

MINUTES OF THE REGULAR CALLED COUNCIL OF THE CITY OF JOURDANTON  
1604 SH 97 E, JOURDANTON, TEXAS 78026  
JUNE 17, 2019 AT 6:00 P.M.

1. *Roll Call to Establish Quorum:*

Mayor: Robert A. Williams  
Mayor Pro Tem: Raul "Roy" Morales  
  
Councilmembers: Jack Harrison  
Chester Gonzales  
Karen Pesek  
Johnetta "Johnnie" Goetzel  
  
City Manager: Lamar Schulz  
City Secretary: Debbie G Molina  
City Attorney: Dan Santee

2. *Call Meeting to order:*

Mayor Williams called the meeting to order at 6:00 p.m.

3. *Invocation:*

The City Council welcomed the children from the Jourdanton Volunteer Fire Department. Sutton Strange recited the invocation.

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

Haley Stuart and Mazie Strange recited the Pledge of Allegiance to the U.S. and Texas Flags. Mayor Williams presented certificates to the children.

5. *Approval of consent agenda items:*

a. *Minutes of previous meeting: 04-22-2019, 05-06-2019, and 05-20-2019*

b. *Monthly bills.*

Motion was made by Mayor Pro Tem Morales "to approve consent items a and b." Motion was seconded by Council Member Gonzales. 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*

The monthly reports were accepted by the Mayor and Council.

7. *Citizen Comments:*

No comments.

8. *Presentation and discussion regarding services provided by commZoom:*

There were no representatives from CommZoom present. Mayor Williams tabled agenda item 8 until the following regular called meeting.

9. *Consideration and approval of a Resolution by the City Council of the City of Jourdanton, Texas authorizing and approving publication of notice of intention to issue Certificates of Obligation; complying with the requirements contained in securities and*

*exchange commission rule 15c2-12; approving Samco Capital Markets, Inc., as the city's financial advisors and Norton Rose Fulbright US LLP, as the city's bond counsel and authorizing the Mayor, or his designee, to execute engagement agreements with these professionals; and providing an effective date:*

Andrew Friedman, financial advisor for Samco Capital Market, Inc., advised the Council a notice of intention which was the legal step to borrow funds from a Certificate of Obligation. (CO) The purpose of the intention would allow to place a notice in the paper that would contain the proposed project with the COs and would be capped not to exceed more than \$4,050,000. This bond would be for 20 years. Friedman explained that a publication would run for two consecutive weeks. Thereafter, in 30 days, the Council could be authorized to accept bids. He provided a time table which showed dates of the scheduled COs

requirements. He also presented a tax rate impact analysis showing how the COs would pay back the debt. This analysis showed growth over the next four years and then no growth thereafter. He said it was a conservative approach. Examples were shown such as a person owning an \$80,000 home can expect their taxes to increase by \$90 a month.

Council Member Goetzel ask Friedman if there was any penalty for paying off the bond early. Friedman told Goetzel it would be better to lock in the lower interest rate now and advised her they would not recommend it until 10 years because the investors would charge the city a higher interest rate.

Motion was made by Mayor Pro Tem Morales "to approve a publication of notice of intention to issue Certificates of Obligation; complying with the requirements contained in securities and exchange commission rule 15c2-12; approving Samco Capital Markets, Inc., as the city's financial advisors and Norton Rose Fulbright US LLP, as the city's bond counsel and authorizing the Mayor, or his designee, to execute engagement agreements with these professionals; and providing an effective date." Motion was seconded by Council Member Pesek. Motion passed unanimously.

10. *Discussion and possible action to authorize the City Manager to submit approved final funds from the Hotel Occupancy Tax for the "29th Annual Jourdanton Volunteer Fire Department Cook Off" held on May 17 & 18, 2019:*

Jeff Rankin, Captain of the Jourdanton Volunteer Fire Department, provided a list of 44 teams for the 29<sup>th</sup> Annual Jourdanton Volunteer Fire Department Cook Off. Rankin said that they had a very good turn out and raised roughly \$24,000. He told the Council that the event was a success and hopes to hold it in the Jourdanton City Park again next year. Rankin informed the Council that 9 teams stayed in a Jourdanton hotel; however, the hotels were not using the code for the BBQ teams to check in. Additionally, he presented advertising expenses from the newspaper and radio station ads and a banner to promote the event. He requested a reimbursement in the amount of \$2,965.86 from the City's hotel occupancy fund.

