



NOTICE OF A REGULAR MEETING

Notice is hereby given that a Regular Meeting of the Governing Body of the City of Ranger, Texas, will be held on **Monday, March 22, 2021 at 5:30 p.m.** in City Hall, 400 West Main Street Ranger, Texas. The following subjects will be discussed, to wit:

Agenda Item 01: Call to Order- Mayor Pilgrim

Roll Call/Quorum Check

Invocation of Prayer

Pledge of Allegiance to the United States Flag

Pledge of Allegiance to the Texas Flag

Agenda Item 02: Citizen's Presentation-At this time, anyone on the list will be allowed to speak on any matter other than personnel matters or matters under litigation, for a length of time not to exceed THREE minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.

Agenda Item 03: Announcements from City Council or Staff-Comments may be made by council or staff, **BUT NO ACTION TAKEN** on the following topics without specific notice. Those items include: Expressions of Thanks, Congratulations or Condolence; Information on Holiday schedules; Recognition of public officials, employees or citizens other than employees or officials whose status may be affected by the council through action; Reminders of community events or announcements involving an imminent threat to the public health and safety of the people of the municipality.

Agenda Item 04: Discuss/Consider: approval of the city council meeting minutes for the regular meeting on February 22, 2021 and the regular meeting on March 8, 2021. - Savannah Fortenberry, City Secretary

Agenda Item 05: Discuss/Consider: presentation and approval of the Annual Audit prepared by Cameron Gulley, CPA for the fiscal year of 2019/2020- Gerald Gunstanson, City Manager

Agenda Item 06: Discuss/Consider: FIRST READING OF ORDINANCE NO. 2021-04-12-A; WHICH WOULD BE KNOWN AS THE "CEMETERY ORDINANCE OF THE CITY OF RANGER": AN ORDINANCE OF THE CITY OF RANGER, TEXAS, PROVIDING FOR ESTABLISHMENT OF REGULATIONS, RULES, AND RESPONSIBILITIES REGARDING THE CITY OF RANGER'S EVERGREEN CEMETERY; REPEALING ALL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS. – Robert Butler, Commissioner Place 2

Agenda Item 07: Discuss/Consider: Establishing and approving a Fee Schedule for Evergreen Cemetery services. – Larry Monroe, Commissioner Place 1

Agenda Item 08: Discuss/Consider: Discussion on establishing a resolution that establishes a centralized Fee Schedule for all City Services, including various fees, licenses, permits, and rates charged by the City of Ranger, Texas. – Robert Butler, Commissioner Place 2

Agenda Item 09: Discuss/Consider: RESOLUTION NO. 2021-03-22-F: A RESOLUTION BY THE CITY OF RANGER, TEXAS, ("CITY") REGARDING THE APPLICATION OF ATMOS ENERGY CORPORATION – MIDTEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY TO CONTINUE TO PARTICIPATE IN A COALITION OF CITIES KNOWN AS THE "ATMOS TEXAS MUNICIPALITIES;" DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE. –Gerald Gunstanson, City Manager

Agenda Item 10: Convene in Executive Session Pursuant to Texas Government Code Section § 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, or dismissal of a public officer or employee. – Joe Pilgrim, Mayor

- Chief of Police

Agenda Item 11: Discuss/Consider: Reconvene into Open Session and take action from Executive Session - Joe Pilgrim, Mayor

Agenda Item 12: Discuss/Consider: Adjournment

I, the undersigned authority, do hereby certify that the above notice of meeting of the Governing Body of the City of Ranger is a true and correct copy of said notice on the bulletin board at the City Hall of the City of Ranger, a place convenient and readily available to the general public at all times, and notice was posted by 5:30 p.m., March 19, 2021 and remained posted for 72 hours preceding the scheduled time of the meeting.

Savannah Fortenberry

Savannah Fortenberry, Ranger City Secretary

The City council reserves the right to convene into Executive Session concerning any of the items listed on this agenda under the authority of the Mayor, whenever it is considered necessary and legally justified under the Open Meetings Act.

NOTICE OF ASSISTANCE

Ranger City Hall and Council Chambers are wheelchair accessible and accessible parking spaces are available. Request for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact City Secretary's office at (254) 647-3522 for information or assistance.

This Notice was removed from the outside bulletin board on _____ by _____.



**CITY OF
RANGER**

REGULAR MEETING MINUTES

A Regular Meeting of the Governing Body of the City of Ranger, Texas, was held on **Monday, February 22, 2021 at 5:30 p.m.** in City Hall, 400 West Main Street Ranger, Texas. The following subjects were discussed, to wit:

COUNCIL MEMBERS AND CITY STAFF PRESENT:

Honorable Joe Pilgrim	Mayor
Commissioner Larry Monroe	Place 1
Commissioner Robert Butler	Place 2
Commissioner John Casey	Place 3
Commissioner Bittni Boykin	Place 4- Absent
City Manager Gerald Gunstanson	
City Secretary Savannah Fortenberry	
Public Works Director Robert Alvarez	

Agenda Item 01: Call to Order- Mayor Pilgrim

Roll Call/Quorum Check- Savannah Fortenberry
Invocation of Prayer- John Casey
Pledge of Allegiance to United States Flag- Mayor Pilgrim
Pledge of Allegiance to Texas Flag- Mayor Pilgrim

Agenda Item 02: Citizen's Presentation: **1.** Buster Robinson, Pastor of the Cross Point Community Church, opened their church for 116 hours as a shelter to those in need. Mr. Robinson thanked the City for all the work they put forth. Mr. Robinson stated leadership starts at the top and he is proud to be a part of such a great group. **2.** Jeane Pruett thanked all who checked on her during the storm. She stated it is wonderful to know in our hometown everyone thinks of everyone.

