

Minutes of
Cresson City Council Meeting & Planning & Zoning Commission
February 22, 2022

Mayor Conway called the City Council Meeting of Cresson, Texas to order at 7:00 P.M. February 8, 2022, at the City of Cresson Council Chambers. Attendance as follows:

Mayor Teena Conway	Ron Becker	Kenneth Benzenhoefer
Warren McKamey	Pam Manley	Lisa Clement

Fritz Quast, City Attorney

Councilperson Becker gave the invocation. Councilperson Manley led the U.S. Pledge and the Texas Pledge.

Meeting was opened to the public.

Citizen's Comments

Margaret Kenny of 220 Brook Drive asked if the citizens could get an update regarding the cost of the park, what the continued upkeep would cost, and where the continued funding would come from.

Mayor Report and Comments

- A. Bob Cornett Park Donation Forms-**Mayor Conway stated the park would now be build in phases due to cost restraints. We have a contribution for the cement for the base of the park pavilion as well as a pledge for \$5000 from another business partner. She will continue to talk with local businesses as well as friends to see if anyone has interest in donating and encourages the council and citizens to do the same. Donation forms are available at City Hall. Mayor Conway thanks Councilperson Manley and her husband Jim for they park donation. The city also has a commitment from Mit-Mar to add items that are not covered by the grant such as roads, restrooms, and associated utilities for over \$400,000. The city is working on a plan for ongoing maintenance of the park. Also, we have the shared sheriff agreement with Hood County for additional support once the park is complete.
- B. Status of Hood County Mobile Library-**Mayor Conway is happy to share a report from Jay Webster, Hood County EMC, that the mobile library is halfway build with all its customizations. Cresson has attempted to have the Hood County Library come to Cresson to both City Hall and the Historic Cresson School, but it was difficult to get the kiddos there. The mobile library will be a wonderful offering for both adults and kids to check out books and use internet service. This will be at no cost to Cresson.
- C. Sales Tax for January-**Cresson does not have an ad valorem (property) tax. The city is run solely on sales tax revenue. It is state law that the city carves out 30% of the monthly sales tax revenue for road maintenance. Last fiscal year, the city took an aggressive approach to road repairs and, as the budget allows, we will continue to repair roads based on citizen input and the review by our Water Director, Victor Petty. Regarding the road repairs on South Crook Street, that project was complete will Mr. Cornett was still mayor and there were issues with the contractor completing repairs once the road started to deteriorate. It took many months and some assistance from the city attorney to get that company to make the necessary repairs to bring the road back to acceptable standards. This company is no longer used by the city. Sales tax collected was up to \$103,000 for January.
- D. Fourth of July Parade in Granbury-**Mr. Jerry Conway is sponsoring the City of Cresson in the parade this year. If you want to submit ideas, feel free to reach out to City Hall. City Hall hours are Monday through Friday from 8:30AM to 1:00PM. The city also has a website www.cressontx.org that has proven to be a resourceful site which our city secretary keeps updated for the citizens. Eventually the codification of the city's ordinances will be

available on the website. Think of codification as an electronic filing system. The city has offered before and continues to offer the opportunity for input regarding the clean up of the existing ordinances for their content. Please also remember to sign up for TextMyGov. This is the city's text outreach system for updated information if trash day changes, water emergencies, and other urgent information that citizen's sign up for it from their cell phones. Please call our Municipal Clerk, Shane Shearman, at City Hall and she will be happy to walk you through how to opt into the service.

Planning and Zoning Commission Agenda

- A. Continue Public Hearing from February 8, 2022 for a request from Mit-Mar Land LP for a change in zoning from Agricultural "A" to Planned Development "PD" for a tract of land consisting of approximately 427.29 acres out of the Nancy Smith Survey, Abstract Number 512, Hood County, Texas, same being a portion of the tract of land as described by deed to Mit-Mar Land, LP as recorded in Instrument No. 2021-0018871, Deed Records, Hood County, Texas (DRHCT), and being more particularly described by metes and bounds.**

Public Hearing begins at 7:16 P.M. Grant Read from Mit-Mar LP project is present.

Doug Franklin of 100 E. Bluebonnet Drive spoke in favor of the project. He thinks it looks good and will attract the kind of people Cresson is looking for. He does not like the "low income" pods. He does have questions regarding the water well situation. He says growth is inevitable.

Tom Mercer, developer of Putteet Hill Ranch spoke in favor of the project saying it is an excellent plan allowing for a multitude of income levels; it is a high-quality project that includes a town center and other amenities; the Bob Cornett Park will also be great for this development. It is a great project for Cresson and will bring all kinds of people to Cresson.

Lisa Flowers of 181 Park Place is the CEO of the East Parker County Chamber of Commerce and is speaking on behalf of Jim Martin, one of the owners of Mit-Mar. She has known Mr. Martin for 15 years and knows him to be very ethical and to build high quality developments. She said growth is inevitable and 22 people per day are moving to Parker County.

Butch McIntyre of Bluebonnet Hills has concerns about the water. What happens if we have a drought? He believes people are wrong for not worrying about the water. He is very worried about the water for the other new developments already coming to Cresson and the effect it will have on the water system.

Bo Belanger of 9504 Pittsburg asked a question about the city sewer system. He wondered if Mit-Mar would consider extending the sewer to Cresson Proper. Grant Reed answers the MUD #2 will consider it.

