

STATE OF TEXAS §  
COUNTY OF RUNNELS §  
CITY OF BALLINGER §

On the 17<sup>th</sup> day of April 2023, the Ballinger City Council meet in regular session at 5:30 p.m., in the Council Chamber of City Hall located at 700 Railroad Avenue with the following members present:

Dawni Seymore	Mayor
Richard "Rick" Morrish	Mayor Pro-Tem
Ken Manley	Councilmember Place #1
Ryan Lange	Councilmember Place #3
Steve Gray (arriving at 7:34pm)	Councilmember Place #4

**Staff Present:**

Brian Frieda	City Manager
John Pierik	Assistant City Manager
Blaine Ross	City Secretary
Sharon Hicks	City Attorney
Cord Bowman	Public Works Director
Ray Cornutt	Chief of Police
Lindsey Byler	Assistant Secretary

**Others present:**

Chad Hardy	Deena Esser
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1. **Call meeting to Order:** Mayor Seymore called the meeting to order at 5:37 p.m.
2. **Prayer and Pledges:** Councilmember Morrish gave the invocation and lead the pledges.
3. **Citizen Presentations for Items not on the Agenda:** Chad Hardy addressed the City Council on Animal Control, request to increase the spay neuter program, City Workers and being understaffed in areas, and lack of responses from inquiries submitted through the City's website. Deena Esser inquired on the City allowing kayaking rentals on Elm Creek during the HTH cookoff, which City Manager Frieda replied they were expecting to allow them.
4. **Public Comment on Agenda Items other than a Public Hearing: None**
5. **Consent Agenda:**
  - a. Approve Minutes from the March 20, 2023, City Council Meeting. Councilmember Morrish made a motion to approve the March 20, 2023, minutes. Councilmember Manley seconded the motion. The motion carried unanimously.

**6. Regular Agenda Items for Discussion, Consideration and/or Action:**

- a. **Oral Resolution:** Consider approving BULK WATER SALES at Bruce Field. City Manager Frieda stated that the city has received two quotes for the dispensing system and that the quotes were within \$1,000 of each other. Of the two quotes, Frank Miller and Flowpoint, Frank Miller was the preferred vendor. Councilmember Lange made a motion to approve the Resolution. Councilmember Manley seconded the motion. The motion carried unanimously.
- b. **Oral Resolution:** Consider approving AVIATION FUEL CELL project at Bruce Field. City Manager Frieda presented to the Council ideas for upgrading the fuel system at Bruce Field, stating that TxDot Aviation Grants are available and there is interest from The Texas Forest Service to have a base at Bruce Field. The Council recommends continuing research on the project.
- c. **Oral Resolution:** Consider adopting fees for Pool Operations and discussion of operational matters. Assistant City Secretary Gayoso presented fee and operational options based on a canvass of seven surrounding cities. Councilmember Manley made a motion to approve the fee schedule outlined by ACS Gayoso. Councilmember Lange seconded the motion. The motion carried unanimously. The Council suggested the fee schedule be posted in the newspaper.
- d. **Ordinance No. 2023-04-001** to allow OPEN CONTAINERS in specific downtown areas and city park. City Manager Frieda presented mapped areas of the City where open containers would be allowed, including Downtown, the Community Center and the City Park, which would allow open containers (no glass) during specific hours. Councilmember Lange made a motion to approve open containers specified by the mapped areas, hours specified, and by permit only at the pool. Councilmember Manley seconded the motion. The motion carried unanimously.
- e. **Ordinance No. 2024-004-002** repealing the 1964 ELECTRICAL ORDINANCE relating to electrical licensing and holding that all licenses not otherwise grandfathered must comply with state law, the release of licensee data to state for lateral transfer consideration. ACM Pierik asked the Council to approve the ordinance to abolish the Cities licensing and testing ordinance program that has existed in the past, and to provide the licensees with the existing certifications and other information needed to allow participation in the TDLR State Licensing of Electricians program for licenses equivalent to those held with the City. Councilmember Manley made a motion to approve the Electrical Ordinance. Councilmember Morrish seconded the motion. The motion carried unanimously.