Agenda Item 03: Announcements from City Council or Staff- **1.** Commissioner Monroe thanked Ken Charman for the 16 pallets of water, Joe Sigler and Steve Gerdes for the 2 pallets they bought, Tim Casey and John Casey for the 6 pallets of water, and the Fire Department for the water they handed out. **2.** Public Works Director, Robert Alvarez, thanked the City Crews for the work they did all night. Mr. Alvarez told the public to thank the guys in the field and not him. **3.** Darrell Fox, Robert Alvarez, Gerald Gunstanson, all thanked the leadership that was put forth for the City of Ranger. **4.** Gerald Gunstanson, thanked Mary's Café for the meals delivered to the Fire Department, Melissa Hill for the beef stew, and Shooter's Café for the food cooked for the shelter at Cross Point Community Church.

Agenda Item 04: Discuss/Consider: approval of the city council meeting minutes for the regular meeting on February 8, 2021. - Savannah Fortenberry, City Secretary

*Motion made by Commissioner Casey for the approval of the city council meeting minutes for the regular meeting on February 8, 2021 and Commissioner Monroe 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 05: Discuss/Consider: Resolution No. 2021-02-22-C: a resolution designating an administration service provider for the 2021-2022 TxCDBG Community Development Fund application and project implementation, administered by the Texas Department of Agriculture.

*Motion made by Commissioner Casey to table Agenda Item 5 to the next meeting scheduled for March 8, 2021 and Commissioner Butler 2nd the motion. **All Ayes and Motion Passed**

Agenda Item 06: Discuss/Consider: Resolution No. 2021-02-22-D: a resolution designating an administration service provider for the 2021 Texas Capital Fund Downtown Revitalization/Main Street Program of the Texas Community Development Block Grant (TxCDBG) Program for application and project implementation.

*Motion made by Commissioner Casey to table Agenda Item 6 to the next meeting scheduled for March 8, 2021 and Commissioner Butler 2nd the motion. **All Ayes and Motion Passed**

Agenda Item 07: Discuss/Consider: Review and discuss information associated with the City or Ranger's response to the winter storm and power outages. This includes a briefing by the City Manager and Fire Chief. Discussion items include but are not limited to life safety operations (i.e., sheltering, medical services, food and water), infrastructure impacts/assessment, and budget impacts. – Robert Butler, Commissioner Place 2

*Motion made by Commissioner Casey to take no action and Commissioner Monroe 2nd the motion. **All Ayes and Motion Passed**

*Commissioner Butler stated it is important to reflect on the events that took place. He stated our City's response to the crisis was exceptional considering the circumstances that took place. Mr. Butler state local citizens opened their homes for neighbors in need during this crisis. He thanked the Ranger Fire Department for the job they did during this storm. Mr. Butler listed several that helped during the winter storm; Ranger Ministerial Alliance offered free items to those in need; Shoppin Baskit allowed the free water to be distributed at their store; Tindall's Hardware stayed open extra hours for citizens in need of plumbing parts; and local individuals offered their time to fix plumbing free of charge. Mr. Butler noted if you want to improve Ranger, then you must let go of the negativity.

*Fire Chief, Darrell Fox, stated on Sunday, February 14, at 3am Ranger went dark. The City went over 24 hours without power, and on February 16, he called the state asking for help because the City was in an emergency. Chief Fox stated residents went without water, food, and power during this disaster. During the winter storm, Chief Fox called for an emergency meeting at the Fire Department to start door to door searches. The Volunteers and Staff of Ranger Volunteer Fire Department made a list of all oxygen dependent residents that needed to be checked on. On February 16th the surrounding Fire Departments, Volunteers, and Ranger Volunteer Fire Department started the door to door searches and offering rides to residents in need of going to shelters that had been opened. Chief Fox said the State was not prepared for the winter storm we endured. Mr. Fox thanked the surrounding Fire Departments, City Workers, Ranger Ministerial Alliance, DPS, and all other individuals and groups that helped us during this time of need.

*City Manager, Gerald Gunstanson, thanked all the hard work that was completed during the crisis that took place. Mr. Gunstanson is very fortunate for all the work Darrell and his team did as well. Mr. Gunstanson stated City Hall was closed for 3 days, but the Public Works Department continued to work through the storm. Mr. Gunstanson said the Public Works crew worked all day on Sunday, February 21 to ensure the School had water so they could resume classes on Monday.

*Mayor, Joe Pilgrim, thanked the City for the work they did for the residents. He stated the Public Works department went above and beyond to ensure the School and the Ranger Care Center had water even though the issues were on their side.

