

MINUTES OF THE REGULAR CALLED COUNCIL OF THE CITY OF JOURDANTON
1604 SH 97 E, JOURDANTON TEXAS 78026
MARCH 18, 2019 AT 6:00 P.M.

1. *Roll Call to Establish Quorum:*

Mayor: Robert A. Williams (absent)
Mayor Pro Tem: Raul "Roy" Morales

Councilmembers: Jack Harrison
Chester Gonzales
Karen Pesek (absent)
Johnetta "Johnnie" Goetzel

City Manager: Lamar Schulz
City Secretary: Debbie G Molina
City Attorney: Dan Santee

2. *Call Meeting to Order:*

Mayor Pro Tem Morales called the meeting to order at 6:00 p.m.

3. *Invocation:*

The City Council welcomed the Jourdanton Basketball Varsity Team that won Bi-District. Serah Kate Blair recited the invocation.

4. *Pledge of Allegiance to the Flags of the United States of America and State of Texas:*

Erin Soward recited the Pledge of Allegiance to the U.S and Texas Flags. The team recognized were Erin Soward, Serah Kate Blair, Cladi Munoz, Elsie Majesky, Sam Meyer, Shyanne Bauerle, Vanessa Vacca, Emma Roach, Mia Lopez, Isela Wilson, Emma Dorroh, and Gwyn Wells.

5. *Approval of consent agenda items:*

- a. *Monthly bills.*
- b. *Minutes.*

Motion was made by Council Member Gonzales "to approve consent agenda items a and b." Motion was seconded by Council Member Harrison. Motion passed unanimously.

6. *Acceptance of the following reports:*

- a. *Department reports:*
 - (i) *Tax*
 - (ii) *Water Revenue*
 - (iii) *Public Works Department*
 - (iv) *Police/Fire*
 - (v) *Code Compliance*
 - (vi) *Appraisal District*
 - (vii) *City Manager*

City Council accepted the department reports.

7. *Citizen Comments:*

None.

8. *Public hearing, discussion and possible action on a recommendation to grant an application for a special use permit for property located at 402 Waltom Ave. Jourdanton, Texas, 78026 and legally described as Block 269 Lots 13 & 15 Jourdanton, TX, Atascosa County, Texas. The property is currently zoned SF-1 Single Family Residential Property.*

The applicant, Juan Medrano, is seeking a special use permit to allow a manufactured home on the property:

Code Enforcement Administrative Assistant Laura Sawicki informed the Council that the Planning and Zoning Commission made a recommendation to grant a special use permit to Juan Medrano, applicant, to place a manufactured home at 402 Waltom Avenue.

Council Member Goetzel asked Medrano if the existing manufactured home would be removed. Medrano told Goetzel that it would be replaced with a new home. Council Member Harrison asked Medrano if the new home would have skirting. Medrano informed Harrison that the manufactured home dealer would be installing it.

Motion was made by Council Member Goetzel "to grant the removal of the existing manufactured home at 402 Waltom Avenue and grant a special use permit for a new home for Juan Medrano as read by Mayor Pro Tem Morales." Motion was seconded by Council Member Gonzales. Motion passed unanimously.

9. *Presentation to designate the City of Jourdanton, Texas as a Purple Heart City:*
City Council welcomed State Deputy Chief of Staff- South/Service Officer the Airborne Lazaro Camarillo. Camarillo recognized and presented a proclamation to the City that was signed by Purple Heart Dept of Texas State Commander Jon Lunkwicz, proclaiming the City of Jourdanton as a Purple Heart City. Mayor Pro Tem Morales read the proclamation. The Veterans gave the City Council a cake for celebration. Atascosa Veterans Council attendees were Stephanie Pino, Steve Mueller, John Garza, Arthur Carreon, Regina Reyna, and Johnny Rogers

10. *Discussion and action on a Resolution to approve the Hot Fund Application:*
City Manager Schulz presented an application that was created for request of Hotel Occupancy Tax (HOT) funds. Schulz said that this application stated the amount of request and a detailed questionnaire. City Attorney Santee informed the Council that the application did not require a Resolution and recommended to approve the application.

