

MINUTES OF THE REGULAR CALLED COUNCIL MEETING
OF THE CITY COUNCIL OF THE CITY OF JOURDANTON
AND JOINT MEETING OF THE CITY COUNCIL AND THE
PLANNING AND ZONING COMMISSION AT THE
JOURDANTON MUNICIPAL COMPLEX COUNCIL
CHAMBERS AT 1604 HIGHWAY 97 E, JOURDANTON, TEXAS,
78026, ON APRIL 18, 2022 AT 6:00 P.M.

Present:

Mayor Robert Williams
Mayor Pro Tem Chester Gonzales *City Manager Lamar Schulz*
Councilmember Norma Q. Ortiz *City Secretary Debbie G. Molina*
Councilmember Raul Morales *Code Compliance Specialist Rachel Garza*
Councilmember Karen Pesek *Chief Eric Kaiser*
Councilmember Patricia J. Elizabeth *City Attorney Dan Santee*
Tymrak-Daughtrey

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

Mayor Williams called the meeting to order at 6:02 p.m. Williams gave the Invocation and Pledges of Allegiance.

HEARING OF RESIDENTS

Rene Martinez informed the Council that he applied for a special use permit to place a new manufactured home on Block 199, Lots 1 and 3. Martinez said that the location of the property was perfect for school and work.

Debra Plaster told the Council that Mr. Martinez lived on the lots beside her and has been a good neighbor. Plaster said Mr. Martinez sold those lots and now has bought two lots from her that are adjacent behind her. Amanda Garza from Manufactured Consultants advised the Council she sold the manufactured home to Mr. Martinez. Garza stated the home was well built. Neighbors Mark and Melanie Sansky, Brian Salgado and family Kat Loza, Richard Loza, and Lea Coronado spoke highly of Rene Martinez.

JOINT MEETING

1.1 Joint Meeting of Planning & Zoning Commission and City Council.

The City of Jourdanton, Texas, proposes to institute annexation proceedings to enlarge and extend the boundary limits of said city to include the following territory located with the City of Jourdanton extraterritorial jurisdiction:

President Donna Blue called the meeting to order at 6:22 p.m.

Present:

Chairman: Donna Blue
Planning and Zoning
Commission:
Megan Cruz
Jimmy Dornak

Absent:

Planning and Zoning Commission:
Vice-Chairman Margret Steffek
Linda Casas

- a. Joint Public Hearing on a zoning application requested by MMAP Investments, LLC to zone approximately 33.025 acres of land to SF-GH, Garden Home Single Family Residential. The land is more specifically described as a tract of land containing 33.025 acre tract of land comprised of the remaining portion of a called 29.27 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 160028 of the Official Public Records of Atascosa County, Texas and the remaining portion of a called 21.264 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 1601028 of said Official Public Records, being out of the J. Poitevent Survey No. 1, Abstract No. 1239, Atascosa County, Texas. Said 33.025.

Mayor Williams opened the public meeting at 6:22 p.m. Chris Crim, Senior Project Manager for HMT Engineering and Surveying spoke in behalf of the landowner and

Lennar Homes. Crim presented a PowerPoint for Cepillo Ridge Phase 2. He stated that 124 residential homes would be built. Clifton Karam from Lennar Homes informed the Council that they have been working with the property owner since phase 1 was being developed.

A property owner at 1316 Poplar was concern it would compromise the wildlife within the area. She expressed concerns that it would be a hardship for the City to maintain city streets.

Mayor Williams closed the public hearing at 6:42 p.m.

