

CITY OF TRINIDAD
Minutes

May 18, 2021

A Public Hearing and Regular Session of the governing body of the City of Trinidad was held on the 18th day of May 2021 beginning at 5:30 p.m. at the City Hall in Trinidad, Texas, at which time the following subjects were discussed:

1. **Call to Order:** Don Brawner, Mayor Pro Tem, called the meeting to order at 5:30 p.m.
2. **Roll Call:** Councilpersons present at the meeting were Don Brawner, Velma Womack and Marie Bannister.
3. **Open forum:** Don Brawner read the following:
“In accordance with the Open Meeting Act, Council is prohibited from acting or discussing (other than factual responses to specific questions) any items brought before them at this time. This is reserved only for items NOT covered on the agenda. No formal action can be taken on these items at this meeting. Discussion is limited to five (5) minutes per person”
He asked that the speaker take their five minutes without interruption. Everyone will have their five minutes if they wish.

Dusty Bannister asked does this have to do with other things on the agenda. She was asking clarification of Citizen Inquiry and Public Hearing comments.

4. **Public Hearing and comments:**

Application for a change in zoning of R-1 Single Family Residential District with a Special Use permit to allow the placement of mobile homes on Lot: LT 24, 25, 26, 29, 30, 31, AB 17 N ADDISON SUR, (Lot 29-31 Birdsong and Lots 24-26 York , Trinidad, Texas

Applicant: Gary Hobbs

Jerry Bannister said he was speaking for the EDC, Gary Hobbs comes into the café every day. He and his wife can speak highly of him. He talked of the proposed road York Street how it's overgrown. Speaking in Mr. Hobbs behalf, if ypu look at the road and what Mr. Hobbs is wanting to do to make it better, more kids for the school, you couldn't do any worse, He wants to bring a business in town and clear out York Street. We have an awesome police department that will make sure the mobiles homes will be kept up. He spoke with Chris Quinn that we have city ordinances on mobile homes and how they are to be kept. He doesn't understand the hang up of having mobile homes in that particular area. If you look what is there now, you couldn't make it worse. Percy Airheart asked Mr. Bannister if Mr. Hobbs had asked the city about York. Cody Riley answered yes we asked many times. Gary Hobbs said they're working on clearing. Cody Riley said yes they are getting there. Mr. Bannister asked that the council take in regard what we could have and the citizens and not be scared on what possibly could happen. This is the only way we can move forward. If we have an issue that comes up we can deal with it. We can't sit

back and say no, no, no. We can't just stay idle.

Dusty Bannister said the issue with mobile homes there's no such thing anymore. The term mobile home went out in the 70's. She says when you say mobile home people generally think of a single wide and it's a fear people have when they hear mobile home. She's done extensive research on it. It's not the same anymore. They are called manufactured homes and they are no longer like the older mobile homes of the past. She said after doing a lot of research, they actually increase property value not lower property value. She said she's not saying putting in mobile home parks because that would decrease property value. The difference in mobile home parks is that they don't own their land and is temporary.

Cody Riley asked, do you want Trinidad to grow. If you don't want them to go to other cities and don't want this place to prosper, you have to start somewhere. Five years from now when you get your population up, you can change the rules. Yeah you can say you have a \$300,000 home but I assure you it wouldn't sell for \$160,000 in Trinidad. No one is coming here. No one will come because of all the regulations. Regulation kills business. If you want business and people, you have to deregulate. He feels the council needs to back off and let people that have money do what they need to do.

Gary Hobbs – I'm going to leave it up to the city council. I've plead my case and I need mobile homes for skilled workers. This is the only way he can house them. He would guarantee that as long as he owns it he would make sure they are kept clean and yards mowed. He said if they work for him and not keep their homes clean, they won't have a job. That's my guarantee.

Motion was made by Don Brawner to accept the zoning recommendation and not change the zoning. Marie Bannister asked Don if he doesn't want to change zoning and he said no. She said she wants to change the zoning, she wants Trinidad to grow. Don Brawner asked Ms. Bannister if she's voting yes or no. She said I vote no. Mr. Brawner said we have two yes and one no. Jerry Bannister said it doesn't carry. Mr. Brawner asked Jerry to repeat and he said it doesn't carry. Mr. Brawner said it carried because we had two voting yes and one voting no. Mr. Bannister said if you have a motion and a second it dies. Mr. Brawner asked Mr. Bannister if he heard the motion. Mr. Bannister said he heard the motion and second but it died. Cody Riley said there never was a second, that a second was never asked. Mr. Brawner said we did get a second. Mr. Riley asked who seconded the motion. Mr. Brawner said Ms. Womack. Cody Riley asked Velma Womack if she second the motion. She said yes I did. Mr. Brawner said we have a motion made and a second with one council member voting no, it carries. Marie Bannister asked Mr. Brawner why he doesn't want Trinidad to grow. Mr. Brawner said he's not going to get into that right now. Marie Bannister asked him again and again he said he wasn't going to get into it. Mr. Brawner asked if anyone else had something to say.