Motion was made by Council Member Goetzel "to approve and instruct the city manager to use the HOT fund application as written on agenda item 10." Motion was seconded by Council Member Gonzales. Motion passed unanimously.

11. *Discussion and possible action on a Resolution authorizing the use of Hotel Occupancy Tax to promote "Ropin Dreams PRCA Rodeo" on April 26th and 27th, 2019:*
City Manager Schulz advised the Council that an application for request of HOT funds was submitted by Dub and Cindy McClister dba Ropin Dreams PRCA Rodeo to be held April 26th and 27th. Schulz advised the Council that the organization was requesting \$5,000 from the Hotel Occupancy Tax. He told the Council that last year city's contribution was \$2,500. Council Member Harrison asked if the city received receipts for the expenditures for last year's event. City Attorney Santee told Harrison that the resolution read they shall provide the City Manager with all necessary receipts, invoices and other records the City Manager deems necessary to confirm that any requested expense to be reimbursed from the hotel occupancy tax fund were expended pursuant to this Resolution and were expended for items authorized by this Resolution and state law. Santee said he was unaware if receipts were received; but he knew it did not come forth to Council.

The McClisters presented a plaque to the City Council and thanked them for helping sponsoring the prior year's event. They informed the Council that this non-profit organization would be held at the Cowboy Fellowship in Jourdanton, TX. This rodeo has brought world champions and a youth rodeo would be held Saturday, April 27 in the morning. They said that their mission was to raise money for kids and the more "assistance" they get in covering medical expenses, the more funds there are to reach out to more children and their families. They said they wanted to continue to build this event to benefit both Ropin' dreams, but also the community as well. The event will be broadcasted

and Jourdanton, Texas will be recognized. In conclusion, they informed the Council that Holiday Inn Express in Jourdanton has rooms blocked for this event.

Motion was made by Mayor Pro Tem Morales "to authorize \$5000 of the Hotel Occupancy Tax to promote "Ropin Dreams PRCA Rodeo." Motion was seconded by Council Member Goetzel. Motion passed unanimously. Council Member Harrison requested for the organization to bring receipts of the event that are for occupancy use. Dub McClister assured the Council that they would.

12. *Update on the Jourdanton Volunteer Fire Department BBQ Cookoff scheduled for May 17 & 18, 2019:*

Jourdanton Volunteer Fire Fighter Jeff Rankin presented flyers for the Jourdanton Volunteer BBQ Cookoff event scheduled for May 17 & 18, 2019. Rankin informed the Council that this year they would be hosting a washer tournament, Kids Que, BBQ cook-off, and live music and entertainment by the Folklorico Dancers. He requested \$3000 dollars for advertising. Council Member Gonzales asked if they were requesting Hotel Occupancy Tax (Hot) Funds. Rankin told Gonzales that HOT funds were paid in the past. No action was taken because the agenda item did not have an action item. However, Gonzales asked Rankin to come back the following month so that Council would have time to figure out funding.

Amy Balderas, Captain for the Jourdanton Volunteer Fire Department, was also present.

13. *Discussion and possible action to accept or reject a study from EMC Strategy Group LLC and consideration of a payment of \$3,500:*

City Manager Schulz stated the representatives for EMC Strategy Group LLC were not present. Schulz said that this organization was hired to conduct surveys in city limits of Jourdanton for the proposed water and sewer projects. The surveys were inadequate because they did not submit sufficient applications, however, he was able to use some surveys for the TxCDBG grant. Lamar said that a beginning payment of \$3,500 had been paid but they had invoiced the city for the remaining \$3,500. He stated that he was hoping they would be present to answer questions.

No action was taken.