Planning and Zoning Commission:

- b. Consideration and recommendation on a zoning application requested by MMAP Investments, LLC to zone approximately 33.025 acres of land to SF-GH, Garden Home Single Family Residential. The land is more specifically described as a tract of land containing 33.025 acre tract of land comprised of the remaining portion of a called 29.27 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 160028 of the Official Public Records of Atascosa County, Texas and the remaining portion of a called 21.264 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 1601028 of said Official Public Records, being out of the J. Poitevent Survey No. 1, Abstract No. 1239, Atascosa County, Texas. Said 33.025.**

A motion was made by Commission Member Dornak and duly seconded by Commission Member Cruz to make a recommendation to approve zoning application requested by MMAP Investments, LLC to zone approximately 33.025 acres of land to SF-GH, Garden Home Single Family Residential. The land is more specifically described as a tract of land containing 33.025 acre tract of land comprised of the remaining portion of a called 29.27 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 160028 of the Official Public Records of Atascosa County, Texas and the remaining portion of a called 21.264 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 1601028 of said Official Public Records, being out of the J. Poitevent Survey No. 1, Abstract No. 1239, Atascosa County, Texas. Said 33.025. The motion passed unanimously.

- c. Adjourn the Planning and Zoning Commission**

President Donna Blue adjourned the meeting at 6:47 p.m.

City Council:

- d. Public hearing, consideration and possible action on an ordinance providing for the extension of the city limits of the City of Jourdanton, Texas by the annexation a 33.025 acre tract of land comprised of the remaining portion of a called 29.27 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 160028 of the Official Public Records of Atascosa County, Texas and the remaining portion of a called 21.264 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 1601028 of said Official Public Records, being out of the J. Poitevent Survey No. 1, Abstract No. 1239, Atascosa County, Texas. Said 33.025.**

Mayor Williams opened the public hearing at 6:47 p.m. Chris Crim representative for Lennar Homes and property owner advised the Council he would answer any questions. Council Member Tynrak- Daughtrey expressed concerned of the lot sizes and city roads. Council Member Pesek told Tynrak-Daughtrey the roads would be built by the developer and comply with city code. City Attorney Dan Santee informed the Council that the development would be similar to Cepillo Ridge Phase 1. Mayor Williams closed the public hearing at 6:49 p.m.

A motion was made by Council Member Pesek and duly seconded by Council Member Morales to approve an Ordinance providing for the extension of the city limits of the City of Jourdanton, Texas by the annexation a 33.025 acre tract of land comprised of the remaining portion of a called 29.27 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 160028 of the Official Public Records of Atascosa County, Texas and the remaining portion of a called 21.264 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 1601028 of said Official Public Records, being out of the J. Poitevent Survey No. 1, Abstract No. 1239, Atascosa County, Texas. Said 33.025. Council Members Pesek,

Morales, Ortiz, and Mayor Pro Tem Gonzales were in favor. Council Member Tymrak and Daughtry opposed. The motion passed.

- e. **Consideration and possible action to approve/disapprove a zoning application requested by MMAP Investments, LLC to zone approximately 33.025 acres of land to SF-GH, Garden Home Single Family Residential. The land is more specifically described as a tract of land containing 33.025 acre tract of land comprised of the remaining portion of a called 29.27 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 160028 of the Official Public Records of Atascosa County, Texas and the remaining portion of a called 21.264 acre tract described in deed to MMAP Investments, LLC recorded in Document No. 1601028 of said Official Public Records, being out of the J. Poitevent Survey No. 1, Abstract No. 1239, Atascosa County, Texas. Said 33.025.**

The size of the lots was a concern for Mayor Pro Tem Gonzales, Ortiz, and Tymrak-Daughtrey. Gonzales thanked Mr. Crim for choosing Jourdanton to build the home, but he preferred for the city lots to be larger. Discussion was made by the Council for the needs of housing in the City of Jourdanton. City Attorney Dan Santee advised the Council of rezoning regulations.

A motion was made by Council Member Pesek and duly seconded by Council Member Morales. Council Members Pesek and Morales were in favor. Mayor Pro Gonzales, Council Member Ortiz and Tymrak-Daughtrey were opposed. The motion was denied.

CONSENT AGENDA ITEM

- 2.1 **Minutes – Approval of the minutes for the Regular Called Meeting March 7, 2022 and March 21, 2022.**

A motion was made by Council Member Morales and duly seconded by Mayor Pro Tem Gonzales to approve the minutes for the regular called meeting of March 7, 2022 and March 21, 2022. Council Members Morales, and Mayor Pro Tem Gonzales were in favor. Council Member Pesek said she would be abstaining because she was not present at the meetings. Council Member Tymrak-Daughtrey was opposed. The motion passed.

