

**CITY OF CASTROVILLE CITY COUNCIL  
SPECIAL CALLED COUNCIL MEETING**

**1209 Fiorella  
City Council Chambers**

**May 12, 2020**

**Tuesday**

**5:00 P.M.**

**MINUTES**

In accordance with the order of the Office of the Governor issued on March 16, 2020, the City Council of the City of Castroville conducted a telephone meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The public was able to participate in this meeting by dialing in to with the following telephone number: **1 866-899-4679** and **enter access code 776-887-549** when prompted. The public was permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. Written questions or comments were submitted up to two hours before the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance of the Texas Public Information Act upon request.

**I. CALL TO ORDER**

The meeting was called to order at 5:00 p.m. by Mayor Phyllis Santleben. (Via telephone)

**II. ROLL CALL**

Present:

Mayor Pro Tem Herb Dyer

Councilmember Paul Carey

Councilmember Jesse Byars

Councilmember Todd Tschirhart

Leroy Vidales, Interim City Administrator/Finance Director

Debra Howe, City Secretary

Brian Jackson, Police Chief

John Gomez, Public Works Director

David Kirkpatrick, Airport Manager

Devin Fredrickson, Parks and Recreation Director

Others in attendance via telephone:

Mayor Phyllis Santleben

Councilmember Sheena Martinez

Cynthia Trevino, City Attorney, Denton, Navarro, Rocha, Benal and Zech

**III. PLEDGE OF ALLEGIANCE**

**IV. INVOCATION**

Councilmember Paul Carey gave the invocation.

**V. Acknowledgement of outgoing District 3 and District 5 Councilmembers**

On behalf of the Mayor, City Council, and City Staff, City Secretary Debra Howe presented councilmembers from District 3 Jesse Byars and District 5 Herb Dyer clocks with an inscription of appreciation for their service to the community.

**VI. Swear-In Ceremony of new District 3 and District 5 Councilmembers**

City Secretary Debra Howe swore in new councilmembers Phil King, District 3 and Darrin Schroeder, District 5. They took their place at the dioceses.

**VII. 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 telephoned in requesting to speak.

**VIII. CONSENT AGENDA**

**A. Minutes for April 28, 2020 Special Called Council Meeting.**

**A motion was made by Councilmember Carey and duly seconded by Councilmember Tschirhart to approve the consent agenda. A vote was taken (3 ayes: 0 nays: 2 abstain (King and Schroeder) the motion carried by all present.**

**IX. Discussion and appropriate action on an ordinance awarding a franchise contract within the City of Castroville to Waste Management of Texas, Inc. for the collection and disposal of solid waste. (Via phone, Chris Cox, Area Manager Waste Management) \*(Mr. Cox did attend in person)**

Mayor Santleben clarified the current contract rates had not increased for the last three years. Waste Management Area Manager Chris Cox confirmed the contracted pricing had not changed. Mr. Cox said they were looking to implement the new rates to the city in the fall. Mr. Cox said this contract did include the current household hazard pickup option, a larger recycle reciprocal - 96 gallons, but kept the same sized trash reciprocals. Councilmember Tschirhart asked if city staff was comfortable with the new contract. Interim City Administrator Leroy Vidales said they had reviewed and did not have any issues. Councilmember King said he was happy with the larger recycle bins, as he had tried to get larger bins the last time he was on council but it would have been an additional cost. Mr. King did have concerns with the reduction of the size of bundles of the bulk waste and brush from 8 cubic yards to 4 cubic yards with brush included in that equation. He felt this reduction would be met with pushback from some citizens. Mr. Cox said it was less in size but would be a monthly service now. Mr. Cox explained the company was going to a different type of bulk/brush truck with an automated service and this required the size to be reduced to pick up properly. Mr. King wanted to at least, have an option in the contract for 6 and 8 cubic yard pricing. Councilmember Martinez agreed with Councilmember King that reducing the size of the bundles would be an issue. She was not in favor. Councilmember Tschirhart asked how the company determined if the bundles were too large. Mr. Cox said they physically measure the bundles. Mr. Cox said his company wanted to work with the city and could look at additional options stating

they had always, free of charge, helped with storm debris and provided trash dumpsters for the Medina Valley ball fields. Mr. King said under the contact with the baseball association the city was under no obligation to provide the Medina Valley Baseball Association with trash service and was unclear as to how this started. Mr. Cox said the city might look at having a drop off area for citizens to drop off additional debris for pickup (the city had one roll-off at the public works at this time). He also recommended educating the citizens on what the appropriate size was to set out for the new trucks. Councilmember Schroeder wanted to see an itemized cost for 4, 6, and 8 cubic yards and additional bulk collection itemized out. Councilmember Carey said he would like to see a model of 8 yards or 6 yards as a compromise, not just 4 yards brought back.

