

MINUTES – REGULAR SESSION
TOM BEAN CITY COUNCIL
201 S. BRITTON, TOM BEAN, TEXAS
<http://www.cityoftombean.net>
Monday, May 13, 2019 - 6:00 p.m.

On Monday, May 13, 2019 the Tom Bean City Council met in a Regular Session.

1. CALL TO ORDER

Mayor Howard called the meeting to order at 6:00 p.m.

2. INVOCATION

Fire Chief Jason Lankford led the meeting in a word of prayer.

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Formal Roll Call:

Mayor Sherry Howard – present

Brittany Melton – present

Dawson Nitcholas – present

Daniel Harrison –present

Michael Upchurch - present

Aaron Marshall - present

Staff members present: Steve Dane, Cathy Pugh, Tammy Phillips, Helen Jump, and Sergeant Smith.

Visitors Present: Jason Lankford, Elizabeth Gracy, and Garry Lilly.

5. PUBLIC COMMENTS – Mayor Howard stated that she was pleasantly surprised when she received a phone call from Judge Rita Noel regarding the tragic incident on May 6th. Judge Noel thanked the Fire Department and the Police Department for the way they handled things and gave them a big “Kudos”.

6. PROCLAMATION

6.1 Mayor Howard read the Motorcycle Awareness Proclamation and presented it to Elizabeth Gracy and members.

6.2 Mayor Howard read the 50th Anniversary of Municipal Clerks Week May 5-11, 2019 and appreciation to Municipal Clerk, Cathy Pugh.

7. OLD BUSINESS

7.1 Consider and take any Action necessary regarding update of Ordinance 2019-02 P&Z Board Ordinance.

Motion: Upon a motion from Harrison and seconded by Upchurch, the council voted five (5) for and none (0) opposed to update the Ordinance extending membership to within 10 miles of the City and to have City Council approval for membership on the Board. Motion passed.

8. NEW BUSINESS

8.1 Consider and take any action necessary regarding the 2018-2019 Audit as presented by LaFollett and Abbott.

Motion: Upon a motion from Melton and seconded by Upchurch, the council voted five (5) for and none (0) opposed to accept the clean audit as presented by Keri Goodwin, LaFollett and Abbott. Motion passed.

8.2 Consider and act upon approving Resolution 2019-06 Canvassing the Returns and Declaring the Election Results.

Motion: Upon a motion from Upchurch and seconded by Marshall, the council voted five (5) for and none (0) opposed to accept the election results declaring Dawson Nitcholas, Michael Upchurch, and Brittany Melton as the elected by the voters. Motion passed.

8.3 City Secretary, Cathy Pugh, Swore in Newly elected Councilmembers.

8.4 Consider and any action necessary to nominate a Mayor Pro-Tem to a 12-month term.

Motion: Upon a motion from Marshall and seconded by Harrison, the council voted five (5) for and none (0) opposed to nominate Michael Upchurch as the new Mayor Pro-Tem for the next 12-month term. Motion passed.

8.5 Consider and take any action necessary to approve Minutes of the Regular Session meeting held on April 15, 2019.

Motion: Upon a motion from Marshall and seconded by Harrison, the council voted five (5) for and none (0) opposed to accept the April 15, 2019 regular session minutes Motion passed.

8.6 Consider and take any action necessary to approve Financials for April 2019.

Motion: Upon a motion from Melton and seconded by Harrison, the council voted five (5) for and none (0) opposed to the April 2019 Financials. Motion passed.

9.1 Report from Tom Bean Fire Department Chief

Jason Lankford spoke to the Council regarding month to date runs. He briefly went over his incident reports. He stated that the storm siren had to be reordered and it would take 2 weeks to get it installed. He mentioned that they would be having a Fundraiser July 20th in the way of a softball tournament along with a concession stand. He also mentioned that the skid unit would be in this month. He informed the Council that he would have a Counselor on site at the Fire Department tonight to Counsel with 1st responders that were involved in the teen suicide incident. He also stated that they billed 5 customers for fire services and insurance paid 2 of the claims and denied 3 of the claims. He explained that it cost between \$200 and \$300 in fuel cost to responder to a home fire when called out.

9.2 Report from Library Director

Roberta Bumpus was unavailable to give report, but it was in packet for the council to review.

9.3 Report from Public Works Director

Steve Dane presented the Public Works Department report to the Council. He reported that the average daily water distribution city wide is 2,910,700 gallons of water and all his monthly reports were reported timely with no violations. There is a 27.8% water loss and hydrant flushing of 25,000 gallons were done at 16 locations. He stated that the Whitemound Well had an unexpected shutdown

which occurred on May 1, 2019 halfway through the pump cycle. He Ran all test and confirmed pump was operating as normal via the SCADA system. He tried duplicating the issue without success. Well pump has been operation since issue and continues to function flawlessly. Overnight storm and high wind may have caused a GCEC voltage fluctuation causing the sub-monitor to reset automatically. He mentioned that he had submitted a noncompliance report for exceeding a single grab E. Coli result on April 16, 2019. He feels like this result did not accurately represent our effluent quality on this day and believe a sampling error was likely the cause. He also stated that the deep well pump wear plate failed causing pump to cavitate. He received a new impeller wear plate from North Texas Pump. The second pump a Tsunami submersible is online until we R/R failed wear plate. He also took 5,000 gallons of the wastewater Plant sludge to a neighboring city to see their plant that was having issues sustaining a sludge blanket. He also mentioned that he had attended a Growth and Development Symposium with Mayor Howard and City Secretary Cathy Pugh, regarding preparation for growth in the future and how to handle it.

9.4 Report from Utility Clerk

Helen Jump gave her May water, sewer, sanitation reports to the Council.

9.5 Municipal Court Clerk

Tammy Phillips gave her report to the Council regarding the Fiscal Year Report and Activity Report. She reported on the statistics of the monthly cash reports over the last five years and her Profit and Loss Report.

9.6 Police Department Chief

Acting Chief, Zach Smith presented his report to the Council. He reported on the fuel consumption, April Expenses, Reserve Hours and Monthly Statistics.

9.7 Report from Mayor

Sherry E. Howard gave the Council an update on the Holley Grove subdivision homes being built in July 2019. She also stated that the detailed application had been sent in, June 18, 2019, for the TxDOT Sidewalk grant for \$829,000. She announced that 8 applicants applied for the scholarships from Republic Services and that 2 winners had been selected: Mark Dickison and Kemplin Dickison. She also stated that she would be meeting with the Sanchez Group from McKinney regarding ideas they had to market Tom Bean. She also stated that prayer in the park for national day of prayer would be tonight. She informed the Council and she had attended a TML Small Cities Symposium on May 31st with Cathy Pugh in Granbury on May 16 and 17th. She also reminded the department heads that their 2019-2020 budget requests need to be turned in by May 31st and that June 11th was a 2020 census meeting.

10. EXECUTIVE SESSION

The City Council may adjourn to Executive Session at 7:34 p.m. in accordance with Chapter 551, Government Code, V.T.C.S. (Open Meeting Law), "The City Council will Now Hold a Closed Executive Meeting Pursuant to the provision of the Open Meetings Law, Chapter 551 Government Code, Vernon's Texas Codes Annotated, In Accordance with the Authority Contained in the Following Sections:

10.1 Section 551.071 Consultation with City Attorney:

Private consultation regarding pending or contemplated litigation and/or matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter (OMA) – threatened litigation.

- 10.2 Section 551.074 Personnel Matters:** to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;
(a) Interim procedures due to absence of Chief of Police.

11. RECONVENE

The Executive Session adjourned at 8:08 p.m. on Monday, May 13, 2019. The Tom Bean City Council reconvened into regular session at 8:10 p.m. in the Community Center of the Tom Bean City Hall. The following action was taken on items discussed during Executive Session:


- 11.1 Motion:** No Action Taken on Consultation with City Attorney regarding threatened litigation.
- 11.2 Motion:** No Action Taken on Personnel Matter regarding interim procedures due to absence of Chief of Police.

- 12. COUNCIL COMMENTS** – Councilmember Marshall reminded everyone to say hello to someone because you never know what they are going through and what you say can make a difference. Councilmember Melton gave a “good job” to the Tom Bean Softball Girls for a good season. Mayor Howard thanked those involved for getting a good clean audit review and thanked Steve for holding down the fort during the well outage. Councilmember Upchurch reminded everyone about the spaghetti dinner fundraiser for the basketball team and told the Council that there would be an athletic banquet on Monday at the Municipal Building in Sherman. Councilmember Nitcholas thank the community for his re-election.

10. ADJOURN

Motion: Upon a motion made by Harrison and seconded by Nitcholas the Council voted five (5) for and none (0) opposed to adjourn the regular session of the Tom Bean City Council at 8:16 p.m. on Monday, May 13, 2019. The motion carried. These minutes approved on the 8th day of July 2019.

APPROVED:


Sherry E. Howard, Mayor

Attest:


Cathy Pugh, City Secretary



**MINUTES – REGULAR SESSION
TOM BEAN CITY COUNCIL
201 S. BRITTON, TOM BEAN, TEXAS
<http://www.cityoftombean.net>
Monday, June 17, 2019 - 6:00 p.m.**

On Monday, June 17, 2019 the Tom Bean City Council met in a Regular Session.

1. CALL TO ORDER

Mayor Howard called the meeting to order at 6:00 p.m.

2. INVOCATION

Fire Chief Jason Lankford led the meeting in a word of prayer.

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Formal Roll Call:

Mayor Sherry Howard – present

Brittany Melton – present

Dawson Nitcholas – present

Daniel Harrison –present

Michael Upchurch - present

Aaron Marshall - present

Staff members present: Steve Dane, William Cobert, Cathy Pugh, Tammy Phillips, Helen Jump, and Chief Green.

Visitors Present: Jason Lankford, Traci Barr, Mae Goodwin, Judith Waller, Mary Hughes, and Michael Taylor (Whitewright EMS Director).

5. PUBLIC COMMENTS – None

6. PRESENTATION - Mayor Howard presented Utility Clerk, Helen Jump, with her 5-year pin and certificate of appreciation.

7.1 Report from Library Director

Roberta Bumpus was unavailable to give report, but it was in packet for the council to review.

