

On this the 5th day of February, 2024 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
 Angie Alonzo, Commissioner Place Two
 Clint Savoini, Commissioner Place Three
 Mark Collier, Commissioner Place Four
 James Stow, Commissioner Place Five
 Rocky Bhakta, Commissioner Place Six
 Steve Bartels, City Manager
 Suzanne Finch, City Secretary
 Audie Sciumbato, City Attorney

Absent: Rose Mary Barrett, Commissioner Place One

Jim Steiert was in attendance from the media to witness the proceedings.

Also, in attendance were Dean Turney, Wade Hawkins, Landon Swan, Lut Thongnoen, Robert & Dona Murray, Adrian Gonzales, Jonathan Gist, Roger Gist III, Johnny Brownlow, Nelson Kendall, Dolores Gonzalez, Emily Wieck, Ronald & Sharon Johson, Deven Black, and members of the Hereford Volunteer Fire Department.

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 and welcomed those in attendance.

REGULAR HEARINGS:

ITEM 1 – Public Comments.

Dolores Gonzalez requested the upcoming filing deadline for the City Election be put in the next two editions of the local newspaper.

Jim Steiert congratulated the salt of the earth for being here and praised the volunteer firefighters for doing great things. Mr. Steiert encouraged anyone interested in the big solar/wind project to come to the County Commissioners Court's next meeting as it is one of the topics – noting water is scarce here and this is a big water demand.

ITEM 2 – Recognition of Robert Murray.

Mayor Bunch presented Robert Murray with a framed proclamation and a plaque in recognition of his forty-one years of service noting he served as a volunteer firefighter from 1982-2023 and as fire chief from 2000-2023. She invited the Commission to help with the presentation and they congratulated him as well.

Proclamation

WHEREAS, Robert Murray has served this community well for many years in many capacities; and

WHEREAS, he has served faithfully as a firefighter for the Hereford Volunteer Fire Department since 1982 and has played a vital role in the work of this organization; and

WHEREAS, his service as a member of the Hereford Volunteer Fire Department has earned him the respect of a host of area residents representing all ages and all walks of life; and

WHEREAS, he has given many hours of his personal time in outstanding service to this community and to the surrounding communities and all of them at a moment's notice; and

WHEREAS, Robert Murray was selected to lead the Hereford Volunteer Fire Department as the Fire Chief in 2000 and has served in that capacity until his retirement at the end of 2023; and

WHEREAS, many lives have been saved due to his quick thinking and unwavering leadership; and

WHEREAS, his training and genuine concern for people have made him a valuable member of the Hereford Volunteer Fire Department and his resignation has been accepted with deep regret; and

WHEREAS, I do hereby urge all our residents to join in honoring this faithful and dedicated citizen and exemplary first responder.

NOW THEREFORE, I, Cathy Bunch, by virtue of the authority vested in me as Mayor of the City of Hereford, Texas and on behalf of the City Commission and all our citizens, I do hereby proclaim Monday, February 5th, 2024 as Robert Murray Day and all members, staff, citizens, and community leaders are encouraged to express their appreciation to him for his many years of service in celebration of this day.

IN WITNESS WHEREOF, I do hereby set my hand, and cause the Corporate Seal of the City of Hereford be affixed this the 5th day of February, in the year of 2024.

*/s/ Cathy Bunch
Cathy Bunch, Mayor
City of Hereford, Texas*

Robert Murray thanked Mayor Bunch and the City Commission for the quality of the equipment they provide the firefighters to use and stated his only day to volunteer was his first day on the job the rest was commitment. Mr. Murray thanked the young men and women for giving of their time to volunteer. He then took the pin off his uniform and presented it to Tim Burkhalter as the new fire chief.

ITEM 3 – Consider approval of minutes for the January 8th, 2024 Special meeting.

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

(Mayor Bunch opened the public hearing at approximately 6:43 p.m.)

PUBLIC HEARINGS:

ITEM 4 – Consider zoning change request for property located at 335 Avenue E (Evants Block 29, TR 12, S100' N150' E150' E/2 & MH) from “C-3” Motel, Motor Court, Motor Lodge, or Tourist Court District to “MH” Mobile Home District. (Requested by Maria Gutierrez)

City Manager Bartels stated the Planning and Zoning Commission met last week and voted unanimously to deny the request based on the fact the existing mobile home was grandfathered in – so it can stay- but it is the only one on the block and neighbors expressed opposition to the zoning change.

