

Minutes of
Cresson City Council Meeting & Planning & Zoning Commission
April 26, 2022

We are honored to welcome part of the Granbury High School ROTC unit to present the colors.

Mayor Conway called the City Council Meeting of Cresson, Texas to order at 7:00 P.M. April 12, 2022, at the City of Cresson Council Chambers. Attendance as follows:

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

City Attorney Fritz Quast

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

Meeting was opened to the public.

Citizen's Comments

None.

Mayor Report and Comments

- A. **Sales Tax update**-down from February, March sales tax was \$69,410.
- B. **Update on citizen's comment re: Old Granbury Road**-The City Secretary, Katy Froyd, reached out to TXDOT liaison to make him aware of the gravel at the intersection of Old Granbury Road and Hwy 377. The mayor also followed up with a letter to Mr. Loudermilk.
- C. **Explain why one might recuse themselves from a vote**-If the mayor or a councilperson has an interest in what is being voted on, it is recommended that you sign an affidavit stating this and step out of the room during the discussion and vote, if there is a vote. The mayor likes to be overly cautious in this area.
- D. **Explain why the council does not respond to citizen's comments**-This is a local rule that the council is not allowed to enter into conversation during citizen's comments. That was decided by a previous mayor.
- E. **Explain why the number of minutes for citizen comments can be decided by the municipality**-This is a local rule, and it can be adjusted by the mayor if he or she feels it would be better for the situation.

Planning and Zoning Commission Agenda

- A. **Continue the Public Hearing from 4/12/2022 from Land Fund Manager, LP for a change in zoning from Agricultural "A" to Planned Development "PD" for a 277.68 acre tract of land situated within the JM Hays Survey, Abstract No. 262 and the Joseph W. Randle Survey, Abstract No. 483, City of Cresson, Hood County, Texas, being all of a called 58 acre tract of land as described in the deed to Land Fund Manager, LP recorded under Document No. 2021-0016629 of the Official Public Records**

of Hood County, Texas, being a portion of a called 415.658 acre tract of land as described in the deed to Land Fund Manager, LP recorded in Volume 2114, Page 186 of the Deed Records of Hood County, Texas, and being a portion of Lots 1 and 3 and all of Lots 4-16, all of Road Way "B" and all of Roadway "A" as shown on the plat designated as "Lots 1-16, Cresson One North" recorded in Slide P-399 of the Plat Records of Hood County, Texas.

Public Hearing is continued from the April 12, 2022, council meeting. Public Hearing is opened at 7:10 p.m. Peter Malin of Land Fund Manager, LP and Brady Redwine are present. There are no citizen or council questions or comments. Public hearing is closed at 7:11 p.m.

Deliberation agenda

A. Request from Land Fund Manager, LP for a change in zoning from Agricultural "A" to Planned Development "PD" for a 277.68 acre tract of land situated within the JM Hays Survey, Abstract No. 262 and the Joseph W. Randle Survey, Abstract No. 483, City of Cresson, Hood County, Texas, being all of a called 58 acre tract of land as described in the deed to Land Fund Manager, LP recorded under Document No. 2021-0016629 of the Official Public Records of Hood County, Texas, being a portion of a called 415.658 acre tract of land as described in the deed to Land Fund Manager, LP recorded in Volume 2114, Page 186 of the Deed Records of Hood County, Texas, and being a portion of Lots 1 and 3 and all of Lots 4-16, all of Road Way "B" and all of Roadway "A" as shown on the plat designated as "Lots 1-16, Cresson One North" recorded in Slide P-399 of the Plat Records of Hood County, Texas.

1. Hold Public Hearing.

This public hearing was held in conjunction with the Planning and Zoning public hearing.

2. Consider and take action to approve or deny ordinance to rezone the property from Agricultural "A" to Planned Development "PD" as requested by Land Fund Manager, LP.

