of the light poles the poles were swaying enough and consistently that the contractor notified City staff. Suggestions and options were discussed with a final result to include an angle iron bridging design to provide better stability and reduce the swaying. Mr. McConn noted that this is not a structural risk at all and is mainly aesthetic. There are 80 poles on the boardwalk for a total cost of \$24,156

for this change order. There was a misprint in the agenda item and this is actually change order No. 6 on this contract.

Mr. Acker made motion, seconded by Mr. Forisha, to approve Change Order No. 6 in the amount of \$24,156 for the Early Boardwalk construction contract. All members present voted “aye” to pass the motion and approve the Change Order.

Consider acknowledging the completion of the lease agreement with Solaris Oilfield Early Property LLC and to authorize a release of lien from the City of Early and issue Special Warranty Deed for the building financed through Texas Department of Agriculture Texas Capital Fund project.

The building located on the property owned by Solaris Oilfield was originally built by the Ross Company with funds through the Texas Capital Fund of the Texas Department of Agriculture. Over the years the transition of property owners has also transferred the lease of that structure. Lease payments have been made to the City of Early and the City has in turn made the note payments to Texas Department of Agriculture. The lease obligations have been fulfilled by Solaris and in turn the note balance through the Texas Capital Fund has been paid off. A Special Warranty Deed for the building will be signed, recorded and a copy provided to Solaris to release the building of any liens.

Mr. Allcorn made motion, seconded by Mr. Acker, to approve the release of the lien and authorize Mayor Mangrum to sign the Special Warranty Deed as per the terms of the lease agreement. All members present voted “aye” to pass the motion as stated.

Public Hearing – Requests of variance to Ordinance Code Chapter 23:

Mayor Mangrum opened the Public Hearing at 6:14 p.m. and asked Mr. Essary of Development Services to provide the information for discussion.

- Section 2-2 to allow placement of a firework stand for the sale of fireworks:
An annual request for a fireworks stand to be set up at 710 Garmon Dr. An inspection and verification of sales tax ID and reporting by City staff is required prior to the Public Hearing. Both have been completed and approved by the City. Notices have been sent to all surrounding property owners as required by the UDC and no response was received for or against the request.
- Section 2-2-3(d)(36) to offer tattoo and piercing services:
The parameters of the UDC and the location of this property, 611 Early Blvd., require a variance approval for the type services the business is requesting to provide. For a Limited Use permit the business property cannot be within 300 feet of a GR (General Residential) Zoning District; the back Southwest corner of this property is 268 feet from a GR Zone. Notices have been sent to all surrounding property owners as required by the UDC and no response was received for or against the request.
- Section 3-1-8 to place an accessory building on a vacant lot:
Property owner is requesting to place an accessory building on the lot (813 Scarlet Drive) adjacent to his residential home lot (811 Scarlet Drive). UDC regulations do not allow any

building on a vacant lot other than the primary dwelling. Notices have been sent to all surrounding property owners as required by the UDC and no response was received for or against the request. Mr. Jackson, property owner, is present for any questions.

Having no further questions or discussion Mayor Mangrum closed the Public Hearing portion of the meeting at 6:24 p.m.

Consideration to approve a variance to Ordinance Code Chapter 23, Section 2-2 to allow placement of a firework stand at 710 Garmon Drive for the sale of fireworks.

It is staff recommendation to approve the variance as requested and to continue the annual renewal process in order to complete an inspection and verify sales tax reporting of the business and location.

Mr. Allcorn made motion to approve the annual variance to allow placement of a firework stand at 710 Garmon Drive for the sale of fireworks. Mr. Acker seconded the motion and all members present voted "aye".

Consideration to approve a variance to Ordinance Code Chapter 23, Section 2-2-3(d)(36) to offer tattoo and piercing services at 611C Early Blvd.

Tattoo services offered for this location is specifically for cosmetic such as eye brows, eye liner, lips, etc. not the artistic type for all body application; however, the license and UDC clarification is not detailed or separated. The license is issued from the Texas Health Department to the studio, not the owner or applicator, so if the current studio changed its venue it could become a more typical tattoo studio with the variance.

Mr. Acker made motion, seconded by Mr. Eoff, to approve the variance as requested for 611C Early Blvd. All members present voted "aye" to pass the motion.

Consideration to approve a variance to Ordinance Code Chapter 23, Section 3-1-8 to place an accessory building on a vacant lot located at 813 Scarlet Dr.

Mr. Jackson, property owner, indicated that the intent of the accessory building would be for his RV storage use and to allow ample room for maneuvering it when leaving, returning, cleaning, etc. close to his home since he does own both lots. Mr. McConn noted that if the variance is approved and the property (813 Scarlet Dr.) is sold separately it would be a non-conforming lot under the UDC regulations. It was also noted that if the variance is approved, the setback requirements would be the same as on any other conforming lot.

Mr. Acker made motion, seconded by Mr. Forisha, to approve the variance to place an accessory building on a vacant lot located at 813 Scarlet Drive. All members present voted "aye" to pass the motion.

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

No Executive Session

Announcements

- April 24th - Smart City Expo, McDonald Park, 4pm-7pm
- April 25th - Retirement reception for Ken Martin, Jacob & Martin Engineer, 2pm-4pm

Adjourn

Concluding all business matters, Mr. Acker made motion that was seconded by Mr. Forisha to adjourn the meeting. All members present voted "aye" adjourning the meeting at 6:30 p.m.

5-13-2025

DATE

Robert Morgan

MAYOR

Brenda Kile

CITY SECRETARY