

**CITY COUNCIL MEETING/PUBLIC HEARING  
CITY HALL  
2313 MAIN STREET  
COUNCIL CHAMBERS  
CADDO MILLS, TEXAS 75135**

**Meeting Minutes**

**NOVEMBER 09, 2021 TUESDAY at 6:00 p.m.**

1. INVOCATION

Josh Kinnick gave the invocation.

2. OPEN THE MEETING AND ANNOUNCE THAT A SUPER QUORUM IS PRESENT

Mayor Ron Olson declared a Super quorum present and called the meeting to order at 6:00 p.m. Council members present were Mayor Ron Olson, Mayor Pro Tem Kevin Mosher, Councilman Scott Clements, Councilman John Verity and Council member Ben Bentley and not present was Councilman Chris Davies. City representatives present were City Manager Matt McMahan, City Secretary Jana Sanchez, Police Chief Kimbre Collier, Finance Manager Stacy Smith, Building Official Josh Kinnick , EDC director Joel Richardson, City Engineer Eddie Daniels, And City Attorney Andy Messer.

3. APPROVE MINUTES OF PREVIOUS MEETING: (October 12, 2021)

Mayor Pro Tem Mosher made the motion to approve the previous minutes. Councilman Davies seconded the motion. The motion passed 5-0.

4. OPEN FORUM: Citizens who wish to address the City Council may discuss matters that are not on the agenda and who have not previously expressed to the City Council or City Hall, a desire to discuss such matters. The only response from the Council can be to request these items to be placed on a future agenda for discussion and or action.

Jeff Vondenkamp distributed pictures of the property that was nearby property being proposed for annexation. Vondenkamp's main concern was that the property always is holding water and with the annexation and new developments, he thinks that the problem will increase. Mr. Vondenkamp also thinks it may cause issues with his adjacent property. Dan Kielty advised he has a dog training facility and has been at his property for almost thirty years. Kielty states his facility is extremely noisy due to the dogs and the training equipment, and he doesn't want to have people complaining about his facility. Mayor Olson closed the open forum.

5. REPORTS: (written reports available at City Hall prior to meeting)

- a. Financials including Accounts Payable Report
- b. Court Report
- c. Public Works Report
- d. Police Report
- e. Fire Report

- f. Building Services
- g. City Manager
- h. EDC Director

There were no comments regarding the reports.

#### 6. ACTION/DISCUSSION:

- A) Consider and take action on a Resolution 110921 authorizing the mayor to execute a Development Agreement between the City of Caddo Mills, Texas and Jeffrey Cotton, James A. McMahan, James M. McMahan, and MR Joyce, LLC for an approximate 149.587acre tract of land located at 4672 FM 1565 and 4449 CR 2617.

Mr. Ryan Joyce with Michael Joyce Properties discussed the Development Agreement on “Fox Landing”, and how the infrastructure plans will be implemented. He reviewed the development guidelines and requirements, regarding the setbacks, stated they will have 80% masonry requirements. He showed the interior and exterior designs of the houses. Joyce said that the development would be geared more to second home buyers, because they are not entry level homes. City Engineer Eddie Daniels wanted to remind everyone he and his team will make sure, everything is property designed correctly such as retention ponds and direction of drainage. Mayor Pro Tem Mosher made the motion to act on Resolution 110921 authorizing the Mayor to execute a Development Agreement between the City of Caddo Mills, Texas and Jeffrey Cotton, James A. McMahan, James M. McMahan, and MR Joyce, LLC for an approximate 149.587acre tract of land located at 4672 FM 1565 and 4449 CR 2617. Councilman Bentley seconded the motion. The motion passed 5-0.

- B) Consider and take action on a Resolution 110921-1 authorizing the City Manager to execute a Development Agreement between the City of Caddo Mills, Texas and Stephanie Zimmermann and MR Joyce, LLC for a 154.54 acre tract of land generally located west of CR 2617, south of CR 2613 and east of Hwy 66.

