

**CITY OF CASTROVILLE CITY COUNCIL
REGULAR CALLED COUNCIL MEETING**

**1209 Fiorella
City Council Chambers**

March 10, 2020

Tuesday

6:00 P.M.

MINUTES

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Mayor Phyllis Santleben.

II. ROLL CALL

Present:

Mayor Phyllis Santleben

Leroy Vidales, Interim City Administrator/Finance Director

Mayor Pro Tem Herb Dyer

Debra Howe, City Secretary

Councilmember Sheena Martinez

Brian Jackson, Police Chief

Councilmember Paul Carey

John Gomez, Public Works Director

Councilmember Jesse Byars

Councilmember Todd Tschirhart

Others in attendance:

City Attorney Habib Erkan, Denton, Navaro, Rocha, Benal and Zech

III. PLEDGE OF ALLEGIANCE

IV. INVOCATION

Pastor David Barnes, Westover Hills Church gave the invocation.

V. CITIZENS COMMENTS

The City Council will hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual council members or staff; stand at the podium, speak clearly into the microphone and state your name and residential address before speaking. Speakers will be allowed a maximum of 3 minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks will be given one warning before losing the privilege to speak or may be removed from the room. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations/distractions will not be permitted. No placards, banners or signs will be permitted in the Chambers or in any

No one requested to speak.

VI. CONSENT AGENDA

A. Minutes for February 11, 2020 Regular Called Council Meeting.

B. Minutes for January 8, 2020 Planning and Zoning Commission Meeting.

C. Minutes for January 6, 2020 Airport Advisory Board Meeting.

D. Minutes for February 10, 2020 Zoning Board of Adjustment.

A motion was made by Councilmember Carey and duly seconded by Councilmember Tschirhart to approve the consent agenda. A vote was taken (5:0 all ayes) the motion carried by all present.

VII. Recognition of Officer Robert Schaaf for acquiring a Master Peace Officer Degree (Brian Jackson, Police Chief)

Police Chief Jackson recognized Officer Robert Schaaf on receiving his Master Peace Officer Certification. Officer Schaaf was unable to attend due to illness.

VIII. Consider and take appropriate action on a request from the Chamber of Commerce to provide funding for a promotional video in the amount not to exceed \$2500 (Tabled from 01-28-2020 and 02-11-2020) (Leroy Vidales, Interim City Administrator/Chamber)

Crystal Molina, representative for the Chamber of Commerce and members of the chamber were in attendance. Ms. Molina briefed the city council on their request to help fund the promotional video. Interim City Administrator Leroy Vidales said if the city council approved Hotel/Motel tax monies could be used. Mayor Pro Tem Dyer felt the video was not beneficial to the city, just the Chamber of Commerce and still only supported a contribution of \$1000 out of HOT Funds. Other members of council felt it would be good for the city and supported the request for the full \$2500.00.

A motion was made by Councilmember Carey and duly seconded by Councilmember Tschirhart to approve the request of \$2,500.00 for a promotional video using HOT Funds. A vote was taken (4 (ayes): 1(nay) (Dyer)) the motion carried by a majority vote.

IX. Consider and take appropriate action on an ordinance cancelling the May 02, 2020, General Election and declaring all unopposed candidates elected (Debra Howe, City Secretary)

City Secretary Debra Howe briefed the city council on the ordinance canceling the May 02, 2020 General Election and declaring all unopposed candidates elected. Ms. Howe said each position had only one candidate so there was not a need to hold an election. The candidates would be sworn-in at the first council meeting in May.

A motion was made by Councilmember Carey and duly seconded by Mayor Pro Tem Dyer to adopt an ordinance cancelling the May 02, 2020, General Election and declaring all unopposed candidates elected. A vote was taken (5:0 all ayes) the motion was carried by all present.