7.2 Report from EMS Director

7.3 Report from Tom Bean Fire Department Chief

Jason Lankford spoke to the Council regarding month to date runs. He went over his incident report showing 1 Brush Fire, 1 Grass Fire, 19 Medical assists with EMS, 2 MVA with no injuries, 1 Search for Person, 1 Good Intent, 1 Dispatched and Cancelled, and 1 Severe Weather. He received word that the brush truck would be ready in July. He also told the Council that Shipman Communications stated they would be installing the new system to the storm siren by July 31st. He mentioned that they had opened the fire station to the Whitewright EMS for 5 days while their facility was being remodeled. He stated that 2 fundraisers had been planned at 903 Brewery, Sherman, on June 30th from 11 to 4 and 10 percent of all proceeds went to the Fire Department. He

also has a softball tournament setup for July 13th so be watching for details.

7.4 Report from Public Works Director

Steve Dane presented the Public Works Department report to the Council. He reported that the average daily water distribution city wide is 2,579,200 gallons of water and all his monthly reports were reported timely with no violations. There is a 25.5% water loss and hydrant flushing of 25,000 gallons were done at 16 locations. He stated he had a well failure at Whitemound well from an apparent lightning strike that caused the well motor to fail on Wednesday May 22, 2019. The well motor, cable, and 420' of 4" pipe was replaced. Repairs have been completed and the well is fully operational on June 7, 2019. He mentioned that due to the flooding rains causing infiltration into the sewer plant that he had a TCEQ noncompliance issue that he had to report on were submitted on May 14th and May 24th, 2019. He proudly stated that he had one new staff member, William Cobert.

7.5 Municipal Court Clerk

Tammy Phillips gave her report to the Council regarding the Fiscal Year Report and Activity Report. She reported on the statistics of the monthly cash reports over the last five years and her Profit and Loss Report.

7.6 Police Department Chief

Chief Green presented his report to the Council. He reported on the fuel consumption, Personnel Events, Budget reductions, Problems with Unit 02, and proposed 2019-2020 budget.

7.7 Report from Mayor

Mayor Sherry E. Howard updated the Council on the median enforcement that was approved last month and the 2020 census effort taking place in Grayson County. She also thanked Whitewright Councilmember Tracie Barr for attending and observing how Tom Bean's council meetings were conducted. She also thanked Councilmember Marshall for fixing the monument outside and for keeping Jerry Lee's legacy going.

8. NEW BUSINESS

- 8.1** Consider and take any action necessary to declare a nominee to the Board of Directors of the Red River Groundwater Conservation District.

Motion: Upon a motion from Upchurch and seconded by Nitcholas, the council voted five (5) for and none (0) opposed to nominate Mark Patterson. Motion passed.

- 8.2** Consider and action to approve resignation from Chet Peeples for the Economic Development Corporation.

Motion: Upon a motion from Harrison and seconded by Nitcholas, the council voted five (5) for and none (0) opposed to accept Chet Peeples resignation. Motion passed.

- 8.3** Consider and take any approving Resolution 2019-07 regarding the 2020 Census.

Motion: Upon a motion from Melton and seconded by Harrison, the council voted five (5) for and none (0) opposed to accept 2019-07 Resolution. Motion passed.

- 8.4** Consider and take action on approving the 2018-2019 budget amendments suggested by audit firm due to budget shortfall of revenue from Police Department by \$44,220.

Motion: Upon a motion from Harrison and seconded by Upchurch, the council voted five (5) for and none (0) opposed to budget revisions. Motion passed.

8.5 Consider and take action on approving Financials for May 2019.


Motion: Upon a motion from Harrison and seconded by Melton, the council voted five (5) for and none (0) opposed to accept 2019-07 Resolution. Motion passed.

9. COUNCIL COMMENTS – Councilmember Nitcholas welcomed the Chief back and thanked everyone for being team players. Councilmember Upchurch invited everyone to the Type A meetings because they were welcoming the public's input. Councilmember Melton asked about pictures that were in the packet. Mayor Howard explained that those were pictures of the corners down and around the Whispering Oaks lift station that were mowed and where trees were trimmed. She stated that the owner did a good job cleaning it up and it makes it less dangerous going around those corners.


10. ADJOURN

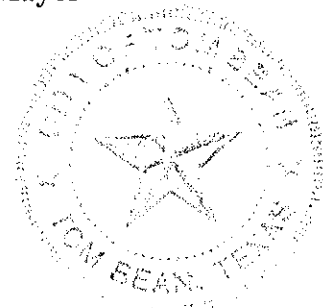
Motion: Upon a motion made by Harrison and seconded by Nitcholas the Council voted five (5) for and none (0) opposed to adjourn the regular session of the Tom Bean City Council at 6:55 p.m. on Monday, June 17, 2019. The motion carried. These minutes approved on the 8th day of July 2019.

APPROVED:


Sherry E. Howard, Mayor

Attest:


Cathy Pugh, City Secretary



City of Tom Bean Checking Accounts		2/28/2019	3/31/2019	4/30/2019	5/31/2019	6/28/2019
General Fund		\$308,168.47	\$294,894.10	\$256,634.70	\$245,370.58	\$218,930.94
Utility Fund		\$79,039.52	\$77,546.86	\$91,218.78	\$91,138.50	\$108,159.85
Police Grant Fund		\$2,168.88	\$2,078.88	\$2,078.88	\$2,078.88	\$2,078.88
Security & Technology Fund		\$8,258.93	\$5,536.08	\$5,417.92	\$5,417.92	\$5,417.92
Seizure Fund		\$807.30	\$807.30	\$807.30	\$807.30	\$807.30
CDC Fund		\$128,138.66	\$132,788.16	\$133,213.74	\$135,800.36	\$134,315.96
EDC Fund		\$108,683.58	\$113,066.73	\$115,185.65	\$17,809.96	\$17,435.14
2016 Water Well Fund		\$92.00	\$92.00	\$92.00	\$92.00	\$92.00
Holcombville Grant Fund		0	0	0	0	\$2,300.00
TOTAL		\$ 635,357.34	\$ 626,810.11	\$ 604,648.97	\$ 498,515.50	\$ 489,537.99

7/18/2019 4:41pm

City of Tom Bean
Statement of Revenue and Expenditures
Revised Budget
For General Fund (10)
For the Fiscal Period 2019-9 Ending June 30, 2019

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues					
10-400-5100 Property Tax MO	\$ 21,394.07	\$ 2,017.66	\$ 256,728.80	\$ 256,616.96	0.04%
10-400-5101 Property Tax IS	1,851.14	247.32	22,213.64	22,093.98	0.54%
10-400-5102 Property Tax SA	0.00	0.00	0.00	216.27	0.00%
10-400-5103 Property Tax SAA	0.00	0.00	0.00	0.00	0.00%
10-400-5104 Property Tax Revenue - Delinquent	416.67	0.00	5,000.00	0.00	100.00%
10-400-5121 Convenience Fee	66.67	65.00	800.00	535.00	33.13%
10-400-5161 Donations	8.33	0.00	100.00	0.00	100.00%
10-400-5162 Beautification Donations	0.00	0.00	0.00	0.00	0.00%
10-400-5163 Tom Bean Monument Donations	0.00	0.00	0.00	(2,491.00)	0.00%
10-400-5206 Franchise Tax	3,846.58	50.43	46,159.00	35,538.68	23.01%
10-400-5210 Alcoholc Permit	0.00	0.00	0.00	0.00	0.00%
10-400-5215 Building Permit Fees	1,000.00	341.25	12,000.00	3,065.53	74.45%
10-400-5216 Rent	602.08	600.00	7,225.00	5,100.00	29.41%
10-400-5225 Sales Tax Revenue - General	4,500.00	7,357.09	54,000.00	41,733.44	22.72%
10-400-5300 Community Room Rental Fees	0.00	0.00	0.00	0.00	0.00%
10-400-5310 Copies and Fax Fees	16.67	0.00	200.00	80.75	59.63%
10-400-5311 Community Projects	0.00	0.00	0.00	504.13	0.00%
10-400-5320 Police Report Fees	1.67	0.00	20.00	30.00	(50.00%)
10-400-5491 Gain on sales of Assets	6,000.00	0.00	6,000.00	0.00	100.00%
10-400-5499 Miscellaneous Revenue	0.00	604.60	0.00	3,265.57	0.00%
10-400-5500 Grant Revenue	0.00	0.00	0.00	2,155.00	0.00%
10-400-5530 Interest Revenue	16.67	134.60	200.00	1,227.54	(513.77%)
10-400-5806 Transfer In - Utility Fund	0.00	0.00	0.00	0.00	0.00%
10-400-5990 Loan Proceeds	0.00	0.00	0.00	0.00	0.00%
10-550-5161 Donations	0.00	0.00	0.00	0.00	0.00%
10-550-5321 Restitution	0.00	0.00	0.00	0.00	0.00%
10-550-5500 Grant Revenue	0.00	0.00	0.00	31,596.08	0.00%
10-552-5119 NSF Fees	10.00	0.00	120.00	0.00	100.00%
10-552-5301 Court Income	(31,683.17)	3,659.38	85,146.00	49,494.26	41.87%
10-552-5302 Municipal Court Technology Fund	(863.67)	60.99	878.00	967.65	(10.21%)
10-552-5303 Municipal Court Building Security Fund	(673.17)	45.73	1,756.00	725.76	58.67%
10-552-5499 Bond Revenue from Def.	0.00	0.00	0.00	0.00	0.00%
Total General Fund Revenues	\$ 6,510.54	\$ 15,184.05	\$ 498,546.44	\$ 452,455.60	9.25%

