



## REGULAR MEETING MINUTES

A Regular Meeting of the Governing Body of the City of Ranger, Texas, was held on **Monday, March 25, 2024 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 Terry Robinson	Mayor
Commissioner Joe Sigler	Place 1
Commissioner Vacant	Place 2
Commissioner Wendy Erwin	Place 3
Commissioner Vacant	Place 4
City Manager Savannah Fortenberry	
City Secretary Somer Lee	

**Agenda Item 01: Call to Order-** Mayor Robinson  
Roll Call/Quorum Check- City Secretary, Somer Lee  
Invocation of Prayer- Mayor Robinson  
Pledge of Allegiance to United States Flag- Mayor Robinson  
Pledge of Allegiance to Texas Flag- Mayor Robinson

**Agenda Item 02: Citizen's Presentation:** 1. Kevan Moize spoke regarding the city charter, he stated the following; I am requesting that the city develop an amendment to the charter with regard to article 2 section 24 Recall. Based upon the appellate courts ruling the recall section needs to be amended to allow, at a minimum, the city secretary to examine, authenticate and determine sufficiency of recall petitions. Quotes from the courts ruling say: "the city charter contains no provision authorizing the city council (or the city secretary or anyone else) to examine the signatures, etc., for authenticity, we also find no authority in the city charter for a determination by the city council of the sufficiency of the charges contained in the petition." "The city council or other city official has no such right or authority of discretionary review absent a charter provision reserving such right and authority." "And holding that charter was too ambiguous to vest the city secretary or council with the authority to determine the sufficiency of the allegations against the council members in the recall petition" "We cannot infer from this language that the city secretary or the city commissioners have a right or duty to examine the sufficiency of the petitions." I am also in favor of a more robust petition with no less than a number of petitioners being greater than 50% of the number that cast ballots in the previous election or a minimum percentage of registered voters. There are many examples because there are hundreds of home rule cities. The city should also consider appointments until the next possible UED to elect for a vacancy. I am looking forward to public hearings and recommendations for a stronger elected body.

2. Brian Rogers stated that he had recently taken a tour of the Eastland County Water Supply District plant and encourages anyone and everyone to tour it.

**Agenda Item 03: Announcements from City Council or Staff- 1.** City Manager, Savannah Fortenberry, announced the closing of city hall in observance of Good Friday, March 29, 2024. Ms. Fortenberry also informed of stage 2 drought still being in effect and encourages everyone to conserve water.

**Agenda Item 04: Discuss/Consider:** approval of the city council meeting minutes for the regular meeting on March 11, 2024.

\*Motion made by Commissioner Sigler to approve the minutes for the regular meeting on March 11, 2024, and 2<sup>nd</sup> by Commissioner Erwin. **All Ayes: Sigler, Erwin, Robinson; Motion Passed**

**Agenda Item 05: Discuss/Consider:** update from the Eastland County Water Supply District (Elected Ranger Directors).

\*Lannette Schlumbohm stated that she had seen a post on Facebook regarding the city filing with the PUC. She was concerned on the status of the filing. City Manager, Savannah Fortenberry, explained that it had been filed and when there has been a decision made the information would then be public information.

\*Kevan Moize stated the following; The recent update provided by the ECWSD and the subsequent newspaper article, was of very little assistance. In fact, update generated even more questions. The newspaper claimed the article was from the board of directors; however, there are no public meeting minutes indicating approval by the board. Either a member or members went rogue or the board met privately to approve the article. This would be a clear violation of the open meetings acts and represents an intentional walking quorum. Who are the board members? The official documents indicate that Mr. green never vacated. Again, did the board meet privately to accept or vote for his vacancy? When and how did Mr. Green vacate his place on the board? This past Thursday the board met and approved a 5-million-dollar loan of a one-year period. This was done with no approvals from either city, that is required to guarantee all debts of the water district. Either the cities met privately to approve this and other such debts or the water district is reaching beyond their contractual, legal or ethical boundaries. What debts have not been approved by both cities? How many loans are outstanding? Other questions I have; Where are the public notes where the auditor recommended a reserve? What is the targeted reserve amount? Using the financials indicate what accounts represent the reserve? What is last year's operational expense using the ECWSD financial statements? How are the construction projects proceeding? When will the new intake system be completed? Were the poorly maintained gates on the intake repaired? Is the district still using an interim system?

\*Brian Rogers stated that he had requested monthly financials for ECWSD and shared them, he also shared the rates that the City of Ranger charges Staff Water and Morton Valley Water.

**\*No Action Taken.**

**Agenda Item 06: Discuss/Consider:** an update on the Dangerous Building Abatement Case for the building located at 314 W. Main Street, Ranger, Texas.

\*City Manager, Savannah Fortenberry, gave the following update on the building located at 314 W. Main Street;

- Three bids were submitted. All submitted bids were opened and read aloud on January 18, 2024, at 2p.m. at City Hall.
- The Demo Company in the amount of \$211,745.00
- AML Environmental \$244,800.00
- Veit National Corporation \$215,400.00.
- Bid awarded to The Demo Company on January 26, 2024, by Council.
- Demolition started on March 18, 2024.
- The building (314 W. Main) was on the ground March 21, 2024.

**\*No Action Taken.**

**Agenda Item 07: Discuss/Consider:** approving and authorizing the city manager to enter into and sign the agreement with Motorola Solutions for the Ranger Police Department.

