

**MINUTES  
CITY COUNCIL  
REGULAR MEETING  
MONDAY, AUGUST 14, 2023**

**ALDERMEN PRESENT**

Mayor Craig Fenter  
Alderman Place 1 Libby Gonzales  
Alderman Place 2 Brandon Sisson  
Alderman Place 3 Greg Robinson  
Alderman Place 4 Joel Hood

**ALDERMEN ABSENT**

Alderman Place 5 Stewart Chalmers

**CITY STAFF PRESENT**

Michael Smith, City Manager  
Shalyn Burritt, City Secretary  
Leslie Jackson, Human Resource Director  
Hanna Reynolds, Finance Director  
Diego Flores, Code Enforcement  
Colton Guinn, Building Inspector  
Scott Haynes, Police Chief  
Bryan Corb, Lieutenant  
Jeremy Jennings, Fire Chief  
Officer Christopher Simmons  
Officer Adam Rydlinski

**CITY ATTORNEYS PRESENT**

David Spiller

**JACKSBORO ECONOMIC  
DEVELOPMENT CORPORATION  
REPRESENTATIVE**

Brenda Tarpley, Director

**1. CALL TO ORDER**

Mayor Fenter called the meeting to order at 5:30 p.m.

**2. INVOCATION**

Invocation led by Alderman Joel Hood.

**3. PLEDGES TO THE FLAGS**

Pledges led by Mayor Fenter.

**4. PUBLIC COMMENTS**

No public comments made.

**5. CONSENT AGENDA**

All matters listed under Item 5, CONSENT AGENDA, are to be considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

**a. EXCUSED ABSENCES**

**b. MEETING MINUTES**

**i. JULY 24, 2023 REGULAR MEETING MINUTES.**

Alderman Sisson moved to approve the Consent Agenda as presented.

Alderman Hood seconded the motion.

Motion carried with unanimous consent.

**1. PUBLIC HEARINGS**

**a. PUBLIC HEARING CONCERNING THE FISCAL YEAR 2023-2024 PROPOSED BUDGET.**

Mayor Fenter opened the public hearing for the Proposed Budget at 5:33 p.m. The City Manager explained minor changes had been made to the prior budget submitted to Council. He explained that the General Fund was balanced, and the Utility Fund was being worked on. No public comment was given. Mayor Fenter closed the public hearing on the Proposed Budget at 5:34 p.m.

**b. PUBLIC HEARING CONCERNING THE FISCAL YEAR 2023-2024 PROPOSED TAX RATE.**

Mayor Fenter opened the public hearing for the Proposed Tax Rate at 5:34 p.m. The City Manager gave Council the following tax rates: Proposed Tax Rate of \$0.695901; No-New-Revenue Tax Rate of \$0.646805; Voter-Approval Tax Rate of \$0.714339. These rates, once voted on by Council, will be given to the Jack County Tax Assessor Collector's Office for publication. Citizen Ricky Cowan asked Council if the citizens would not know what their taxes would be until it is voted on. The City Manager explained that the City's proposed tax rate is a lowered rate and will make City taxes roughly the same as they were last year. Mayor Fenter added there is much confusion over the appraisals, and the amounts that citizens would be paying in taxes, but that he felt the increase in appraisal amounts on properties would be good for the community in the long run. Mayor Fenter closed the public hearing on the Proposed Tax Rate at 5:43 p.m.

**7. PRESENTATION:**

**a. PRESENTATION FROM FRIENDS OF THE SHELTER TO THE CITY OF JACKSBORO, CITY COUNCIL.**

A symbolic check in the amount of \$215,621.50, representing the total amount given to the City of Jacksboro toward the rebuilding of the Jacksboro Animal Shelter, was presented to the City Council by members of the Friends of the Jacksboro Animal Shelter. Kristie Bailey spoke on behalf of the organization and thanked all donors that made the donation possible.

**8. COUNCIL TO HEAR REQUEST FROM DAVID AND CHRISTY KINDER REGARDING THE DENIED VARIANCE BY THE BOARD OF ZONING ADJUSTMENTS ON JUNE 29, 2023.**