Agenda Item 08: Discuss/Consider: Discuss City of Ranger recovery planning. Approve actions, as needed, to support recovery efforts that includes unforecasted budget requests, operations needed to support health and safety needs of the community, and availability of external aid and assistance support. Plan for an After Action Review that will allow us to improve planning and mitigate future impacts during an emergency. – Robert Butler, Commissioner Place 2

*Motion made by Commissioner Butler to approve the overtime to date and the parts that have to be purchased as well as setting a workshop on March 27 from 1pm-4pm to plan for After Action Review and Commissioner Casey 2nd the motion. **All Ayes and Motion Passed**

Agenda Item 09: Convene in Executive Session at **6:42 pm** Pursuant to Texas Government Code Section § 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, or dismissal of a public officer or employee. – Joe Pilgrim, Mayor

- Chief of Police

Agenda Item 10: Discuss/Consider: Reconvene into Open Session at **7:32pm** and take action from Executive Session - Joe Pilgrim, Mayor

*Motion made by Commissioner Casey to table Agenda Item 10 and Commissioner Monroe 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 11: Discuss/Consider: Adjournment- 7:33 pm

*Motioned by Commissioner Casey to adjourn and Commissioner Monroe 2nd the motion. **All Ayes and Motion Passed.**

These minutes were approved on the 22nd day of March, 2021

CITY OF RANGER, TEXAS

Joe Pilgrim, Mayor

ATTEST:

Savannah Fortenberry, City Secretary

CITY OF RANGER

REGULAR MEETING MINUTES

A Regular Meeting of the Governing Body of the City of Ranger, Texas, was held on **Monday, March 8, 2021 at 5:30 p.m.** in City Hall, 400 West Main Street Ranger, Texas. The following subjects were discussed, to wit:

COUNCIL MEMBERS AND CITY STAFF PRESENT:

Honorable Joe Pilgrim	Mayor
Commissioner Larry Monroe	Place 1
Commissioner Robert Butler	Place 2
Commissioner John Casey	Place 3
Commissioner Bittni Boykin	Place 4
City Manager Gerald Gunstanson	
City Secretary Savannah Fortenberry	
Public Works Director Robert Alvarez	

Agenda Item 01: Call to Order- Mayor Pilgrim

Roll Call/Quorum Check- Savannah Fortenberry
Invocation of Prayer- John Casey
Pledge of Allegiance to United States Flag- Mayor Pilgrim
Pledge of Allegiance to Texas Flag- Mayor Pilgrim

Agenda Item 02: Citizen's Presentation: No Participation.

Agenda Item 03: Announcements from City Council or Staff- 1. City Manager, Gerald Gunstanson, introduced Officer Elizabeth Wristen. Mr. Gunstanson presented Officer Wilson with a letter of accommodation for going above and beyond while assisting a resident of Ranger. Buster Robinson and Jared Johnson reimbursed Officer Wilson the money she spent on a hotel room for the local resident. **2.** Commissioner Butler reminded the public there will be a Workshop held at the Ranger Community Center on March 27th from 12-4. **3.** Commissioner Butler updated the public on the Walnut Street Clinic project. He stated the sidewalk and driveway had been poured. Commissioner Butler mentioned this meets the needs for rural health care.

Agenda Item 04: Discuss/Consider: approval to use Willow Park for the annual Easter Egg Hunt held by the Ranger Ministerial Alliance. –Buster Robinson, Ranger Ministerial Alliance

*Motion made by Commissioner Monroe to allow the RMA to use the Willow Park for the annual Easter Egg Hunt scheduled for April 3, 2021 from 10am-1pm and Commissioner Boykin 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 05: Discuss/Consider: approving the REDC-4A submission of officers to the City Council. – Diana McCullough, REDC 4A Executive Director

*Motion made by Commissioner Boykin to accept the resignation of Gerald Gunstanson as President and appoint Robert Butler as president; appoint Gerald Gunstanson as Vice President and Diana McCullough as Executive Director and Secretary and Commissioner Casey 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 06: Discuss/Consider: RESOLUTION NO. 2021-03-08-C: A RESOLUTION DESIGNATING AN ADMINISTRATION SERVICE PROVIDER FOR THE 2021-2022 TXCDBG COMMUNITY DEVELOPMENT FUND APPLICATION AND PROJECT IMPLEMENTATION, ADMINISTERED BY THE TEXAS DEPARTMENT OF AGRICULTURE.- Gerald Gunstanson, City Manager

*Motion made by Commissioner Casey to approve Resolution No. 2021-03-08-C and Commissioner Butler 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 07: Discuss/Consider: RESOLUTION NO. 2021-03-08-D: A RESOLUTION DESIGNATING AN ADMINISTRATION SERVICE PROVIDER FOR THE 2021 TEXAS CAPITAL FUND DOWNTOWN REVITALIZATION/MAIN STREET PROGRAM OF THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) PROGRAM FOR APPLICATION AND PROJECT IMPLEMENTATION. –Gerald Gunstanson, City Manager

*Motion made by Commissioner Boykin to approve Resolution No. 2021-03-08-D and Commissioner Casey 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 08: Discuss/Consider: a proclamation for the City of Ranger Proclaiming the Month of April as Child Abuse Awareness and Prevention Month. –Gena Camacho, Eastland County Crisis Center

*Motion made by Commissioner Boykin to proclaim the Month of April as Child Abuse Awareness and Prevention Month and Commissioner Monroe 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 09: Discuss/Consider: INITIAL DISCUSSION AND REVIEW OF THE DRAFT ORDINANCE NO. 2021-04-12-A, WHICH WOULD BE KNOWN AS THE "CEMETERY ORDINANCE OF THE CITY OF RANGER": AN ORDINANCE OF THE CITY OF RANGER, TEXAS, PROVIDING FOR ESTABLISHMENT OF REGULATIONS, RULES, AND RESPONSIBILITIES THAT SHOULD BE ADOPTED REGARDING THE CITY OF RANGER'S EVERGREEN CEMETERY; REPEALING ALL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS. – Robert Butler, Commissioner Place 2

*Motion made by Commissioner Casey to take no action and Commissioner Monroe 2nd the motion. **All Ayes and Motion Passed**

