

The Early City Council met in regular session on Tuesday, September 9, 2025 at 6:00 p.m. with the following members present:

Mayor Mangrum

Council members:

Garry Forisha

Charles Matlock

Travis Eoff

Benny Allcorn

Joel Johnson

City Administrator Tony Aaron

City Secretary Brenda Kilgo

Economic Development Director Larry McConn

City Attorney Mark Bessent

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

#### Citizen's comments

No citizen present however Mr. Aaron took the opportunity to introduce new employee Garrett Wells as the new Code and Building Inspector. Jeremy Essary, current Inspector, is resigning at the end of the month for new endeavors.

#### Special Recognition

Denise Hudson-Brian announced that Amy Constancia obtained her TACVB Destination Management Specialist Certification. A three-year program and the first class of the program through Destination Texas, requiring training conferences, classwork and an essay at the end of each class. Further recognizing Amy's hard work and passion for her love of the Early community and the work she does for the City of Early.

Mr. Aaron added to Amy's accolades by recognizing her bright personality and how passionate she is about her job, promoting tourism that directly impacts our location and economy.

A photo was taken with Amy holding her certificate plaque with Mayor Mangrum and Tony Aaron.

#### Proclamation – National Night Out

Mayor Mangrum read aloud a proclamation recognizing the history and purpose of National Night Out, designating October 7, 2025 as National Night Out.

#### Consideration to approve a variance to construct a carport at 315 E. River Oaks

Jeremy Essary presented a variance request from Charles Carlton for a 10-foot variance to the 25-foot setback requirements to install a carport at his address. Mr. Essary explained that this request is before Council because specifications within the UDC disallow it from being a staff approval, mainly because there are no similar structures within 300 feet of the property.

Required notices were mailed to surrounding properties with no responses received either for or against the request. Although the street has a larger than normal right-of-way there are no issues or concerns should any plans arise to widen the street.

Mr. Forisha made motion that was seconded by Mr. Matlock approve the variance as requested. All members present voted “aye” to pass the motion.

**Consideration to approve a Special Event application to allow a bonfire as part of the Early ISD Homecoming activities.**

Mr. Essary provided the request from Early ISD staff to have a bonfire as a means to cleanup brush cleared from the campuses and boost the community spirit during the 2025 Homecoming week.

Further stating that if approved, the bonfire would be dependent upon weather conditions deemed favorable or not by the Early Fire Marshal. Currently a burn ban is in effect by Brown County Commissioners but the school district has obtained a permit from the County to burn the brush pile based on the determination of Early Fire Marshal.

Mr. Forisha made motion to approve the special event application for the bonfire pending on weather conditions and approval of the Fire Marshal. Mr. Johnson seconded the motion and all members present voted “aye” to pass the motion.

**Consideration to approve Resolution 2025-R19, approving the negotiated settlement between Atmos Cities Steering Committee and Atmos Energy regarding the 2025 Rate Review Mechanism filing.**

Atmos Cities Steering Committee has negotiated the settlement agreement with Atmos Energy from \$225 Million to \$205 Million for RRM Tariffs. The impact of the settlement would be a 9.27% increase to residential customers, approximately \$7.84/month increase and a 6.56% increase to commercial customers for approximately \$25.73/month.

Based on the information from the Steering Committee it is also staff’s recommendation to approve the resolution presented.

Mr. Allcorn made motion, seconded by Mr. Matlock, to approve Resolution 2025-R19 as presented for the 2025 Rate Review Mechanism filing. All members present voted “aye” to pass the motion.

**Consider approval of Ordinance 2025-08 amending Chapter 23 Unified Development Code within the City Code of Ordinances.**

Mr. McConn stated that after several months of staff reviewing and discussing recommendations were made to repeal, replace and add items within Chapter 23 of the Code of Ordinances to provide more relevance to our changing economy and community. When the UDC, Unified Development Code, was established the Town Center area was listed as a conceptual zone. With further development occurring some changes to the land uses within that zone ‘district’ needs to be more defined and some added. The amendments within this Ordinance include such items as:

- Setback requirements along the Boardwalk buildings to include for TACB rules, provisions for balcony structures and deliveries
- Signage specifications and regulations in the Town Center area

- Clearer definitions for such businesses as a butcher shop and tattooing to include for cosmetic services often provided within a beauty salon or similar business

Mr. Johnson made motion, seconded by Mr. Matlock, to approve Ordinance 2025-09 amending Chapter 23 as presented. All members present voted “aye” to pass the motion.

**Consider approval of Ordinance 2025-09 amending Chapter 11, Section 135 within the City Code of Ordinances to provide reaffirmation of enforcement authority.**

The intent of this amendment is to clarify responsibility of property owner and city for vegetation in public right-of-ways, utility easements and drainage areas adjacent to private property. Targeted areas specifically between the property line and the curb, alley, sidewalk, or drainage channel. These amendments provide definitions, regulations and requirements of responsibility.

