

On this the 6th day of November, 2023 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
 Rose Mary Barrett, 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 to witness the proceedings.

Also, in attendance were Dean Turney, Wade Hawkins, Landon Swan, Dolores Gonzalez, Enrique S. Hernandez, and Ramon Nunez.

Mayor Bunch voiced the invocation and then asked Commissioner Savoini 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.

Mayor Bunch reminded everyone of the new rule: no one allowed to approach the dais after the meeting without permission; the public will be escorted out when the meeting adjourns.

Dolores Gonzalez inquired if the finance manager is now doing accounts payable and stated she hoped everyone has voted – got to get the new baseball complex.

ITEM 2 – Consider approval of minutes for the October 16th, 2023 Regular meeting.

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

(Mayor Bunch opened the public hearing at 6:34 p.m.)

PUBLIC HEARINGS:

ITEM 3 – Consider approval of request to rezone property located at 423 Avenue F (legally described as Evants Block 39 Phillips, Lot 9) from “R-1 Single Family District

to "MF" Multi-Family, Apartment and Condominium District. (Requested by Andrea Reinert of HAR Commercial LLC).

City Manager Bartels stated Mrs. Reinert indicated they would like to construct a duplex. Assistant City Manager Turney stated he thought the property could support two duplexes. City Manager Bartels stated the Planning and Zoning Board voted unanimously to approve the rezoning and no one came to the meeting to voice any concerns.

ORDINANCE NO. 11.06.23

AN ORDINANCE AMENDING ORDINANCE NO. 1193, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF HEREFORD REZONING CERTAIN DESCRIBED PROPERTY FROM "R-1" SINGLE FAMILY DISTRICT TO "MF" MULTI-FAMILY, APARTMENT AND CONDOMINIUM DISTRICT

Commissioner Savoini made the motion to approve the rezoning request for property located at 423 Avenue F from R-1 to MF. Commissioner Barrett seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 4 – Consider approval of condemnation proceedings for dangerous building located at 208 Higgins legally described as all of Lot 20, Higgins Subdivision out of Block 8, Womble Addition to the Town of Hereford, Deaf Smith County, Texas. (Property owned by Manuel J. Rodriguez)

City Manager Bartels stated we have been trying to be more active in looking for houses that meet the requirements for a dangerous building. He stated we have gone through the checklist and this property easily meets the requirements. City Manager Bartels stated he recommends the City Commission move forward with the process. He noted the property owner has been notified and we have not heard from him.

Commissioner Stow made the following motion: Based on evidence presented at the hearing, I move that the City Commission of the City of Hereford find that the following facts exist:

1. That the building located at 208 Higgins is substandard and a public nuisance; and
2. That the conditions set forth in the building official's report exist to the extent that the life, health, property, or safety of the public are endangered; and
3. That the owner has been given a reasonable opportunity in the past to make the necessary repairs, and there is no reasonable probability that the building(s) will be repaired within a reasonable period of time if additional time is given;

I further move that the City Commission of the City of Hereford order:

1. The owner to demolish or remove the building and all debris within 30 days; and
2. If the owner fails to demolish or remove the building within 30 days, the City shall demolish the building at its expense and place a lien on the property to recover its costs.

Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

(Mayor Bunch closed the public hearing at 6:38 p.m.)

REGULAR HEARINGS:

ITEM 5 – Consider approval of bid for the removal of the old sidewalks and the installation of new sidewalks (including curb bump outs at the intersections) for the following locations: 100 block of Main Street, 200 block of Main Street, 300 block of Main Street, and the 400 block of Main Street.

Commissioner Bhakta made the motion to approve the bid from Ramirez Cement Construction in the amount of \$338,000.00. Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 6 – Consider approval of request for extension of water service outside city limits for property located at 3848 U.S. Hwy 385, Hereford, Texas. (Requested by Enrique S. Hernandez)

City Manager Bartels stated this property is located north of Bluebonnet Elementary school and wraps around the Atmos building and veterinary clinic to join Highway 385. He stated Mr. Hernandez requested a tap and has indicated he wants to build a house on the property and will also use it for watering his livestock.