Expenditures

10-400-6101 Salaries	\$ 3,840.25	\$ 3,693.97	\$ 46,083.00	\$ 35,050.60	23.94%
10-400-6102 Salaries - Overtime	0.00	15.97	0.00	318.89	0.00%
10-400-6112 Fire Dept. Contract	833.33	0.00	10,000.00	5,000.00	50.00%
10-400-6113 EMS Contract	416.67	0.00	5,000.00	5,000.00	0.00%
10-400-6114 Payroll Taxes - City Part FICA	293.78	279.05	3,525.35	2,796.49	20.67%
10-400-6121 Health Insurance	650.00	596.64	7,800.00	5,966.40	23.51%
10-400-6125 TMRS Retirement	117.33	87.20	1,408.00	952.94	32.32%
10-400-6126 Unemployment	106.33	0.28	1,276.00	197.70	84.51%
10-400-6127 Worker's Compensation	538.17	0.00	6,458.00	3,176.44	50.81%
10-400-6129 Mileage Expense	20.83	66.70	250.00	357.26	(42.90%)
10-400-6206 Office Supplies - Mayor	50.00	0.00	600.00	458.53	23.58%

7/18/2019 4:41pm

City of Tom Bean
Statement of Revenue and Expenditures

Revised Budget
For General Fund (10)
For the Fiscal Period 2019-9 Ending June 30, 2019

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
10-400-6207 Office Supplies - City Secretary	50.00	0.00	600.00	483.19	19.47%
10-400-6208 Office Supplies	50.00	0.00	600.00	606.78	(1.13%)
10-400-6209 Other Supplies - Misc	45.83	49.86	550.00	300.98	45.28%
10-400-6212 Postage	146.42	0.00	1,757.00	585.55	66.67%
10-400-6215 Building Permit Fee	833.33	192.75	10,000.00	1,502.86	84.97%
10-400-6231 Advertising	(171.38)	0.00	561.95	0.00	100.00%
10-400-6303 Maint & Repair - Buildings	208.33	497.61	2,500.00	3,169.05	(26.76%)
10-400-6413 ACH Program (Landmark)	116.67	116.69	1,400.00	1,040.65	25.67%
10-400-6430 Animal Control Fees	8.33	0.00	100.00	0.00	100.00%
10-400-6703 Contract Services	991.83	459.00	11,902.00	12,032.34	(1.10%)
10-400-6705 Election	283.33	3,113.55	3,400.00	3,292.53	3.16%
10-400-6708 IT Support Services	(458.33)	0.00	0.00	0.00	0.00%
10-400-6713 Training Expense	66.67	669.18	800.00	1,312.27	(64.03%)
10-400-6715 Appraisal District Fees	419.50	1,277.73	5,034.00	4,360.59	13.38%
10-400-6722 Insurance - Property & Liability	653.83	0.00	7,846.00	6,613.75	15.71%
10-400-6753 Legal Expenses	166.67	1,034.50	2,000.00	3,577.08	(78.85%)
10-400-6754 Accounting Expenses	340.00	0.00	4,080.00	0.00	100.00%
10-400-6755 Audit Expense	729.17	0.00	8,750.00	8,000.00	8.57%
10-400-6761 Dues, Publications, Permits & License	848.30	939.42	2,061.05	1,976.61	4.10%
10-400-6780 Electricity	341.67	390.38	4,100.00	3,117.03	23.97%
10-400-6781 Gas - Natural/Propane	133.33	58.98	1,600.00	1,311.32	18.04%
10-400-6783 Telephones - Pagers	127.83	116.14	1,534.00	1,438.31	6.24%
10-400-6784 Internet	165.00	134.44	1,980.00	1,213.03	38.74%
10-400-6799 Other Services - Misc	0.00	0.00	0.00	0.00	0.00%
10-400-9512 Transfers Out - General Fund	0.00	0.00	0.00	0.00	0.00%
10-400-9815 Transfers Out - Utility Fund	0.00	0.00	0.00	0.00	0.00%
10-550-6101 Salaries	1,446.67	9,424.88	116,360.00	80,123.36	31.14%
10-550-6102 Salaries - Overtime	583.33	152.63	7,000.00	8,424.67	(20.35%)
10-550-6114 Payroll Taxes - City Part FICA	843.80	723.49	10,125.54	7,032.74	30.54%
10-550-6121 Health Insurance	1,950.00	1,789.92	23,400.00	15,452.96	33.96%
10-550-6125 TMRS Retirement	315.00	243.27	3,780.00	2,554.75	32.41%
10-550-6126 Unemployment	285.42	2.32	3,425.00	440.06	87.15%
10-550-6129 Mileage Reimbursement	0.00	0.00	0.00	61.53	0.00%
10-550-6130 Physical/Drug Screen	16.67	0.00	200.00	0.00	100.00%
10-550-6131 Narcotics Investigation	41.67	0.00	500.00	0.00	100.00%
10-550-6208 Office Supplies	25.00	0.00	300.00	130.45	56.52%
10-550-6210 Clothing Supplies	125.00	83.00	1,500.00	1,481.96	1.20%
10-550-6212 Postage	45.50	0.00	546.00	12.10	97.78%
10-550-6216 Vehicle Supplies - Fuel	875.00	46.00	10,500.00	6,075.82	42.14%
10-550-6218 Small tools and instruments	25.00	0.00	300.00	0.00	100.00%
10-550-6219 Law Enforcement Equipment	(136.67)	0.00	9,360.00	6,197.83	33.78%
10-550-6300 Supplies - Amno	(833.33)	0.00	1,000.00	916.00	8.40%
10-550-6301 Main & Repair - Vehicles	(475.00)	0.00	5,300.00	5,792.40	(9.29%)
10-550-6302 Maint & Repair - Equipment	41.67	0.00	500.00	248.00	50.40%
10-550-6400 Professional Fees and Advertising	373.33	0.00	4,480.00	2,084.00	53.48%
10-550-6420 Interest Expense General Fund	279.77	0.00	3,357.28	2,317.71	30.96%
10-550-6703 Contract Services	66.67	0.00	800.00	0.00	100.00%
10-550-6709 IT and Software	291.67	0.00	3,500.00	274.08	92.17%
10-550-6710 Forms and Forensics	(766.67)	0.00	1,800.00	32.49	98.20%

7/18/2019 4:41pm

City of Tom Bean
Statement of Revenue and Expenditures
Revised Budget
For General Fund (10)
For the Fiscal Period 2019-9 Ending June 30, 2019

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
10-550-6721 Education & Training	(827.08)	130.00	1,075.00	980.35	8.80%
10-550-6761 Dues, Publications, Permits & License	66.67	0.00	800.00	320.00	60.00%
10-550-6783 Telephones - Pagers	291.67	166.97	3,500.00	1,215.85	65.26%
10-550-6799 Other Services - Misc	0.00	0.00	0.00	60.41	0.00%
10-550-6900 Principal Payments	1,604.63	0.00	19,255.52	12,757.49	33.75%
10-550-6902 Capital Outlay	0.00	4,419.66	0.00	33,945.00	0.00%
10-552-6101 Salaries	3,664.33	3,386.66	43,972.00	31,003.28	29.49%
10-552-6102 Salaries - Overtime	0.00	25.50	0.00	(6,012.83)	0.00%
10-552-6114 Payroll Taxes - City Part FICA	280.32	261.03	3,363.86	2,546.20	24.31%
10-552-6121 Health Insurance	650.00	596.64	7,800.00	5,966.40	23.51%
10-552-6125 TMRS Retirement	95.92	69.73	1,151.00	755.65	34.35%
10-552-6126 Unemployment	86.92	0.66	1,043.00	235.98	77.37%
10-552-6129 Mileage Reimbursement	7.50	0.00	142.56	142.56	0.00%
10-552-6208 Office Supplies	125.00	172.53	1,500.00	974.82	35.01%
10-552-6212 Postage	33.33	0.00	400.00	10.00	97.50%
10-552-6700 Bond Reimb. Def.	0.00	0.00	0.00	0.00	0.00%
10-552-6702 State Court Costs	(18,408.33)	0.00	28,800.00	14,960.53	48.05%
10-552-6703 Contract Services	180.42	0.00	2,165.00	1,782.36	17.67%
10-552-6706 Municipal Building Security Fund	(549.17)	0.00	1,055.00	1,527.90	(44.82%)
10-552-6707 Municipal Court Technology Fund	(639.17)	0.00	1,405.00	2,037.08	(44.99%)
10-552-6721 Education & Training	33.33	0.00	347.44	272.71	21.51%
10-552-6761 Dues, Publications, Permits & License	22.83	0.00	274.00	155.88	43.11%
10-580-6320 Maint & Repairs - Streets	333.33	0.00	4,000.00	2,922.86	26.93%
10-580-6324 Maint & Repair - Signs, Fences, & Sid	166.67	121.10	2,000.00	1,148.75	42.56%
10-580-6780 Electricity	666.67	826.41	8,000.00	7,545.59	5.68%
10-600-6208 Office Supplies	33.33	85.03	400.00	378.50	5.38%
10-600-6303 Maint & Repair - Buildings	16.67	0.00	200.00	489.00	(144.50%)
10-600-6434 Donation Exp	41.67	0.00	500.00	500.00	0.00%
Total General Fund Expenditures	\$ 6,359.98	\$ 36,517.47	\$ 496,739.55	\$ 373,484.40	24.81%
 General Fund Excess of Revenues Over Expenditures	 \$ 150.56	 \$ (21,333.42)	 \$ 1,806.89	 \$ 78,971.20	 (4270.56%)

City of Tom Bean
Statement of Revenue and Expenditures

Revised Budget
For Public Works Fund (60)
For the Fiscal Period 2019-9 Ending June 30, 2019

