MINUTES OF THE MAY 13, 2024 MEETING
OF THE BONHAM CITY COUNCIL

The City Council of the City of Bonham met in regular session on Monday evening at 5:30 p.m. in the Bonham City Hall at 514 Chestnut with the following members present:

- H. L. Compton  Mayor - Elect
- John Burnett  Council Member Ward 1
- Timothy La Vergne  Council Member Ward 2
- Wayne Moore  Council Member Ward 3
- Allen Sanderson  Council Member Ward 4 - Elect
- Ernie Quintana  Council Member Ward 5
- Michael Evans  Council Member-at-Large - Outgoing
- Kevin Hayes  Council Member-at-Large - Elect

CANVAS OF MAY 4, 2024 ELECTION

An invocation was offered by Mark Posey of the First Congregational Church. Mayor Compton called the meeting to order to canvass the returns of the May 4, 2024 election. The unofficial tabulation and summary of the precinct returns were reviewed and a motion was made by Burnett and was seconded by Quintana to approve the votes cast as presented. The motion carried with a unanimous vote 6 – 0. The election results were as follows:

CITY COUNCIL

City Council At-large  Tony Rodriguez  49
Michael S. Evans  38
Kevin Hayes  136

Mayor  H. Compton  196

City Council Ward No. 4  Allen Sanderson  194

Outgoing Councilman Evans exited the dias. Incoming Councilmen Hayes and Sanderson were seated on the dias.

OATH OF OFFICE

The Oath of Office was administered to Council members elect Kevin Hayes, Allen Sanderson and Mayor H. Compton by Heather Stockton, Notary Public.

MAYOR PRO TEM

Mayor Compton called for nominations for the selection of Mayor Pro tem and Moore nominated Burnett and Quintana seconded the nomination. Mayor Compton called for Burnett to be selected as Mayor Pro tem by acclamation with a unanimous vote of 7 – 0.

OATH OF OFFICE - MAYOR PRO TEM

The Oath of Office for Mayor Pro tem was administered to John Burnett by Heather Stockton, Notary Public.

MINUTES

Mayor Compton called for a motion regarding the minutes of the April 8th regular meeting. A motion was made by Quintana and was seconded by Moore to approve the minutes as written. The motion carried with a unanimous vote 7 – 0.
FINANCIAL REPORT FOR APRIL 2024
Sarah Osburn stated the May sales tax is up 15% and year to date sales tax revenue is up 8%. Questions were asked and answered regarding expenditures. A motion was made by Burnett and was seconded by Moore to accept the financial report as presented. The motion carried with a unanimous vote 7 – 0.

CITIZENS OPPORTUNITY TO SPEAK
Mayor Compton invited citizens who would like to address the Council regarding items on the agenda or other concerns not listed on the agenda to do so now. ▲ Penny Meyers, 2070 High Point Dr, stated there are several people here from Lake Bonham to advocate for the preservation of the beautiful 76 wooded acres at Lake Bonham. ▲ Joey Grisham, BEDCo Executive Director, reminded Council that staff was given the direction to complete the due diligence on the 76 acres. All that has been done at this point is to put it out with our real estate broker to see what, if any, development plans could be done. Staff understands this site has some challenges. We are still working through the process. ▲ Christine Novak, 9100 Timbercreeek, spoke about her concerns regarding developing the 76 acres at the Lake including the presence of bald eagles. ▲ Michael Evans, 400 Rainey, spoke about the possible development of the 76 acres at Lake Bonham. ▲ Stacy Rauchwerger, 469 CR 2604, spoke about the flood plain at Lake Bonham.

AWARD BID – DEWATERING EQUIPMENT IMPROVEMENTS
TDA VC21-0035 & HEI #158080)
Tyler Creamer, Hayter Engineering, stated the city received a grant from the Texas Department of Agriculture for Wastewater Treatment Plant (WWTP) improvements. This project has been designed and was bid out. The city received five bids with the low bidder being Underwood, Inc. Hayter engineering recommends awarding the project to Underwood, Inc. to rehabilitate the sludge dewatering and fix the access road at the WWTP. Questions were asked and answered about Underwood being qualified to handle the work. A motion was made by Burnett and seconded by Hayes to award the bid for Dewatering Equipment Improvements (TDA VC21-0035 & HEI #158080) to Underwood Inc for $230,164.00. The motion carried with a vote 7 - 0.

DISCUSSION – PENDING DEVELOPMENTS AND AMENDMENTS
Ross Altobelli, Director of Community Development, gave a brief power point presentation. Mr. Altobelli stated staff is looking to modernize our development regulations. In doing so we are looking at potential amendments to the Zoning Ordinance as well as to various development standards and regulations within the Code of Ordinances. This will create policies and procedures for both zoning and plan and plat submittals. An official submittal calendar will be created that way the development community isn’t submitting on any day they choose because by state statute we only have 30 days to act on plats. Mr. Altobelli will be reviewing the platting process. There will be minor enhancements of the landscaping requirements for non-residential and multi-family. Permit fees will also be reviewed. All recommendations are what other communities are already doing. City Manager Sean Pate spoke about the drainage issues the city has been dealing with. Mr. Altobelli spoke about steps that we have taken to address drainage issues.