Mr. Ryan Joyce with Michael Joyce Properties discussed the Development Agreement for “Reserve on Brushy Creek”. Joyce discuss the similar infrastructure plans as previous development. He said it would have three separate lot types 60 ft, 70 ft and 80ft lots. Joyce went over the handout, and discussed how the water line improvements will take place with a 12 inch water line. Joyce said that there are similar guidelines as the “Fox Landing” Development. Joyce said there will also be a walking running trail as well. Mayor Pro Tem Mosher made the motion to approve Resolution 110921-1 authorizing the City Manager to execute a Development Agreement between the City of Caddo Mills, Texas and Stephanie Zimmermann and MR Joyce, LLC for a 154.54 acre tract of land generally located west of CR 2617, south of CR 2613 and east of Hwy 66. Councilman Bentley seconded the motion. The motion passed 5-0.

#### 7. OPEN PUBLIC HEARING

MAYOR OLSON CALLED THE OPEN HEARING ORDER AT 6:44PM.

8. PUBLIC HEARINGS:

A) Discuss, hold a public hearing, and take action on an Ordinance

110921-1 annexing the hereinafter described territory known as Hunt CAD Property IDs 21106, 34798, 34683 and 101935, located at 4672 FM 1565 and 4449 CR 2617, and being an approximate 149.587 acre tract of land situated in the Bustilla Clemente Survey, Abstract 49, Tract 76 and in the Shelby County School Land Survey, Abstract 946, Tracts 12, 61-2 and 81, Hunt County, Texas, extending the boundary limits of the City so as to include the described property, and adopting a Written Services Agreement.

City attorney Messer stated that the developments have been approved and this is for annexing. Mayor Pro Tem Mosher made the motion on Ordinance 110921-1 annexing the hereinafter described territory known as Hunt CAD Property IDs 21106, 34798, 34683 and 101935, located at 4672 FM 1565 and 4449 CR 2617, and being an approximate 149.587 acre tract of land situated in the Bustilla Clemente Survey, Abstract 49, Tract 76 and in the Shelby County School Land Survey, Abstract 946, Tracts 12, 61-2 and 81, Hunt County, Texas, extending the boundary limits of the City so as to include the described property, and adopting a Written Services Agreement. Councilman Bentley seconded the motion. The Motion passed 5-0.

B) Discuss, hold a public hearing, and take action on an Ordinance

110921-2 annexing the hereinafter described territory known as Hunt CAD Property ID 34773, generally located west of CR 2617, south of CR 2613 and east of Hwy 66, and being an approximate 154.354 acre tract of land situated in the Shelby County School Land Survey, Abstract 946, Tract 71, Hunt County, Texas, extending the boundary limits of the City so as to include the described property, and adopting a Written Services Agreement

Mayor Pro Tem Mosher made the motion to act on Ordinance 110921-2 annexing the hereinafter described territory known as Hunt CAD Property ID 34773, generally located west of CR 2617, south of CR 2613 and east of Hwy 66, and being an approximate 154.354 acre tract of land situated in the Shelby County School Land Survey, Abstract 946, Tract 71, Hunt County, Texas, extending the boundary limits of the City so as to include the described property, and adopting a Written Services Agreement. Councilman Bentley seconded the motion. The motion passed 5-0.

C) Discuss, hold a public hearing, and take action on an Ordinance 110921-3 annexing the hereinafter described territory known as Hunt CAD Property ID 34763, located at 3821 CR 2626, and being an approximate 2.002 acre tract of land situated in the Shelby County School Land Survey, Abstract 946, Tract 61-1, Hunt County, Texas, extending the boundary limits of the City so as to include the described property, and adopting a Written Services Agreement.

Mayor Pro Tem Mosher made the motion to act on an Ordinance 110921-3 annexing the hereinafter described territory known as Hunt CAD Property ID 34763, located at 3821 CR 2626, and being an approximate 2.002 acre tract of land situated in the Shelby County School Land Survey, Abstract 946, Tract 61-1, Hunt County, Texas, extending the boundary limits of the City so as to include the described property, and adopting a Written Services Agreement. Councilman Bentley seconded the motion. The motion passed 5-0.