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues					
60-701-5115 Water Sales	\$ 24,494.33	\$ 24,792.64	\$ 293,932.00	\$ 212,415.54	27.73%
60-701-5116 W & S Tap Fees	500.00	5,000.00	6,000.00	5,000.00	16.67%
60-701-5117 Late Payment Penalty	1,166.67	1,500.00	14,000.00	12,603.49	9.98%
60-701-5118 Connection & Reconnection Fee	416.67	650.00	5,000.00	4,205.00	15.90%
60-701-5119 NSF Fees	0.00	0.00	0.00	0.00	0.00%
60-701-5121 Convenience Fee	116.67	130.00	1,400.00	1,306.65	6.67%
60-701-5123 Collection Agency Fee	12.50	0.00	150.00	25.00	83.33%
60-701-5499 Miscellaneous Revenue	0.00	5,000.00	0.00	5,164.30	0.00%
60-701-5530 Interest Revenue	5.42	59.53	65.00	413.85	(536.69%)
60-701-5711 Returned Check Re-Deposited	4.17	0.00	50.00	60.00	(20.00%)
60-705-5116 W & S Tap Fees	750.00	5,000.00	9,000.00	5,000.00	44.44%
60-705-5201 Sewer Revenue	12,597.08	12,445.57	151,165.00	110,952.36	26.60%
60-709-5601 Sanitation Revenue	4,416.67	5,646.89	53,000.00	49,886.86	5.87%
60-709-5602 Sanitation Sales Tax Revenue	441.67	465.69	5,300.00	4,107.10	22.51%
60-709-5603 Blue Bag Revenue	12.50	0.00	150.00	244.00	(62.67%)
Total Public Works Fund Revenues	\$ 44,934.35	\$ 60,690.32	\$ 539,212.00	\$ 411,384.15	23.71%

Expenditures					
60-400-6124 OPEB Expense - GASB 75	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
60-400-9512 Transfers Out - General Fund	0.00	0.00	0.00	0.00	0.00%
60-400-9815 Transfers Out - Utility Fund	0.00	0.00	0.00	0.00	0.00%
60-701-6101 Salaries	10,131.00	7,971.95	121,572.00	87,873.45	27.72%
60-701-6102 Salaries - Overtime	452.00	969.17	5,424.00	4,243.12	21.77%
60-701-6114 Payroll Taxes - City Part FICA	809.60	655.37	9,715.19	6,914.78	28.83%
60-701-6121 Health Insurance	1,950.00	1,491.60	23,400.00	16,407.60	29.88%
60-701-6125 TMRS Retirement	338.66	160.95	4,063.87	2,143.99	47.24%
60-701-6126 Unemployment	65.25	2.31	783.00	854.56	(9.14%)
60-701-6127 Worker's Compensation	298.00	0.00	3,576.00	4,308.56	(20.49%)
60-701-6130 Physical/Drug Screen	8.33	99.00	100.00	134.50	(34.50%)
60-701-6151 Deposit Refunds	83.33	0.00	1,000.00	1,166.49	(16.65%)
60-701-6207 Office Supplies - City Secretary	75.00	151.96	900.00	719.55	20.05%
60-701-6208 Office Supplies	0.00	53.95	0.00	258.48	0.00%
60-701-6209 Other Supplies - Misc	64.17	0.00	770.00	952.61	(23.72%)
60-701-6210 Clothing Supplies	41.67	0.00	2,000.00	1,180.07	41.00%
60-701-6211 Chemicals	291.67	0.00	3,500.00	2,531.91	27.66%
60-701-6212 Postage	125.00	115.85	1,500.00	1,258.99	16.07%
60-701-6213 Lab Fees	626.17	352.00	7,514.00	2,718.00	63.83%
60-701-6216 Vehicle Supplies - Fuel	250.00	18.91	3,000.00	3,249.29	(8.31%)
60-701-6301 Main & Repair - Vehicles	250.00	236.36	3,000.00	1,539.31	48.69%
60-701-6302 Maint & Repair - Equipment	416.67	300.00	5,000.00	2,136.50	57.27%
60-701-6303 Maint & Repair - Buildings	41.67	0.00	500.00	751.75	(50.35%)
60-701-6305 Maint & Repair - Other	8.33	0.00	100.00	109.80	(9.80%)
60-701-6330 Maint & Repair - Water Lines	208.33	0.00	2,500.00	1,155.55	53.78%
60-701-6334 Maint & Repair - Pumps, Wells, & Mot	958.33	0.00	8,400.00	3,329.30	60.37%
60-701-6336 Maint & Repair - Water Meters	0.00	0.00	0.00	375.00	0.00%
60-701-6337 Maintenance/Repairs -Fire Hydrants	541.67	0.00	3,500.00	3,517.36	(0.50%)

7/18/2019 4:41pm

City of Tom Bean
Statement of Revenue and Expenditures

Revised Budget
For Public Works Fund (60)
For the Fiscal Period 2019-9 Ending June 30, 2019

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
60-701-6370 Equipment Purchases	83.33	152.55	2,000.00	1,933.52	3.32%
60-701-6413 ACH Program (Landmark)	100.00	215.41	1,200.00	1,425.78	(18.82%)
60-701-6414 Collection Agency Fee	8.33	0.00	100.00	75.00	25.00%
60-701-6703 Contract Services	940.92	1,152.06	11,291.00	7,333.83	35.05%
60-701-6721 Education & Training	8.33	0.00	1,600.00	851.00	46.81%
60-701-6722 Insurance - Property & Liability	706.67	0.00	8,480.00	4,639.75	45.29%
60-701-6731 Public Notices - Advertising	58.33	0.00	700.00	0.00	100.00%
60-701-6745 Admin cost Debt 88-00	41.67	0.00	500.00	0.00	100.00%
60-701-6746 2015 Bond Series	3,637.46	3,059.43	43,649.50	30,876.47	29.26%
60-701-6747 Admin Reserve Bond 2015	375.00	717.70	4,500.00	1,017.70	77.38%
60-701-6748 Holcombville Grant Reserve (1/3)	0.00	0.00	0.00	0.00	0.00%
60-701-6749 Admin Reserve Bond 2017	41.67	300.00	500.00	3,687.22	(637.44%)
60-701-6750 2017 Water Well Bond Series	659.33	773.58	7,912.00	6,962.22	12.00%
60-701-6753 Legal Expenses	333.33	0.00	4,000.00	0.00	100.00%
60-701-6754 Accounting Expenses	340.00	0.00	4,080.00	0.00	100.00%
60-701-6755 Audit Expense	312.50	0.00	3,750.00	4,000.00	(6.67%)
60-701-6761 Dues, Publications, Permits & License	381.58	0.00	4,579.00	1,487.20	67.52%
60-701-6780 Electricity	2,645.83	2,380.34	31,750.00	25,730.44	18.96%
60-701-6783 Telephones - Pagers	191.67	215.68	2,300.00	1,974.29	14.16%
60-701-6784 Internet	82.42	125.39	989.00	1,128.51	(14.11%)
60-701-6788 RRGCD fee	250.00	0.00	3,000.00	1,328.70	55.71%
60-701-6790 Interest Expense	315.63	0.00	3,787.61	2,534.97	33.07%
60-701-6799 Other Services - Misc	0.00	0.00	0.00	1,139.25	0.00%
60-701-6801 Depreciation	0.00	0.00	0.00	0.00	0.00%
60-701-6900 Principal Payments	1,199.33	0.00	14,391.95	9,882.49	31.33%
60-705-6101 Salaries	0.00	0.00	0.00	0.00	0.00%
60-705-6102 Salaries - Overtime	0.00	0.00	0.00	0.00	0.00%
60-705-6114 Payroll Taxes - City Part FICA	0.00	0.00	0.00	0.00	0.00%
60-705-6121 Health Insurance	0.00	0.00	0.00	0.00	0.00%
60-705-6125 TMRS Retirement	0.00	0.00	0.00	0.00	0.00%
60-705-6209 Other Supplies	41.67	0.00	500.00	254.39	49.12%
60-705-6340 Maint & Repairs - Sewer Lines	166.67	0.00	2,000.00	663.99	66.80%
60-705-6342 Maint & Repairs - Lift Stations	166.67	250.00	2,000.00	2,292.40	(14.62%)
60-705-6344 Maint & Repairs - Sewer Plant	750.00	0.00	11,100.00	11,111.33	(0.10%)
60-705-6703 Contract Services	0.00	0.00	0.00	67.50	0.00%
60-705-6721 Education & Training	100.00	0.00	1,200.00	281.87	76.51%
60-705-6741 00 Bond Series	5,551.46	5,507.92	66,617.50	49,571.28	25.59%
60-705-6742 Fiscal Agent Fees 88-00	0.00	250.00	0.00	250.00	0.00%
60-705-6745 Admin cost Debt 88-00	75.00	0.00	900.00	250.00	72.22%
60-705-6761 Dues, Publications, Permits & License	145.83	0.00	1,750.00	1,312.50	25.00%
60-705-6780 Electricity	1,880.83	1,285.78	22,570.00	14,363.52	36.36%
60-709-6704 Sanitation Contract	4,300.00	5,432.72	51,600.00	36,735.44	28.81%
60-709-6789 Sales Tax Fee	733.33	0.00	8,800.00	4,169.46	52.62%
60-709-6799 Other Services - Misc	41.92	0.00	503.00	223.12	55.64%
Total Public Works Fund Expenditures	\$ 44,701.56	\$ 34,397.94	\$ 536,418.62	\$ 379,385.66	29.27%
Public Works Fund Excess of Revenues Over Expendit	\$ 232.79	\$ 26,292.38	\$ 2,793.38	\$ 31,998.49	(1045.51%)

