

On this the 15th day of August, 2022 at 6:30 p.m., the City Commission of the City of Hereford, Texas, convened in a regular session in the Commission Chamber in City Hall, the meeting being open to the public and notice of said meeting having been given as prescribed by Chapter 551 of the Government Code, with the following members being present and in attendance, to-wit:

Cathy Bunch, Mayor  
 Reyna Ruiz, Commissioner Place One  
 Angie Alonzo, Commissioner Place Two  
 Clint Savoini, Commissioner Place Three  
 James Stow, Commissioner Place Five  
 Rocky Bhakta, Commissioner Place Six  
 Steve Bartels, City Manager  
 Suzanne Finch, City Secretary  
 Audie Sciumbato, City Attorney

Absent: Mark Collier, Commissioner Place Four

Jim Steiert was in attendance from the Hereford Brand and Lane Formby from KPAN to witness the proceedings.

Also, in attendance were Assistant City Manager/Fire Marshal Dean Turney, Finance Manager Wade Hawkins, HEDC Executive Director Kurt Jones, Margaret Del Toro, Aurora Flores, Eusebio Flores, Ramon Nunez, Carmen Nunez, Mack Nielsen, Mike Schueler, Amy Schueler, Jim Yeager, Cristal Dudley, Jason Dudley, Denise Teel, Jerry Teel, Ryan Zaloudik, Tom Simons, Cindy Simons, Branden Paschel, Marlene Contreras, Olegario Contreras, Dolores Gonzalez, and James Spence.

Mayor Bunch voiced the invocation and then called upon Commissioner Alonzo to lead the Pledge of Allegiance to the United States flag. She called the meeting to order, welcomed those in attendance, and introduced each item on the agenda.

### **REGULAR HEARINGS:**

#### **ITEM 1 – Public Comments.**

*All comments are limited to no more than 3 minutes (6 minutes if translation is needed) per individual. The City Commission will not comment or deliberate except as authorized by section 551.042 of the Government Code.*

Ramon Nunez inquired how opportunities for boards/employment were posted and how the time limit on speaking times were set.

Mayor Bunch stated we are trying out a new format on our agendas (moving the public comments to the beginning of the meeting) and if we need to, we can adjust the time. City Attorney Sciumbato advised there are no by-laws, just Government Code/Attorney General opinions that allow a reasonable time limit and a lot of places use three minutes.

Mike Schueler encouraged the City Commission to consider pickleball courts at the old Community Center site.

Dolores Gonzalez inquired about personnel changes.

Margaret Del Toro suggested allowing more notice when setting the time for the meeting for the water report.

City Manager Bartels stated anyone with questions on the Consumer Confidence Report mailed out with the water bills can give him a call.

Ramon Nunez inquired who interprets if a translator is needed at a meeting.

Mayor Bunch stated Commissioner Alonzo interprets and if she is not at the meeting Commissioner Ruiz serves as a translator.

**ITEM 2 – Consider approval of minutes for the July 18th, 2022 Regular Meeting.**

Commissioner Savoini made the motion to approve the minutes as presented. Commissioner Ruiz seconded the motion and it passed with the unanimous vote of the Commission.

**PUBLIC HEARING:**

**ITEM 3 - Consider zoning change request for property located at 1500 W. Park requesting rezoning from “C-1” Commercial Retail District to “CB” Central Business District. (Requested by Marlene Contreras, Rosalba Contreras, & Olegario Contreras)**

Marlene Contreras stated this is an event center for small gatherings under a hundred people and is not loud parties like the public perceived. Ms. Contreras had questions on the requirements for “C1” versus “CB”.

Upon motion by Commissioner Bhakta, seconded by Commissioner Alonzo, the Commission voted unanimously to table this item (at 6:55 p.m.) until Assistant City Manager / Fire Marshal Turney could respond to Ms. Contreras’ question.