David Kinder addressed the Council and gave the history of the tornado damage he incurred, the purchase of temporary housing of a trailer house (mobile home), and the variance requested at the Board of Zoning meeting that was held on June 29, 2023. Mr. Kinder explained that he intended to sell the trailer house and land together to pay the bank loan for reconstruction on his home. Mr. Kinder expressed his anger and frustration at the decision made by the Board of Zoning Adjustments. He questioned the validity of the motion made by board member, Alicia Guthrie, and whether she was appointed to the board at that time. Mr. Kinder explained that he felt he should have received the variance, given that the property is surrounded by different zoning areas, and that his neighbors in the area were in support of the variance, except for the neighbor across the street from the trailer. Marleigh Cowan and Royce Smith, neighbors in the area, both voiced their support for allowing the trailer to become a permanent placement. Mr. Kinder presented to the Council a petition signed by neighbors of the Kinders to allow for the mobile home to stay permanently. He expressed his opinion that the BZA had made a mistake, and that the precedent that would have been set by allowing for the variance would be that the City would be helping out someone in a crisis situation. Mr. Kinder requested that the Council overturn the decision of the BZA and grant his variance. Mayor Fenter explained that the Council could not legally override the decision. Alderman Robinson inquired if the discussion could be tabled to a further meeting for investigation of the facts regarding the appointment of Alicia Guthrie. The City Attorney, David Spiller, addressed Council and Mr. Kinder and relayed that the City Council had no authority in this matter. He explained that state law and the City's Ordinance regarding the Board of Zoning Adjustments laid out the appeals process to the County Court, District Court or Court at Law. He made a suggestion of a rehearing to extend the appeals deadline. Mr. Spiller felt that the inequity could be addressed in this manner, but that the Council should not table or rehear the discussion. Mr. Kinder again expressed his disappointment in the City's decision. Mr. Spiller explained that he is sympathetic to the situation, and he felt there would be a way to get a good end result. Mayor Fenter reiterated there was not a guarantee that the result would be different. Mayor Fenter addressed Mr. Robert Van Fleet, who owns the property across the street from the Kinder's trailer. Mr. Van Fleet spoke to the Council and explained he was building a home across from the trailer for a Jacksboro resident. He expressed that the decision by the BZA was unanimous and fair, the permit was temporary when it was given to the Kinders, and the area was not zoned for trailer houses. Mr. Kinder expressed that at the time, he could not comprehend the situation and didn't remember reading or signing the temporary permit because of his mind set after going through the tornado. The Mayor thanked the public for attending and participating and suggested Mr. Kinder speak with Mr. Spiller regarding his options.

**9. ORDINANCES:**

**a. O-16-2023: AN ORDINANCE OF THE CITY COUNCIL, CITY OF JACKSBORO, TEXAS, AMENDING THE CITY OF JACKSBORO CODE OF ORDINANCE TITLE XV LAND USAGE, CHAPTER 155 RIGHT-OF-WAY MANAGEMENT; ESTABLISHING REGULATIONS FOR COMPANIES BORING IN THE CITY LIMITS; ESTABLISHING FEES AND AN APPLICATION PROCESS AND PROVIDING FOR OTHER MATTERS RELATED TO THE SUBJECT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 PER DAY OF VIOLATION AND PROVIDING AN EFFECTIVE DATE.**

The Mayor expressed his gratitude to the public in attendance and the importance of the community to attend council meetings and know what is being passed. He explained that the Council makes decisions to put Ordinances into place, but the staff takes the brunt of having to enforce those new rules. The Mayor explained that the City was currently trying to get on top of the boring activity taking place in town with this particular Ordinance being presented. The City Manager explained that this would update the right-of-way management code currently in place. Discussion was held on the language added to the Ordinance specifically for boring companies seeking permits. Alderman Greg Robinson requested an addition to the Ordinance regarding emergency boring being allowed after 12:00 p.m. on Fridays, as well as Saturdays, Sundays and City Holidays.

Alderman Sisson made a motion to accept Ordinance O-16-2023, with the additional updated language.

Alderman Robinson seconded the motion with the change to the updated emergency language.

Motion carried with unanimous consent.

**10. COUNCIL TO DISCUSS AND TAKE ACTION ON THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF JACKSBORO AND MENNONITE DISASTER SERVICE.**

The City Manager explained the agreement between the City of Jacksboro and the Mennonite Disaster Service for their assistance in rebuilding homes destroyed in the tornado. The City will turn over the activity center to the Mennonite workers, with access to the offices only for City workers. Alderman Hood explained that the time frame would be three to four months and that the activity center would be used exclusively by the Mennonite workers. Alderman Gonzales questioned the sentence allowing the City's workers to have access to the restrooms at the center, and the City Manager explained that he had requested that be taken out of the memorandum, and assured Council that the City workers would not be using the activity center's restrooms. Alderman Sisson asked if the sewer drops would be permanent, and the City Manager said yes, the sewer drops and additional electric hookups would be a good long term investment. He expressed that the Long Term Recovery program had been helping the City greatly through this process.

Alderman Robinson made a motion to approve the memorandum of understanding between the City and Mennonite Disaster Service.

Alderman Sisson seconded the motion.

Motion carried with unanimous consent.

**11. COUNCIL TO DISCUSS AND TAKE ACTION ON BID RECEIVED FROM TAYLOR MADE BARNDOMINIUMS FOR THE RENOVATION OF THE SHOWERS FOR ADA COMPLIANCE AT THE TWIN LAKES COMMUNITY ACTIVITY CENTER.**

The City Manager expanded on the prior agenda item by explaining that the City had requested bids for renovation of the showers at the activity center. One bid had been received for \$26,382.50 from Taylor Made Barndominiums. The City and Long Term Recovery program have agreed to work together on this project, and the amount would be far less than the bid. The City has agreed to supply materials and the Long Term Recovery program has agreed to supply the labor. The cost to the City would be approximately \$6000. The City Manager explained that by voting to accept the bid, the City could go forward and purchase the materials at a tax exempt rate. This renovation will upgrade the shower facility and make them fully ADA compliant.