General Fund - FNB Tom Bean - 1011251

from 6/1/2019 to 6/30/2019

Check No.	Date	System	Name	Amount	Cleared
ANK OF TOM BEAN	06/06/19	AP	FIRST NATIONAL BANK OF TOM BEAN	\$1,884.40	<input checked="" type="checkbox"/>
ERCHANT BANKCD	06/28/19	AP	MERCHANT BANKCD	\$116.69	<input checked="" type="checkbox"/>
EVENUE SERVICE	06/28/19	AP	INTERNAL REVENUE SERVICE	\$2,071.61	<input checked="" type="checkbox"/>
EVENUE SERVICE	06/28/19	AP	INTERNAL REVENUE SERVICE	\$1,891.28	<input checked="" type="checkbox"/>
ATMOS ENERGY	06/28/19	AP	ATMOS ENERGY	\$46.26	<input checked="" type="checkbox"/>
ATMOS ENERGY	06/28/19	AP	ATMOS ENERGY	\$12.72	<input checked="" type="checkbox"/>
CABLE ONE	06/28/19	AP	CABLE ONE	\$129.44	<input checked="" type="checkbox"/>
CTRIC CO-OP, INC.	06/28/19	AP	GRAYSON-COLLIN ELECTRIC CO-OP, INC.	\$548.18	<input checked="" type="checkbox"/>
AmeriPower	06/19/19	AP	AmeriPower	\$668.61	<input checked="" type="checkbox"/>
EXXONMOBIL	06/06/19	AP	EXXONMOBIL	\$830.07	<input checked="" type="checkbox"/>
18211	06/06/19	AP	CAROL GILBERT	\$375.00	<input checked="" type="checkbox"/>
18212	06/19/19	AP	AFLAC	\$278.23	<input checked="" type="checkbox"/>
18213	06/19/19	AP	RESULTS ENVIRONMENTAL PEST MANAGEMENT	\$125.00	<input type="checkbox"/>
18214	06/19/19	AP	VERIZON WIRELESS	\$166.97	<input checked="" type="checkbox"/>
18215	06/19/19	AP	BUREAU VERITAS	\$192.75	<input checked="" type="checkbox"/>
18216	06/19/19	AP	QUILL CORPORATION	\$197.44	<input type="checkbox"/>
18217	06/19/19	AP	QUILL CORPORATION	\$162.47	<input type="checkbox"/>
18218	06/19/19	AP	Grayson Central Appraisal District	\$1,277.73	<input checked="" type="checkbox"/>
18219	06/19/19	AP	FP MAILING SOLUTIONS	\$84.00	<input checked="" type="checkbox"/>
18221	06/19/19	AP	BAKER AIR CONDITIOING & HEATING, INC.	\$406.60	<input checked="" type="checkbox"/>
18222	06/19/19	AP	Econo Signs	\$121.10	<input checked="" type="checkbox"/>
18224	06/19/19	AP	GRAYSON COUNTY ELECTIONS	\$3,113.55	<input checked="" type="checkbox"/>
18225	06/19/19	AP	GERMAINE DESIGNS EMBROIDERY	\$83.00	<input checked="" type="checkbox"/>
18226	06/19/19	AP	WOLFE, TIDWELL & MCCOY, LLP	\$1,034.50	<input type="checkbox"/>
18227	06/19/19	AP	BEST BUY BUSINESS ADVANTAGE	\$4,419.66	<input checked="" type="checkbox"/>
18228	06/19/19	AP	HAYTER ENGINEERING, INC.	\$738.05	<input checked="" type="checkbox"/>
18229	06/19/19	AP	THOMSON REUTERS - WEST	\$260.00	<input type="checkbox"/>
18230	06/19/19	AP	FUSION, LLC	\$116.14	<input checked="" type="checkbox"/>
18231	06/19/19	AP	CARD SERVICE CENTER	\$100.03	<input checked="" type="checkbox"/>
18232	06/19/19	AP	CARD SERVICE CENTER	\$38.52	<input checked="" type="checkbox"/>
18233	06/19/19	AP	CARD SERVICE CENTER	\$893.39	<input checked="" type="checkbox"/>
18234	06/19/19	AP	JOHN LOW	\$50.00	<input checked="" type="checkbox"/>
18235	06/27/19	AP	TEXAS MUNICIPAL RETIREMENT SYSTEM	\$2,187.61	<input type="checkbox"/>
Total				\$24,621.00	

Utility Fund - FNB Tom Bean - 1011243

from 6/1/2019 to 6/30/2019

Check No.	Date	System	Name	Amount	Cleared
AmeriPower	06/19/19	AP	AmeriPower	\$2,198.42	<input checked="" type="checkbox"/>
MERCHANT BANKCD	06/28/19	AP	MERCHANT BANKCD	\$215.41	<input checked="" type="checkbox"/>
EVENUE SERVICE	06/28/19	AP	INTERNAL REVENUE SERVICE	\$893.06	<input checked="" type="checkbox"/>
EVENUE SERVICE	06/28/19	AP	INTERNAL REVENUE SERVICE	\$804.50	<input checked="" type="checkbox"/>
ELECTRIC CO-OP, INC.	06/28/19	AP	GRAYSON-COLLIN ELECTRIC CO-OP, INC.	\$1,467.70	<input checked="" type="checkbox"/>
EXXONMOBIL	06/14/19	AP	EXXONMOBIL	\$239.23	<input checked="" type="checkbox"/>
BANK OF TOM BEAN	06/14/19	AP	FIRST NATIONAL BANK OF TOM BEAN	\$1,558.63	<input checked="" type="checkbox"/>
CABLE ONE	06/28/19	AP	CABLE ONE	\$125.39	<input checked="" type="checkbox"/>
VOID 12919	06/19/19	AP	O'REILLY AUTO PARTS	\$0.00	<input checked="" type="checkbox"/>
12912	06/19/19	AP	AFLAC	\$89.96	<input checked="" type="checkbox"/>
12913	06/19/19	AP	VERIZON WIRELESS	\$105.17	<input checked="" type="checkbox"/>
12914	06/19/19	AP	USABUEBOOK	\$152.55	<input checked="" type="checkbox"/>
12915	06/19/19	AP	QUILL CORPORATION	\$173.45	<input type="checkbox"/>
12916	06/19/19	AP	GREATER TREXOMA UTILITY AUTHORITY	\$5,507.92	<input checked="" type="checkbox"/>
12917	06/19/19	AP	CITY OF SHERMAN	\$352.00	<input checked="" type="checkbox"/>
12918	06/19/19	AP	GREATER TEXOMA UTILITY AUTHORITY	\$250.00	<input checked="" type="checkbox"/>
12920	06/19/19	AP	USTI	\$12.16	<input checked="" type="checkbox"/>
12921	06/19/19	AP	NAPA AUTO PARTS	\$86.36	<input checked="" type="checkbox"/>
12922	06/19/19	AP	GREATER TEXOMA UTILITY AUTHORITY	\$1,491.28	<input checked="" type="checkbox"/>
12923	06/19/19	AP	ONE MEDICAL	\$50.00	<input type="checkbox"/>
12925	06/19/19	AP	INNOVATION PUMP CONTROL SERVICES	\$300.00	<input type="checkbox"/>
12927	06/19/19	AP	C&M MOWING AND LANDSCAPING	\$1,000.00	<input checked="" type="checkbox"/>
12928	06/19/19	AP	FIRST CHOICE SEPTIC SERVICE	\$250.00	<input checked="" type="checkbox"/>
12929	06/19/19	AP	TOM BEAN FOOD	\$18.91	<input checked="" type="checkbox"/>
12930	06/19/19	AP	FRONTIER	\$57.15	<input checked="" type="checkbox"/>
12931	06/19/19	AP	FIRST CHECK	\$49.00	<input checked="" type="checkbox"/>
12932	06/19/19	AP	REPUBLIC SERVICES #615	\$5,432.72	<input checked="" type="checkbox"/>
12933	06/19/19	AP	TONY OWENS	\$150.00	<input checked="" type="checkbox"/>
12934	06/19/19	AP	FUSION, LLC	\$53.36	<input checked="" type="checkbox"/>
12935	06/19/19	AP	GREATER TEXOMA UTILITY AUTHORITY	\$300.00	<input checked="" type="checkbox"/>
12936	06/19/19	AP	CARD SERVICE CENTER	\$32.46	<input checked="" type="checkbox"/>
12937	06/25/19	AP	GREATER TEXOMA UTILITY AUTHORITY	\$3,059.43	<input checked="" type="checkbox"/>
12938	06/25/19	AP	Postmaster	\$115.85	<input checked="" type="checkbox"/>
12939	06/27/19	AP	TEXAS MUNICIPAL RETIREMENT SYSTEM	\$765.43	<input type="checkbox"/>
Total				\$27,357.50	

MINUTES – REGULAR SESSION
TOM BEAN PLANNING AND ZONING BOARD
201 S Britton
Tom Bean, Texas 75489
<http://www.tombeam.net>
Thursday, February 7, 2019 – 6:00 p.m.

On Thursday, February 7, 2019 at 6:00 p.m. the Tom Bean Planning and Zoning Board met in a regular Session in the Council Chambers.

1. CALL TO ORDER

Rodger Eppler, Chair called the meeting to order at 6:04 p.m.

2. ROLL CALL

Rodger Eppler, Chair - present
Richard Tworek – present

Lonnie Jones - present
Patti Hanni, Secretary - present

Staff members present Cathy Pugh, City Secretary

3. NEW BUSINESS

- 3.1** Consider and Act upon approving the minutes from December 20, 2018 meeting.

Motion: Upon motion by Jones and seconded by Tworek, the Board voted Four (4) for and zero (0) opposed to approve the minutes for the December Board Meeting. Motion passed.

- 3.2** Consider, Discuss, and Act on Section 3 SF1 of the Tom Bean Zoning Ordinance Manual with the similar City Ordinances presented to the Board for comparison.

Discuss: Discussed Section 26.9, 26.10, and 26.11, regarding the covers for Vehicles. Concluded that a change is needed in Section 26 of the Tom Bean Zoning Ordinance Manual.

Motion: Upon motion by Jones and seconded by Tworek, the Board voted four (4) for and zero (0) opposed to approve the change to Section 26 of the Tom Bean Zoning Ordinance Manual for two (2) vehicle enclosed covers for SF1, SF2, and SFE, minimum of 400 SF. Motion passed

- 3.3** Consider and Discuss Section 3 SF2 of Tom Bean Ordinance Manual with the similar City Ordinances presented to the Board For comparison.

Discussion only.

4. ADJOURN

Motion: Upon motion by Jones and seconded by Twoerk, the Board voted four (4) for and zero (0) opposed to adjourn the regular session of the Tom Bean Planning and Zoning Board at 7:12 p.m. Motion passed.

APPROVED: _____ **DATE:** _____
Rodger Eppler, Chair

ATTEST: _____
Patti Hanni, Secretary

PROFESSIONAL SERVICES AGREEMENT

Date: July 9, 2019

Client: City of Tom Bean
Attn: Sherry Howard, Mayor
201 S Britton Street
Tom Bean, TX 75489

Telephone: 903.546.6321

Email: sherryhoward@cableone.net

Project Name/Location: City of Tom Bean – Municipal Engineering Services

Scope/Intent and Extent of Services: Provide municipal engineering services as requested in writing by the Mayor, on an as needed basis, for a period of time to be determined by the City.