X. Consider and take appropriate action on a resolution establishing a city policy on city-owned and maintained welcome signs for the City of Castroville (Mayor Pro Tem Herb Dyer)

Mayor Pro Tem Dyer briefed the city council on providing a city policy for welcome signs for the city. Mayor Pro Tem Dyer said a committee consisting of Phil King, Pat Marince, Crystal Molina, Arnie Dollase, Royce Groff, and Darrin Schroeder had been appointed by the Mayor for the purpose of researching areas to place welcome signage near the entrances of the city. Mr. Dyer said the committee had several meetings and provided the city council with information on designs, optional sizes, and possible locations. Mr. Dyer said to move forward with any signs a policy was necessary, and a resolution was provided for their consideration. Mr. Dyer said \$25,000 was shown in the current budget under city council special projects earmarked for welcome signs. Mr. Dyer indicated there was still several more steps if the resolution was approved before the signs could be installed. Mr. Dyer suggested 6 members be appointed for a Welcome Committee. Councilmember Byars suggested no more than 7 members and no less than 4 be appointed. The other members agreed with that number.

(Cont.)

A motion was made by Councilmember Byars and duly seconded by Councilmember Carey to adopt a resolution establishing a city policy on city-owned and maintained welcome signs for the City of Castroville. A vote was taken (5:0 all ayes) the motion carried by all present.

XI. Discussion and appropriate action on an ordinance adopting a new Section 2-55 entitled City Administrator to the Code of Municipal Ordinances; authorizing continuation of the office of City Administrator, duties, authorities and responsibilities of the office (Phyllis Santleben, Mayor/ Herb Dyer, Mayor Pro Tem)

Mayor Santleben said she wanted to start by saying she was in support of creating the office of the City Administrator but had concerns with the ordinance provided for consideration. Mayor Santleben said her concerns were included in the backup and City Attorney Habib Erkan had responded with his memo, addressing them, also in the backup. City Attorney Erkan said one of the changes was to recognize the City Administrator as co-author of the budget working with the Mayor. Councilmember Carey pointed out under Section 2-55 item C and G on Compensation was the same and recommended striking one of them. Mayor Pro Tem Dyer thought the ordinance was closely modeled after Resolution 139 but he did see a few changes and had issues. His concerns were Tx Local Govt. Code, Sections 52.003, 102.001, and 418.108 shown in the ordinance, He did not feel they pertained to the City Administrator's duties, authorities or responsibilities and should be removed. Mr. Dyer did not feel the wording of assisting the Mayor with the budget should be in the new ordinance. He said Resolution 139 stated the City Administrator was the budget officer. Mr. Erkan said the resolution had been incorrect as the Mayor is the Budget Officer by statute. Mr. Erkan said the new ordinance met all the Tx Local Government Code requirements. Mr. Dyer said he would withdraw his requests for removal.

A motion was made by Councilmember Carey and duly seconded by Councilmember Byars to adopt an ordinance adopting a new Section 2-55 entitled City Administrator to the Code of Municipal Ordinances; authorizing continuation of the office of City Administrator, duties, authorities and responsibilities. A vote was taken (5:0 all ayes) the motion carried by all present.

XII. Proposed installation of a stop sign (east to west) at the intersection of Mexico Street and Petersburg Street

- (a) Consider traffic study report from Police Chief Jackson on the request for an additional stop sign; and**
- (b) Consider and take appropriate action on an ordinance authorizing a stop sign at the intersection of Mexico Street and Petersburg Street.**

Police Chief Brian Jackson briefed the city council on the request for a traffic study to support installing an additional stop sign at the intersection of Mexico and Petersburg. Chief Jackson said he had completed the study and it did support the need for an additional stop sign in that area. Chief Jackson also said he was working with the street department to refresh the markings for the crosswalks and other school markings in the area. Chief Jackson said he was looking to update school zone signage to include the school times and would be meeting with the appropriate personnel to accomplish this. Councilmember Tschirhart was in favor of the safety of the kids first, as was the rest of the city council. Council directed staff to use the new striping machine for the school zone markings.

(Cont.)

A motion was made by Councilmember Carey and duly seconded by Councilmember Byars to adopt an ordinance authorizing a stop sign at the intersection of Mexico Street and Petersburg Street. A vote was taken (5:0 all ayes) the motion carried by all present.

