

TOLAR CITY COUNCIL MINUTES – REGULAR MEETING

The City of Tolar Council met on Monday July 19, 2021 at 6:00 P.M.

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

Absent: None

City Staff Present: Michelle Burdette, City Secretary/P&Z/ Code Enforcement
Shavonne Kenley, Water Dept. Admin. /Code Enforcement
Derek Malone, Director of Public Works

CALL TO ORDER

Meeting was called to order at 6:00 p.m.

ROLL CALL

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

PUBLIC HEARING

Public hearing opened at 6:02PM

To receive comments regarding the request to annex into the City of Tolar by the owners of property being a 30.278 acre tract of land out of the Rachel Story Survey, Abst. 501, Hood County, Texas. Being a portion of those certain Parcels Two and Three, conveyed to Gray in Document No. 2017-0011372, Official Records, Hood County, Texas.

Public comments:

Bo Byrd with the Parkview (PV) HOA voiced concern about issues of ingress/egress in general and during an emergency. Mr. Byrd also voiced concerns about drainage. Chip Eason voiced concern about the new development using streets in PV while not being part of PV. Mr. Eason also questioned if the city had enough water to sustain the new development? Tim Hanvey (part owner of the development) spoke about the new development stating that the citizens of Tolar would have full access to the amenities in The Parks of Tolar. Kenneth Dees the engineer on the project spoke to the concerns voiced about drainage.

Public hearing closed at 6:24PM

PUBLIC HEARING

Public hearing opened at 6:24.

1.) To receive comments for the requested rezoning, subdivision, and replat of property being a 30.278 acre tract of land out of the Rachel Story Survey, Abst. 501, Hood County, Texas. Being a portion of those certain Parcels Two and Three, conveyed to Gray in Document No. 2017-0011372, Official Records, Hood County, Texas.

2.)To receive comments for the requested rezoning, subdivision, and replat of property located at 416 E. Fourth Street from Rural Residential (RR) to Single Family Residential 6000sf (R6).

Public comments:

Linda Savage voiced concern about drainage and offered the council photos of water running down her road. Mrs. Savage believes the water is a result of the new homes being constructed near her property. Mrs. Savage stated she believes water is being diverted from the Swaim property, causing it to run across her road. Mrs. Savage stated the road she was referring to is Apricot Ct. a private road. Mrs. Savage also stated the road already has problems and the water she believes Mr. Swaim is diverting is making her private road worse. At that time the City Secretary stated the public hearing did not pertain to the potential development Mr. Swaim may be doing in the future. The public hearing is concerning the two lots described above. Mayor Johnson stated that there has been a flooding issue in that area for many years. Mrs. Savage agreed. Several other citizens voiced concerns about drainage issues throughout the city. The citizens are also concerned about the infrastructure of the city. The City Secretary along with several council members again, reminded the citizens what the public hearing was regarding.

Public hearing closed at 7:02PM

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

Jackson Fulgham completed a citizen's appearance form. Mr. Fulgham waved the opportunity to speak to the council.

APPROVAL OF MINUTES-REGULAR MEETING

June 21, 2021 regular meeting.

Motion: by Sally Grimes, second by Matt Hutsell to approve minutes as presented.

Motion carried 5/0

NEW BUSINESS

1.) Approval of annexation by Ordinance 2021-01, plat approval and zoning of property being a 30.278 acre tract of land out of the Rachel Story Survey, Abst. 501, Hood County, Texas. Being a portion of those certain Parcels Two and Three, conveyed to Gray in Document No. 2017-0011372, Official Records, Hood County, Texas.

Council Member Matt Hutsell questioned Mr. Dees about the drainage plan for the development. Council Member Chip Foster voiced his concerns regarding the ingress/egress. Mr. Hutsell stated that the engineer on the project needed to be trusted with the job at hand. The city will monitor very closely the progression of the development. Mr. Foster questioned the TVFD regarding the concerns of ingress/egress. Council Member Brian Gall stated, he did believe the ingress/egress was sufficient. Mr. Gall also stated TxDOT was currently doing a traffic study and any issues would be addressed in the future. Chip Eason again voiced his concern about drainage. Council Member Matt Hutsell stated he believed the new development would possibly improve the drainage in PV.

Motion: by Matt Hutsell, second by Sally Grimes to approve the annexation, rezoning, and plat of property being a 30.278 acre tract of land out of the Rachel Story Survey, Abst. 501, Hood County, Texas. Being a portion of those certain Parcels Two and Three, conveyed to Gray in Document No. 2017-0011372, Official Records, Hood County, Texas.

Motion carried 5/0

2.) Approval of rezoning, subdivision and replat of 416 E. Fourth Street.

Council Member Brian Gall requested that moving forward all new development would be required to have engineered drainage plans attached to the project.

Motion: by Matt Hutsell, second by Kevin Fron to approve the rezoning, subdivision and replat of 416 E. Fourth Street.

Motion carried 5/0

3.) Discuss and take action on the locations of speedbumps within the City of Tolar.

Council Member Chip Foster stated that the speedbumps had been approved at a previous meeting a year ago and the city needed to move forward with them. After much discussion, the locations of the speedbumps along with proper signage was decided. The speedbumps will be paid for out of the General Funds with the street improvement account.

Motion: by Chip Foster, second by Sally Grimes to approve the locations of the speedbumps.
Motion carried 4/1. Matt Hutsell opposed.

4.) Discuss and take action to authorize Brian Gall, Council Member Place 4 to pursue a possible Interlocal agreement with Hood County Sheriff's Department.

Council Member Brian Gall advised the council of the steps needed for possible procurement of an Interlocal agreement with HCSO. The council discussed what might work with Tolar's needs and what the city could afford.

Chip Foster made a motion to have Brian Gall move forward with the pursuit of a possible Interlocal agreement. Sally Grimes second the motion.
Motion carried 5/0

5.) Approve and authorize Terry R. Johnson, Mayor to sign the Order of Elections and Resolution 2021-02 calling the November 2, 2021 General Election.

Motion: Chip Foster, second by Matt Hutsell to authorize Mayor Johnson to sign the Order of Elections and Resolution 2021-02 calling the November 2, 2021 General Election.
Motion carried 5/0

6.) Approve Interlocal contract with Hood County Elections and authorize Terry R. Johnson, Mayor to sign said contract.

Motion: Chip Foster, second by Matt Hutsell to approve Interlocal contract with Hood County Elections and authorize Terry R. Johnson, Mayor to sign said contract.
Motion carried 5/0

7.) Approval of all financials.

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

Motion: Chip Foster, second by Brian Gall to approve as presented.
Motion carried 5/0

OLD BUSINESS

None

STAFF REPORTS

- 1.) Public Works- PWD addressed sewer and water tank leaks. Spoke about drainage issues.
- 2.) Planning & Zoning
- 3.) Code Enforcement
- 4.) Administrative
- 5.) Council

EXECUTIVE SESSION

NONE

ACTION ON ITEMS TAKEN UP IN EXECUTIVE SESSION

No action was taken

ANNOUNCEMENTS

Regular meeting August 16, 2021 @ 6 P.M.

ADJOURN

Motion: by Sally Grimes, second by Brian Gall to adjourn at 9:00pm.
Motion carried 5/0



APPROVED:

A handwritten signature in blue ink, appearing to read "Terry R. Johnson", is written over a horizontal line.

Terry R. Johnson, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Michelle Burdette", is written over a horizontal line.

Michelle Burdette, City Secretary