Fee Arrangement: ☒ Hourly _____ ☐ Hourly, Not To Exceed \$ _____
☐ Lump Sum: ☐ Other _____

Retainer Amount: N/A

Information To Be Provided By Client: As available for each request/assignment.

Special Terms, Deadlines, Comments, Etc.:

Offered By:
HAYTER ENGINEERING, INC.
ENGINEER

Accepted By: _____
CLIENT

Signature Michael J. Dunan Date 7-9-2019

Signature _____
Date _____

Michael J. Donnan, P.E./President
Printed Name/Title

Printed Name/Title

The Terms and Conditions on the following page of this form are a part of this Agreement.

Terms and Conditions

1. Information Supplied By Others: The ENGINEER shall be entitled to rely upon and use all such information and services provided by CLIENT or others designated by CLIENT in performing the ENGINEER'S services under this Agreement, without further verification by the ENGINEER. CLIENT shall ensure access for the ENGINEER to properties as necessary for performance of the ENGINEER'S work; provide legal counsel, accountants, insurance consultants, financial advisors or other similar specialists as required for the project; and provide all criteria and full information as to CLIENT'S requirements for the project.
2. Termination: This Agreement may be terminated by either party upon ten (10) days written notice.
3. Payment: ENGINEER may bill for services rendered monthly. All invoices are payable by CLIENT within 30 days. Hourly rate invoices shall include reimbursable expenses and labor charges. ENGINEER'S subconsultants shall be billed at ENGINEER'S cost plus a service charge equal to 5% of the subconsultants invoice amount.
4. Reuse of Documents: All documents prepared by the ENGINEER are for this project only - they are not intended to be suitable for reuse on extensions of the Project, or on any other project. Any reuse without written verification or adaptation by the ENGINEER for the specific purpose intended will be at CLIENT'S sole risk and without liability to the ENGINEER.
5. Notices: Any notices to be given by either party to the other may be affected by personal delivery in writing or by registered or certified mail.
6. Entire Agreement: This instrument contains the sole and entire agreement between the parties relating to the right herein granted and the obligation herein assumed.
7. Texas Law to Apply: This Agreement shall be construed under and in accordance with the laws of the State of Texas and will be performable in Lamar County.
8. Legal Construction: If any one or more of the provisions contained in this Agreement shall for any reasons be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.
9. Warranty: The ENGINEER intends to render its services under this Agreement in accordance with generally accepted professional practices for the intended use of the project and makes no warranty, either expressed or implied. Specifically, in this regard, the ENGINEER will endeavor to advise the CLIENT as construction, if any, progresses, but does not in any manner guarantee the performance of the construction contractors, nor is the ENGINEER liable in any manner for construction site safety or the means or methods employed by construction contractors in carrying out the work.
10. Indemnification: The CLIENT shall, to the fullest extent permitted by law, indemnify and hold harmless the ENGINEER, its officers, directors, employees, agents and subconsultants from and against all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance by any of the parties above named of the services under this Agreement, excepting only those damages, liabilities or costs attributable to the sole negligence or willful misconduct of the ENGINEER.
11. Opinion of Probable Construction Cost: Any opinion of the probable construction or project cost prepared by the ENGINEER represents the judgement of a design professional and is supplied for the general guidance of the CLIENT. Since the ENGINEER has no control over the cost of labor and material, or over competitive bidding or over market conditions, the ENGINEER does not imply nor guarantee the accuracy of such opinions as compared to contractor bids or actual project costs to the CLIENT.
12. Limitation of Liability: In recognition of the relative risks, rewards and benefits of the project to both CLIENT and the ENGINEER, the risks have been allocated such that the CLIENT agrees that, to the fullest extent permitted by law, the ENGINEER'S total liability to the CLIENT for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this Agreement from any cause or causes, shall not exceed \$100,000.00. Such causes include, but are not limited to, the ENGINEER'S negligence, errors, omissions, strict liability, breach of contract or breach of warranty.
13. Causes of action between the parties to this Agreement pertaining to acts or failures to act shall be deemed to have accrued and the applicable statutes of limitations shall commence to run not later than either the date of Substantial Completion for acts or failures to act occurring prior to Substantial Completion or the date of issuance of the final Certificate for Payment for acts or failures to act occurring after Substantial Completion. In no event shall such statutes of limitations commence to run any later than the date when the ENGINEER'S services are substantially completed.
14. Consequential Damages: Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the OWNER nor the Consultant, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss or reputation or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the OWNER and Consultant shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.
15. Reference Communications: The Consultant may be required to render opinions about the performance or qualifications of others engaged or being considered for engagement by the Client. Those about whom opinions are rendered may, consequently, initiate claims against the Consultant. To help create an atmosphere in which the Consultant may freely report or express such opinions candidly in the interest of the Client, the Client agrees to indemnify and hold harmless the Consultant against all damages, liabilities or costs, including reasonable attorneys' fees arising from the rendering of such confidential opinions and reports by the Consultant to the Client.
16. The OWNER shall provide prompt written notice to the ENGINEER if the OWNER becomes aware of any fault or defect in the Project, including any errors, omissions or inconsistencies in the ENGINEER'S Instruments of Service.
17. In an effort to resolve any conflicts that arise during the design and construction of the Project or following the completion of the Project, the Client and the Consultant agree that all disputes between them arising out of or relating to this Agreement or the Project shall be submitted to nonbinding mediation.

EXHIBIT A
Schedule of Per Diem Rates
October 15, 2018

Personnel	Hourly Rates
Principal	170.00
Project Manager	140.00
Project Engineer	125.00
Design Engineer II	110.00
Design Engineer I	100.00
Senior CAD/Survey Technician	85.00
CAD Technician II	70.00
CAD Technician I	60.00
Senior Administrative Assistant	80.00
Administrative Assistant	70.00
On-Site Observer	70.00
Surveyor	130.00
Survey Technician II	65.00
Survey Technician I	50.00
Survey Crew - 2 Man Party	105.00
Survey Crew - 3 Man Party	155.00
Survey Crew – 1 Man GPS	100.00

The schedule of per diem rates may be changed by the ENGINEER at his sole discretion. Time billed for per diem rate services shall be in minimum increments of ¼ hour.

MINUTES – REGULAR SESSION
TOM BEAN PLANNING AND ZONING BOARD
201 S Britton
Tom Bean, Texas 75489
<http://www.tombean.net>
Thursday May 2, 2019 – 6:00 p.m.

ON Thursday, May 2, 2019 at 6:00 p.m. the Tom Bean Planning and Zoning Board met in a Regular Session in the Council Chambers.

1. CALL TO ORDER – Chair called the meeting to order at 6:00 p.m.

2. ROLL CALL

Richard Tworek, Chair - Present
Patti Hanni, Secretary - Present
Carolyn Becker – Present

Lonnie Jones – Present
Roberta Wiggs – Present

Staff Advisor Cathy Pugh – Present

3. NEW BUSINESS

3.1 Consider and Act upon approving the Minutes from April 4, 2019 meeting.

Motion: Upon motion by Wiggs and seconded by Jones, the board voted five (5) for and zero (0) opposed to approve with changes to item 3.3 name change from “John” to “Josh” on the minutes from April 4, 2019 meeting.

Motion passed

3.2 Consider and Act upon Whispering Wind Subdivision – Preliminary Plat HEI Job # 152001-86.02.

Motion Upon Motion by Jones and seconded by Wiggs, the Board voted five (5) for and zero (0) opposed to adopt the Hayter Engineering, Inc recommendations to the City of Tom Bean as stated in the last paragraph of their letter dated April 16, 2019. Motion passed.

3.3 Discuss review of Van Alstyne Zoning Ordinances in comparison with Tom Bean Zoning Ordinances.

Discuss The Board members will review sections 9, 10 and 11 of Tom Bean Zoning Ordinance manual for further discussion at next meeting.

4. ADJOURN

Motion: Upon motion by Jones and seconded by Becker, the board voted five (5) for and zero (0) opposed to adjourn the regular session of the Tom Bean Planning and Zoning Board at 6:58 p.m. Motion passed.

APPROVED: _____ DATE: _____
Richard Tworek, Chair

ATTEST: _____
Patti Hanni, Secretary



Cathy Pugh, City Secretary
City of Tom Bean
P.O. Box 659
Tom Bean, TX 75489

April 16, 2019

RE: Whispering Wind Subdivision – Preliminary Plat
HEI Job Number 152001-86.02

Dear Mrs. Pugh,

Hayter Engineering, Inc. (HEI) has reviewed the Whispering Wind Subdivision preliminary plat. Our review was for general conformance and shall not relieve the developer or the developer's surveyor or design engineer of full responsibility for the adequacy and integrity of the survey and design, or for conformance to Local, State, and Federal codes.

Construction plans and specifications were not submitted and as such HEI's review was of the preliminary plat only. Typically, construction plans and specifications shall be submitted, reviewed, and approved prior to any construction activities.

Below is a list of items that need to be addressed and/or clarified prior to the acceptance of this preliminary plat. If you have any questions, please do not hesitate to call (903.785.0303) or email (cdonnan@haytereng.com).

Preliminary Plat Requirements (Section 8 of Subdivision Ordinance)

1. *The Developer shall submit five (5) copies of the preliminary plat and five (5) copies of construction plans of the subdivision to the City Council by filing the same with the City Secretary, at least thirty (30) days prior to the regular meeting at which it is to be considered. The preliminary plat shall carry the legend "Preliminary Plat – For Review Only".*
 - a. Typically, construction plans are submitted and reviewed with the Final Plat. Ultimately it will be up to the City to decide if they need construction plans with the preliminary plat or not.
 - b. Please include "Preliminary Plat – For Review Only" on the submitted plat.
 - c. The plat should be submitted to the City and not the County. Please update notes and signature blocks to reflect such a change and ensure that they confirm to the City's standards.
2. *The boundary lines of tract, accurate in scale, shall be shown.*
 - a. Along the northern boundary line toward the east there is a bearing (89° 06' 09" E) and distance (196.33') listed; however, I believe both were listed in error. Please verify that the north boundary bearings and distances are correct.
3. *It shall show the names of...the location widths, and names of all existing or platted streets, easements or other public ways within or adjacent to the tract, ...*
 - a. Along the south side of the proposed development, an existing 15-foot ROW easement, a proposed 13-foot Additional ROW Easement and a proposed 10-foot Utility Easement are shown.