City Manager Bartels noted in order to overturn the decision of the Planning and Zoning Commission and grant the rezoning it would take the vote of six of the commissioners; to uphold the decision to deny the zoning would only take a simple majority.

Commissioner Collier made the motion to approve the denial. Commissioner Stow seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 5 – Consider zoning change request (Ordinance No. 02.05.24) for property located at 907 S. Julian (Ricketts South Heights, Block 2, Lot 4) from “R-1” Single Family District to “MH” Mobile Home District. (Requested by Rodolfo Tovar and Jasmin Fernandez Flores)

Mayor Bunch read the caption.

ORDINANCE NO. 02.05.24

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 “MH” MOBILE HOME DISTRICT

City Manager Bartels stated this property is on the South edge of town between James & Gracy. He noted the Planning and Zoning Commission voted unanimously to approve; there are already eight mobile homes in the area.

Commissioner Savoini made a motion to approve the rezoning request from Single Family District to Mobile Home District. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

(Mayor Bunch closed the public hearing at approximately 6:48 p.m.)

REGULAR HEARINGS:

ITEM 6 - Consider re-doing sidewalks and parking on the 500 Block of Main Street (both sides).

Mayor Bunch stated First Baptist Church had requested the 500 Block be included in the re-doing of sidewalks on Main Street. Mayor Bunch cited safety reasons (traffic concerns) for considering approval of the request.

City Manager Bartels inquired whether or not the church would be willing to do some kind of cost share with the City and suggested the Commission table the item to look into the best way to proceed.

Nelson Kendall stated he brought this before the Commission in an earlier meeting; but he has not asked the church about sharing the cost and asked what percentage the City is considering so that he could present an amount to the church for their consideration.

Mayor Bunch proposed 80% City and 20% First Baptist Church. Commissioner Collier suggested gathering more details. City Manager Bartels stated it may require a survey in order to determine what can or cannot be done. Commissioner Alonzo stated she thought the Commission would have an answer today on whether or not the church would be willing to share the cost. Mr. Kendall agreed to try to get an amount from the church and get that information to City Manager Bartels. Commissioner Stow added the church is asking to reduce the sidewalk to increase the depth of the parking spaces.

Commissioner Savoini made a motion to table this item. Commissioner Bhakta seconded and it passed with the unanimous vote of the Commission.

ITEM 7 - Consider approval of façade grant application approved by the Hereford Beautification Advisory Board at a special meeting held January 9th, 2024. (Requested by Shane Kapka / Rusty Pit BBQ)

Commissioner Savoini made the motion to approve the façade grant application approved by the Hereford Beautification Advisory Board for Shane Kapka of Rusty Pit BBQ. Commissioner Collier seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 8 - Consider approval of Order and Notice for the City Officers' Election set for May 4, 2024. (*Considerere aprobacion de Orden y Aviso de Eleccion de los Oficiales de la Ciudad para el 4 de mayo de 2024.*)

**ORDER OF ELECTION
FOR THE CITY OF HEREFORD**

An election is hereby ordered to be held on **Saturday, May 4, 2024** for the purpose of electing the following officials of said city:

**COMMISSIONER, PLACE TWO
COMMISSIONER, PLACE FOUR
COMMISSIONER, PLACE FIVE
COMMISSIONER, PLACE SIX**

Location of Polling Place:

**CIVIC CENTER BUILDING
1001 W. 15TH STREET, HEREFORD, TX 79045**

**DEAF SMITH COUNTY COURTHOUSE
235 E. 3RD STREET, FIRST FLOOR, HEREFORD, TEXAS 79045**

Early voting by personal appearance will be conducted each weekday at the Deaf Smith County Courthouse, First Floor, 235 E. 3rd Street, Hereford, Texas, 79045

between the hours of **8:00 a.m. and 5:00 p.m.** beginning on **April 22, 2024**, and ending on **April 30, 2024**.

Applications for ballot by mail shall be mailed to:

Rachel Garman, County Clerk
Deaf Smith County Courthouse
235 E. 3rd Street, Room 203
Hereford, Texas 79045
(806) 363-7077
rgarman@deafsmithcounty.texas.gov
www.co.deaf-smith.tx.us/page/deafsmith.County.Clerk

Applications for ballot by mail (ABBM) must be received no later than the close of business on **April 23, 2024**.
Federal Post Card Applications (FPCAs) must be received no later than the close of business on: **April 23, 2024**.

Issued this the 5th day of February, 2024.