Motion was made by Council Member Gonzales "to approve final funds from the Hotel Occupancy Tax Fund in the amount of \$2,965.86 to the 29<sup>th</sup> Annual Jourdanton Volunteer Fire Department Cook Off." Motion was seconded by Council Member Goetzel. Motion passed unanimously.

11. *Discussion and possible action to authorize the City Manager to submit approved final funds from the Hotel Occupancy Tax for the "Ropin Dreams PRCA Rodeo" held on April 26th and 27th, 2019:*

The McClister's from "Ropin Dreams PRCA Rodeo" were not present. Mayor Williams tabled agenda item 11 until the next regular called meeting. Motion passed unanimously.

12. *Discussion and possible action to approve and authorize the Mayor to execute an EMS interlocal cooperation agreement between the City of Jourdanton and County of Atascosa:*  
City Manager Schulz advised the Council that the agreement was drafted by Atascosa County and was reviewed by the City Attorney. Schulz recommended to approve and execute an EMS interlocal cooperation agreement between the City of Jourdanton and County of Atascosa.

Motion was made by Council Member Pesek "to approve and execute an EMS interlocal cooperation agreement between the City of Jourdanton and County of Atascosa." Motion was seconded by Mayor Pro Tem Morales. Motion passed unanimously.

13. *Discussion and possible action to approve and authorize the Mayor to execute an engagement agreement with Armstrong, Vaughn Associates, P.C., as the city's auditor:*

City Manager Schulz presented a final engagement agreement with Armstrong, Vaughn Associates, P.C. who was awarded the city auditor proposal.

Motion was made by Mayor Pro Tem Morales "to approve and authorize the Mayor to execute an engagement agreement with Armstrong, Vaughn Associates, P.C., as the city's auditor." Motion was seconded by Council Member Gonzales. Motion passed unanimously.

14. *Discussion and possible action to adopt a Resolution declaring its support for the Proposed Transportation alternatives/safe routes to school project and associated application form which would add new sidewalks on Highway 16:*

City Manager Schulz advised the Council that the City has been approved to submit an application, however a Resolution was needed to make the submission for the proposed transportation alternatives/safe route school project for sidewalks on Highway 16.

Motion was made by Council Member Harrison "to approve the Resolution as read." Motion was seconded by Council Member Goetzel. Motion passed unanimously.

15. *Discussion and possible action to adopt a Resolution to open a Sports Complex and Pool Construction Fund 2019 Money Market Account with First Commercial Bank:*

City Manager Schulz presented a Resolution for a Sports Complex and Pool Construction Fund 2019 money market account. Council Member Harrison suggested to open a pool fund at this time because it would help separate the cost and conflict. Council Member Goetzel agreed.

Motion was made by Council Member Goetzel "to approve a Resolution to open a Pool Construction Fund 2019 money market account to be used strictly for the swimming pool." Motion was seconded by Council Member Harrison. Motion passed unanimously.

16. *Discussion and possible action to approve an Ordinance of the City Council of the City of Jourdanton amending the City of Jourdanton Code of Ordinances Appendix A3.000 building related fees; establishing an effective date; and dealing with related matters:*

Council Member Schulz advised the Council that building fees for new residential construction will be charged based on square footage. Schulz provided fees from Bureau Veritas that included a 25 percent administrative fee. Council Member Gonzales asked Schulz if this was due to House Bill 852 and Schulz said yes. Gonzales asked what the \$985 was before and Code Enforcement Administrative Assistant Sawicki told Gonzales it was a base rate of \$96.15 based on a valuation between 0- \$10,000. Gonzales felt the company was taking advantage of the house bill and would like to see when their contract was up. Mayor Williams made a suggestion for the company to come next month to address with the Council. Schulz stated that the City had some individuals who were waiting to get permits. Gonzales agreed that these permits could not be held up.

Motion was made by Mayor Pro Tem Morales “to approve an Ordinance of the City Council of the City of Jourdanton amending the City of Jourdanton Code of Ordinances Appendix A3.000 building related fees; establishing an effective date; and dealing with related matters.” Motion was seconded by Council Member Harrison. Motion passed unanimously. Mayor Pro Tem Morales, Council Member Harrison, Pesek, and Goetzel were in favor. Council Member Gonzales, opposed.