Agenda Item 10: Discuss/Consider: approval and adoption of a two year strategic plan for the City of Ranger, Texas, that provides a guide that outlines the mission, vision, values, goals and objectives for the City of Ranger. The plan is a culmination of work by the city council, the city manager and department directors, and incorporates resident input. This document supports planning actions for a two year time frame with measures of performance for identified categories of city service. – Robert Butler, Commissioner Place 2

*Motion made by Commissioner Monroe to approve and adopt the two year strategic plan for the City of Ranger, Texas, that provides a guide that outlines the mission, vision, values, goals and objectives for the City of Ranger and Commissioner Boykin 2nd the motion. **All Ayes and Motion Passed**

Agenda Item 11: Discuss/Consider: RESOLUTION NO. 2021-03-08-E: A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF SIX CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

*Motion made by Commissioner Casey to approve Resolution No. 2021-03-08-E and Commissioner Butler 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 12: Discuss: the amended 2020-2021 fiscal year budget. –Gerald Gunstanson, City Manager

*Scheduled the Budget Workshop for March 22nd at 3:30pm.

Agenda Item 13: Discuss/Consider: Consent Items; the Approval of Monthly Department Reports:

- **Finance Report-** Director Savannah Fortenberry
- **Library Report-** Librarian Diana McCullough
- **REDC 4A Report-** President Robert Butler
- **REDC 4B Report-** President Steve Gerdes
- **Municipal Court Report-** Judge Tammy Archer
- **Fire/EMS Report-** Chief Darrel Fox
- **Police Department-** Manager Gerald Gunstanson
- **Animal Control/Code Enforcement-** Bradley Keyser
- **Public Works Report-** Director Robert Alvarez

*Motion made by Commissioner Casey for the approval of all the Consent Items; Monthly Department Reports, Commissioner Monroe 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 14: Convene in Executive Session at 7:20pm Pursuant to Texas Government Code Section§ 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, or dismissal of a public officer or employee. – Joe Pilgrim, Mayor

- City Manager
- Chief of Police

Agenda Item 15: Convene in Executive Session Pursuant to Texas Government Code Section Section 551.072. **Deliberations about Real Property:** A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if

deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

1. Parcel 5397; LTS 1-13 BLK 7 Cooper 2nd

Agenda Item 16: Discuss/Consider: Reconvene into Open Session at 8:45pm and take action from Executive Session - Joe Pilgrim, Mayor

*Motion made by Commissioner Butler to offer the City Manager, Gerald Gunstanson, a contract after successfully completing his 90 probationary period and Commissioner Casey 2nd the motion. **All Ayes and Motion Passed.**

*Motion made by Commissioner Butler to hire Randy Hooks as the new Chief of Police with a 90 day probationary period and Commissioner Boykin 2nd the motion. **All Ayes and Motion Passed.**

*Motion made by Commissioner Butler to purchase Parcel 5397 that is adjacent to the Ranger Antique Airfield; Parcel 5397 is being offered at one half the purchase price and this will become City of Ranger property and Commissioner Monroe 2nd the motion. **All Ayes and Motion Passed.**

Agenda Item 17: Discuss/Consider: Adjournment- 8:50 pm

*Motions by Commissioner Casey to adjourn and Commissioner Monroe 2nd the motion. **All Ayes and Motion Passed.**

These minutes were approved on the 22nd day of March, 2021

CITY OF RANGER, TEXAS

Joe Pilgrim, Mayor

ATTEST:

Savannah Fortenberry, City Secretary

ORDINANCE NO. 2021-04-12-A

AN ORDINANCE OF THE CITY OF RANGER, TEXAS, ADOPTING RULES AND RATES FOR THE EVERGREEN CEMETERY; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SEVERABILITY; OPEN MEETING CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Ranger (the "City") is the governing body of the municipality may purchase, establish, regulate, enclose, and improve a cemetery owned by the municipality.

WHEREAS, the City of Ranger owns a municipal owned cemetery, which is operated by the City as Evergreen Cemetery;

WHEREAS, the City Commission of the City of Ranger (the "City Commission") has previously regulated the sale of lots and the appearance of the cemetery; and

WHEREAS, the City Commission finds it necessary to update its cemetery regulations and has determined that the regulations should be adopted as an ordinance to aid in enforcement of the regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RANGER, TEXAS THAT:

This Ordinance No. 2021-04-12-A shall be known as the "Cemetery Ordinance of the City of Ranger" and shall be codified within the Ranger Code of Ordinances.

Article I. Care, Administration, and Provisions

Section 1. Evergreen Cemetery Care

(a) The Evergreen Cemetery is operated pursuant to Chapter 712 of the Texas Health and Safety Code.

(b) The care of the Evergreen Cemetery by the City of Ranger does not include the purchase, erection, repair, or replacement of markers, headstones, monuments, or any other items on a grave space.

Section 2. General Provisions

(a) The Ranger Cemetery contains grave spaces in the ground. All spaces owned by the City are subject to purchase, which shall be memorialized by either a Cemetery Deed for grave spaces or a Certificate of Ownership. The City reserves the right to refuse to sell a grave space to any particular person or entity.

(b) All spaces shall be used for the interment of human remains only.

(c) The owner of spaces in the Ranger Evergreen Cemetery shall have the right to use the cemetery pursuant to the rules and regulations contained in this Ordinance.

(d) The rules and regulations herein contained are designed for the protection of the rights of all grave space owners. The rules adopted have been determined to be reasonably necessary.