Mr. Hernandez stated he has a well he uses for his livestock; he is wanting city water for a shop, office, and house he wants to build on the property. He stated it costs \$23,000.00 to restore a well.

City Manager Bartels inquired of City Attorney Sciumbato if the City Commission granted the request for the extension of water services would it be possible to do a contract that stipulates if the well goes down, Mr. Hernandez must notify the City of Hereford.

Mayor Bunch, Commissioner Barrett, and Commissioner Alonzo asked questions regarding the number of head of cattle he is currently feeding/watering, if he has plans to expand, if he has crops, and his reason for requesting City water. Mr. Hernandez stated he currently has 26 head of cattle, no plans to expand, crops are for feeding the livestock, wants water because he has no way to wash his hands when he is working, and a \$30,000 well is too expensive.

City Manager Bartels noted if the request was approved a double check valve would be required to protect the City water system. Typically, the requests for service in the past have been the result of a house well that has gone dry and the property owner finds it is cheaper to get on City water than to drill a new well. He noted the ones he is referencing already had a house on the property.

Commissioner Savoini suggested tabling this item until we can get a contract that stipulates City water cannot be used for agricultural purposes.

Assistant City Manager Turney expressed concerns if a faucet is installed and there is no sewer system then washing out agricultural containers could pose a hazmat situation.

Mr. Hernandez pointed out if he had a house, the City would not be able to check, and he wants to have an office.

Commissioner Savoini and Commissioner Alonzo stated they are not saying no to the request; however, they need more information and want to do it correctly as this may set a precedence.

Commissioner Savoini made the motion to table the item until such time as the applicant has concrete plans and a contract can be drawn up to address their concerns. Commissioner Barrett seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 7 - Consider approval of re-appointment of member to the Deaf Smith County Juvenile Probation Board.

Mayor Bunch stated Sandy Swopes has served on this Board and has agreed to serve again.

Commissioner Barrett made the motion to re-appoint Sandy Swopes to serve another two-year term on the Deaf Smith County Juvenile Probation Board. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 8 - Consider approval of Resolution No. 11.06.23 casting votes for Deaf Smith County Appraisal District Board of Directors.

City Manager Bartels stated this is part of the procedure the DSCAD uses to elect their Board of Directors. He stated Carey Black is the City's representative and the City Commission can cast all of their votes for him or they can split the votes however they see fit.

Commissioner Alonzo made the motion to cast all 368 votes for Carey Black. Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 9 - Consider cancelling the regular City Commission Meetings scheduled for November 20th, 2023 (week of Thanksgiving) and December 4th, 2023 (Christmas Celebration of Lights).

Mayor Bunch stated the City Commission will meet in a special meeting on November 13th to canvass the election and then again on December 18th so this will not be the last meeting of the year.

Commissioner Stow made the motion to cancel the November 20th and December 4th meetings. Commissioner Bhakta seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 10 - Announcements and comments from Mayor and City Commissioners.

Commissioner Alonzo thanked Mayor Bunch for what she is doing on Main Street.

Commissioner Barrett stated she hopes the voters will vote for the ballpark and noted she appreciates the support.

Mayor Bunch thanked the city workers for being willing to do anything she asks for the Fall Fiesta Down Main and noted Kim Bigham painted the trash cans. She encouraged everyone to go vote and let their voice be heard.

ITEM 11 - Announcements and comments from City Staff.

City Manager Bartels gave a report on the water meeting he and Commissioner Bhakta attended and noted it was about long-range funding for water planning and we have gone through the first steps. He noted we are hoping for low interest or forgivable loans that will benefit our kids and grandkids.

City Manager Bartels commented on the structure going up over the Aquatic Center and noted we will address the issue of the roofs being different colors due to aging and paint the existing roof to match the new roof.

Assistant City Manager Turney noted a different contractor would be doing the sky lights.

City Manager Bartels stated tomorrow we will be switching over the fuel system at the Hereford Municipal Airport.

There being no further business before the Commission, the meeting was adjourned at approximately 7:00 p.m.