- i. It seems that the proposed 13-foot easement and proposed 10-foot easement are in direct conflict with each other. I would recommend placing the proposed 10-foot utility easement on the north side of the proposed 13-foot additional ROW easement.
 - ii. It appears that the proposed 13-foot easement will encompass the existing 15-foot easement. The existing 15-foot easement should remain and must be referenced in any ROW easement documentation.
 - iii. The existing 15-foot easement is centered on an existing water line. I am assuming the exact location of the water line is unknown. As such it is possible that the proposed 10-foot easement will conflict with this existing 15-foot easement. I would recommend some sort of clarification regarding this potential conflict (e.g. the proposed 10-foot easement will extend north 10 feet from the northern boundary of the existing 15-foot easement or the proposed 10-foot easement will extend north 10 feet from the northern boundary of the proposed 13-foot additional ROW easement).
 - b. It is typical to show edge of pavement lines for existing roadways as well as the full ROW widths.
4. *A complete topographic map showing existing structures of the proposed area to be subdivided shall be submitted with the preliminary plat. Contours of the tract shall be intervals of five (5) feet or less, referred to seal level datum.*
 - a. Aerial photography shows an existing house, driveway, fence, shed, and barn on the property. Please include these structures on the preliminary plat.
 - b. Contours are shown in 10-foot intervals. Please correct to meet City's minimum requirements.
5. *The plans shall show existing culverts, utilities or other underground structures within the tract and immediately adjacent thereto with pipe sizes and location indicated.*
 - a. There is at least one (1) culvert that crosses under Wortham Road (near lot 3 and 4) that should be shown and labeled.
 - b. A 15-foot ROW easement is called out for an existing water line; however, the water line and size are not shown on the plat.
6. *Preliminary plans of proposed on-site and off-site drainage system and street improvements.*
 - a. No such plans have been submitted for review; however, I would recommend inquiring about a general plan for drainage. Typically, you would want to avoid drainage across lots like the existing contours show now.
 - i. Currently a portion of lot 7 drains to lot 6, to lot 5, to lot 3 and then offsite. Situations such as this can possibly create contention between home owners and should be avoided if at all possible.
7. *The Developer shall submit a letter, along with the preliminary plat, requesting any variances to the subdivision.*
 - a. No such letter has been submitted for review at this time.

Grayson County Thoroughfare Plan

The Grayson County Thoroughfare Plan shows Wortham Road to be smoothed out into more of a "s-curve" rather than two 90-degree turns. This proposed improvement will impact the preliminary plat as presented. More specifically, the proposed Wortham Road ROW cuts through portions of Lots 1, 2, 3, 5, 6, and 7. Since a portion of this plat is within the City's ETJ (Lots 5-10), the City can ultimately decide

whether to enforce the County's Thoroughfare Plan and the County will follow the City's lead when ruling on the lots that are outside the City's ETJ (Lots 1-4). After speaking with a County representative, it was made clear to me that had this proposed subdivision been entirely in the County (not within the City's ETJ), the County would have requested the ROW based on the Wortham Road improvements shown on the Grayson County Thoroughfare Plan.

Since the City of Tom Bean has agreed to adopt the Grayson County Thoroughfare Plan, I recommend that the City abide by that plan and consider the following compromise with regards to the Whispering Wind Subdivision Preliminary Plat.

- Reduce the widths of lots 8, 9, and 10 to 150 feet, thereby allowing the developer to increase the lengths of lots 1 through 4 by approximately 70 to 75 feet. By doing this it should enable these four lots to remain developable. While not ideal, I believe a compromise to this effect could work for both parties.
 - The County also indicated that they would purchase an easement from the developer for the Wortham Road ROW shown on the Grayson County Thoroughfare Plan. In other words, the County does not expect the developer to just hand over the property for nothing.

Sincerely,

HAYTER ENGINEERING, INC.



Christopher M. Donnan, P.E., CFM
Project Manager



LEGEND:

ADC	DC = Dead Call	ADC = Adjoining Dead Call
F.I.R.	F.I.R. = Found Iron Rod	GW = Guy Wire Anchor
S.I.R.	S.I.R. = Set Iron Rod	PP = Power Pole
	D.R./G.C.T.x = Road Property Records, Grayson Co.	
91	D.R./G.C.T.x = Deed Records, Grayson County, Texas	
	P.R./G.C.T.x = Plat Records, Grayson County, Texas	

ROBERT MCKINNEY SURVEY
ABSTRACT NUMBER 855

Don Juan Smith Station to Grayson County, Texas, Block 1, Lot 11,
Vol. 5, Pg. 33. Also Held in Cdb. "A", Slide 532, F.R. & G.C.D.
Babyflexion 5532 Northside, from Juan Smith
07/10/2008 Vol. 5, Pg. 33, F.R. & G.C.D.

GENERAL NOTES

1. Water Supplied by Kentucky Drawn Water Supply Corporation.
2. Sewer Service is Provided by Individual Septic Systems.
3. Electric Service is Provided by Grayson-Collier Electric Coop.
4. Blocking the Flow of Water or Construction of Improvements in Drainage Easements, and filling or obstructing the Floodway is Prohibited.
5. Any existing Creek or Drainage Channels traversing along or across the Addition will remain as open Channels and will be Maintained by the Individual Owners of the Lot or Lots that are Traversed by or Adjacent to the Drainage Channels along or Across Said Lots.
6. Grayson County will not be Responsible for the Maintenance and Operation of Said Drainage Ways or for the Control of Erosion.
7. See Flood Statement Noted below:

THIS LOT IS WITHIN ZONE "X", UNINSURED AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. PER FLOOD INSURANCE RATE MAP NUMBER 481020591.F FOR GRAYSON COUNTY, TEXAS AND INCORPORATED AREAS' EFFECTIVE DATE, SEPTEMBER 28, 2010.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR CONTENTS THEREON ARE NOT BEING DAMAGED BY FLOODING OR FLOOD DAMAGE. ON PARGE OCCASIONS GREATER FLOODING MAY OCCUR. FLOODING HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

BASIS OF BEARINGS:

GRID NORTH U. S. STATE PLANE 1983
TEXAS NORTH CENTRAL ZONE 4202 (CONUS)
PER WESTERN DATA SYSTEMS NETWORK
LINKED WITH TRIMBLE RTK GPS RECEIVER.

CERTIFICATE ACCEPTANCE OF DEDICATION

The undersigned, The County Clerk of Grayson County, Texas, does hereby certify that on the _____ day of _____, 2019, that all the Owners of the real property described above did execute and deliver unto the Grayson County Commissioners Court their dedication of all streets, alleys, parks, easements, and other public areas to the Public, a copy of which is affixed to the face of this Plat, and the Grayson County Commissioners Court did by appropriate minute order accept the dedication of all streets alleys, parks, easements and other public areas on behalf of the Public.

Certified this

Prima Bush, County Clerk, Grayson County, Texas

STATE OF TEXAS
COUNTY OF GRAYSON

Shelli Magiers, County Judge of Grayson County, Texas, do hereby certify that this Final Plat, with field notes thereon, having been fully presented to the Commissioner's Court of Grayson County, Texas and by said Court considered and on this day approved and the Plat is authorized to be registered and recorded in the proper records of the County Clerk of Grayson County, Texas.

Il Magers, County Judge, Grayson County, Texas

Table:

• **ANALYSIS**

BRENT CHAPMAN & PHILIP TILLET
2228 Tate Circle Sherman, Tx. 75090-3562

4245-VP.

WILLIAM DAVIS FINNEY, TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR # 3941
DATA LAND SERVICES CORPORATION, REGISTERED PROFESSIONAL LAND SURVEYING
P.O. BOX 2110, FORNEY, TEXAS 75126, PH. (972) 564-4166 FX. (972) 564-3079, Cell. (903) 815-2769
SAS 2010 OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION LICENSE NUMBER 1018390

PRELIMINARY PLAT OF WHISPERING WIND SUBDIVISION, AN ADDITION TO GRAYSON COUNTY, TEXAS, BEING TEN (10) LOTS ON WORTHAM ROAD, SOUTHWEST OF TOM BEAN, 9.9398 ACRES IN THE COLLIN MCKINNEY SURVEY, ABSTRACT NO. 778, GRAYSON CO. TX. AFTER THE DEED RECORDED, OCTOBER 12, 2018, IN CLERK'S FILE # 2018-2537 R.P.R.G.C.T.V.

1. **Introduction**

DRAWN BY:	SY 4	DATE:	3-4-2019
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FEBRUARY 20, 2019; ADDED THROUGHPARE EASEM.

W.D.F.
JANUARY 11, 2019

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Item 9.3

City of Tom Bean

From: Chris M. Donnan <cdonnan@haytereng.com>
Sent: Monday, July 15, 2019 6:16 PM
To: cityoftombean@cableone.net
Subject: Re: zoning

That is definitely a question for the City attorney. I'm not sure on that one.

Sent from my Verizon Motorola Smartphone

On Jul 15, 2019 4:29 PM, City of Tom Bean <cityoftombean@cableone.net> wrote:

So how do we handle a zoning change when everyone within 200 ft of the property is the current property owner? Do you still have to have 2 public hearing to do a zoning change when the owner is the only one who will get a letter?

Cathy Pugh, City Secretary, City of Tom Bean



201 S. Britton St., P.O. Box 659, Tom Bean, TX 75489
Office 903-546-3015 | Fax: 903-546-4878

City of Tom Bean

From: James Tidwell <jct@wtmlaw.net>
Sent: Tuesday, July 16, 2019 9:36 AM
To: Sherry Howard
Cc: Cathy Pugh
Subject: RE: zoning - Confidential Communication

Yes. You will still need to follow all zoning change procedures in the statute and any local ordinance procedures. As a precaution, you will still want to send out the notice letters even if to the same landowner. Does TB have any sign procedure? Don't forget to post any signage.