Mr. Matlock made motion to approve Ordinance 2025-09 to amend Chapter 11, Section 135 as presented. Mr. Johnson seconded the motion and all members present voted “aye” to pass the motion.

**Consideration to approve Ordinance 2025-10 amending 2024-2025 Fiscal Year Budget.**

This amendment reflects unanticipated revenues and expenditures occurring throughout the 2024-2025 fiscal year within the General Fund, MDD Fund, Sewer Fund and Capital Projects that resulted in an overall net increase to total fund balance of \$497,301. A summary sheet was provided to detail the amounts and related fund accounts to include:

- Additional sales tax receipts (General & MDD)
- Loan proceeds
  - o General – to purchase ladder truck
  - o MDD – construct Mangrum Street
- Salvage/Surplus sales used to pay off equipment debt (Sewer)
- Insurance claim for totaled patrol unit and replacement cost
- MDD grant to City for Boardwalk amenities (General & Capital Projects)
- Interest income (Capital Projects)

Mr. Johnson made motion, seconded by Mr. Forisha, to approve Ordinance 2025-10 amending the 2024-2025 fiscal year budget. All members present voted “aye” to pass the motion.

**Presentation for consideration to approve a funding request from Corinne T. Smith Animal Center.**

Corinne T. Smith Board members Chrissy Nelson, Charys Leal, and Jessica Bonin address the Council to request consideration for additional funding to help supplement the Center’s needs in order to care for the animals brought in by City of Early and their citizens. A letter was presented to the Council thanking them for the current support, providing statistics on the number of animals and cost associated for those directly related to the City of Early and its citizens. The current subsidy amount budgeted for the Animal Center in the 2025/2026 fiscal year is \$5,000. They are requesting an additional \$15,000 from the City.

Mr. Aaron explained the budget preparation and timing process, stating that there may be some funds available to help but not certain as to how much. He will review further and see what may be available and consider drafting an agreement between the City and the Center to quantify the amount of subsidy to the services and number of animals.

No Council action was taken.

**Executive Session in accordance with the provisions of Chapter 551, Texas Government Code, Sections 551.072 and 551.087.**

Mr. Allcorn made motion to enter into Executive Session. Mr. Eoff seconded the motion and all members present voted “aye”, entering into closed session at 6:50 p.m.

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

Mr. Johnson made motion to reconvene into Open Session. Mr. Forisha seconded the motion and all members present voted “aye”, entering back into regular session at 6:58 p.m.

**Consideration to approve the use of Economic Development Municipal Development grant, Resolution 2025-EDR07, between Early MDD, City of Early, and Muy Poqueno LLC.**

Mr. Matlock made motion, seconded by Mr. Johnson, to approve Resolution 2025-EDR07 for the use of an Economic Development Municipal Development grant between Early MDD, City of Early and Muy Poqueno, LLC. All members present voted “aye” to pass the motion.

**Consideration to approve Resolution 2025-R20, authorizing a 380 Agreement between City of Early, Early MDD and Muy Poqueno LLC.**

Mr. Matlock made motion to approve Resolution 2025-R20 authorizing a 380 Agreement between the City of Early, Early MDD and Muy Poqueno LLC. Mr. Forisha seconded the motion and all members present voted “aye” to pass the motion.

**Administrator's Report**

Boardwalk – final punch list underway except for the turf and shade structure area, it still has some further items to be completed; furniture and amenities are in progress of requisition of PO and ordering; trees and plants currently in progress of install in the planters on the boardwalk  
Mangrum Street and parking lot – first batch of base has been laid; forms and concrete for curb and gutter install has started; second batch of base to be laid beginning next week

Public Restroom building – anticipate a punch list walk through next week

McDonald Drive – to begin milling of the street within the next couple of weeks  
Oncor finalized power for the Boardwalk today at 4PM so Light and Signage testing is scheduled for this evening at sunset on the Boardwalk; Council and staff invited

**Announcements**

Tuesday, October 7th - National Night Out – A Free Event is planned at Town Center Park with live music, bounce house, mechanical bull, hot dogs, and batting cage contest in addition to the annual canned tuna drive/contest and several neighborhood block parties. The activities will begin at 5:30PM and wrapping up at 8:30PM. A large number of attendees is anticipated for this annual community event.

**Adjourn**

Concluding all business matters, Mr. Matlock made motion that was seconded by Mr. Eoff to adjourn the meeting. All members present voted “aye” adjourning the meeting at 7:09 p.m.

10-14-25

DATE

Robert J. Mangan

MAYOR

Brenda Kitzo

CITY SECRETARY