*(Mayor Bunch moved to Agenda Item #4 through Agenda Item #10 in order to allow time for Assistant City Manager / Fire Marshal Turney to get an answer to a question on Agenda Item #3 before a vote was taken.)*

Assistant City Manager / Fire Marshal Turney returned at 7:04 p.m. and stated “C1” does not allow for dance halls/entertainment; “CB” even though does not specify “event center” it is grouped with others with that kind of description; “CB” is the top level and an owner can do just about anything with that designation. Assistant City Manager / Fire Marshal Turney stated the Planning and Zoning Commission turned down the request and there is the potential if the current owners sold the business – the events could be much larger. Ms. Contreras asked about “dance studios” listed in “C1”. City Manager Bartels stated that is for “instructional” purposes.

Lane Formby questioned the current zoning laws and suggested they may need to be refreshed. Mayor Bunch and Assistant City Manager / Fire Marshal Turney agreed.

Jim Yeager stated he owns a business on the west side of this location and he is against the zoning change.

Margaret Del Toro suggested the property owner could apply for a special use permit – the exemption could be granted for this specific business owner.

Assistant City Manager / Fire Marshal Turney asked Ms. Contreras to leave her contact information with him to look at what issues may need to be addressed and to see what other options are available.

Commissioner Savoini made the motion to accept the decision of the Planning and Zoning Commission to deny the zoning change request for property located at 1500 W. Park. Commissioner Stow seconded the motion and it passed with the unanimous vote of the Commission.

*(After the vote on this item, Mayor Bunch moved to Agenda Item #11.)*

### **REGULAR HEARINGS:**

#### **ITEM 4 - Discuss and vote on proposed tax rate for 2022.**

Commissioner Savoini made the motion to vote on the proposed tax rate of \$0.2878 per \$100 of property valuation. Commissioner Bhakta seconded the motion and it passed with the following vote: Mayor Bunch – aye; Commissioner Ruiz – aye; Commissioner Alonzo – aye; Commissioner Savoini – aye; Commissioner Collier – absent; Commissioner Stow – aye; Commissioner Bhakta – aye.

#### **ITEM 5 - Hear report from Hereford Economic Development Corporation.**

Hereford Economic Development Corporation Executive Director Kurt Jones reported on the following:

- Whiteface Aviation project
- Advanta
- No new projects

#### **ITEM 6 - Consider approval of the letting of bids for the Hereford Economic Development Corporation's proposed sale of property and consider authorizing the HEDC Executive Director to take the highest bid if an acceptable bid is received.**

Commissioner Savoini made the motion to approve the letting of bids for the Hereford Economic Development Corporation's proposed sale of property and approve authorizing the HEDC Executive Director to take the highest bid if an acceptable bid is received. Commissioner Stow seconded the motion and it passed with the unanimous vote of the Commission.

#### **ITEM 7 - Consider approval of grant application approved by the Hereford Beautification Advisory Board at their regular meeting on August 2, 2022. (Requested by Adriana Silerio/House of Hair )**

Mayor Bunch noted the façade grants were accepted by the Hereford Beautification Advisory Board and they are asking for City Commission approval.

City Manager Bartels stated the money for the façade grants is raised by the Hereford Beautification Advisory Board through brick sales and the Fiesta Downtown event.

Commissioner Ruiz made the motion to approve the grant application approved by the Hereford Beautification Advisory Board for House of Hair (Adriana Silerio/419A). Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 8 - Consider approval of grant application approved by the Hereford Beautification Advisory Board at their regular meeting on August 2, 2022. (Requested by Amber Zamora/Sugar Mama's)**

City Manager Bartels noted the grants are up to \$2500 and they must show the work is done and the vendors will be paid from invoices submitted for payment.

Commissioner Bhakta made the motion to approve the grant application approved by the Hereford Beautification Advisory Board for Sugar Mama's (Amber Zamora). Commissioner Ruiz seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 9 - Consider approval of grant application approved by the Hereford Beautification Advisory Board at their regular meeting on August 2, 2022. (Requested by Jennifer Vallejo/Sunshine Greetings Floral & Gifts)**

Commissioner Ruiz made the motion to approve the grant application approved by the Hereford Beautification Advisory Board for Sunshine Greetings Floral & Gifts (Jennifer Vallejo). Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 10 - Consider approval of grant application approved by the Hereford Beautification Advisory Board at their regular meeting on August 2, 2022. (Requested by Joshua Ibach/ Ferrell Ross Roll Manufacturing)**

City Manager Bartels stated the façade grants are NOT limited to Main Street – business must be within the city limits.