APPEAL- SIDEWALK AND CURB GUTTER EXCEPTIONS
Ross Altobelli, Director of Community Development stated we received a request to table this item from the applicant. Mr. Altobelli informed the Council these two properties have gone through the process and submitted the required paperwork that was necessary to request the waiver that the Planning and Zoning Commission granted. Burnett stated the governing body should go ahead and approve the waiver or not approve it now. Planning and Zoning voted to approve the waiver already. Mr. Altobelli advised Council the action before them is to either uphold the Planning and Zoning Commission’s recommendation or to reverse it. The applicant requested to table which is within Council’s right to grant the tabling if they so choose or they can take action on it tonight.
A motion was made by Burnett and seconded by Hayes to uphold the Planning and Zoning Commission’s decision to approve the waiver of the sidewalk and curb/gutter requirements for two properties located at 309 W 2nd St and 402 W 2nd St. The motion carried with a 5 – 1 vote. La Vergne opposed and Moore abstained.

**BOARD APPOINTMENT – ZONING BOARD OF ADJUSTMENT AND APPEALS**

City Manager Sean Pate stated we advertised for letters of interest and only received one. Mr. Pate stated if the board has vacancies there is a law that allows City Council to serve in that capacity. Mr. Altobelli stated we may want to look for a combination of a few board members from Planning and Zoning and City Council for a temporary time until we are able to find interested applicants. Council discussed if any of the former members would be interested in continuing to serve. Burnett and Sanderson volunteered to serve on the board. A motion was made by Moore and seconded by Quintana to reappoint Joe Dale and Jerry Hopson and to appoint John Burnett, Allen Sanderson and Edward Ray. The motion carried with a unanimous vote 7 - 0.

**RESOLUTION – BUDGET AMENDMENT**

Sarah Osburn stated the budget amendment provides for monies from the Neighborhood Revitalization Grant fund to assist with infrastructure needs on two development projects with a total cost of $100,000. A motion was made by Moore and was seconded by Hayes to approve the resolution for a budget amendment for the fiscal year ending September 30, 2024. The motion carried with a unanimous vote 7 – 0.

**BANK DEPOSITORY CONTRACT**

Sarah Osburn stated the Texas Local Government Code requires us to submit a request for proposals every five years. We had three banks submit proposals. Each proposal was strong. Staff reviewed proposals against the evaluation criteria that was included in the packet. Staff recommends making the move to First United Bank for bank depository services. A motion was made by Burnett and seconded by Sanderson to approve a bank depository contract with First United Bank. The motion carried with a unanimous vote 7 - 0.

**GRANT APPLICATION – RESILIENT COMMUNITIES PROGRAM**

Sarah Osburn stated the Texas Land Office has made funds available through a grant program that provides for the development and implementation of a comprehensive plan that incorporates hazard mitigation. The maximum grant award is $300,000 and applications are processed on a first come, first served basis. There is no match required for this grant. A motion was made by Quintana and seconded by Hayes to authorize staff to apply for a grant from the Texas General Land Office through the Resilient Communities Program. The motion carried with a unanimous vote 7 - 0.

**ORDINANCE – SOLID WASTE COLLECTION FEE SCHEDULE**

Mayor Compton opened the public hearing on an ordinance amending ordinance 1429 providing for a fee schedule for solid waste collection services inside the city limits and at Lake Bonham. Sarah Osburn stated on each anniversary of the effective date the base rate is either increased or decreased based off the most recent CPI data. Sanitation Solutions notified the city of the 4% rate increase which would be effective June 1st. This will increase the trash service rate by $1 per month for residential customers. Rusty Deets, 332 Boyd Loop, spoke about garbage cans on the street. Questions were asked and answered regarding the contract terms. There were no other comments forthcoming and the Mayor closed the public hearing. City Manager Pate then read the caption of the ordinance. A motion was made by Burnett and seconded by Moore to approve the ordinance. The motion carried with a unanimous vote 7 - 0.
INTERLOCAL AGREEMENT – FANNIN COUNTY FOR MAINTENANCE
City Manager Sean Pate stated the County Commissioners have elected to help our street department with some projects, including Silo Rd. There is vegetation along the road that needs to be cut back. The county has a side mower which can help us accomplish this. The county has agreed to assist with this, but an Interlocal Agreement is required for them to legally be able to assist us. The Commissioners approved this agreement on April 30th. This agreement would tremendously help our Street Department. A motion was made by Moore and seconded by Hayes to approve the Interlocal Agreement between the City of Bonham and Fannin County for maintenance. The motion carried with a unanimous vote 7 - 0.

UPDATE – PARKING ON NARROW STREETS
Police Chief Hawkes gave a brief presentation. Chief Hawkes advised we have received complaints about cars parked in yards, sidewalks, etc. The city doesn’t have an ordinance stating you can’t park in yards but there is a state law in the transportation code stating you can’t park on sidewalks. Chief Hawkes showed pictures of vehicles parked on the side of the street which showed how some vehicles, such as ambulances and fire trucks, would not be able to get by. If a complaint is received the Police Department will work with the homeowner to come up with the best solution. The Police won’t actively enforce no parking on the street if there is no other option. City Manager Pate stated the greater good is being able to get emergency vehicles down the road. Mayor Compton stated all older communities have the same issues.

ADJOURNMENT
There was no further business to consider, and a motion to adjourn was made by Moore and was seconded by Quintana. The motion carried with a unanimous vote, and the meeting adjourned at 6:31 p.m.

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H. Compton, Mayor

ATTEST:

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Heather Stockton, City Secretary