XIII. Consider and take appropriate action on ratifying expenditure of \$39,000 for emergency repairs due to a natural gas leak at the District Regulator Station at 915 Old Hwy 90 East by CPS (John Gomez, Public Works Director)

Public Works Director John Gomez briefed the city council on a gas inspection completed by CPS at the District Regulator Station located at 915 Hwy 90 East. Mr. Gomez said during the inspection a gas leak had been detected. The cost for the emergency repairs were above the \$30,000 threshold that could be authorized by the City Administrator so he needed council's approval to proceed. Mr. Gomez said there would be additional costs in the form of a budget amendment related to the gas distribution line inspection brought back for council to consider at a later meeting. Councilmember Carey asked if there was a timeline established for the repair. Mr. Gomez said he did not have one at this time.

A motion was made by Mayor Pro Tem Dyer and duly seconded by Councilmember Byars to approve the expenditure of \$39,000 for emergency repairs due to a natural gas leak at the District Regulator Station at 915 Old Hwy 90 East by CPS. A vote was taken (5:0 all ayes) the motion was carried by all present.

XIV. Briefing on City Administrator search process with SGR

Mayor Santleben briefed the city council on possibly starting the search process with SGR again. Mayor Santleben said at the last meeting held for the search Bob Turner with SGR suggested starting the process again in April. Mayor Santleben asked City Secretary Debra Howe for an update. Ms. Howe said in contacting SGR she learned that Mr. Turner had retired at the first of the year but the manager over the recruiting had reached out and sent her recommendations on when to restart the process. Ms. Howe said her recommendations were to start late summer/early fall after the budget was completed and the new council members were in place. Mayor Pro Tem Dyer asked the question of whether the city should take on the search in-house, as they had a few years back and not go back with SGR. Mrs. Howe reminded the council due to the two previous searches not resulting in a hiring this search would be only costs associated with the recruiter and travel/lodging for candidates. Council asked that Ms. Howe contact the firm, verify the costs, and report back at a later date.

XV. Staff Updates: (Oral Reports)

- **Police Department**
Generator
Cars

Police Chief Jackson briefed the city council on the backup generator being installed at the police department. Chief Jackson said the company installing the generator had ran into some wiring issues and he hoped they would complete the installation in the next week. Chief Jackson said the two new vehicles were in the process of being striped and should be ready for operation soon.

Mayor Santleben recessed the meeting to go into Executive Session at 7:23 p.m.

XVI. Executive Session:

Pursuant to Texas Local Government Code Section 551.071 (entitled “Consultation with Attorney”) City Council shall convene in Executive Session to consult with the City Attorney, regarding pending or contemplated litigation; or a settlement offer; or a matter in which the City Attorney, under the state bar’s rules of conduct, is required to disclose confidentially to City Council, related to the following:

- (a) A contract for the East Side Sanitary Sewer Regional Lift Station Project, and associated performance bond, with RAM II General Contractor and Old Republic Insurance Company;

Opened: 7:28 p.m.

Closed: 7:48 p.m.

- (b) The failure of the occupant of the home at 2211 Geneva Street to complete the work necessary to obtain a permanent certificate of occupancy for the dwelling.

Opened: 7:49 p.m.

Closed: 7:58 p.m.

XVII. Reconvene in open session

Mayor Santleben reconvened in open session at 8:02 p.m.

XVIII. Consider possible action or give direction on the captioned items discussed in Executive Session

Mayor Santleben stated there was no action to be taken on either items listed and the City Attorney would continue negotiations with RAM II.

XIX. Reports from Council Board Liaisons on monthly City Boards and Commissions Meetings

Councilmember Martinez said the Planning and Zoning Commission would be bringing forward recommendations on the draft tree and geometric street design ordinances soon.

Councilmember Carey said the ZBOA had met on February 24th and had granted a variance to a resident for an accessory building.

Mayor Pro Tem Dyer said there had not been a meeting in February but one was scheduled for the following night. There were no other board meeting.

XX. Discussion on future agenda items

Councilmember Carey announced it was National Surveyors Week and invited everyone to attend the river cleanup.

XXI. ADJOURN

Mayor Santleben adjourned the meeting at 8:05 p.m.

Phyllis Santleben
Mayor

ATTEST:

Debra Howe
City Secretary

*Signatures on file