ITEMS CONSIDERATION/DISCUSSION

- 3.1 **Public hearing, discussion and possible action upon an Ordinance to approve or deny an application for special use permit for property located at 2701 Campbell Ave., and legally described as BLK 199 LTS 1 & 3, Jourdanton, Atascosa County, Texas. The property is currently zoned SF-1 Single - Family Residential Property. The applicant, Rene Martinez Jr. is seeking a special use permit to allow a manufactured home on the property:**

Mayor Williams opened the public meeting at 7:31 p.m. Code Compliance Specialist Rachel Garza stated that Rene Martinez Jr. applied for a special use permit to place a 2022, 32 x 68 Cavco manufactured home at 2701 Campbell Street. The application meets the criteria for placing a manufactured home on the property. The Planning and Zoning Commission made a recommendation to approve a special use permit. City Manager Schulz that it was discovered that no sewer connections were available to the property. Mayor Williams close the public hearing at 7:49 p.m.

A motion was made by Council Member Pesek and duly seconded by Council Member Ortiz to postpone until the next council meeting to determine available sewer connections. The motion passed unanimously.

- 3.2 **Public hearing, discussion and possible action upon an Ordinance to approve or deny an application for special use permit for property located at 812 Hackberry St., and legally described as BLK 197 LTS 10 & 12, Jourdanton, Atascosa County, Texas. The property is currently zoned SF-1 Single - Family Residential Property. The applicant, Rafael DeLaTorre is seeking a special use permit to allow a manufactured home on the property:**

Mayor Williams opened the public meeting at 7:53 p.m. Code Compliance Specialist Rachel Garza informed the Council that Rafael DeLaTorre applied for a special use permit to place a 2022, 28x56 Marvel manufactured home at 812 Hackberry Ave. The application meets the criteria for placing a manufactured home on the property. The Planning and Zoning Commission made a recommendation to approve a special use permit. Mayor Williams closed the public hearing at 7:59 p.m.

A motion was made by Council Member Tymrak Daughtrey and duly seconded by Council Member Pesek to approve a special use permit to place a manufactured home at 812 Hackberry and legality described at Block 197 Lots 10 & 12. The motion passed unanimously.

3.3 Discussion and possible action upon a Resolution to rename the Jourdanton Sports Complex and Pool to Jourdanton Sports Complex and Aquatic Center:

A motion was made by Council Member Morales and duly seconded by Mayor Pro Tem Gonzales to approve a Resolution to rename the Jourdanton Sport Complex and Pool to Jourdanton Sport Complex and Aquatic Center. Council Members Morales, Pesek, Ortiz and Mayor Pro Tem were in favor. Council Member Tymrak Daughtrey was opposed. The motion passed.

3.4 Discussion and possible action to approve job descriptions for:

- a. Aquatic Center Manager
- b. Lifeguard
- c. Splash Pad Attendant
- d. Cashier
- e. Concession Worker
- f. Code Compliance Specialist
- g. Code Compliance/Animal Control Specialist.

City Manager Lamar Schulz informed the Council that the job descriptions were reviewed and approved by City Attorney Clarissa Rodriguez from DNBR&Z P.C.

A motion was made by Council Member Morales and duly seconded by Council Member Ortiz to approve job description for Aquatic Center Manager, Lifeguard Splash Pad Attendant, Cashier, Concession Worker, Code Compliance Specialist, and Code Compliance/Animal Control Specialist. The motion passed unanimously.

3.5 Discussion and possible action regarding the following options available for lifeguard training for the aquatic center to include:

Council Member Pesek expressed concern that the City was delayed in acquiring lifeguards and proposed that the City should fund the cost for those training to become a lifeguard. Pesek additionally recommended to raise the pay from \$12.25 to \$13.

- a. Discussion and possible action to authorize hiring the personnel and then funding the training and certification for the lifeguards.

A motion was made by Council Member Pesek and duly seconded by Council Member Tymrak-Daughtrey to authorize hiring the personnel and then funding the training and certification for the lifeguards. The motion passed unanimously.

