

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

**On the 4th day of December 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
Ryan Lange	Councilmember Place #3
Steve Gray – Arriving at 6:25 pm	Councilmember Place #4

**Absent:**

Ken Manley	Councilmember Place #1
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**Staff Present:**

Randy Everett	Interim City Manager
Blaine Ross	City Secretary
Cord Bowman	Public Works Director
Ray Cornutt	Chief of Police
David Brem	Public Utilities Director
Charles Lobstein	Fire Marshall
Sharon Hicks – Attending by Zoom	City Attorney

- 1. Call meeting to Order:** Mayor Seymore called the meeting to order at 5:33 p.m.
- 2. Prayer and Pledges:** Mayor Seymore gave the invocation and lead the pledges.
- 3. Citizen Presentations for Items not on the Agenda:** None
- 4. Public Comment on Agenda Items other than a Public Hearing:** Citizen Wayne Herman addressed the council concerning the base charge for a raw water meter. Mayor Seymore stated council will address the concern on Agenda Item 6h.
- 5. Consent Agenda:**
  - Approve Minutes from the November 20th, 2023, City Council Meeting. Councilmember Morrish made a motion to approve the minutes of the November 20<sup>th</sup>, 2023, City Council meeting. Councilmember Lange seconded the motion. The motion carried unanimously.
- 6. Regular Agenda Items for Discussion, Consideration and/or Action:**
  - Swearing in and oaths for Councilmember Ken Manley. Postponed
  - REMOVE FROM THE TABLE: Appointment of Mayor Pro-tem. LEFT ON THE TABLE.

- c. Chief of Police Ray Cornutt – update on Runnels County Jail closure. Chief of Police Cornutt informed the council of the Runnels County Jail closure.
- d. Sage Diller – Enprotec Hibbs & Todd. Mr. Diller briefed the council on the following:
  - i. Water Attorney. Recommended that all current water contracts should be reviewed by a Water Law Attorney.
  - ii. DWSRF Funding. Applications were submitted in March for \$34 million in funding. Of over 200 submitted applications, Ballinger ranked #14. Ballinger will receive a favorable funding offering from DWSRF. Ballinger qualifies for up to a 70% grant 30% loan, with a limit of \$10 million in loan forgiveness to any one entity. Mr. Diller suggested the city review projects and focus on the top-ranking projects currently needing attention. Ballinger has been invited to apply for DWSRF grants. The City would need to procure engineering, financial advisors, and bond counsel to submit the applications that are due the end of January 2024. The City needs to evaluate the debt amount it is willing to take on. Submitting the applications does not commit the city to any action and there is no cost to submit the applications.
  - iii. Lead/Copper Pipe Inventory. EPA mandated that all lead service lines in the country be replaced. An inventory of all service lines in the city must be completed by October 2024. The city submitted applications for funding with the TWDB in May of 2023. The city ranked 58<sup>th</sup> out of 258 applications. The grant is for 51% loan forgiveness with 0% interest on the remaining 49% of funding over a 15-year period. At this point Ballinger has not been invited to apply but will most likely be invited in the next round of invitations. At the time of invitations, the city would need to procure engineering, financial advisors, and bond counsel to submit the applications.
- e. Ben Brooks – Lake property AG lease. Shane Howell addressed the council asking for a lease on 195 acres near the lake property for \$40 per acre, totaling \$7800.00 per year. City attorney Hicks advised the council to approve the lease with a specific date, that would have an automatic renewal approved by council. Councilmember Lange made a motion to approve a lease with Mr. Brooks. Councilmember Morrish seconded the motion. The motion carried unanimously. Attorney Hicks and Interim City Manager Everett will prepare the lease. Mr. Howell also inquired about a well that straddles city property and Mr. Brooks' property. Mr. Howell proposes a trade of land, giving the city 7.73 acres, that attaches to city property, in trade for a smaller section that would include the well. Attorney Hicks will review this request and address it at the next council meeting.
- f. Ballinger Fire Department. Charles Lobstein. Grant authority for Fire Safety Inspections without State Certification. Full Certification in progress. Attorney Hicks will research this. Councilmember Lange made a motion to table this topic.

Councilmember Morrish seconded the motion. The motion carried unanimously. Item 6f is TABLED.

- g. Holidays for 2024. Interim City Manager Everett addressed the council on City holidays for the year 2024. Councilmember Lange made a motion to approve the list of holidays except for President's Day, Monday February 19<sup>th</sup>, 2024. Councilmember Morrish seconded the motion. The motion carried unanimously. The dates of 2024 City Holidays are Monday January 1, 2024 - New Years Day, Monday, January 15, 2024, Martin Luther King, Jr. Day. Friday, March 29, 2024, Good Friday. Monday, May 27, 2024, Memorial Day. Wednesday June 19, Juneteenth. Thursday, July 4, 2024, Independence Day. Monday, September 2, 2024, Labor Day. Monday, October 14, 2024, Columbus Day. Monday, November 11, 2024 - Veterans Day. Thursday and Friday, November 28 & 29, 2024, Thanksgiving Holiday. Tuesday Dec 24 and Wednesday Dec 25, 2024, Christmas Holiday.
- h. Water Meter base charge on raw water line crossing properties of Wayne Herman. Mayor Seymore stated since this topic was discussed during public comments, and Interim City Manager Everett will investigate the matter. No more discussion took place.
- i. Resolution to consider intervening in AEP Texas request to amend its Distribution Cost Recovery Factor and retaining outside council of Lloyd Gosselink and consultants. Attorney Hicks stated this is a standard intervention and recommended retaining the outside council of Lloyd Gosselink. Councilmember Lange made a motion to approve the resolution. Councilmember Morrish seconded the motion. The motion carried unanimously.

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

- a. Public Works Update:
  - i. Streets and Parks. Public Works Director Bowman updated the council on various street repairs, and the closure of the lake park.
  - ii. Water Treatment Plant, Water Distribution, Wastewater Collection and Treatment. Public Utilities Director Brem gave the November 2024 water report and updated the council on various water and sewer repairs. The city now has 7 personnel with Class D water licenses. Councilmember Morrish inquired if the city is still experiencing sewer blockages because of citizens flushing the products being sold as "flushable wipes". Mr. Brem said this is an ongoing issue. Mayor Seymore suggested including a request of citizens to discontinue this practice be included in the next utility billing.
  - iii. Upcoming Projects. Interim City Manager Everett informed the council that a study of expenses for the community center shows it costs the city \$81.31 per day to operate, and this should be taken into consideration during the scheduling of rates for the next calendar year. TCEQ dam inspection on

December 12,2023. Staff will be starting the lead pipe inventory in the following weeks.

- b. Police, Animal Control, Code Enforcement and Fire reports for the month of November 2023. Chief of Police Cornutt gave the monthly reports.
- c. Financial Reports. City Secretary Ross presented the accounts payable and revenue/expense reports.

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

- 9. Adjourn:** Councilmember Morrish made a motion to adjourn. Councilmember Lange seconded the motion. The motion carried unanimously. The meeting was adjourned at 6:38 p.m.

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Dawni Seymore  
Mayor

ATTEST:

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Blaine A. Ross  
City Secretary