Gary Hobbs said he purchased the meat processing plant in Kaufman. His business would be going there. This property will be mothballed. He said there won't be any commerce taxes. Cody Riley said he wanted to point out the council just ran business out of town that had money. Mr. Brawner told Mr. Riley he was through and Cody Riley replied why am I the only one that can't speak. (some comments not understood because of people talking at same time) Jerry Bannister commented to Mr. Brawner that he asked if anyone had anything to say. Mr. Brawner said the motion has been voted on and it won't be changing.

Jerry Bannister asked if EDC needs to be in executive session. Marie Bannister said I don't know ask him. Don Brawner said no they will talk to the applicants individually and that's what the executive session is about.

5. Convened into executive session at 5:49 p.m. pursuant to Section 551.074 and Section 551.072, Tex. Gov't Code
 - to deliberate the appointment of a new board member for EDC from applicants; Ashlee Mills, Chandra Sutton, Penny Edwards.
 - to deliberation regarding value and transfer of real property.
6. Reconvened into open session at 6:25 p.m. to take action as appropriate in the Council's discretion regarding:
 - to deliberate the appointment of a new board member for EDC from applicants; Ashlee Mills, Chandra Sutton, Penny Edwards.
 - to deliberation regarding value and transfer of real property.

.Motion was made by Don Brawner to appoint Chandra Sutton to the board of EDC. Marie Bannister seconds the motion. Motion carried unanimously.

Session break from 6:26 p.m. to 6:30 p.m.

7. **Work Session**

- *Maggie, Butch and Matt Mizzell – Boatwright Road:* Matt discussed the reasons he and his family requested the closing of a section of Boatwright Road. He said he appreciates everything the council does. He said just in the past week they've had 2 dogs abandoned and a trailer with old carpet came down his street, and because our guys were patching the road they went towards Old River Road. He said they have had cows shot, people are dumping, mailbox was smashed and people generally come down Boatwright Road to dump. He presented some pictures of some of problems on Boatwright Road. He said he's trying to find a solution to our problem on Boatwright Road. Old River Road doesn't flood so everyone would have access to Hwy 274 from Old River Road. He was busy and wasn't able to attend the meeting but he doesn't understand why people who lease property and came to the meeting on closing the road and he's sorry he didn't have a say so in whether Boatwright Road closed. He showed pictures again of the path of Boatwright Road and pictures of people who are coming down the street and stopping at his mailbox, etc. He would like the road worked on. He's had to chase people away. That's a concern for him. We are on well water and the pump has been stolen in the past. He thinks closing that section would fix the problem. I respect the council but we have an issue. Maggie Mizzell said that if they don't get the gates she would like ditches worked on to possible help the water flow. She said they appreciate the council and know they have a hard row, that it's a difficult time. She is concerned for her grandchild and daughter-in-law because they are by themselves some times. Maybe if the police could come down Boatwright Road more that would help. We would like to have our taxes represented. Don Brawner discussed with the city attorney about the road closure and it was recommended not to close the road because it's a through access from county

and city. Matt and Maggie would just like representation. Mr. Brawner said the Chief of Police and he have had a conversation about patrolling more on that road. Ryan Cate said there was a gentleman walking on Boatwright Road and he relocated him. The Chief told the Mizzell's to call him anytime they have a problem.