(e) The rules and regulations contained in this Ordinance are intended to allow for diverse memorialization of the lives of loved ones while also promoting safety of visitors and City staff and allowing for efficient maintenance by the City.

(f) The City of Ranger reserves the right from time to time, to enlarge, reduce, replat, or change boundaries or grading of the cemetery or any section thereof, including the right to modify or change the location of, remove or regrade roads, drives and/or walks or any part thereof, and to lay, maintain, operate, alter, or change pipelines, sprinkler systems, and drainage systems. The City of Ranger reserves the right to use and to place trees, shrubs, features, monuments, and works or art on portions of the Cemetery not sold to individual lot owners.

(g) The City of Ranger reserves the right to establish a volunteer group that will work in cooperation with and under the guidance of the city. The volunteer group would serve as an advocate to preserve, maintain, and improve the cemetery and educate the city about its importance as a historic and cultural resource. This volunteer group may assist in general clean-up, public remembrances such as veterans' events, research, and projects approved by the city.

Section 3. Administration and Supervision

(a) All matters pertaining to the Evergreen Cemetery are under the jurisdiction of the City Commission. All administrative matters pertaining to the daily operation of the Cemetery are conducted under the direction of the City Manager.

(b) No person shall have the right to transact any business pertaining to the cemetery unless duly authorized, in writing, by the City Commission or City Manager.

(c) The City of Ranger Public Works Department has the task of maintenance and care of the cemetery on behalf of the City's responsibilities as outlined in this ordinance.

(d) Records regarding all interments in the Evergreen Cemetery shall be kept at City Hall. These records shall include the section, lot, and grave location, the name, age, and date of interment of each grave occupant.

Section 4. Definitions

The following words and terms, when used in this Ordinance, shall have the following meanings, unless the context clearly indicates otherwise.

Cemetery means a place that is used or intended to be used for interment, and includes a graveyard, burial park, mausoleum, or any other area containing one or more graves.

City Manager means the City Manager of the City of Ranger or his or her designee.

Decedent means a human who has died.

Disinterment means to exhume, unbury, or take out of the grave.

Flower arrangement means a decorative display of either natural cut flowers or artificial flowers.

Flower saddle means a flower arrangement that is attached to an upright headstone by a wire frame. Also called "headstone saddle" and "cemetery saddle".

Funeral establishment means a place of business used in the care and preparation for interment or transportation of human remains, or any place where one or more persons are engaged or represent themselves to be engaged in the business of embalming or funeral directing.

Grave means a space of ground that is used or intended to be used for interment of human remains in the ground.

Interment means the permanent disposition of remains by burial.

Inurnment means the permanent disposition of a cremation by burial.

Memorial means a headstone, tombstone, gravestone, monument, or other marker denoting a grave.

Plot means space in a cemetery that is used or intended to be used for interment or inurnment in the ground.

Plot owner means a person in whose name a plot is listed in the City's offices as the owner of the exclusive right of interment or who holds a certificate of ownership or other instrument of conveyance of the exclusive right to interment in a particular plot in the Evergreen Cemetery.

Remains mean the body of a decedent or the cremated remains of a decedent.

Shepherd's hook means a long metal pole which is curved over at the top for holding hanging baskets.

Section 6. Relevant State Law

State laws which may be enforced at Evergreen Cemetery include, but are not limited to:

(a) Abuse of Corpse. Section 42.08 of the Texas Penal Code says that the vandalizing, damaging, or treating in an offensive manner the space in which remains have been interred or otherwise permanently laid to rest is a Class A misdemeanor or State Jail felony depending on the allegations.

(b) Criminal Mischief. Section 28.03 of the Texas Penal Code says that the damage or destruction of property involving human burial is a State Jail Felony.

(c) Graffiti. Section 28.08 of the Texas Penal Code says that the intentional or knowing creation of markings on property of another which is located in a place of human burial with paint, an indelible marker, or an etching or engraving device is a state jail felony.

Article II. Penalties

Section 1. Violations and Penalties

- (a) If any grave site is found to be in violation of this Ordinance, the City may remove and discard the subject of the violation without liability.
- (b) Any person or entity who violates or fails to comply with any provision of this Ordinance shall be charged with a Class C misdemeanor and, if convicted, may be subject to fine of up to Five Hundred Dollars (\$500.00). Each day a violation exists or continues shall constitute a separate offense.

Article III. Sale of Spaces

Section 1. Cost

The City Commission shall establish the price of all plots and/or supplementary services in an established Fee Schedule. The current fee schedule is available in the office of the City Secretary.

Section 2. Sale Procedures

- (a) Payment. A person wishing to purchase a plot may pay the cost in full or may enter into a sales contract with the City to purchase a plot. Upon receipt of full payment, the City will issue a Cemetery Deed to the purchaser. The Cemetery Deed will be recorded at the City Hall of Ranger, Texas prior to being delivered to the purchaser.
- (b) Plots for Interments. Only one (1) full interment is permitted per grave. However, a full interment and one (1) inurnment (cremation) may be permitted per grave. If a cremation (inurnment) and full interment are to be made on one grave, the full interment must be done prior to the inurnment.
- (c) Plots for Inurnments. Four inurnments can be made on a single grave without a casket.
- (d) The purchaser must agree to abide by the City regulations.
- (e) The sale of a space is not valid until either a Cemetery Deed or a Certificate of Ownership has been delivered to the purchaser.

Section 3. Resale Procedures

An original owner wishing to sell or transfer a plot to another person must file documents memorializing the sale or transfer with the City and pay a transfer fee, as established by the City Commission in the City Fee Schedule. The resale of lot's cannot be for more than the current purchase price that is established in the City Fee Schedule.