- D) Discuss, hold a public hearing, and take action on an Ordinance 110921-4 annexing the hereinafter described territory known as Hunt CAD Property ID 34763 located at 3821 CR 2626 and being an approximate 1.06 acre tract of land situated in the Bustilla Clemente Survey, Tract 61-1 and in the Shelby County School Land Survey, Abstract 946 Hunt County, Texas extending the boundary limits of the City so as to include the described property, and adopting a Written Services Agreement.

No motion was made.

- E) Receive a report, discuss, hold a public hearing, and take action on an Ordinance rezoning approximately 149.587 acres of land, located at 4672 FM 1565 and 4449 CR 2617, from the temporary classification of A - Agricultural District to PD – Planned Development District.

Mayor Pro Tem Mosher made the motion to act on Ordinance rezoning approximately 149.587 acres of land, located at 4672 FM 1565 and 4449 CR 2617, from the temporary classification of A - Agricultural District to PD – Planned Development District. Councilman Bentley seconded the motion. The motion passed 5-0.

- F) Receive a report, discuss, hold a public hearing, and take action on an Ordinance rezoning approximately 154.34 acres of land, located west of CR 2617, South of CR 2613 and East of Hwy 66, from the temporary classification of A - Agricultural District to PD - Planned Development District.

Mayor Pro Tem Mosher made the motion to act on Ordinance rezoning approximately 154.34 acres of land, located west of CR 2617, South of CR 2613 and East of Hwy 66, from the temporary classification of A - Agricultural District to PD - Planned Development District. Councilman Bentley seconded the motion. The motion passed 5-0.

- G) Receive a report, discuss, hold a public hearing, and take action on an Ordinance rezoning approximately 0.73 acres of land located at 3821 CR 2626, from the temporary classification of A - Agricultural District to SF-1 – Single Family Residential District -1.

Councilman Davies made the motion to act on Ordinance rezoning approximately 0.73 acres of land located at 3821 CR 2626, from the temporary classification of A - Agricultural District to SF-1 – Single Family Residential District -1. Councilman Bentley seconded the motion and the motion passed 5-0.

- H) Receive a report, discuss, hold a public hearing, and take action on an Ordinance rezoning approximately 1.06 acres of land, located at 3821 CR 2626, from the temporary classification of A - Agricultural District to SF-E – Single Family Residential District - Estate.

(Duplicate for G)

## 9. ADJOURN PUBLIC HEARING

Mayor Olson adjourned the public hearing at 7:06pm

10. EXECUTIVE SESSION – In accordance with Texas Government Code, Section 551.001, et seq., the City Council will recess into Executive Session (closed meeting) to discuss the following:

- a) Section 551.071(2): Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter re: zoning and development agreements, procurement laws and bidding.

Mayor Olson opened executive session at 7:07pm

11. RECONVENE IN TO REGULAR SESSION: In accordance with Texas Government Code, Section 551.001, et seq., the City Council will reconvene into Regular Session to take any action necessary regarding the following items discussed in Executive Session:

Mayor Olson reconvened into regular session at 7:36pm

12. ACTION/DISCUSSION:

- a) Consider and Act on rejecting bids on Wastewater Treatment Plant Dated 9-20-21 Per Engineer recommendation letter.

Mayor Pro Tem Mosher made the motion on rejecting bids on Wastewater Treatment Plant Dated 9-20-21 Per Engineer recommendation letter. Councilman Bentley seconded the motion. The motion passed 5-0.

- b) Consider and Act on Awarding the bid for Wastewater Treatment Plant Dated 10-19-21 Per Engineer recommendation letter.

Mayor Pro Tem Mosher made the motion on awarding the bit to Summit Solutions for The Wastewater Treatment Plant Dated 10-19-21 Per Engineer recommendation letter. Councilman Bentley seconded the motion. The motion passed 5-0.

- c) Consider and Act on Awarding the bid for Electrical Wastewater Treatment Plant Dated 10-19-21 Per Engineer recommendation letter.

City Engineer Daniels stating that H & H Electrical Contractors, Inc. was the lowest bid. Also his firm has worked with them in the past on several projects and were all completed successfully. Mayor Pro Tem Mosher made the motion on awarding H & H Electrical Contractors, Inc. the bid for Electrical Wastewater Treatment Plant Dated 10-19-21 Per Engineer recommendation letter. Councilman Bentley seconded the motion. The motion passed 5-0.