**A motion was made by Councilmember Carey and duly seconded by Councilmember King to table the item to allow Mr. Cox to bring back an option of a 6 cubic yards brush pick up module. A vote was taken (5:0 all ayes) the motion carried by all present.**

**X. Discussion and appropriate action on an ordinance repealing and replacing Chapter 54, of the City of Castroville Code of Ordinances, relating to floods and flood damage preventative; providing for severability; and providing for publication and an effective date. (Breana Soto, Community Development Coordinator)**

Community Development Coordinator Breana Soto briefed the city council on the updated flood plain maps received from FEMA. Ms. Soto said the last update had been in 2012 and the proposed changes had very minimum impact to the city. Councilmember Carey said the new data had been based on the current SAWS map and had scientific information to base the changes on. Councilmember Schroeder verified this final map was the same as the preliminary map they had reviewed. Ms. Soto confirmed this.

**A motion was made by Councilmember King and duly seconded by Councilmember Carey to adopt an ordinance repealing and replacing Chapter 54, of the City of Castroville Code of Ordinances, relating to floods and flood damage preventative; providing for severability; and providing for publication and an effective date. A vote was taken (5:0 all ayes) the motion carried by all present.**

**XI. Discussion and appropriate action on a request for a traffic calming study on Athens and Madrid Streets at Elementary School for speed control. (Phyllis Santleben, Mayor)**

Mayor Santleben briefed the city council on the email she had received from the citizens who lived on Athens and Madrid Streets near the elementary school. Mayor Santleben said Mr. Milton Theis, one of the residents, was to have spoken on the request but he was not in attendance nor on the phone. Mayor Santleben said they had originally wanted speed bumps installed to help control the speed but after speaking with the police department, a traffic study would be the first step. Councilmember King said they could look at making it a one way but he not sure about installing speed bumps. Councilmember Schroeder clarified the study was to achieve speed reduction and no cellphones in the school zone. Mr. Schroeder asked, if the city had the personnel to do the study or could they not just cite the speeders. Mayor Santleben said the police department could put the speed control machine in the area.

**A motion was made by Councilmember King and duly seconded by Councilmember Carey to direct the police department to complete a traffic calming study on Athens and Madrid Streets at the Elementary School for speed control. A motion was taken (5:0 all ayes) the motion carried by all present.**

**XII. Discussion and appropriate action on a request for funds from the Chamber of Commerce to purchase banners supporting the 2020 Medina Valley graduating class.**  
*(Chrystal Molina COC, Phyllis Santleben, Mayor)*

Mayor Santleben briefed the city council on receiving a request from Chrystal Molina of the Chamber of Commerce on a request for funds to purchase banners promoting the 2020 senior graduating class due to the COVID-19 cancelling all activities. Mayor Santleben said she passed along to Interim City Administrator Leroy Vidales to follow up on the request. Mr. Vidales said he had reached out to Ms. Molina, but she had not provided any additional information before the meeting. No one from the chamber was in attendance nor on the phone. Mr. Vidales understood that someone was donating the printing of the banners but he did not have any additional information. Councilmember King said he had contacted the high school and they were making signage of the seniors and there would be a graduation ceremony later in the summer. He also said he had contacted a chamber member and they were unaware of this request. Councilmember King felt this should be tabled or denied due to lack of supporting materials. Councilmember Carey agreed on the denial due to lack of information.

**A motion was made by Councilmember King and duly seconded by Councilmember Carey to deny the request for funds from the Chamber of Commerce to purchase banners supporting the 2020 Medina Valley graduating class due to a lack of information. A vote was taken (5:0 all ayes) the motion carried by all present.**

**XIII. Discussion and appropriate action on an Ordinance amending the official paper to appoint the Castroville/Hondo Anvil.** *(Debra Howe, City Secretary)*

City Secretary Debra Howe briefed the city council on the ordinance amending the official paper. Ms. Howe said due to the death of the owner and closing of the Castroville NewsBulletin office the city council needed to appoint a new official paper for publications.