\*Motion made by Commissioner Erwin to approve the city manager to enter into and sign the agreement with Motorola Solutions for the Ranger Police Department and 2<sup>nd</sup> by Commissioner Sigler. **All Ayes: Erwin, Sigler, Robinson; Motion Passed**

**Agenda Item 08: Discuss/Consider:** SECOND AND FINAL READING OF ORDINANCE NO. 2024-25-03-A; OF THE CITY OF RANGER, TEXAS, REJECTING THE PETITION FOR RECALL OF THE MAYOR; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

\*Kevan Moize stated the following; Mayor, I apologize. I am the circulator and sole signature of your recall petition. I never thought that it would ever result in your recall. My intent was to prove that the appellate court ruling severely undermines not only our charter, but many others throughout Texas. As a consequence, we need to amend our charter accordingly to face continued chaos in our democracy. I have already stated some of the ruling. The court went to say: *“If the commissioners were concerned that the petitions were defective under the terms of the charter, they could have scheduled the recall election within the timeframe required by the charter while simultaneously seeking declaratory relief in the district court.”* The commission was obviously concerned that the petition was defective, because of the consultation with the attorney asking that question. The court says you should have scheduled the recall election. I will not be challenging this in court because I do not desire your recall and think the court has already indicated what the commission and city must do.

\*Motion made by Commissioner Sigler to approve the second and final reading of Ordinance No. 2024-25-03-A and 2<sup>nd</sup> by Commissioner Erwin. **All Ayes: Sigler, Erwin, Robinson; Motion Passed**

**Agenda Item 09: Discuss/Consider:** approving Resolution No. 2024-03-25-E: a resolution of the City of Ranger, Texas, authorizing a change on the signature cards on the police accounts at First Financial Bank.

\*Motion made by Commissioner Sigler to approve Resolution No. 2024-03-25-E, and Commissioner Erwin 2<sup>nd</sup> the Motion. **All Ayes: Sigler, Erwin, Robinson; Motion Passed**

**Agenda Item 10: Discuss/Consider:** approving Resolution No. 2024-03-25-F: a resolution of the City of Ranger, Texas, authorizing a change on the signature cards at First Financial Bank with the exception of the police LEOSE and the police special account.

\*Motion made by Commissioner Erwin to approve Resolution No. 2024-03-25-F, and Commissioner Sigler 2<sup>nd</sup> the Motion. **All Ayes: Erwin, Sigler, Robinson; Motion Passed**

**Agenda Item 11: Discuss/Consider:** accept nominations and appoint a Commissioner as Mayor Pro-Tem until the next General Election Canvass.

\*Motion made by Commissioner Sigler to not appoint a Mayor Pro-Tem until the next General Election Canvass and Commissioner Erwin 2<sup>nd</sup> the motion. **All Ayes: Sigler, Erwin, Robinson; Motion Passed**

**Agenda Item 12: Discuss/Consider:** Convene into executive session at **5:58p.m.** pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Professional Rules of Disciplinary Conduct to consult with legal counsel regarding:

1. Cause No. CV2246534, Ranger Airfield Maintenance Foundation vs. City of Ranger, in the 91<sup>st</sup> Judicial District Court, Eastland County, Texas and the Ranger Airfield Foundation Lease Agreement.

\*Lannette Schlumbohm stated that the page on Facebook, Ranger Our Proud Town, is now a private group and there have been post made regarding the Ranger Airfield which she believes is a conflict due to the current lawsuit. Ms. Schlumbohm explained that Commissioner Sigler is the Admin of this Facebook page and she believes that he or anyone else should not be able to share this type of information because Jared Calvert is not a member of this page and he is not able to defend himself. She did also state that she had been blocked from the page.

**Agenda Item 13: Discuss/Consider:** Reconvene into open session at **7:16p.m.** to take action as determined appropriate in the City Council's discretion regarding:

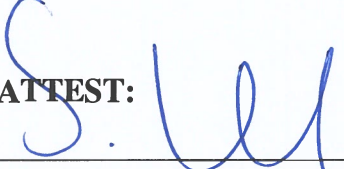
1. Cause No. CV2246534, Ranger Airfield Maintenance Foundation vs. City of Ranger, in the 91<sup>st</sup> Judicial District Court, Eastland County, Texas and the Ranger Airfield Foundation Lease Agreement.

\*Commissioner Sigler made a motion that that we find that the Ranger Airfield Maintenance Foundation is in default of the lease, because the RAMF has failed to carry the required insurance for the majority of the term and has the allowed the required insurance to lapse for more than ten days, and I move that pursuant to Section 5.01(d), the Lease be terminated. We direct legal counsel to notify the RAMF's legal counsel of the termination and Commissioner Erwin 2<sup>nd</sup> the motion. **All Ayes: Sigler, Erwin, Robinson; Motion Passed**

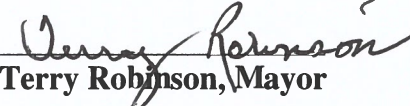
**Agenda Item 14: Discuss/Consider: Adjournment- 7:18 p.m.**

\*Motion made by Commissioner Erwin to adjourn and Commissioner Sigler 2<sup>nd</sup> the Motion. **All Ayes: Erwin, Sigler, Robinson; Motion Passed**

*These minutes were approved on the 8th day of April, 2024.*

ATTEST:   
\_\_\_\_\_  
Sommer Lee, City Secretary

CITY OF RANGER, TEXAS

  
\_\_\_\_\_  
Terry Robinson, Mayor