Jonathon Stigall of 7916 Clearview Court worries about the water situation and the water expert the spoke with thinks it is a stupid idea. Mayor Conway reminds the council and the citizens that Mit-Mar had an extensive water study conducted.

Harry Shively asked what is Mit-Mar? Mayor Conway explains that Mr. Mitchell and Mr. Martin own the company.

Andrew Loudermilk of 7900 Clearview Court asked about the ponds. He wonders what will happen to the existing ponds and asked about any elevation changed.

Grant Reed, representing Mit-Mar shows several videos and pictures of both residential and commercial properties developed by Mit-Mar. He then addressed the questions:

He explained that MUD #2 is an entity with a Board of Directors and entered into an FIA agreement with the city of Cresson for the new Wastewater Treatment Plant. He said MUD #2 would consider looking into changing the CCN boundaries to include Cresson Proper for the sewer system.

The project is a 10–15-year plan with a 20-year final plan. There will be a commercial aspect to the project about 5-7 years down the road. The rooftops and residences come first then the commercial, restaurants, and retail come.

There are drainage requirements for the ponds that are all part of the tributary, and the final engineering plan must be following the city's requirements.

Jarred Reynolds with Hood County and Upper Trinity Groundwater Conservations District who designs water systems spoke regarding the water concerns of the citizens. He said wells must be a certain distance apart and there are a multitude of TCEQ rules and regulations that must be followed. Citizens asked what the recourse is if this development is approved and then they have trouble with their personal wells. Mr. Reynolds explained that he has never seen that happen. He said Willow Park runs off wells and have never had any problems. The Upper Trinity Groundwater Conservation District watches everything very closely and the Upper Trinity holds public hearings for all permit applications and the results are publicly available. The Bluebonnet Water System is a different water system and will not coincide with Mit-Mar's system.

Butch McIntyre again brings up question of what happens if there is a drought. Mr. Reynolds states that in a drought everyone panics and use more water. He states that the Trinity will not run out of water, the levels will decline as a natural source but then recharge itself.

Mayor Conway asked Mr. Reynolds if he has any major concerns regarding this development. He stated he does not because the usage is limited by the acreage and cannot exceed those.

Councilperson Becker asks Mr. Reynolds who regulates the groundwater. He states that TCEQ requires a Groundwater Conservation District to regulate the use of groundwater.

Ronnie Bridges reminds the citizens and the council that everything regarding water is public information available on the TCEQ Central Registry.

Grant Reed says there are proposed well locations on the conceptual site plan, but Phase 1 will not need a new well, it will utilize the existing well that was purchased along with the property.

Leticia Morton of Clearview Estates believes there is a Texas Code that states if 20% people adjacent to a development have an issue with the development and have sent in a letter of concern to the city that they can require the developer to provide a 200-foot gap between the developments and their properties. Mayor Conway acknowledged the city received the letters and that they were shared with the council and that she has sent response letters to each of the citizens. The attorneys for the parties will investigate the request.

Public Hearing is suspended at 8:12 P.M. until 7:00 P.M. on Tuesday, March 8, 2022.

Deliberation agenda

- A. Request from Mit-Mar Land LP for a change in zoning from Agricultural “A” to Planned Development “PD” for a tract of land consisting of approximately 427.29 acres out of the Nancy Smith Survey, Abstract Number 512, Hood County, Texas, same being a portion of the tract of land as described by deed to Mit-Mar Land, LP as recorded in Instrument No. 2021-0018871, Deed Records, Hood County, Texas (DRHCT), and being more particularly described by metes and bounds.**
- 1. Hold Public Hearing.**
 - 2. Consider and take any action to approve or disapprove ordinance to rezone the property from Agricultural “A” to Planned Development “PD” as requested by Mit-Mar Land LP. No action taken.**
- B. Approval of the minutes of the City Council Meeting held on February 8, 2022.** Mayor Conway asked the City Council to read the minutes of the City Council Meeting held on February 8, 2022. A motion is made by Councilperson Becker and seconded by Councilperson Manley. 5 ayes and 0 nays. The motion passed unanimously.

Executive Session

Pursuant to the provisions of Chapter 551 of the Texas Government Code, the City Council may adjourn into Executive Session, in accordance with the authority contained in:

Section 551.071, Government Code, Consultation with Attorney

The City Council may conduct a private consultation with its attorney when the City Council seeks the advice of its attorney concerning any item on this agenda, about pending and contemplated litigation, or a settlement offer, or on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Chapter 551.

- *Training regarding Legal Authority and Obligations of Elected and Appointed Officials on subdivisions, planning, zoning authority, open government, liability, and conflicts of interest (Fritz Quast, City Attorney)*

Council adjourns into Executive Session at 8:16 P.M.

Reconvene into Open Session

Take any action deemed necessary as a result of the Executive Session.

Council returns at 9:11P.M. No action is taken behind closed doors.

Councilperson Becker make a motion to authorize City Attorney, Fritz Quast, to prepare a comprehensive ordinance under the existing zoning ordinance to address Agenda Item 6A limited to Phase 1 and Phase 2 of

the Mit-Mar Development and seconded by Councilperson Clement. 5 Ayes and 0 Nays. The motion is passed unanimously.

Adjourn

Meeting adjourned at 9:12 P.M.



Teena Conway, Mayor



Katy Froyd, City Secretary

