

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

**1209 Fiorella  
City Council Chambers**

**March 12, 2019**

**Tuesday**

**6:00 P.M.**

**MINUTES**

**I. CALL TO ORDER**

The meeting was called to order at 6:00 p.m. by Mayor Timothy Kelley.

**II. ROLL CALL**

Present:

Mayor Tim Kelley

Mayor Pro Tem Paul Carey

Councilmember Phyllis Santleben

Councilmember Jesse Byars

Councilmember Todd Tschirhart

Councilmember Herb Dyer

Lee Elliott, Interim City Administrator

Jeri Rainey-Hinojosa, Assistant City Administrator

Debra Howe, City Secretary

Brian Jackson, Interim Police Chief

Mary Jo Vargas, HR Director

**III. PLEDGE OF ALLEGIANCE**

**IV. INVOCATION**

Pastor Jeremiah Sibley of the *Jesus Church* gave the invocation.

**V. Mayor's comments on activities within the city**

Mayor Kelley briefed the city council on the Library hosting the History of Quihi. There were 55 attendees and Dr. Seuss Story Time had an attendance of 20 children. Mayor Kelley said the City Hall had a new payment drop box for after hour payments and was conveniently located at the side of the building, residents could drop in the payments without having to get out of their vehicles. The Daughters of the Republic of Texas had an outing at Regional Park and had a tree dedication ceremony. The City Pool would be opening on May 25<sup>th</sup> and the street improvements on Mexico Street had begun.

**VI. CONSENT AGENDA**

A. Minutes for February 26, 2019 Regular Called Council Meeting.

**A motion was made by Mayor Pro Tem Carey and duly seconded by Councilmember Byars to approve the Consent Agenda. A vote was taken (5:0 all ayes) the motion carried by all present.**

**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 other room in which the council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Robert (Bob) Lee, 1314 Gentilz, commented on security for the new payment box, suggesting cameras be placed in the area. Mayor Kelley said there were cameras installed. He recommended the city council move forward in hiring the Public Works Director and Police Chief before the City Administrator was hired. Mr. Lee said the cost to build an alternative route around the city should be looked at; Bathrooms located at Houston Square had been discussed in the past and the council needed to look at the plans for Houston Square and make sure they would fit with the plans. He did not feel it was a good idea. Mr. Lee said in the Airport Hangar Lease on the agenda there was no deposit required. Mr. Lee said in the past one month's rent was required and recommended the city council look at requiring this for a deposit.

**VIII. Discuss and take appropriate action on applications submitted for open positions on City Boards and Commissions. (Debra Howe, City Secretary)**

City Secretary Debra Howe briefed the city council on the applications submitted for the open positions on the Zoning Board of Adjustment and the Parks and Recreation Advisory Board.

Ms. Howe said the city had received applications from current members for reappointment those being Robert Lee, Jim Williams and Lloyd Ross. Also two new applicants, Diane Cumpian and Beatrice (Bebe) Hurtado. Ms. Howe said Darrin Schroeder had submitted an application for an open position on the Parks and Recreation Advisory Board. Council decided to vote on appointments for each board separately. Beatrice Hurtado and Diane Cumpian were present and introduced themselves to the city council.

**A motion was made by Mayor Pro Tem Carey and duly seconded by Councilmember Dyer to appoint Darrin Schroeder to a full board position (#1) on the Parks and Recreation Advisory Board for a two-year term ending 2021. A vote was taken (5:0 all ayes) the motion carried by all present.**

**A motion was made by Councilmember Dyer and duly seconded by Councilmember Byars to reappoint Robert Lee to a full board position on the Zoning Board of Adjustment for a one-year term ending in 2020. A vote was taken (4 ayes: 1nay (Santleben)) the motion carried by a majority vote.**

**A motion was made by Mayor Pro Tem Carey and duly seconded by Councilmember Santleben to appoint Beatrice (Bebe) Hurtado to a full board position on the Zoning Board of Adjustment for a one-year term ending in 2020. A vote was taken (5:0 all ayes) the motion carried by all present.**

Councilmember Dyer suggested the city council consider moving the current alternate on the board, Glen Quinn, into a full board position. There was not comment from the other councilmembers.

