

**MINUTES  
HOME RULE CHARTER COMMISSION  
CITY OF CRANDALL, TEXAS  
Thursday February 20, 2020 at 6:00 p.m.**

**Chairman – Michelle Barton  
Co-Vice Chairman – Jeremy Roth Co-Vice Chairman - Pat Branson**

**Commission Members  
Jon Capps Robert Dlabaj Jennifer Hiser Sharon Hutchins  
Michael Jacobs Charles Marsh Micalah Medlin Katy Vaughan Mike West  
Ruth White Cherie Williams Tex York**

**City Staff:**

Kent Hofmeister, City Attorney  
Danny Kirbie, Mayor  
David Lindsey, Mayor Pro Tem  
Tim Atkins, Council Member  
Jana Shelton, City Manager  
Tamara Chappell, Human Resources  
Casey Bingham, EDC/Communications

**Citizens:**

Travis Smith

**HOME RULE COMMISSION MEETING**

**1. Open Meeting, Invocation, Pledge of Allegiance –**

Commission Chairman Barton called the meeting to order at 6:00 p.m. Mike Jacobs led the invocation followed by the Pledge of Allegiance.

**2. Roll Call**

Mike West was not in attendance.

**3. Citizen Comments –**

No Comments were made by the City Council.

**4. Discuss current state law pertaining to property tax/ad valorem rates and how they are to be levied and enforced including the amounts allowed by law –**

The Commission held discussion regarding implementing a property tax/ad valorem rates in the City Charter. The Commission discussed the use of the City taxes to fix the roads and other items that are repaired and or replaced by the use of taxes each budget year such as city infrastructure.

No action was taken by the Commission.

**5. Discuss and consider Mandatory Fees on Utility Bills –**

Kent Hofmeister, City Attorney, updated the Commission regarding his research on Mandatory Fees on Utility Bills. Mr. Hofmeister stated that legally nothing prevents a City from placing a restriction in the City Charter. However, Mr. Hofmeister stated that placing a restriction in the Charter would restrict the City from raising revenue in the future.

Katy Vaughan stated that she thinks that the Commission should place a section in the Charter that would prevent the City adding any mandatory fee on the Utility Bill.

After discussion the following motion was made.

Jennifer Hiser made a motion to add a section to the City Charter stating that “All municipally owned utilities shall be operated by the City in such a manner as to be self-sustaining insofar as is practical and shall not be converted into general revenue producing agencies of the City. The City Council may transfer funds of municipally owned utilities to the general fund of the City, provided, however, that the amount so transferred shall not exceed annually 20% of the gross revenue of said utilities for the previous year. Such sums so transferred shall be in lieu of taxes, street rentals or other contributions to general administrative expenses of the City; provided, however, nothing herein is to apply to the operation of charitable and educational facilities operated by the City. Such transfers shall be made annually and shall be noncumulative.” Charles Marsh seconded the motion. The motion failed with all Commission Members voting no.

Katy Vaughan made a motion that the Charter will contain a section prohibiting the City from creating a Revenue Generating or User Fee to be added to the utility bill. Robert Dlabaj seconded the motion. The motion failed with Charles Marsh, Jon Capps, Tex York, Ruth White, Cherie Williams, Mike Jacobs, Pat Branson and Jeremy Roth opposing the motion.

**6. Discuss and consider Article 9 – Utility and Public Service Franchise and Licenses -**

Jon Capps made a motion to accept Article 9 – Utility and Public Service Franchise and Licenses changing section 9.05 to Authority of the City and with grammatical and punctuation changes to be reviewed by the City Attorney. Pat

Branson seconded the motion. The motion carried with a unanimous vote of the Commission.

**7. Discuss and consider Article 10 – Municipal Planning and Zoning -**

The Charter Commission discussed the Municipal Planning and Zoning section of the City Charter. The Commission discussed the legality of adding in a section to address apartments and lot sizes. The City Attorney advised that lot size and other zoning requirements should be done by City Ordinance.

Jennifer Hiser made a motion to approve Article 10 – Municipal Planning and Zoning as written with any grammatical or punctuation changes to be reviewed by the City Attorney. Robert Dlabaj seconded the motion. The motion carried with a unanimous vote of the Commission.

**8. Discuss and consider Article 11 – Initiative, Referendum and Recall –**

The Charter Commission discussed Article 11 – Initiative, Referendum and Recall with the City Attorney for clarification. The following motions were made:

Charles Marsh made a motion to allow the City Attorney to re-write Section 11.01 and bring back to the Commission to review. Katie Vaughan seconded the motion. The motion carried with a unanimous vote of the Commission.

Katy Vaughan made a motion to allow the City Attorney to re-write Section 11.02 and bring back to the Commission to review. Jeremy Roth seconded the motion. The motion carried with a unanimous vote of the Commission.

Jon Capps made a motion to allow the City Attorney to re-write Section 11.11 and bring back to the Commission to review. Katy Vaughan seconded the motion. The motion carried with Mike Jacobs opposing the motion.

Jon Capps made a motion to approve Article 11 Sections 11.3 – 11.10 as written with any grammatical or punctuation changes to be reviewed by the City Attorney. Robert Dlabaj seconded the motion. The motion carried with a unanimous vote of the Commission.

**9. Discuss and consider Article 12 – General Provisions –**

John Capps made a motion to accept Section 12 – General Provisions as written with any grammatical or punctuation changes to be reviewed by the City Attorney. Robert Dlabaj seconded the motion. The motion carried with a unanimous vote of the Commission.

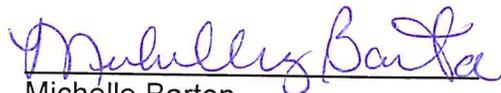
**10. Discuss and consider Article 13 – Legal Provisions -**

The Commission discussed Article 13 – Legal Provisions with the City Attorney. The Commission requested clarification on section 13.02 regarding Notice of Legal Claims.

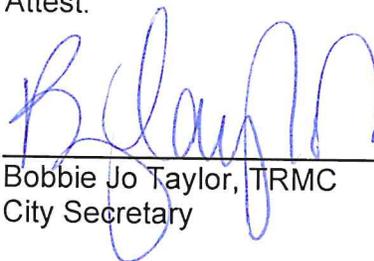
Jon Capps made a motion to accept Article 13 and to allow the City Attorney to revise section 13.02. Cherie Williams seconded the motion. The motion carried with a unanimous vote of the Council.

**11. Adjourn -**

Jon Capps made a motion to adjourn the meeting at 8:00 p.m. Jennifer Hiser seconded the motion. The motion carried with a unanimous vote of the Council.

  
Michelle Barton  
Chairman

Attest:

  
Bobbie Jo Taylor, TRMC  
City Secretary