**A motion was made by Councilmember Schroeder and duly seconded by Councilmember Tschirhart to adopt an ordinance amending the official paper to appoint the Castroville/Hondo Anvil as the official newspaper. A vote was taken (5:0 all ayes) the motion carried by all.**

**XIV. Discussion and appropriate action on cancelling the regular called meeting on May 26, 2020.**  
*(Debra Howe, City Secretary)*

City Secretary Debra Howe briefed the city council on cancelling the regular called meeting on May 26, 2020. Ms. Howe said for several years the city council had cancelled the second meeting in May due to the Memorial Day holiday.

**A motion was made by Councilmember Tschirhart and duly seconded by Councilmember Carey to cancel the regular called meeting on May 26, 2020. A vote was taken (5:0 all ayes) the motion carried by all present.**

**XV. Discussion and possible action on Report on Airport Property Analysis.**  
*(David Kirkpatrick, Airport Manager)*

Airport Manager David Kirkpatrick provided a detailed report on the Airport property analysis for city council review. Councilmember King asked that the city council have a discussion on this

information at a future meeting due to the amount of materials provided. Mayor Santleben said she had several questions and felt the airport needed to be self-supporting, not as she felt supported by the citizens. Mayor Santleben asked City Attorney Trevino if the report was a legal document. Ms. Trevino said she had reviewed the report, but it was not a legal document, it was an in-depth report to bring the city council up to date. The other council members agreed the report should be discussed at a work session.

**A motion was made by Councilmember King and duly seconded by Councilmember Carey to discuss the report on Airport Property Analysis at a future meeting. A vote was taken (5:0 all ayes) the motion carried by all present.**

**XVI. Discussion and appropriate action on approving the opening of Regional Park pool under the guidelines of Executive Order GA-21. (Devin Fredrickson, Parks and Recreation Director)**

Mayor Santleben said she had read the information prepared by Mr. Fredrickson and was concerned with the opening of the pool too early. Parks and Recreation Director Devin Fredrickson said that under the guidelines of Executive Order GA-21 the pool could be open with limitations as of May 8, 2020. Mr. Fredrickson said at this time they could open at 50% capacity but that could change if the number of active cases increased. Mr. Fredrickson said besides the DSHS requirements he also went by the Red Cross guidelines for opening to the public. Mr. Fredrickson said the pool had the lanes marked and could safely spread out swimmers. Mr. Fredrickson said they could open and monitor the number of participants for the fitness swim and could as businesses were implementing, a senior hour. He was working on a policy on the stages to re-open the pool by the standards set forth by the DSHS and could provide a draft to the city council, police department and Mayor to review. Mayor Santleben asked if access could be limited to only locals using the pool. City Attorney Trevino said the city could not limit access to the pool by locale, as it was a public pool. Councilmember Carey asked what the normal opening date was. Mr. Fredrickson said after the Memorial Day weekend. Mr. Carey felt June 1, 2020 was a good date to open. Councilmember Martinez clarified the Learn to Swim program was not going to be offered. Mr. Fredrickson said not at this time because the 6ft distancing requirement would not be possible to maintain and he was looking at the safety of his staff. Councilmember King asked about the swim team, the Otters, starting their workouts. Mr. Fredrickson said there would be up to 150 participants and they could not accommodate this number under the guidelines. Mr. King wanted to see the cost verses revenue loss possibly at the next meeting due to the COVID 19.

**A motion was made by Councilmember Carey and duly seconded by Councilmember King to reexamine in 30 days at the first meeting in June.**

Before a vote was taken Councilmember Schroeder asked for further discussion. Mr. Schroeder asked if they could open the pool for fitness swim, now and look at additional activities next meeting. Mayor asked the City Attorney for an opinion on opening. Ms. Trevino said the city could setup a special program and set parameters but the fees have to be the same for all.

**A motion was made by Councilmember Schroeder and duly seconded by Councilmember King to amend the first motion to allow the Parks and Recreation Director to have the option to open the pool for fitness swim no earlier than May 26, 2020. A vote was taken (5:0 all ayes) the motion to amend carried by all present.**

**A vote was taken on the first motion to reexamine in 30 days/first meeting in June (5:0 all ayes) the motion carried by all present.**

**XVII. Updates from Parks and Recreation Director Devin Fredrickson on:**

- a. Parks and Recreation**
- b. RV Park**
- c. Special Events**

Parks and Recreation Director Devin Fredrickson gave the city council updates on; park closures, maintenance, overall attendance during the pandemic, planting of a memorial tree, a new irrigation system and installation of security cameras. Mr. Fredrickson said all athletic fields, volleyball, basketball, and tennis courts were closed to the public. The Aquatics had not started, due to the pool still being closed. The Pool filter change-out had been completed and security cameras installed. Mr. Fredrickson said the Easter Weekend celebrations had been cancelled due to the COVID 19 pandemic and the 4<sup>th</sup> of July cancellation was also a possibility. Mr. Fredrickson said he had signed a contract for a fireworks display and a deposit of \$5000 designated out of the HOT Funds had been used.