14. *Discussion and possible action to accept a petition and approve an Ordinance to abandon and sale an alley legally described as being located between lots 11 and 13, Jourdanton Block 182 on Chestnut Street in the City of Jourdanton, Atascosa County, Texas:*

Council Member Goetzel informed the Council that T.L. Hairston III and Angela S. Hairston had submitted an appraisal in the amount of \$2,175 for an alley located at Block 182, between lots 11 and 13. Goetzel said that another alley had been sold from the city in 1998 to the property owner north of this alley. She said that Hairston had been maintaining the alley. She stated a revised special warranty deed had been created from Attorney Shane Sillivent without any cost to the city. Councilmember Gonzales asked City Manager Schulz if any utility were lines laid in the alley. Schulz told Gonzales that there were none. City Attorney Santee told Gonzales that the ordinance had clauses for the utilities.

Motion was made by Council Member Goetzel "to close the alley and sale to T.L. Hairston III and Angela S. Hairston for \$2,175. Additionally, to accept a petition and approve an Ordinance to abandon and sale an alley with a size of 16 X 150 feet legally described as being located between lots 11 and 13, Jourdanton, Block 182 on Chestnut Street." Motion was seconded by Council Member Harrison. Motion passed unanimously.

15. *Discussion and possible action on determining a location to place the restored plaque at Jourdanton City Park.*

City Manager Schulz informed the Council that Director of Public Works Mark Shows had restored the plaque for the Jourdanton City Park. Schulz asked the Council where they would like to place it. Council Member Gonzales told Schulz he would like to place it by the flag poles. Mayor Pro Tem Morales and Council agreed.

Motion was made by Council Member Gonzales "to place the restored plaque by the flag poles at the Jourdanton City Park." Motion was seconded by Council Member Goetzel. Motion passed unanimously.

16. *Discussion and possible action to schedule a date on which to hold a Town Hall Meeting to discuss the following projects:*

- a. Water Project -submitted to the Texas Water Development Board (TWDB) on 3-1-2019.*
- b. Wastewater Project -submitted to the TWDB on 3-1-2019*
- c. Street Project.*
- d. Sidewalk Project.*

City Manager Schulz advised the Council that he would like to schedule a Town Hall Meeting to discuss the proposed water, wastewater, street, and sidewalk projects so the public would be aware of how these projects were coming along. Council Member Harrison recommended to schedule on April 22. Council agreed.

Motion was made by Mayor Pro Tem Morales "to schedule the Town Hall Meeting on April 22 at 6:00 p.m." Motion was seconded by Council Member Goetzel. Motion passed unanimously.

17. *Discussion and possible action to approve a Request for Qualifications and Proposals for Professional Auditing Services:*

City Manager Schulz informed the Council that the City had not advertised for proposals for professional auditing services for some decades. Schulz said that other different set of eyes would be good. He requested for qualifications and proposals for audit services.

Motion was made by Council Member Gonzales "to approve and direct the city manager to request for qualifications and proposals for professional auditing services." Motion was seconded by Council Member Harrison. Motion passed unanimously.

18. *Discussion and possible action to appoint a citizen to serve on the Planning and Zoning Commission:*

City Manager Schulz informed the Council that on March 7th, at the Planning and Zoning Commission, he asked them if they could find a dependable candidate to serve as a Committee Member. The Committee advised him that they would. Schulz said this would be addressed at the next meeting.

Agenda item 18 was tabled.

19. *Discussion and possible action to schedule a date to hold a joint meeting of the City Council and Planning and Zoning Commission to discuss amendments to the comprehensive zoning ordinance:*

City Manager Schulz made a recommendation to the Council to conduct a meeting on Monday, April 1 at 6:00 p.m. because the city attorney was available to come.

Motion was made by Council Member Gonzales "to schedule a meeting on April 1 at 6:00 p.m. to hold a joint meeting of the City Council and Planning and Zoning Commission to discuss amendments to the comprehensive zoning ordinance." Motion was seconded by Mayor Pro Tem Morales. Motion passed unanimously.