- d) Consider and Act on rejecting bids on Blowers for Wastewater Treatment Plant Dated 10-19-21 Per Engineer recommendation letter.

Mayor Pro Tem Mosher made the motion on rejecting bids on Blowers for Wastewater Treatment Plant Dated 10-19-21 Per Engineer recommendation letter. Councilman Bentley seconded the motion. The motion passed 5-0.

- e) Consider and Act on awarding bid for waterline and street improvement Project 2020 TX CDBG #7220070 dated 10-26-2021 Per Engineer recommendation letter.

City Engineer Daniels advised there were three bidders for the project. The lowest bid was Reliable Paving, Inc. from Arlington, TX. City manager advised to use Care act fund for the remaining about that exceeded the construction grant budget. Mayor Pro Tem Mosher made the motion on awarding bid to Reliable Paving, Inc. for the waterline and street improvement Project 2020 TX CDBG #7220070 dated 10-26-2021 Per Engineer recommendation letter. Councilman Bentley seconded the motion. The motion passed 5-0.

- f) Consider and Act on awarding Engineer Services for street Bond project per proposal attached.

Mayor Pro Tem Mosher made the motion on awarding Dunaway/DBI for Engineer Services for street Bond project per proposal attached. . Councilman Bentley seconded the motion. The motion passed 5-0.

- g) Consider and Act on distribution of the 56 Votes allotted to the City of Caddo Mills for Hunt County Appraisal District's official ballot of the 2022-2023 Board of Directors, and related resolution.

The Councilmen casted all 56 votes to Paul Painter for the Hunt County Appraisal District's official ballot of the 2022-2023 Board of Directors per related resolution. Mayor Pro Tem Mosher made the motion on approving all 56 votes to Paul Painter for the Hunt County Appraisal Distrist official ballot of the 2022-2023. Councilman Bentley Seconded the motion. The motion passed 5-0.

- h) Review and Discuss section 3 policy updates and Information for the City's TX CDBG Contract #7220070.

The City council reviewed and discussed the Section 3 presentation required for TXCDBG Contract #7220070, including employment opportunities for Section 3 workers, contractor outreach, and tracking work hours for all contracts.

- i) Consider and take action on a resolution authorizing the Mayor to execute a Development Agreement between the City of Caddo Mills, Texas and Jeffrey Cotton, James A.



McMahan, James M. McMahan and MRJoyce, LLC for an approximate 149.587acre tract of land located at 4672 FM 1565 and 4449 CR 2617.

(Item was duplicated)

- j) Consider and take action on a resolution authorizing the City Manager to execute a Development Agreement between the City of Caddo Mills, Texas and Stephanie Zimmermann and MRJoyce, LLC for an 154.54 acre tract of land generally located west of CR 2617, south of CR 2613 and east of Hwy 66.

(Item was duplicated)

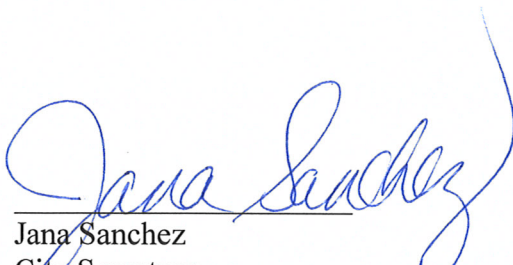
13. ADJOURN

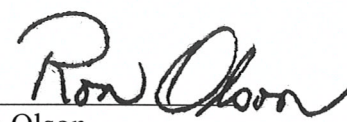
Councilman Bentley motion to adjourn the meeting. Councilman Davies seconded the motion. The motion passed 5-0. The meeting was adjourned at 7:54pm

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

This is to certify that I, Jana Sanchez, posted this agenda in the locked, public notice box facing the outside, and on the City Hall bulletin board, by 5:00 p.m., on Friday, November 5, 2021.

SEAL:

  
\_\_\_\_\_  
Jana Sanchez  
City Secretary

  
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Ron Olson  
Mayor