Commissioner Stow made the motion to approve the grant application approved by the Hereford Beautification Advisory Board for Ferrell Ross Roll Manufacturing (Joshua Ibach). Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

*(Mayor Bunch went back to Agenda Item # 3 to complete the discussion and take a vote on that agenda item.)*

**ITEM 11 - Review and consider approval of the Final Plat of Crosspoint Addition Unit No. 2.**

City Manager Bartels stated one of the issues with the new subdivision is that interest was expressed in building the homes a little larger; they were granted one variance with the understanding no additional variances would be given. He noted in order to remedy the situation, the builders acquired a 10' strip from the school and that allows the lots to be 10' longer to allow for the building of a little bigger houses.

Commissioner Savoini made the motion to approve the final plat of the Crosspoint Addition Unit No. 2. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 12 - Review and consider approval of Ordinance No. 08.15.22 an ordinance of the City Commission of the City of Hereford, Texas amending Hereford Code of Ordinances to include Article 3.17 Swimming Pool and Spa Code and Section 3.17.001; amending permit fee schedules; and providing an effective date for such amendments.**

ORDINANCE NO. 08.15.22

AN ORDINANCE AMENDING HEREFORD CODE OF ORDINANCES TO INCLUDE ARTICLE 3.17 SWIMMING POOL AND SPA CODE AND SECTION 3.17.001; AMENDING PERMIT FEE SCHEDULES; AND PROVIDING AN EFFECTIVE DATE FOR SUCH AMENDMENTS.

City Manager Bartels stated we have had calls regarding above ground pools located in the front yard – unsupervised, no fences, a danger to children. He noted by adopting this code it gives the city the authority to regulate these safety concerns. He stated if this ordinance passes, property owners will be contacted and asked to move the above ground pools to the backyard and hopefully they will be willing to comply.

Commissioner Bhakta made the motion to approve Ordinance No. 08.15.22. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 13 - Review and consider approval of Ordinance No. 08.15.22A an ordinance of the City Commission of the City of Hereford, Texas adopting rules regulating the use and operation of digital signs and digital billboards within the city limits of the City of Hereford, amending the City of Hereford Code of Ordinances; providing for a repealing clause, a severability clause, and a penalty clause; and providing for an effective date.**

ORDINANCE NO. 08.15.22A

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HEREFORD, TEXAS, AMENDING THE CITY OF HEREFORD CODE OF ORDINANCES; PROVIDING FOR A REPEALING CLAUSE, A SEVERABILITY CLAUSE, AND A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Bartels stated he was approached by Lindmark representatives from Norman, Oklahoma about the possibility of putting up an electronic billboard. He noted currently the city does not have an ordinance for off-premise billboards. City Manager Bartels stated City Attorney Sciumbato came up with this draft ordinance, noting it mirrors many of the TxDot regulations.

Ryan Zaloudik Director of Real Estate for Lindmark stated there are lots of opportunities for digital signs – in addition to their paid advertising, they can be used for emergency/amber/weather alerts. They offered to meet either by “Zoom” or in person to do a study session.

City Manager Bartels stated he would meet with the city attorney and assistant city manager to come up with a final draft for review, discussion, and possible approval by the City Commission.

Commissioner Stow made the motion to table this item. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 14 - Consider cancelling regular City Commission Meeting scheduled for September 5th, 2022.**

Commissioner Savoini made the motion to cancel the regular City Commission Meeting scheduled for September 5<sup>th</sup>, 2022. Commissioner Ruiz seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 15 – Announcements and comments from Mayor and City Commissioners.**

Mayor Bunch thanked the audience for the turnout and thanked the Commission for their time, noting it had been a long day with a budget work session preceding the regular meeting.

Commissioner Stow and Commissioner Ruiz also expressed their appreciation to the public.

**ITEM 16 – Announcements and comments from City Staff.**

City Manager Bartels stated we will be having the Texas Junior Anglers Fishing Event this fall – they are typically held the Saturday after Mothers’ Day and the Saturday after Labor Day.

*The City Commission may go into closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this Agenda.*

There being no further business before the Commission, upon motion by Mayor Bunch, seconded by Commissioner Ruiz, the meeting was adjourned at approximately 7:40 p.m.