The City shall then issue a new Cemetery Deed or Certificate of Ownership to the purchaser.

Article IV. Use of the Cemetery

Section 1. Hours of Operation

(a) The gates of the cemetery will open at 8:00 a.m. and close at dusk, and no one will be allowed within the grounds before opening or after closing.

(b) All work performed in the cemetery, by anyone other than the City, may only be conducted between 8:00 a.m. and 5:00 p.m. on Monday through Friday. Individuals may perform work on their personally owned plots until closing.

Section 2. Vehicles

(a) No person shall operate or cause to operate any vehicle within the cemetery except on roads designated for that purpose. No person shall operate or cause to operate any vehicle at a speed greater than ten (10) miles per hour while within the cemetery.

(b) Vehicles shall be driven only on driveways and not across lots or graves to gain access to a grave or lot. Vehicles may not turn around in the avenues.

(c) Commercial vehicles are prohibited, unless used for the delivery of materials for construction and development within the grounds.

Section 3. Rules of Conduct

(a) Visitors must not intentionally trespass on any grave.

(b) All persons must remain quiet and respectful while interment services are being conducted.

(c) No person shall possess or consume alcoholic beverages or illegal drugs within the cemetery.

(d) Disorderly conduct is not permitted, and the individual will not be allowed to enter or remain within the cemetery grounds.

(e) Children should be accompanied by adults.

(f) Dogs and other pets must be on a leash. The pet owner is responsible for collecting and properly disposing of their animal's feces.

(g) No advertisement of any form shall be allowed or conducted within the cemetery or on the cemetery gates.

(h) The City will not be responsible for acts of vandalism or theft of memorials or personal property.

Section 4. Funerals

Funeral establishments must schedule funerals to ensure that all attendees vacate the cemetery prior to sundown. On entering and while within the cemetery, funeral processions, participants, and guests shall conduct themselves in accordance with the rules contained in this Ordinance.

Section 5. Interment

(a) Order. A plot owner, or the legal heir(s) of the owner, must sign an order for interment before the City will allow interment.

(b) Licensed Funeral Directors. It shall be the duty and responsibility of the funeral directors to confirm plot ownership with the City of Ranger prior to interment. All graves must be dug and filled by licensed funeral directors conducting the burials and the City of Ranger shall not be responsible for digging such graves.

(c) Notice. The funeral establishment shall provide the City with notice regarding a planned interment. Said notice shall provide the details of the day and time of the proposed interment. Said notice shall be provided to the City at least one (1) business day before the planned interment. A City representative will be present to mark the appropriate plot for interment.

(d) Restricted. All interments in any plot shall be restricted to members of the family and relatives of the owner thereof unless written permission has been obtained from the City.

(e) Burial Rules. Only up to one (1) casket and one (1) urn may be buried in one plot. This subsection does not affect multiple burials existing as of April 12, 2021.

(f) Burial Rules for Inurnments Only. No more than four (4) human remains may be interred in one (1) grave space.

(g) Fee. A fee shall be assessed for each interment or inurnment after the first interment in a plot. Said fee will be established by the City Commission in the Fee Schedule Ordinance.

Section 6. Disinterment

(a) Permit. Disinterment shall only be made after a disinterment permit has been issued by the State or upon written permission of the City if the remains are to be reinterred in the Evergreen Cemetery or if the remains are located in the columbarium.

(b) Order. A plot owner, or the legal heir(s) of the owner, must sign an order for disinterment before the City will allow disinterment.

(c) Notice. Written notice of any disinterment shall be provided at least one (1) business day before the planned disinterment and shall include the state permit, if required, the order described by subsection (b) above, and provide the details of the day and time of the proposed disinterment. A City representative will be present to mark the appropriate plot for disinterment.

Article V. Appearance of Cemetery

Section 1. Responsibilities of City

- (a) All lots are marked and put in order by the City.
- (b) The City of Ranger reserves unto itself a perpetual right of ingress and egress over graves, grave spaces, and lots for the purposes of maintenance or any and all lawful purposes.
- (c) The City of Ranger is responsible for cleaning, mowing, and trimming all areas of the cemetery. The city may allow the private care of a lot or lots provided said care is at the same or superior level as provided by the City.
- (d) The City of Ranger shall have the right to remove objects that are deemed to be offensive or injurious to the appearance of surrounding lots or grounds. The city shall have the right, and it shall be their duty, to enter upon such lot and remove the offensive or improper object, and it may do so without notice to the owner.
- (e) Twice a year, the City shall conduct a clean-up during which it will remove any items left at the cemetery for longer than thirty (30) days.

Section 2. Appearance of grave sites

- (a) Boundary and Grade. All boundary markers set by the City must remain undisturbed. The grade of lots, once established, shall not be changed without the consent of the City.
- (b) The City of Ranger shall have the full right to fill and level graves and plant grass thereon, when desired.
- (c) Vegetation. Picking flowers, wild or cultivated, or injuring trees, plants, shrubs, or other property in the Evergreen Cemetery is strictly prohibited. The planting of trees, shrubs, and bushes will not be permitted without prior approval of the City Manager.
- (d) Perimeter Structures. No fencing, coping, or enclosure of any nature will be allowed without prior approval by the City of Ranger, unless it was in place prior to April 12, 2021.
- (e) Flags may be placed on graves of Veterans and Gold Star Families by approved Veterans Groups as authorized by the City, and family members. These flags may be placed in celebration of Memorial Day, Independence Day, and Veteran's Day. These flags must be picked up within two weeks following these holidays.
- (f) The City of Ranger is authorized, as part of its role in maintaining the cemetery, to remove debris, including dead flowers, deteriorated plastic ornaments, wreaths, baskets, floral pieces, decorations, and all other objects when they have become unsightly, withered, or an obstruction to maintenance. The city may remove any item deemed to endanger the public health, safety, comfort, or welfare.