- f. **Second reading of Ordinance No. 2023-03-001**, renaming and adopting Chapter 14-69 of City code relating to **Alarm Systems** providing for the issuance and suspension of permits for alarm systems in businesses and residences; providing for the duties of alarm companies, providing fees, providing a penalty for violation of the ordinance: and providing an effective date. City Attorney Hicks stated this ordinance is a protection for citizens and businesses but alleviates the city from responding to false alarm calls. City Manager Frieda confirmed that this was not designed to make money for the city but to require alarm companies to comply with providing adequate service to citizens and minimize police responding to false alarms. The fee structure was also discussed; no changes were made. Councilmember Lange made a motion to approve the motion. Councilmember Morrish seconded the motion. The motion carried unanimously.

**7. City Manager's Report:**

- a. **Police Department March Report.** Chief of Police Cornutt gave the March Police Report.
- b. **Public Works Update.** City Manager Frieda gave reports on several topics. Several items were needing repair in the City Park and Pool area. The City has received an invitation from Jacob Martin for a ribbon cutting at their new facility. A water report provided by WTP operator Brem was read, adding that a soon to graduate student from Ballinger, John Havlak, will begin his career with the city starting at the WTP. The bulletin board kiosks for City Hall and Pioneer Plaza will be ordered soon. The electronic billboard to be placed on Broadway is still in the planning stage. The alternative water supply engineering feasibility report approval was awarded by the Texas Water Development Board on the City's project with the City of Abilene. Mr. Frieda met with Abilene officials and Jacob Martin engineers, with discussion concerning water availability from the City of Abilene, to supply water to Ballinger's additional storage facility. Abilene indicated they would still honor the agreement to provide water. The City will also be engaging with other firms to supply additional groundwater sources. With the upcoming EPA Lead and Copper removal mandates, the engineers are moving for financial assistance. Meeting with engineers concerning street repairs, outlining what roads need minor repair to complete repaving. Demolishment of 208 N. 5<sup>th</sup> St. has been completed. Avenue E and 8<sup>th</sup> St paving will require extensive engineering to complete, due to prior ineffective repairs. Pioneer Plaza fountain is being rehabbed. The 800 block of Murrel water and sewer repairs found many obstacles, including a buried manhole. Our dedicated Staff jumped in and made necessary repairs.
- c. **Economic Development Update.** City Manager Frieda stated that the MDD election is set for May 6, 2023. Meeting with several business owners and members of the Industrial Business Board, their hope is that the MDD will pass in election.

**Councilman Gray arrived; he did not participate in any vote listed above.**

**8. Future Agenda Items – Discuss and Consider: None**

9. **Executive Session:** Council Adjourned into Executive Session at 7:34 p.m. pursuant to Texas Government Code.

a. **Section 551.071 Consultation with the City Attorney.**

b. **Section 551.072 Deliberations about Real Property.**

c. **Section 551.074 Personnel Matters.**

i. Accept retirement of Brent Allen.

ii. Consider the appointment of Charles Lobstein as Fire Marshall.

10. **Reconvene and take Action if needed from Executive Session:** The Council reconvened in open session at 7:53 p.m.

c. **Section 551.074 Personnel Matters.**


i. Accept retirement of Brent Allen after 32 years of service. Councilmember Morrish made a motion to accept the resignation/retirement of Brent Allen. Councilmember Gray seconded the motion. The motion carried unanimously.

ii. Consider the appointment of Charles Lobstein as Fire Marshall. Councilmember Lange made a motion to approve the appointment of Charles Lobstein as Fire Marshall. Councilmember Morrish seconded the motion. The motion carried unanimously.

11. **Adjourn:** Councilmember Lange made a motion to adjourn the meeting at 7:54 p.m. Councilmember Gray seconded the motion. The motion carried unanimously.

  
Dawni Seymore  
Mayor

ATTEST:

  
Blaine A. Ross  
City Secretary