Councilperson Becker makes a motion to approve this rezoning. A motion is duly made by Councilperson Becker and seconded by Councilperson Benzenhoefer. 3 ayes and 0 nays. The motion is passed unanimously.

B. Hold a Public Hearing regarding a request for a replat from Rose Jean Moore Putteet, owner of Lot 97 and Putteet Hill, LLC, owner of Lots 62 and 72 of Putteet Hill Phase 1, an addition to the City of Cresson, Hood County, Texas according to the plat thereof recorded in Slide P-800 of the Plat Records of Hood County, Texas, and embracing all of the 3-652/1000 acres tract described in the Cross Conveyance deed to Rose Jean Putteet, Trustee of the Billy Joe Putteet and Rose Moore Putteet Survivor's Trust A recorded in Document No. 2021-0007688 of the real Records of Hood County, TX.

Mayor Conway recuses herself from the meeting and Mayor Pro Tem Becker takes over the meeting. Public Hearing is opened at 7:14 p.m. No one from the project is present. Miriam Delany of 9508 Pittsburg asks for clarification of where the property is located. Public Hearing is closed at 7:16 p.m. Councilperson Benzenhoefer makes a motion to approve the replat of this property. A motion duly made by Councilperson Benzenhoefer and seconded by Councilperson Clement. 3 ayes and 0 nays. The motion is passed unanimously.

Mayor Conway returns to the meeting.

C. Consider and possibly take action on joining TEX-21, a statewide group of cities, counties, and businesses from around the state to advocate for better transportation infrastructure. The dues for this organization at \$2500 per year and are based on population. Councilperson Becker makes a motion to join this organization for one year as a trial basis. A motion is duly made by Councilperson Becker and seconded by Councilperson Benzenhoefer. 3 ayes and 0 nays. The motion is passed unanimously.

D. Consider and possibly act on collapsing the Planning and Zoning Commission into the City Council. Mayor Conway asks City Attorney Quast to discuss this item. He states that a General Law Type A city does not need to have a planning and zoning commission separated from the city council. He will be doing work to clean up the wording in the Zoning and the Subdivision Ordinances. No action taken.

E. Consider and possibly act on increasing water and trash past due payment fees. Mayor Conway gave the council examples of the late fees and grace periods of other cities. Council asks for her recommendation. She recommends keeping the penalty the same but removing the grace period. Councilperson Becker makes a motion to change the grace period from 10 days to 5 days. A motion is duly made by Councilperson Becker and seconded by Councilperson Clement. 3 ayes and 0 nays. The motion is passed unanimously.

F. Consider and possibly act on increasing the Planned Development application fee. The council would like to see information from other cities. No action taken.

G. Consider and possibly act on changing verbiage in the Subdivision Ordinance from the city files the plat to the developer files the plat. City Attorney Quast will be changing the wording as part of the overall revision of the subdivision ordinance. Councilperson Becker recommends that it include wording such as "the plat is not effective until filed and if not filed within 3 months of the council vote the plat is null and void. No action taken.

H. Letter of Engagement with Chris Turner for the FY 20-21 audit. Councilperson Becker makes a motion to approve the letter of engagement as written. A motion duly made by Councilperson Becker and second by Councilperson Benzenhoefer. 3 ayes and 0 nays. The motion is passed unanimously.

I. Authorization for the mayor to purchase a firearm to raffle as a fundraiser for the proposed Bob Cornett Park. Councilperson Becker makes a motion to approve this purchase. Council Benzenhoefer does not think the city should advocate having firearms on the street. There is no second to the motion. No action taken. Mayor Conway asks the council to come up with other fundraising suggestions

E. Approve the minutes from the city council meetings held on April 12, 2022. Councilperson Becker makes a motion to approve the minutes. A motion is duly made by Councilperson Becker and seconded by Councilperson Clement. 3 ayes ad 0 nays. This motion is passed unanimously.

Adjourn

Meeting adjourned at 7:51 P.M.


Teena Conway, Mayor


Katy Froyd, City Secretary