

## TOLAR CITY COUNCIL MINUTES – REGULAR MEETING

The City of Tolar Council met on Monday, April 18, 2022, at 6:00 P.M.

Present: **Terry Johnson, Mayor**  
**Matt Hutsell, Mayor Protem**  
**Sally Grimes**  
**Chip Foster**  
**Brian Gall**  
**Kevin Fron**

Absent: NONE

City Staff Present: **Michelle Burdette, City Secretary/P&Z/ Code Enforcement**  
**James Brown, Operations Director**

### CALL TO ORDER

The meeting was called to order at 6:00 p.m.

### ROLL CALL

Matt Hutsell, Sally Grimes, Chip Foster, Brian Gall, and Kevin Fron were present.

### PUBLIC HEARING

Mayor Johnson opened the public hearing at 6:00 PM.

1.) To receive comments regarding the request to annex into the City of Tolar by the owners of the property being a 13.49 Acres of land situated in the Rachel Story Survey, Abstract 501, City of Tolar, Hood County, Texas, and a portion of the tract described as Parcel III.

Mayor Johnson asked for questions or comments. There were none. Mayor Johnson closed the public hearing at 6:03PM.

### PUBLIC HEARING

Mayor Johnson opened the public hearing at 6:03PM.

1.) To receive comments regarding the request to annex into the City of Tolar by the owners of the property being a 13.49 Acres of land situated in the Rachel Story Survey, Abstract 501, City of Tolar, Hood County, Texas, and a portion of the tract described as Parcel III.

2.) To receive comments for the Plat approval/Preliminary plat approval and zoning of the property described as 27.484 acres situated in the Rachel Story Survey, Abst. No. 501, Hood County, Texas to Planned Unit Development (PUD) will be done following the annexation.

3.) To receive comments for the subdivision and replat of the property being a 1.102-acre tract being Lots 1, 2, and 3, Block 33, the town of Tolar.

Mayor Johnson asked for questions or comments. Council and developers answered questions. Mayor Johnson closed the public hearing at 6:36PM.

**CITIZENS APPEARANCE (3-minute limit-Council may not respond)**

**Linda Savage  
Bo Byrd  
Don Ives**

**APPROVAL OF MINUTES-REGULAR MEETING**

1.) February 22, 2022, regular meeting.

Motion: by Matt Hutsell, second Brian Gall to approve minutes as presented.  
Motion carried 5/0

**NEW BUSINESS**

1.) Discuss and approve the 2020-2021 fiscal year audit as presented by Merritt, McLane, and Hamby, P.C.

\*M. Burdette, CS

Cheryl Merritt with MMH stated to the city council that the audit went well, with no problems or concerns. The city's net position increased by \$153,282 which is very good. Ms. Merritt also stated the city came in under budget in expenses. The City of Tolar received a clean audit opinion.

Motion: Matt Hutsell, second by Chip Foster to approve the audit report as presented.  
Motion carried 5/0

2.) Approval of Electric Franchise Ordinance with Texas New Mexico Power as presented by Renee Kettler.

\*M. Burdette, CS

Motion: Brian Gall, second by Matt Hutsell to table. The council would like to gather more information.

Motion carried 5/0

3.) Approval of annexation and zoning to Agriculture (A) by Ordinance 2022-02 of the property being a 13.49 Acres of land situated in the Rachel Story Survey, Abstract 501, City of Tolar, Hood County, Texas, and a portion of the tract described as Parcel III

\*M.

Burdette, CS

Motion: Sally Grimes, second by Matt Hutsell to approve Ordinance 2022-02.

Motion carried 5/0

4.) Approval of rezoning from Agriculture (A) to Single Family Residential 6000sf (R6) of the property described as 27.484 acres situated in the Rachel Story Survey, Abst. No. 501, Hood County, Texas.

\*M. Burdette, CS

Motion: Matt Hutsell, second by Chip Foster to approve the zone change.

Motion carried 5/0

5.) Approval of plat of the property described as 27.484 acres situated in the Rachel Story Survey, Abst. No. 501, Hood County, Texas.

\*M. Burdette, CS

Motion: Chip Foster, second by Brian Gall to approve the plat.

Motion carried 5/0

6.) Approval of the subdivision and replat of the property being a 1.102-acre tract being Lots 1, 2, and 3, Block 33, the town of Tolar.

\*M. Burdette, CS

Motion: Chip Foster, second by Sally Grimes to approve the subdivision and replat as presented.

Motion carried 5/0

7.) EHT will present to the City Council regarding the Wastewater plant expansion. Possible action by City Council to approve a plan presented.

\*T. Johnson, Mayor

Motion: Matt Hutsell, second by Chip Foster to approve the SBR plant type presented by EHT.

Motion carried 5/0

8.) Government Capitol will present to the City Council preliminary numbers for the financing options regarding the new Wastewater plant expansion. Possible action by the City Council.

\*M. Burdette, CS

Motion: Matt Hutsell, second by Chip Foster to approve the signing of an agreement with Government Capital by the City Secretary.

Motion carried 5/0

9.) Approval of Ordinance amendment to Chapter 7, Section 4 of The Code of Ordinances.

\*B. Gall, P4

Motion: Brian Gall, second by Sally Grimes to approve the Ordinance amendment adding Staff Supervision to the City Secretary's duties.

Motion carried 5/0

10.) Approval of Resolution 2022-01 to reappoint Ray Wilson as The City of Tolar Emergency Management Coordinator.

\*City Council

Motion: Chip Foster, second by Sally Grimes to give Hood County notice before approving the resolution.

Roll Call:

Matt Hutsell- No

Sally Grimes- Yes

Chip Foster- Yes

Brian Gall- Abstain

Kevin Fron- Yes

Motion carried with a 3/1/1 vote.

11.) Approval of all financials.

- Bank Reconciliation
- Statement of Financial Income and Expenses
- Expenses by Vendor Detail
- Profit & Loss Budget vs. Actual

\*City Council

Motion: Matt Hutsell, second by Brian Gall to approve all financials as presented.

Motion carried 5/0

## **OLD BUSINESS**

**NONE**

## **STAFF REPORTS**

1.) Operations Director/Public Works

None

2.) Planning and Zoning

None

3.) Code Enforcement

None

4.) Administrative

None

5.) Council

None

## **EXECUTIVE SESSION**

*The council may enter into a closed or Executive Session to discuss the following items posted in Executive Session or seek legal advice from the city attorney pursuant to the Texas Local Government Code Section(s) 551.07*

Motion by Matt Hutsell, second by Sally Grimes to enter into executive session at 7:53 P.M.

Motion carried: 5/0

a.) Pursuant to Section 551.074 of the Texas Government Code Personnel Matter.

## **ACTION ON ITEMS TAKEN UP IN THE EXECUTIVE SESSION**

Motion by Chip Foster, second by Sally Grimes to end the executive session at 8:44 P.M. and reconvene into regular session.

Motion carried 5/0

**ANNOUNCEMENTS**

Regular meeting May 16, 2022@ 6 P.M.

**The City Hall will be closed on May 30, 2022, for Memorial Day**

**ADJOURN**

Motion: by Sally Grimes, second by Chip Foster to adjourn at 9:10 pm.

Motion carried 5/0



APPROVED:

  
Terry R. Johnson, Mayor

ATTEST:

  
Michelle Burdette, City Secretary