/s/ Cathy Bunch
Cathy Bunch, Mayor

Commissioner Bhakta made a motion to approve the order and notice for the May 4, 2024 City Officers' Election. Commissioner Stow seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 9 - Consider appointment of Todd Murray to fill an unexpired term on the Firefighters Relief & Retirement Fund Local Board of Trustees with said term to expire February 28, 2025.

Commissioner Collier made the motion to appoint Todd Murray to fill an unexpired term on the Firefighters Relief & Retirement Fund Local Board of Trustees with said term to expire February 28, 2025. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 10 - Discuss and consider approval of Ordinance No. 02.05.24A an ordinance of the City of Hereford, Texas, amending Article 2.02, Dogs and Cats, of Chapter 2, Animal Control, of the Code of Ordinances of the City of Hereford, Texas for the purpose of requiring spaying or neutering of adult dogs and cats; providing for an animal breeder/seller permit; providing for penalties; providing for severability; and setting forth other provisions related thereto.

ORDINANCE NO. 02.05.24A

AN ORDINANCE OF THE CITY OF HEREFORD, TEXAS, AMENDING ARTICLE 2.02, DOGS AND CATS, OF CHAPTER 2, ANIMAL CONTROL, OF THE CODE OF ORDINANCES OF THE CITY OF HEREFORD, TEXAS FOR THE PURPOSE OF REQUIRING SPAYING OR NEUTERING OF ADULT DOGS AND CATS; PROVIDING FOR AN ANIMAL BREEDER/SELLER PERMIT; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

Kim Leonard of the Humane Society asked for an explanation of the proposed ordinance.

City Manager Bartels stated this is just like requiring pets to be vaccinated to stop the spread of diseases; this is a way to control unwanted pets. He noted the Humane Society gets puppies dumped on them to try to get adopted out. City Manager Bartels stated if an animal is picked up a citation can be issued for not being fixed – if the owner takes care of either providing proof of animal being spayed or neutered or pays the cost to have it done (people with breeder permits are excepted) then more than likely the ticket will be dismissed. He noted the fine would be more than the cost to spay/neuter the pet – it could be up to \$500.00. City Manager Bartels stated he spoke to Dr. Grotegut and the price is roughly \$250.00 to spay/neuter a pet. He stated this ordinance is to encourage pet owners to be responsible.

Kim Leonard inquired about the practice of people selling puppies in the parking lot of Tractor Supply. City Manager Bartels stated they would be checked to see that they have the proper breeders permit and there are a lot of stipulations to getting one of those permits.

Joe Olvera stated he works for the City and has helped the Animal Control Department for thirteen years. He expressed concern for animals that are purchased from sellers with no vaccination information and then brought back to Hereford to spread rabies.

Mona Hernandez stated she hopes this works as she lives at the labor camp and they get a lot of unwanted animals dumped out there.

Kim Leonard stated the Humane Society also gets a lot of County animals and would like to see something done county-wide.

Commissioner Bhakta made the motion to approve Ordinance No. 02.05.24A. Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 11 – Consider cancelling the regular meeting set for February 19th, 2024.

Commissioner Collier made the motion to cancel the meeting set for February 19th, 2024 in observance of the Presidents' Day holiday. Commissioner Stow seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 12 - Announcements and comments from mayor and city commissioners.

Commissioner Savoini congratulated Robert Murray and thanked the public, the Humane Society, and the Volunteer Fire Department for coming.

Commissioner Collier stated a Class III is a big “atta boy” and credited that to the Volunteer Fire Department. He noted the newspaper is a private entity and not city controlled and encouraged people if they have something they want covered to contact them.

Commissioner Alonzo stated forty-one years is a lot of volunteer years and encouraged everyone to be appreciative of Robert Murray’s many years of service.

Commissioner Stow stated he appreciates all the Volunteer Fire Department does for the community.

Commissioner Bhakta thanked the public for their attendance.

Mayor Bunch stated BNSF is going to give us the old train depot building. She noted we must build a pad and move it. She noted the La Madre Mia study group had a meeting here in the Commission Chambers and it helps to see what we do. She stated she is proud of the Volunteer Fire Department, the City, and the City employees.

ITEM 13 - Announcements and comments from city staff.

City Manager Bartels stated Robert Murray went above and beyond just like all the rest of the volunteer firefighters and thanked them for coming.

City Attorney Sciumbato stated city staff follow the Texas Election Code to make sure all the filing notices are done properly.

There being no further business before the Commission, the meeting was adjourned upon motion by Commissioner Savoini and second by Commissioner Collier at approximately 7:19 p.m.