Section 3. Memorials

(a) Notice Required. A dealer wishing to install a memorial must provide written notice to the City at least one (1) business day prior to installation. Said notice shall include documentation from the plot owner authorizing the installation of the memorial and provide information regarding the size, description, material, and lettering of the memorial. Before a dealer may install a memorial, it must have the written authorization of the City. Once allowed, all work must be completed as fast as possible, under the supervision of the City, and all materials must be removed when work is completed.

(b) Monuments. Standing monuments are authorized.

(c) Individual grave markers. Flat grave markers should be set flush with the ground. Grave markers that are not flush with the ground may be damaged during mowing and maintenance to the cemetery. Temporary markers must be removed once a permanent marker, headstone, or monument has been placed on a grave space.

(d) Cornerstones and Footstones. Cornerstones or Footstones must be level with the ground, so as to not interfere with mowers. It is recommended that they be made of unpolished granite or bronze, if used.

(e) Removal. No memorial shall be removed from any plot under claim that it is not paid for, or other pretense, without the written permission of the City.

Section 4. Decoration of grave sites

(a) Non-Flower Items. Toys, glassware, trinkets, rosaries, shells, or similar items may be placed on a plot. However, these items should be permanently attached to the base of an upright monument by the plot owner. Plot owners should be aware that if non-flower items are deemed to be a deterrent to maintenance or mowing, or if they become unsightly, they may be removed by the City of Ranger.

(b) Flowers. Flowers are authorized in Evergreen Cemetery. Plot owners are encouraged to use baskets hanging from a shepherd's hook, as part of a flower saddle placed on monuments, and in a pot or vase that is staked (or anchored) in the ground. Displaying flowers in this manner allows for efficient maintenance and mowing in the cemetery.

(c) Existing Decorations. Any decorations existing on plots as of April 12, 2021 which are in violation of this Ordinance shall be allowed to remain as long as the decorations do not pose a threat to the health and safety of visitors and do not interfere with the City's ability to maintain the cemetery.

(d) Breakage: Every reasonable effort will be made to respect each decoration; however, the City of Ranger cannot be responsible for the breakage of stands, vases, and other decorations.

Section 5. Watering Guidelines

(a) City water is available at Evergreen Cemetery. Water sprinklers will not be left on after the city cemetery closes for the day. Repeat offenses is consider a violation of this ordinance and is therefore subject to penalties.

(b) Watering equipment is not provided by the City of Rangers. If patrons leave sprinklers at the cemetery, they may be tagged and removed by the City Staff. The City will attempt to make contact so that the equipment may be returned to the appropriate owners. The city will not hold or store the equipment for longer than 30 days.

(c) Filling of water containers, tanks, or water trucks for use outside of the cemetery is a violation and is subject to penalties.

Section 6. Surrounding areas

The space and walk around single graves remain the property of the City. No markers, trees, or flowers shall be allowed between the single grave rows.

Article VI. General Provisions

Section I. Repeal

All ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed to the extent of such conflict.

Section II. Severability

The provisions of this Ordinance are declared to be severable. If any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect notwithstanding the validity of any part.

Section III. Open Meetings Act

It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required and that public notice, place, and purpose of said meeting was given as required by the open meetings act, chapter 551, Texas Government Code.

Section IV. Effective Date

This Ordinance shall be in full force and take effect upon its passage and publication as provided by law, and it is so ordained.

FIRST READING PASSED AN APPROVED, this 22nd day of March, 2021.

SECOND READING PASSED AN ADOPTED, this 12th day of April, 2021.

DRAFT

**ACTION TO SUSPEND THE EFFECTIVE DATE PROPOSED BY
ATMOS ENERGY CORPORATION – MIDTEX DIVISION, TO
INCREASE RATES UNDER THE GAS RELIABILITY
INFRASTRUCTURE PROGRAM FOR 45 DAYS, AND AUTHORIZE THE
CITY’S CONTINUED PARTICIPATION IN A COALITION OF CITIES
KNOWN AS THE "ATMOS TEXAS MUNICIPALITIES"**

ATMOS TEXAS MUNICIPALITIES

The City is a member of the Atmos Texas Municipalities (“ATM”). The ATM group was organized by a number of municipalities served by Atmos Energy Corporation – MidTex Division (“Atmos Energy”) and has been represented by the law firm of Herrera Law & Associates, PLLC to assist in reviewing applications to change rates submitted by Atmos Energy.

“GRIP” RATE APPLICATION

Under section 104.301 of the Gas Utility Regulatory Act (GURA), a gas utility is allowed to request increases in its rates to recover a return on investments it makes between general rate cases. This section of GURA is commonly referred to as the “GRIP” statute, that is, the “Gas Reliability Infrastructure Program.”

Under a decision by the Supreme Court of Texas, the Court concluded that a filing made under the GRIP statute permitted gas utilities the opportunity to recover return on capital expenditures made during the interim period between general rate cases by applying for an interim rate adjustment and that proceedings under the GRIP statute did not contemplate either adjudicative hearings or substantive review of utilities' filings for interim rate adjustments. Instead, the Court concluded, the GRIP statute provides for a *ministerial* review of the utility’s filings to ensure compliance with the GRIP statute and the Railroad Commission’s rules, and that it is within the Railroad Commission’s authority to preclude cities from intervening and obtaining a hearing before the Railroad Commission.