Alderman Hood made a motion to accept the bid from Taylor Made Barndominiums.

Alderman Sisson seconded the motion.

Motion carried with unanimous consent.

**12. COUNCIL TO DISCUSS POTENTIAL JUNK VEHICLE REMOVAL CAMPAIGN WITH TEXAS COMMUNITIES GROUP.**

The City Manager explained the junk vehicle removal program that was facilitated by Texas Communities Group in the City of Quanah. Diego Flores, Code Enforcement Officer, explained that the public could benefit from seeing the City actively working to remove junk vehicles and this would be a good way to educate the community on the City's junk vehicle ordinance. Currently, our ordinance allows us to ticket the owner, tag the vehicle and remove the vehicle from the property. This particular program would first educate the community and then offer a cash incentive for the owner to provide the title or consent agreement, and then have the vehicle removed. Alderman Sisson asked about the number of cars needed for the mobile crusher and who would be paying for the crusher. Mr. Flores replied that there would need to be 10 to 15 vehicles and that the City would pay for the crusher. Alderman Robinson asked if the City would be bringing the Council a contract to consider for the program. The City Manager replied yes, once the details were all known, but that Council did not need to make any decisions at this time. Alderman Gonzales asked who would be spearheading the program, and the City Manager explained it would be Mr. Flores. He expressed that Mr. Flores was very good at speaking with citizens and working with them to comply with City Code. Mr. Frankie Jones was in attendance and offered to speak with the City about using his towing and recovery service for the program. Mr. Flores agreed to contact Mr. Jones. The Council requested City Staff to move forward and gather information to be presented at a future meeting.

No action was required at this time.

**13. FY 2023-2024 BUDGET PLANNING:**

**a. RECEIVE AND DISCUSS UPDATED DRAFT BUDGET FOR FY 2023-2024.**

Discussion was held. No action required.

**b. RECEIVE JACK COUNTY CHIEF TAX APPRAISER CERTIFIED APPRAISAL ROLL.**

**c. RECEIVE NO-NEW-REVENUE TAX RATE AND VOTER-APPROVAL TAX RATE FROM FINANCE OFFICER.**

**d. RECEIVE, REVIEW AND DISCUSS FISCAL YEAR 2023-2024 PROPOSED TAX RATE.**

**e. COUNCIL TO TAKE ACTION ON FISCAL YEAR 2023-2024 PROPOSED TAX RATE.**

Tax rates were received and discussion was held. Council was reminded upon voting on the proposed tax rate, a Notice of Public Hearing would be published, and the hearing would be held on August 28, 2023 at the next regular council meeting.

Alderman Sisson moved to approve the recommended proposed tax rate of \$0.695901.

Alderman Robinson seconded the motion.

The motion carried as follows:

Alderman Gonzales: YES      Alderman Sisson: YES

Alderman Robinson: YES      Alderman Hood: YES

**14. UPDATES**

a. **UPDATE ON THE EDA GRANT FOR CITY/JEDC.**

b. **UPDATE ON THE CDV 21-0175 TXCDBG STORM DRAINAGE IMPROVEMENTS GRANT.**

c. **VACANCY OF PLACE 2 MEMBER ON PLANNING AND ZONING COMMISSION.**

Council received updates. Planning and Zoning appointment to be discussed on the next agenda.

**15. ADJOURNMENT**

Alderman Sisson moved to adjourn the meeting.

Alderman Hood seconded the motion.

Motion carried with unanimous consent.

**APPROVED BY THE CITY COUNCIL OF THE CITY OF JACKSBORO, TEXAS ON THE 28TH DAY OF AUGUST, 2023.**

**CITY OF JACKSBORO**



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**CRAIG FENTER  
MAYOR**

**ATTEST:**



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**SHALYN L. BURRITT  
CITY SECRETARY**

Recd 8-14-2023  
Cari ~~Leah~~ Mager Jackson

Petition for the mobile home located on David and Christy Kinder's property to be allowed to stay permanently.

Signed 7/24/2023

Address

Christina Kinder	1115 Wichita Ave.
David Kinder	1115 Wichita Ave
Crystal Barnett ✓	1141 Wichita Ave
Shae Jones	1142 Wichita Ave
Rink Burt	1141 Wichita Ave
Johnny is Cleff ✓	535 N. 9th St.
Masleigh Cowan ✓	525 N. 9th St
Rick Cowan ✓	525 N. 9th St.
Darke Jackson	522 N. 9th St.
Royce Smith ✓	503 N. 9th St.
Casey Roberts → Brown House	<del>508</del> N 9th St
Brian Roberts → Blue House	508 + Lot next to 508
John Peterson ✓	508 N 9th Lot next to 506
April Binegar ✓	427 N. 9th St 972-214-6411
Micon Blocker	436 N. 9th
Judy Mae Roberts ✓	1048
	515 N 9th.