17. *Discussion and possible action to adopt an ordinance authorizing the erection of certain stop signs within the city of Jourdanton, directing the chief of police to erect such signs in accordance with existing ordinances and providing a fine for failure to obey such signs:* City Manager Schulz informed the Council that the City’s stop signs had been reviewed and all the prior, plus 30 new signs, were up to date. Chief Kaiser explained that the list contains all the stop signs and were compiled into one ordinance. City Secretary Molina informed the Council that an index of all the signs was included with the Ordinance.

Motion was made by Council Member Pesek“ to approve an Ordinance authorizing the erection of certain stop signs within the city of Jourdanton, directing the chief of police to erect such signs in accordance with existing ordinances and providing a fine for failure to obey such signs ” Motion was seconded by Mayor Pro Tem Morales. Motion passed unanimously.

18. *Discussion and possible action mend the utilities ordinance of the City of Jourdanton, Texas, Chapter 13, Utilities, Article 13.06, sewer discharge regulations, as provided below. Deletions are noted as strikethrough and additions are noted as underlined:* City Manager Schulz advised the Council that the amended ordinance pertained to regulating inspections for restaurants for disposal of fats, oils, and grease (FOG). City Attorney Santee told the Council that the City should have a FOG Ordinance because inspections by TCEQ could cause the city to be liable. Council agreed. Council Member Pesek suggested to give the reminder to the school districts because cooking in some classes are performed by students.

Motion was made by Council Member Gonzales “to approve an Ordinance amending the utilities ordinance of the City of Jourdanton, Texas, Chapter 13, Utilities, Article 13.06, and sewer discharge regulations.” Motion was seconded by Council Member Pesek. Motion passed unanimously.

19. *Discussion and possible action upon a request from Henry Schorsch Family to remove and take a sign located at the old Jourdanton Little League field at State Highway 16 South:*

Annette Schorsch Salinas requested to take a sign at the old Jourdanton Little League Field at State Highway 16 South because it would mean a lot to her family. Salinas said that her father Henry Schorsch and Paul Breitzkreutz were the two people that originally started the Jourdanton Little League.

Motion was made by Council Member Pesek “to approve a request from the Henry Schorsch Family to remove and take a sign located at the old Jourdanton Little League field at State Highway 16 South.” Motion was seconded by Council Member Goetzel. Discussion was made regarding waiving the permit fee for a removal of a sign. Council Member Goetzel made a motion to waive the permit fee for the removal of the sign. Motion was seconded by Mayor Pro Tem Morales. Both motions were passed unanimously.

20. *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.

Mayor Williams recessed to closed session at 7:02 p.m.

21. *Reconvene in open session for possible action on items discussed in Closed Session:*  
Mayor Williams open session at 7:18 p.m. Mayor announced that no action was taken on “a and b.”

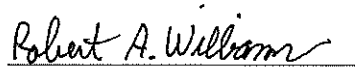
22. *Discussion of social calendar of events for the City of Jourdanton:*  
Council Member Goetzel commended Code Enforcement Administrative Assistant Sawicki for all the hard work she did for the rezoning for the City lots. Everyone applauded. Council Member Pesek announced the annual salad luncheon and silent auction by the library on June 27<sup>th</sup> at the Jourdanton Community Center. Council Member Morales announced that 7 on 7 will be held at college station on June 26<sup>th</sup> and 27<sup>th</sup>. Council Member Harrison announced the 4<sup>th</sup> of July event and fireworks display will be held at the Jourdanton City Park on July 4 from 6:00 p.m. to 10 p.m.

23. *City Council requests regarding specific items or staff reports to be scheduled for future agendas:*  
Council Member Goetzel suggested to move the “Jourdanton’s Farmers Market” to the front of the Jourdanton Municipal Complex so it could be more visible. Council Member Pesek asked if Chris Cox from Waste Management could come the following month to give an update of the weekly waste pick up. Mayor Williams informed City Secretary to contact representatives for agenda item 8 and 11 for the following month.

24. *Adjourned:*  
Motion was made by Mayor Pro Tem Morales “to adjourn.” Motion was seconded by Council Member Pesek.

Mayor Williams adjourned the meeting at 7:25 p.m.

  
DEBBIE G. MOLINA  
CITY SECRETARY

  
ROBERT A. WILLIAMS  
MAYOR