20. *Discussion and possible action for the City of Jourdanton to host a "Jourdanton Farmers Market" at the Jourdanton Sports Complex:*

City Manager Schulz advised the Council that he wanted to have a farmers market because it would be good for the community. Schulz said he got approval with Jourdanton Sports Complex's attorneys to hold it at the swimming pool parking lot. Schulz said he hopes this develops larger before fees could be collected. City Attorney Santee advised the Council to address this item agenda at the next meeting because an appropriate Resolution would have to be drawn that states it would service as a public purpose for a farmers market space with an agreement as an "Exhibit A" with rules and guidelines.

Motion was made by Council Member Gonzales "to schedule a special called meeting for the City of Jourdanton to host a farmers market at the Jourdanton Sports Complex." Motion was seconded by Mayor Pro Tem Morales. Motion passed unanimously.

21. *Discussion and possible action on submitting a letter to terminate the municipal court collection agreement with McCreary, Veselka, Bragg & Allen, P.C. and determine an effect date:*

City Manager Schulz informed the Council that the current contract renews yearly. Schulz made a recommendation to terminate the contract and accept proposals.

Motion was made by Mayor Pro Tem Morales "to submit a letter to terminate the municipal court collection agreement with McCreary, Veselka, Bragg, & Allen, P.C." Motion was seconded by Council Member Gonzales. Motion passed. Mayor Pro Tem Morales, Council Members Gonzales and Harrison, in favor. Council Member Goetzel, opposed.

22. *Pursuant to Section 551.071 of the Texas Government Code, the City of Jourdanton will consult in closed session with its attorney to receive legal advice regarding pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter", to include the following matters:*

a. Discussion and update regarding Cause No. 5:16-CV-1282; Irene Hernandez Ruiz and IJ RV Park, LLC v. City of Jourdanton, Texas; Robert "Doc" Williams, Officially; Jack Harrison, Officially; Raul Morales, Officially; Johnette Goetzel, Officially; Karen Pesek, Officially; Debbie Molina, Officially; and Kendall Schorsch, Officially, In the United States District Court for the Western District of Texas, San Antonio Division.

b. Discussion and update regarding Cause No. 17-12-1181-CVA; City of Jourdanton Plaintiff, vs. Slay Engineering/Texas Multi-Chem/Huser Construction, LLC; and North American Specialty Insurance Company, Defendants.

c. State of Texas v. Craig Doyal wherein the Texas Court of Criminal Appeals struck down the criminal penalty provision of a portion of the Texas Open Meetings Act.

Pursuant to Section 551.074 of the Texas Government Code, the City of Jourdanton City Council will convene in executive session in accordance with section 551.074 Personnel Matters:

- 1. Deliberate the appointment, employment, evaluation, or duties of City Manager:*
- 2. Review and possible amendment to City Manager's Benefits:*

Mayor Pro Tem Morales recessed at 7:42 p.m.

23. *Reconvene in open session for possible action on items discussed in Closed Session:*
Mayor Pro Tem Morales reconvened the meeting at 8:04 p.m. Morales announced that no action was taken for a, b and c, and including 1 and 2."

24. *Discussion of social calendar of events for the City of Jourdanton:*

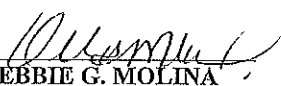
Council Member Goetzel announced the Jourdanton Little League opening day ceremonies on March 23 at 9:00 a.m. Janette Harrison announced that the Retired Teachers Salad Luncheon will be held Thursday, March 21.


25. *City Council requests regarding specific items or staff reports to be scheduled for future agendas:*

None.

26. *Adjourned:*

Motion was made by Council Member Goetzel "to adjourn." Motion was seconded by Council Member Gonzales. Mayor Pro Tem Morales adjourned the meeting at 8:08 p.m.


DEBBIE G. MOLINA
CITY SECRETARY


ROBERT A. WILLIAMS
MAYOR