REGULAR MEETING OF THE CITY COUNCIL, CITY OF SHALLOWATER, NOVEMBER 19, 2024 AT 7:00 P.M. WITH THE FOLLOWING MEMBERS PRESENT:

CHRIS CODY	ALDERMAN:
MAYOR PRO TEM	JASON WHITE
AMANDA CUMMINGS	TROY WHITE
CITY SECRETARY	KYLE YEAGER
RUSSEL MOSES	
CITY ADMINISTRATOR	
NIKKI CORONADO	
DEPUTY CITY SECRETARY	
WILL GRIFFIS	
CITY ATTORNEY (VIA CONFERENCE CALL)	

Others Present: Leonard Nail, Brian and Kathy Williams, James Andrews, Jeremy Stewart, Shawn Claunch, April Hudson and Mark Garrett, Scott Schleicher, JR Cardoso, and Ruben Ponce

Pledge of Allegiance: The meeting was opened at 7:02 p.m. by Mayor Pro Tem Cody.

Invocation: Invocation was offered by Alderman Yeager.

Open Forum: Open forum was opened at 7:03 p.m. by Mayor Pro Tem Cody. Amanda Cummings mentioned the City Christmas Party will be Friday, December 6th and to please let her know if they plan on attending by the 26th so they can turn in the headcount for the food. closed open forum at 8:18 p.m.

Public Hearing for Special Exception Variance Request to Place a Tiny House to be Used as a Residence West of Shallowater Flowers and Gifts at 910 12th Street:
Mayor Pro Tem Cody opened the hearing at 7:10 p.m. Mayor Potter explained the hearing would remain open for at least thirty minutes and asked if there was anyone present to speak. The hearing was closed at 7:39 p.m.

Department Reports:

Fire Department: Assistant Chief Stewart presented a written report. There were no questions. Amanda mentioned that we received a check from the Texas Forest Service for the catastrophic grant for the truck that rolled.

Emergency Management: Jeremy Stewart was present and a written report was presented. There were no questions.

Municipal Court: There was no report presented.

Consider and Discuss Adopting a Youth Diversion Program: Amanda explained that TJ provided information and a proposed plan and this is something that our Municipal Court has to have in place by January 1, 2025. She added that she included the statute in their packets and the information on the available resources in Shallowater. Alderman T. White Made the motion to adopt the Youth Diversion Plan as presented. Alderman Yeager made the second. The motion carried with 3 in favor and Alderman Scarlett and Mayor Potter absent.

Police Department: Chief Williams stated that we have another officer on light duty in addition to himself and they will not be able to return to full duty until probably around May. He said they are working through things and will make it. He said they are still waiting on some of the parts on the new Durango.

Consider and Discuss Sending the Truck that was not Traded in for the New Durango to the Lubbock Auto Auction: Chief Williams explained that the offer for trade in was very low and they think they can bring more for it at auction. He said Grapevine Dodge only wanted to give us $8,800 for trade in and they offered more for the last trade in and this truck is in better condition than that one. Chief Williams asked if the council want to set a minimum amount and the council stated that they would leave that to him. He said it would cost about $400 to place it in the auction, and there was discussion of placing a minimum of approximately $10,000. No further action was taken as the council was in agreement to place this truck in the Lubbock Auto Auction.

Code Enforcement: Officer Claunch provided a written report. There were no questions. Officer Claunch provided the council with before and after pictures and for the cleanup at 609 Avenue L. He mentioned that Amanda reached out to Will as to how to handle this and we will draft a letter that explains the violations to the ordinance and include the invoice. Amanda explained that if she does not pay in 30 days, we will place a lien against the property. Officer Claunch stated that the bid was awarded to Bradley Price a local resident that is insured and the business did a really good job cleaning the property up. Alderman T. White asked if we could use him each time or asked if we have to go out for bids each time. Will Griffis, stated that he would have to do a little research on that, but would let us know.

Public Works: Ruben Ponce presented a written report. There were no questions.

Consider and Discuss Trading in the 2010 Chevy 1500 for the Purchase of a New Vehicle to be Utilized by City Administrator and the 2016 Dodge Ram will be Utilized by Public Works: Russel Moses explained that the truck he has been driving is a ¾ ton and it is good condition and Public Works can use it and a smaller ½ ton truck will be purchased that he will drive and it can be used for attending meetings/conferences. There was discussion on how this would be cheaper than purchasing another ¾ ton. Alderman J. White made the motion to purchase a ½ ton for Russel to drive and sending the ¾ ton to Public Works. Alderman Yeager made the second. The motion carried with 3 in favor and Alderman Scarlett and Mayor Potter absent.