In the contract, if the event was cancelled 180 days out the city would get a full refund of the deposit with no penalties; more than 90 days out but less than 180 the charge was 25% of the contracted amount; less than 90 days but more than 30 days the charge was 50% of the contract; and 30 days or less the full amount was due. Mr. Fredrickson was looking for direction from the city council on whether to move forward or not. Mr. Fredrickson spoke on the possibility of opening some of the restroom facilities at Regional Park. Mr. Fredrickson said it was extremely hard to keep people from using the facilities due to being able to secure the areas and city staff was having to clean the restrooms anyway. Mr. Fredrickson said he wanted council to look at opening the RV Park up for new reservations. He said the staff could monitor the cleaning of the RV area and he felt they could meet the governor's orders to reopen. City Attorney Trevino said the city could look at re-opening by following the Governor's order and it would be based on the city numbers of cases, not the county. Councilmember Schroeder asked if he was looking at opening the restrooms to under the guidelines. Mr. Fredrickson said they were. Councilmember King said putting up signage would help but asked who would and how would it be enforceable. Mr. Fredrickson said he, his staff, and the police department would enforce. Mr. King said it had already been approved at the last meeting when council adopted the governor's order. Police Chief Jackson said he did not have the officers to enforce the guidelines. Mr. Fredrickson said he would bring back the information on re-opening the parks/pools at the next meeting.

**XVIII. Discussion and possible action on current/future street projects.**  
*(Devin Fredrickson, Parks and Recreation Director)*

Mayor Santleben said there was a 2017 Street Assessment completed and the citizens wanted that used when looking at future street projects. Parks and Recreation Director Devin Fredrickson briefed the city council on updating the street assessment through Iworks, a program the city was already using in public works. Mr. Fredrickson said the program they had was being updated and could separate streets by priority levels and would save the city money in the budgeting process and staff time.

Mr. Fredrickson said work on the streets was currently on hold due to the pandemic but some chip sealing was being done on Alsace, River Bluff and Country Village. Councilmember Martinez said the streets in River Bluff were bad due to the issues with leakage from the canal. She felt with repairs only it was just putting a band-aid on the problem. Mr. Fredrickson spoke on tree trimming and said an

Request for Proposal was being prepared for the tree trimming and would be brought back to council for approval. Ms. Martinez said there had been an issue in the River Bluff area on code violation letters sent out on trimming back trees. Ms. Martinez said there had been miscommunications with the Code Enforcement Officer on what exactly the violations were and hoped this was a learning curve for the next time. Councilmember Schroeder asked how they could fix the problem. Ms. Martinez said she had spoken with the code enforcement officer, and was advised a different type of door hangar would be used to communicate to the citizens better. Mr. Fredrickson said he would be bringing back to council an RFP for street work in River Bluff and Country Village. Mr. Fredrickson said his department had completed street prep evaluation to help with preparing the 2021 Budget and had obtained new equipment including a stripping machine and a commercial blower. Councilmember King asked about the installation of the approved Stop Signage at Petersburg and Madrid. Mr. Fredrickson said the signs were on order and would be installed shortly.

**XIX. Discussion on FY20 Budget Calendar. (Phyllis Santleben, Mayor)**

Mayor Santleben briefed the city council on the draft budget calendar. Mayor Santleben said she wished to focus on Capital Improvement Projects to start and to get citizen input. Interim City Administrator Leroy Vidales said the draft calendar included tentative dates for budget work sessions and legal dates for publications. Councilmembers were urged to look at the dates to decide on the work sessions.

**XX Discussion on Ordinance 2020-010 extending a declaration of local disaster. (Phyllis Santleben, Mayor)**

Mayor Santleben briefly went over the recently adopted ordinance on extending the declaration of local disaster clarifying the percentage of capacity was determined by the active cases in Medina County and businesses could open up at 50% at that time.

**XXI. Discussion on future agenda items**

Councilmember King requested discussion on code enforcement at a later date.

**XXII. ADJOURN**

Mayor Santleben adjourned the meeting at 8:00 p.m.

Phyllis Santleben  
Mayor

ATTEST:

Debra Howe  
City Secretary