**A motion was made by Councilmember Dyer and duly seconded by Mayor Pro Tem Carey to reappoint Jim Williams to a full board position for a one-term ending in 2020. A vote was taken (4 ayes: 1nay (Santleben)) the motion carried by a majority vote.**

**A motion was made by Councilmember Dyer and duly seconded by Mayor Pro Tem Carey to appoint Diane Cumpian to alternate position (#1) for a one-year term. A vote was taken (5:0 all ayes) the motion carried by all present.**

**IX. Consider and take appropriate action on approving a contract between the City of Castroville and Corpjet Aviation LLC for a corporate jet maintenance facility. (Michael Fisher, Airport Manager)**

Airport Manager Michael Fisher briefed the city council on a draft contract between the City and Corpjet Aviation LLC. to provide a corporate jet maintenance facility at the airport. Mr. Fisher said there were documents he was waiting on and the city attorney recommended these be provided before the lease was approved. Mr. Fisher said there were issues which needed to be addressed regarding three phase power necessary for the business to operate and it was not available at the site. This would be brought back to council once all of the details were addressed. Councilmember Santleben said in reviewing the contract she found several errors and would provide a copy to staff. Councilmember Tschirhart asked about the need for three phase power. Mr. Fisher said it was a requirement for some of the equipment they used. Mr. Fisher said there was a converter to boost the power if the city wished to purchase but the city may wish to consider having the three phase brought in for future needs. Councilmember Dyer asked that the city attorney review before the council considered next time. Mr. Fisher said the attorney had reviewed and provided direction on the additional information required to satisfy the lease requirements.

**A motion was made by Councilmember Byars and duly seconded by Mayor Pro Tem Carey to table this item until the appropriate information was provided by Corpjet Aviation LLC. A vote was taken (5:0 all ayes) the motion carried by all present.**

**X. Discussion and direction on City policy regarding the need to build a City-owned public restroom on Houston Square. (Herb Dyer, Councilmember)**

Councilmember Dyer briefly spoke on the city providing a public restroom on Houston Square. Councilmember Dyer felt with the different events taking place at Houston Square the restroom would be a good addition. He said the restroom would only be open during city sponsored events and if council agreed, the cost of maintaining the facility would need to be included in the next year's budget. Mr. Dyer wanted this item placed on the agenda to get the other council members thoughts on possibly building a new restroom. Councilmember Byars asked what the cost would be. Councilmember Dyer said he did not have any plans he only wanted to discuss at this time. Mayor Kelley said the restroom in the rear of city hall had cost approximately \$60,000 just to remodel.

Mayor Pro Tem Carey said he did not think he could support building a permanent structure and at city events porta potties were always provided. Councilmember Tschirhart said he was concerned with the location and loss of parking area. He was not in favor of the project. Mayor Kelley said he had been contacted by several citizens that were not in favor of doing this. Mayor Kelley said they wanted more focus on improvements to streets and drainage. Councilmember Byars said there appeared there was no support from the community. **No direction was given.**

**XI. Discussion on the need to formally initiate the joint City/ TxDOT planning process that could take approximately ten years to complete to build an alternate highway route around the city. (Herb Dyer, Councilmember)**

Councilmember Dyer briefed the city council on moving forward with a joint planning process with TxDOT for an alternate route for traffic around the city. Mr. Dyer said the Vision Plan provided by UTSA did speak of a possible alternate route but that was included in the overview for the future. The city did not have any plans in-house at that time. Mr. Dyer said they needed to move toward planning for growth and a study could take approximately 10 years to prepare. Mr. Dyer said as growth moved toward the city the alternate route would be moved further out due to development and businesses should be looking at the re-routing possibility. Mr. Dyer wanted TxDOT contacted and made aware of the potential growth in the area and traffic issues it would bring. Mayor Kelley asked Assistant City Administrator Jeri Rainey-Hinojosa about her recent discussion with TxDOT on this item. Ms. Rainey-Hinojosa said she had spoken to TxDOT and they were not looking at this area at this time. They were involved with many other projects. Councilmember Santleben said she had requested a traffic impact study be conducted when Wal-Mart was built, but TxDOT did not complete one. Ms. Santleben said the city did not need a bypass but a traffic relief route. She felt a committee of citizens should be comprised, not staff to look at. Mayor Pro Tem Carey said he had been on the planning board in the mid-2000's and Highway 90, at the hotel was the maximum grade the road could be. Mr. Carey said to have an alternate route a multi-million-dollar bridge would need to be built to cross over the river, 4-6 miles of 4 lane roadways, and 300-400 ft. right-of-ways. Councilmember Byars said it would be TxDOT decision and funding for any improvements - not the city. Councilmember Tschirhart said something needed to be done at some point. Mr. Tschirhart said the city needed to concentrate on future developments and their entrance ways. He had a contact at TxDOT he had dealt with in the past and would share the information. He felt it was a good idea.