- *Report from Police Department:* Chief Miers discussed the monthly violation activity. He discussed two grants in progress for metal building and radios that total \$60,000. He had 2 meetings with TISD Superintendent to discuss ways to improve relations, provide education to staff and services provided.. Ryan Cate updated council on code enforcement. He provided a report that listed the properties and pictures of those houses that have had enforcement. .
- *Report from Municipal Court:* Judge Mathis was out due to illness. Her reports were enclosed in the council packet.
- *Report from Matt Maddox;* Matt updated on the grant work on Lynn Street. He talked about street maintenance and trimming
- *Report from Water Operator/Street Dept.:* David updated the council on the permanganate installation approved by TCEQ. TCEQ approved clearwell modifications and he was in the process of obtaining bids for installation.. TCEQ also approved the modifications to the chemical feed pump. The fence around the sewer lagoons is finished and pictures were shown of the finished work. He also showed pictures of the grates that were placed on culverts because of beavers.
- *Report from TEDC:* Jerry Bannister presented the report. We have a few projects in the works. I do have to go on record because of tonight's outcome of the road blocks of the processing plant. He said he has various concerns with leadership of the city council and the zoning committee. We are getting roadblocks. We should all be on the same page working with one goal in mind and that's ways to better this city and this town. The EDC is working hard but we can only do so much. We brought the processing plant and the city chunked it to the wind and it's a deep concern. We've called and tried to encourage businesses to Trinidad. He asked the council was there any resolution to changing the properties to commercial on Hwy 31. Mr. Brawner asked him to repeat the question. Mr. Bannister repeated. Teresa Crawford said he was asking if the zoning had made progress on changing the properties on Hwy 31 to commercial. Mr. Brawner said not to his knowledge. Mr. Bannister said if a property is already zoned commercial instead of residential, there would be less hurdles to cross. Billy Ray Hornbuckle explained to him once that we had the brewery that is now in Seven Points and because the process was long he went to Seven Points. Trinidad doesn't have a lot to offer so this would make it easier. Don Brawner said he went to the last two zoning meetings and it was mainly concerning meat processing plant and mobile homes. Marie Bannister said it was discussed at a council meeting. Mr. Brawner said he didn't recall that. Dusty Bannister said she doesn't think Don Brawner was at the meeting talking about changing Hwy 31 properties. Betty Sanders said at the last zoning meeting they had several discussions about storage buildings and other items. Any properties on Hwy 31 to change zoning she thought wouldn't be a problem. Cody Riley spoke and said it's called dual zoning. Betty Sanders told Cody Riley that she didn't mean to be disrespectful to him but he didn't need to interrupt while she's trying to explain. Jerry Bannister, talking to Betty, was

asking the zoning committee to change every property (land only) from residential to commercial. Betty said they are having another meeting. She said they did discuss Hwy 31. Cody Riley said Malakoff did it by dual zoning. Every property on Hwy 31 in Malakoff is zoned commercial but if there is home on it they pay residential taxes. He said but if you're incompetent and don't know how to do it. (People talking at same time) Teresa Crawford said her parents were a part of that in Gun Barrel. Their property was zoned commercial and they paid residential taxes but there was a stipulation that if the house ever sold, it was could no longer be lived in as residential. She said she doesn't know the legalities of that. Jerry said the brewery was lost because they were having to wait for this wait for that. If it is already zoned commercial that would make it faster. .

- ***Report from City Administrator concerning monthly financial reports:*** The following was presented:
 - Updated all bank account balances
 - Payroll report for April 2021
 - Check registers and P & L for General Fund and System Fund
 - Passed out a listing of several recreation grants from TX Dept. of Wildlife to each City Council member
 - CARES ACT – The money the City received from the Cares Act has been deposited into the city Reserve M & O account. The city received the final payment of \$39,204.00. The amount was based on the hours Robert McCumsey and Adam Estes worked.

8. Council Members Inquiry Time: No comments made.

9. Consider bid submitted by DeWitt Loven for mowing EDC property on West Street: Don Brawner asked if other bids were acquired. There were no other bids. Motion was made by Don Brawner to approve the agreement of DeWitt Loven to mow the EDC property on West Street. Velma Womack seconds the motion. Motion carried unanimously.

10. Consider contract between City of Trinidad and Henderson County Appraisal District for collection of property taxes: Motion was made by Don Brawner to approve the contract between City of Trinidad and Henderson County Appraisal District for the collection of property taxes. Velma Womack seconds the motion. Motion carried unanimously.

11. Consider selling 4 lots on North Leagueline Road to Cody Riley: Don Brawner made a motion to no sell the properties at this time. Marie Bannister said she wanted to make a motion to sell the properties. Mr. Brawner said there is already a motion on the table. He asked for a second. Velma Womack seconds the motion. Motion passed with Don Brawner and Velma Womack voting no and Marie Bannister voting yes.

12. Consent Agenda: All matters listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. If discussion is desired, that item will then be removed from the Consent Agenda and will be considered separately.

- a. **Approval of payments of monthly invoices**
- b. **Approval of the following minutes:**

- April 20, 2021

All payments and minutes were reviewed. Marie Bannister had a correction with the minutes on number 8 where she says she didn't make the comment of "so much was going on around her" and number 10 where Chris Quinn didn't give EDC report. Corrections were made. Motion was made by Don Brawner to approve monthly invoices and minutes with corrections. Velma Womack seconds the motion. Motion carried unanimously.

- 13. Adjourn:** Motion was made by Don Brawner to adjourn. Velma Womack seconds the motion. Motion carried unanimously. The meeting adjourned at 7:55 p.m.

Signed: _____
Don Brawner, Mayor Pro Tem

Attest: _____
Terri R. Newhouse, City Secretary