I am not sure how the property is laid out, but it is unusual that there is not at least one lot or property on any side within 200 feet owned by another person or entity. I would be sure to take a 360 degree look to make sure.

The primary procedures are in LGC 211.006 and 211.007.

<https://statutes.capitol.texas.gov/Docs/LG/htm/LG.211.htm#211.006>

The City will want to make sure it follows the statutes and local ordinance to avoid a later procedural challenge on any action. The 200 feet gives specific notice to those in the immediate area. The other procedures give the public in general notice. (See also LGC 211.0075) So, all procedures will need to be completed, even if uncontested.

Let me know if there are other questions.

Best regards,

James C. Tidwell
WOLFE, TIDWELL & McCOY, LLP
320 N. Travis, Suite 205
Sherman, TX 75090
(903) 868-1933
(903) 892-2397 fax
jct@wtmlaw.net

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From: Sherry Howard <sherryhoward@cableone.net>
Sent: Tuesday, July 16, 2019 8:36 AM
To: James Tidwell <jct@wtmlaw.net>
Cc: Cathy Pugh <cityoftombean@cableone.net>
Subject: Fwd: zoning

Good morning! Can you answer this zoning question for us?

Mayor Sherry E. Howard
City of Tom Bean
903-815-8162
Have a sparkling day!

Sent from my iPad

Begin forwarded message:

From: "City of Tom Bean" <cityoftombean@cableone.net>
Date: July 16, 2019 at 8:34:00 AM CDT
To: "Sherry E. Howard" <sherryhoward@cableone.net>
Subject: FW: zoning

From: Chris M. Donnan <cdonnan@haytereng.com>
Sent: Monday, July 15, 2019 6:16 PM
To: cityoftombean@cableone.net
Subject: Re: zoning

That is definitely a question for the City attorney. I'm not sure on that one.

Sent from my Verizon Motorola Smartphone

On Jul 15, 2019 4:29 PM, City of Tom Bean <cityoftombean@cableone.net> wrote:

So how do we handle a zoning change when everyone within 200 ft of the property is the current property owner? Do you still have to have 2 public hearing to do a zoning change when the owner is the only one who will get a letter?

Cathy Pugh, City Secretary, City of Tom Bean



201 S. Britton St., P.O. Box 659, Tom Bean, TX 75489
Office 903-546-3015 | Fax: 903-546-4878

Item 9.3

MINUTES – REGULAR SESSION
TOM BEAN PLANNING AND ZONING BOARD
201 S Britton
Tom Bean, Texas 75489
<http://www.tombean.net>

Thursday July 11, 2019 – 6:00 p.m.

On Thursday, July 11, 2019 at 6:00 p.m. the Tom Bean Planning and Zoning Board met in a Regular Session in the Council Chambers.

1. CALL TO ORDER – Call to order by Secretary at 6:00 p.m.

2. ROLL CALL

Patti Hanni, Secretary
Roberta Wiggs

Lonnie Jones
Carolyn Becker

Guests: Cathy Pugh Advisor
Chris Noah, Randy Hardwick, Chuck Hardwick, with Lopez Addition

3. NEW BUSINESS

3.1 Consider and Act upon approving the Minutes from June 20, 2019 meeting

Motion: Upon motion by Wiggs and seconded by Jones, the board voted Four (4) for and Zero (0) opposed to approve minutes from the June 20, 2019 Meeting. Motion passed.

3.2 Consider, Discuss and Act upon the Request for a zoning change for 518/520 Hwy 11 from C2 to TF.

Motion: Upon motion by Jones and seconded by Becker, the board voted Four (4) for and Zero (0) opposed to approve the Zoning change for 518/520 Hwy 11 from C2 to TF. Motion passed.

3.3 Consider, Discuss and Act upon Replat request from Randy Hardwick for properties located in the Lopez Addition, Lots 2,3,4; GCAD PIDs 224633, 224634, 224635 from 3 lots to 5 lots.

Discuss: Discussion on this Replat Request for Lopez Addition and consideration of the letter from Hayter Engineering, no action was taken. Referring this Replat Request with the recommendations in the letter from Hayter Engineering to

the Tom Bean City Council for approval.

Motion: Upon motion by Jones and seconded by Wiggs, the board voted Four (4) for and Zero (0) opposed to refer this Replat Request for Lopez Addition with the recommendations of Hayter Engineering to Tom Bean City Council. Motion passed.

3.4 Consider and Act upon changes if any to the Appendix District Regulations for TF, MF, C1 and C2 zoning districts in comparison to other City Zoning Districts.

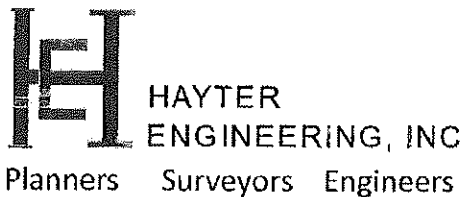
Motion: Upon motion by Wiggs and seconded by Becker, the board voted Four (4) for and Zero (0) opposed to approve Tom Bean Appendix District Regulations for TF, MF, C1 and C2 as is with with no change. Motion passed

4. ADJOURN

Motion: Upon motion by Becker and seconded by Wiggs, the board voted Four (4) for and Zero (0) opposed to adjourn the regular session of the Tom Bean Planning and Zoning Board at 7:33 p.m. Motion passed.

APPROVED: _____ DATE: _____
Richard Tworek, Chair

ATTEST: _____
Patti Hanni, Secretary



Cathy Pugh, City Secretary
City of Tom Bean
P.O. Box 659
Tom Bean, TX 75489

July 2, 2019

RE: Lopez Addition Re-Plat
HEI Job Number 152001-86.03

Dear Mrs. Pugh,

Hayter Engineering, Inc. (HEI) has reviewed the Lopez Addition re-plat. Our review was for general conformance and shall not relieve the developer or the developer's surveyor or design engineer of full responsibility for the adequacy and integrity of the survey and design, or for conformance to Local, State, and Federal codes.

Construction plans and specifications were not submitted and as such HEI's review was of the re-plat only. Typically, construction plans and specifications shall be submitted, reviewed, and approved prior to approval of any plat or any construction activities.

Below is a list of items that need to be addressed and/or clarified prior to the acceptance of this submittal. If you have any questions, please do not hesitate to call (903.785.0303) or email (cdonnan@haytereng.com).

Final Plat Requirements

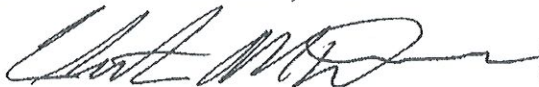
This re-plat was reviewed and compared to the requirements of a Final Plat as spelled out in the City of Tom Bean's Subdivision Ordinance Section 5.2.

1. Per the City's Subdivision Ordinance, submit to the City no later than twenty (20) days prior to the Commission meeting at which it is to be considered:
 - a. Three (3) sets of detailed plans signed by a Registered Professional Engineer showing details of streets, alleys, culverts, bridges, storm sewers, water mains, sanitary sewers, and other engineering details; and
 - b. Ten (10) copies and one (1) sepi of the final plat with all conditional changes and proper signatures, prepared and signed by a Registered Public Surveyor.
2. Per the City's Subdivision Ordinance (5.2.1), please include an index sheet when more than one sheet is required, and all sheets shall be of the same size.
3. Per the City's Subdivision Ordinance (5.2.3.3), please show the location of existing water courses and other similar drainage features.
 - a. There appears to be a culvert under Ball Street (draining south) somewhere near the western edge of this re-plat. Based on this culvert, it could be surmised that at least some portion of this site drains to said culvert. However, without existing contours, it is difficult to determine with any certainty.
4. Per the City's Subdivision Ordinance (5.2.4.1) please include the name and property lines of adjoining subdivisions and of the adjoining property owners, together with the respective plat or deed references.

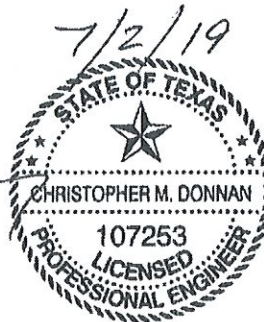
5. Per the City's Subdivision Ordinance (5.2.4.2) please include the names of adjacent streets.
 - a. Whispering Oaks Streets (to the east) is not labeled.
6. Per the City's Subdivision Ordinance (5.2.22.3) please include a Certificate of approval by the City Council of Tom Bean.
7. Per the City's Subdivision Ordinance (Section 7: Improvements Prior to Acceptance) please submit engineering plans that satisfy the requirements of Section 7.2, 7.3, 7.4, 7.5, and 7.6. These engineering plans should meet the design requirements described in Section 8: General Requirements and Design Standards.
 - a. The Site Plan submitted with the re-plat does not show existing features such as contours, water lines or sanitary sewer lines. As submitted, there is no way to determine if appropriate City utilities are in the area. Without existing contours there is no way to know if this development will interfere with existing drainage patterns. Typically, a proposed grading plan would be submitted as part of the engineering plans. Without the information mentioned above, it is difficult to determine if the proposed site plan is acceptable.

Sincerely,

HAYTER ENGINEERING, INC.

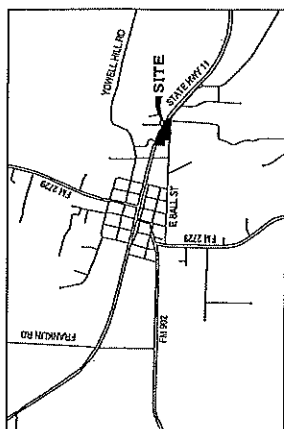


Christopher M. Donnan, P.E., CFM
Principal/Project Manager





All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.



VICINITY MAP
(NOT TO SCALE)

GENERAL NOTES:

This survey was completed without the benefit of a title commitment. Easements and/or other matters of record may affect the surveyed property. The Surveyor did not perform an Abstract of Title.