**XII. Discussion on Welcome Signage to determine if City Policy provides a way to allow the City to work with the Chamber of Commerce and the Economic Development Council to create and maintain a City-sponsored Welcome Signs at the East and West edges of the City. (Herb Dyer, Councilmember)**

Mayor Kelley said this item had been discussed by a previous council and was determined it could not be done. Assistant City Administrator Jeri Rainey-Hinojosa said she had spoken with the Chamber about the sign outside the city limits and they were to come back to the city with possibly a variance request. Economic Development Area Council Chairman Arnie Dollase said there was a state law regarding signage on Highway 90. He said it was prohibited by State Law to place a

sign within 600ft of Highway 90 from San Antonio to Hondo. Councilmember Dyer said there was no policy in the city to allow the City to enter into a contract with the Chamber of Commerce and the Economic Development Area Council to work together on signage and he wanted the Planning and Zoning Commission to review and add to the CZO guidelines a policy to do this. Councilmember Byars said the city did not have any additional funds to do this. Councilmember Tschirhart asked about repairing the current sign. It was determined it had been removed and it could not be replaced. Mr. Tschirhart recommended the chamber meet with the Planning and Zoning.

**XIII. Discussion and direction on Police Chief and Public Works Director positions.**

Mayor Kelley updated the city council on the Police Chief and Public Works Director positions. Mayor Kelley said the Public Works Director position had been posted last week and applications were being accepted. Councilmember Dyer asked Interim City Administrator Elliott when he felt they could hire in a Public Works Director. Mr. Elliot said possibly by April 1<sup>st</sup>. Mayor Kelley said he felt Interim Police Chief Brian Jackson was doing well in his current position and they should wait on advertising for the Police Chief. Mayor Kelley suggested the Public Works Director and Police Chief answer to the City Council. Councilmember Dyer felt both positions needed to be advertised and filled as soon as possible. Councilmember Byars and Mayor Pro Tem Carey felt the position of Police Chief should be advertised and move forward. Councilmember Santleben felt the overall organization should be looked at and look at titles and positions. Ms. Santleben felt they should look at Code Enforcement and Animal Control first. Mayor Kelley felt the new City Administrator should be included in the hiring of the Public Works and Police Chief. Councilmember Dyer said having to learn the job and new staff would take time and he wanted to move forward. All council members agreed the positions of Police Chief and Public Works Director should be advertised as soon as possible.

**XIV. Discussion on holding a Special Called/Workshop Session on Growth, Development and Sales Tax Revenues. (Herb Dyer, Councilmember)**

Councilmember Dyer recommended to other members of council they hold a work session and invite members of the business community to attend and get their input on what they wanted for the city. Mr. Dyer listed several business owners he felt should attend. Councilmember Tschirhart was in favor of a work session. Councilmember Byars felt limiting the discussion to 10 members of the community could cause others to be upset over not being chosen to participate. Mayor Pro Tem Carey was in favor. Councilmember Santleben said the city council needed to be more educated on the government codes and should fix the ordinances first. Ms. Santleben suggested the work session should include the Planning and Zoning Commission, City Engineer, the Emergency Services District and City Council. She was concerned there were no processes in place and needed more information.

**XV. Update on Public Works Capital projects. (Lee Elliott, Interim City Administrator)**

Interim City Administrator Lee Elliott briefed the city council on the Public Works Capital projects. Mr. Elliott reviewed the current projects, providing a memo showing the Wastewater

Treatment Plant was at 80% complete; the TCEQ violations related to water were closed; the wastewater violations were 90% complete and would be on a future agenda in March or April; the city will be asking for additional time from TCEQ to determine the best course of action to take on the ponds/dam violations due to the cost associated with correcting the issues; the East Side Water Looping is being discussed with the city engineer to look at water modeling for the project and a work session will be scheduled to establish parameters to help determine the cost; a meeting was scheduled with RAM II Contractor Ralph Menard the following day and this project should be complete within the next month; the city was working with the developer on water options for the Niles Maxwell Car Dealership to meet their August opening deadline and with re-engineering a Certificate of Operation was possible in August 2019. Interim City Administrator Elliott said going forward he would be providing the city council with weekly status updates and a management message. Councilmember Dyer asked for an update on the Bed and Banks permit. Mr. Elliott said it was at 20% and was at the preliminary application stage. Councilmember Santleben asked was there was an issue with providing water to the dealership. Mr. Elliott said there were challenges to getting the water to the business and that was why a water model was necessary.

**XVI. Discussion on future agenda items.**

Councilmember Dyer wanted to revisit the RV Policy since it had been 6 months. Mr. Dyer wanted an update on pricing and occupancy rates with data based on occupancy. He wanted it for each of the four areas in the park.

Councilmember Santleben wanted to present a resolution requesting a traffic relief study by TxDOT. Ms. Santleben wanted relief for the Police Department from Code Enforcement and to look at a planning session with other entities.

Councilmember Byars requested the council receive a briefing from the City Attorney on recent rulings on the open meeting act.

**XVII. Adjourn.**

Mayor Kelley adjourned the meeting at 7:33 p.m.

Timothy Kelley  
Mayor

ATTEST:

Debra Howe  
City Secretary