ATMOS ENERGY’S “GRIP” APPLICATION

On or about February 26, 2021 Atmos Energy filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (“GRIP”). Atmos Energy’s application if approved by the Commission will result in an increase in the monthly customer charges as shown below:

Rate Schedule	Current Customer	Proposed 2021 Interim Rate	Adjusted Customer	Increase Per Bill
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	Charge	Adjustment (Based on 2020 Data)**	Charge	
Rate R – Residential Sales	\$26.45 per customer per month	\$4.55 per customer per month	\$31.00 per customer per month	\$4.55
Rate C – Commercial Sales	\$66.80 per customer per month	\$14.52 per customer per month	\$81.32 per customer per month	\$14.52
Rate I (Industrial) & Rate T (Transportation)	\$1,201.73 per customer per month	\$262.44 per customer per month	\$1,464.17 per customer per month	\$262.44

** *Note that Atmos Energy refers to its filing as its interim rate adjustment for the year 2020. This is because, though filed in 2021, the increase in rates is based on data for the calendar year 2020.*

Atmos Energy’s application, if approved by the Railroad Commission, will result in a systemwide increase in Atmos Energy’s revenue of about \$111.50 million, of which ATM’s portion is about \$11.11 million. Atmos Energy proposed an effective date of April 27, 2021.

REVIEW AND ACTION RECOMMENDED

In light of the Texas Supreme Court’s opinion, the City’s ability to review and effectuate a change in Atmos Energy’s requested increase is limited. Nonetheless, it is recommended that the City suspend Atmos Energy’s proposed effective date of April 27, 2021 for forty-five days as allowed by state law, so that the City may evaluate whether the data and calculations in Atmos Energy’s rate application are correctly done.

Therefore, ATM’s Special Counsel, the law firm of Herrera Law & Associates, PLLC (through Alfred R. Herrera) recommends that the City adopt a resolution suspending Atmos Energy’s proposed effective date for 45 days. Assuming a proposed effective date of April 27, 2021 Atmos Energy’s proposed effective date is suspended until June 11, 2021.

RESOLUTION NO. 2021-03-22-F

A RESOLUTION BY THE CITY OF RANGER, TEXAS, ("CITY") REGARDING THE APPLICATION OF ATMOS ENERGY CORPORATION – MIDTEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY TO CONTINUE TO PARTICIPATE IN A COALITION OF CITIES KNOWN AS THE "ATMOS TEXAS MUNICIPALITIES;" DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on or about February 26, 2021 Atmos Energy Corporation – MidTex Division (“Atmos Energy”) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (‘GRIP’), which if approved, results in an increase in the monthly customer charges as follows:

Rate Schedule	Current Customer Charge	Proposed 2021 Interim Rate Adjustment (Based on 2020 Data)	Adjusted Customer Charge	Increase Per Bill
Rate R – Residential Sales	\$26.45 per customer per month	\$4.55 per customer per month	\$31.00 per customer per month	\$4.55
Rate C – Commercial Sales	\$66.80 per customer per month	\$14.52 per customer per month	\$81.32 per customer per month	\$14.52
Rate I (Industrial) & Rate T (Transportation)	\$1,201.73 per customer per month	\$262.44 per customer per month	\$1,464.17 per customer per month	\$262.44

WHEREAS, Atmos Energy’s application, if approved by the Railroad Commission, will result in a systemwide increase in Atmos Energy’s revenue of about \$111.5 million, of which ATM’s portion is about \$11.11 million; and

WHEREAS, the City has a special responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS, the application to increase rates by Atmos Energy is complex; and

WHEREAS, the effective date proposed by Atmos Energy is April 27, 2021, but a suspension by the City will mean that the rate increase cannot go into effect prior to June 11, 2021; and

WHEREAS, it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in Atmos Energy's rate application are correctly done and are in conformity with Section 104.301 of the Gas Utility Regulatory Act.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANGER, TEXAS THAT:

Section 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The City suspends the requested effective date by Atmos Energy for forty-five days pursuant to the authority granted the City under Section 104.301 of the Gas Utility Regulatory Act to allow the City to review the data and calculations that provide the basis for Atmos Energy's proposed increase in rates.

Section 3. The City shall continue to act jointly with other cities that are part of a coalition of cities known as the Atmos Texas Municipalities ("ATM").

Section 4. The City authorizes the law firm of Herrera Law & Associates, PLLC, to act on its behalf in connection with Atmos Energy's application to increase rates.

Section 5. To the extent Atmos Energy's application to increase rates under section 104.301 of the Gas Utility Regulatory Act ("GURA") is considered a ratemaking proceeding, Atmos Energy is ordered to reimburse the City's reasonable rate case expenses incurred in response to Atmos Energy's rate increase application within 30 days of receipt of invoices for such expenses to the extent allowed by law.

Section 6. A copy of this resolution shall be sent to Mr. Christopher A. Felan, Vice President, Rates & Regulatory Affairs, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240; and to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, 4524 Burnet Road, Austin, Texas 78756.

Section 7. The meeting at which this resolution was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 8. This resolution shall be effective immediately upon passage.

PASSED AND APPROVED this 22nd day of March 2021.

Joe Pilgrim, Mayor

ATTEST:

Savannah Fortenberry, City Secretary