Consider and Discuss Water and Sewer Updates and Engineering Report- Leonard Nail, Parkhill: Leonard Nail stated that the emergency wastewater project is on hold until we receive the pump that we have been waiting on for several months. He mentioned that they are visiting with the High Plains Underground Water District on December 10th regarding the grant to do dockum testing. Russel asked where the test well will be. Leonard stated he thought it would be a good idea to do it the current well field because the city can choose the site. He said that it be approximately 1,300 feet deep. He said the decision tonight regarding representation from Emily Rogers is critical to move forward with the long-term water lease negotiation.

Consider and Discuss Engagement Contract with Bickerstaff Law Firm and Emily Rogers to Negotiate the Long-term Water Lease for New Water Source: Amanda explained we have met with her and discussed terms and getting the title work to make sure exactly what we are getting. Amanda stated that she reached out to Brent Noble at Service Title to see if they could help us with this. She said the Engagement Contract is to have Emily Rogers represent us with the long-term water lease. She mentioned that Will reviewed the contract. Alderman Yeager made the motion to accept the Engagement Contract with Bickerstaff and utilize Emily Rogers to negotiate the long-term water lease for the city. Alderman J. White made the second. The motion carried with three in favor and Alderman Scarlett and Mayor Potter absent.

Consider and Discuss Special Exception Variance Request to Place a Tiny House to be Used as a Residence West of Shallowater Flowers and Gifts at 910 12th Street: April Hudson stated that she has wanted to place a tiny house to live in next to the flower shop for several years. She has found one that is 34' long and they will place an 8" fence around it. Alderman Yeager made the motion to grant the special exception variance to place a tiny house and for it to be used as a residence at 910 12th St. Alderman J.

White made the second. The motion carried with 3 in favor and Alderman Scarlett and Mayor Potter absent.

Discuss the Possibility of Zoning or a Special Exception Variance for a Car Lot- JR: Amanda explained that no action can be taken on this item until we have the site plan and the notifications have been sent out. JR Cardoso was present and stated he is in the corner property at 504 7th Street, and he wants to get a dealership license, and believes that he will need commercial zoning. He is wanting to utilize a portion of the property near the existing garage to repair and sell cars. He said there are three lots there and he is wanting to use the area to the left of the detached garage. Amanda explained that it would more than likely be a special exception granted to allow this. He is still getting information from the DMV and he thinks he will need commercial zoning and it is a confusing process. Amanda Cummings explained that the first thing we need is a site plan and if he could bring a copy of the guidelines so we can review it. She said there are different setbacks for commercial zoning and fencing requirements. She said we need more information from him to move forward and she would be happy to visit with him and the city attorney to assist him through the process. She mentioned that she discussed with him the zoning requirements and notification period of at least 30days. Will mentioned that if it is already platted, we need to determine which tract would have a proposed zoning change. Mayor Pro Tem Cody stated that we are happy to work with him, but he will need to bring information to City Hall to move forward. Amanda mentioned that it all begins with a site plan, and she would be glad to visit with him further about this project.

Consider and Discuss Resolution of the City of Shallowater Suspending The December 21, 2024 Effective Date of Atmos Energy Corp., West Texas Division's Requested Rate Change to Permit the City Time to Study the Request and to Establish Reasonable Rates; Approving Cooperation with the Cities Served by Atmos West Texas and Authorizing Intervention in Atmos West Texas' Requested Rate Change Proceedings Before the Commission; Hiring Lloyd Gosselink Attorneys and Consulting Services to Negotiate with the Company and Direct any Necessary Litigation and Appeals; Requiring Reimbursement of Cities' Rate Case Expenses; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel: Amanda Cummings explained that we are members of the AXM to give our residents the best rates possible. Alderman T. White made the motion to adopt the resolution as written. Alderman Yeager made the second. The motion carried with 3 in favor and Alderman Scarlett and Mayor Potter absent.

Consider and Discuss Resolution Casting Votes for Lubbock Central Appraisal District Board of Director Candidates: Alderman J. White made the motion to place all sixteen of the City of Shallowater votes for Brady Goen. Alderman Yeager made the second. The motion carried with 3 in favor and Alderman Scarlett and Mayor Potter absent.

Consider Minutes of Previous Meeting: Alderman Yeager made the motion to approve minutes from previous meetings. Alderman T. White made the second. The motion carried with 3 in favor and Alderman Scarlett and Mayor Potter absent.

Consider Financial Report: Alderman Yeager made the motion to approve the financial report. Alderman T. White made the second. The motion carried with 3 in favor and Alderman Scarlett and Mayor Potter absent.

Consider Bills Payable: Alderman J. White made the motion to approve the bills payable. Alderman Yeager made the second. The motion carried with 3 in favor and Alderman Scarlett and Mayor Potter absent.

There being no further business, meeting was adjourned at 7:39 p.m.

Nikki Coronado
Interim City Secretary

Chris Cody, Mayor Pro Tem