- b. Discussion and possible action to increase the proposed rate of pay for aquatic lifeguard position to \$13.00 per hour.

A motion was made by Council Member Pesek and duly seconded by Council Member Morales to increase the proposed rate of pay for aquatic lifeguard position to \$13.00 per hour. The motion passed unanimously.

3.6 Discussion and possible action to approve an Ordinance of the City of

Jourdanton, Texas (city) amending city code Appendix A Fee Schedule, Article A4.000 Business Related Fees by adding Sec. A4.009 Mobile Food Vendor; adopting new fees for Mobile Food Vendor implementing new charges as shown on the exhibit attached hereto; authorizing the Mayor to order the implementation of the amended fee schedule within and without the City; declaring a public purpose; providing for severability; and setting an effective date:

A motion was made by Mayor Pro Tem Gonzales and duly seconded by Council Member Ortiz to approve an Ordinance of the City of Jourdanton, Texas (city) amending city code Appendix A Fee Schedule, Article A4.000 Business Related Fees by adding Sec. A4.009 Mobile Food Vendor; adopting new fees for Mobile Food Vendor implementing new charges as shown on the exhibit attached hereto; authorizing the Mayor to order the implementation of the amended fee schedule within and without the City. The motion passed unanimously.

- 3.7 Discussion and possible action to authorize the City Manager to pay invoice number 4326, dated November 23, 2021, in the amount of \$27,147.50 from Moy's Water Well Drilling & Services of Texas, Inc. for work at Pecan Well No. 2:**

Mayor Williams informed the Council that no representative for Moy's Water Well Drilling & Services of Texas, Inc was present.

A motion was made by Mayor Pro Tem Gonzales and duly seconded by Council Member Morales to postpone until the following regular called meeting. The motion passed unanimously.

- 3.8 Discussion and possible action on Alsay Incorporated Change Order submitted April 13, 2022, to replace twelve joints of the 8' pipe out of 16 due to the loss of materials, pitting observed and washouts for Pecan Well No. 2 in the amount of \$17,230.00:**

Jeff Tschirhart representative for Alsay Incorporated presented and submitted a Change Order to replace twelve joints of the 8' pipe out of 16 due to the loss of materials, pitting observed and washouts for Pecan Well No. 2.

A motion was made by Mayor Pro Tem Gonzales and duly seconded by Council Member Gonzales to approve Change Order submitted April 13, 2022, to replace twelve joints of the 8' pipe out of 16 due to the loss of materials, pitting observed and washouts for Pecan Well No. 2 in the amount of \$17,230.00. The motion passed unanimously.

- 3.9 Discussion and possible action to approve the budget calendar for Fiscal Year 2022/2023:**

A motion was made by Council Member Morales and duly seconded by Council Member Pesek to approve the budget calendar for Fiscal Year 2022/2023. The motion passed unanimously.

- 3.10 Discussion and possible action to approve a Resolution of the City of Jourdanton Texas finding that AEP Texas Inc.'s application to amend its distribution cost recover factors to increase distributing rates within the City should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the company and legal counsel:**
A motion was made by Council Member Morales and duly seconded by Council Member Pesek to approve a Resolution of the City of Jourdanton Texas finding that AEP Texas Inc.'s application to amend its distribution cost recover factors to increase distributing rates within the City should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the City's reasonable rate case expenses shall be reimbursed

by the company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the company and legal counsel. The motion passed unanimously.

STAFF/BOARD REPORTS

- 4.1 City Manager, Lamar Schulz will update the City Council on the following (no action)
- a. Armstrong, Vaughan, & Associates, P.C.
 - b. Aquatic Center
 - c. New LED Streetlight Installed
 - d. New City Employees.

City Manager Lamar Schulz presented the city manager's report.

MONTHLY REPORTS (Information available in City Council Packets. No Discussion or action to occur)

- 5.1 Police, Utility Billing, Code Compliance, Permits, Fire Department, and Atascosa Animal Control.
- 5.2 March 2022 Financial and Accounts Payable Report. (unaudited)

The department reports were presented.

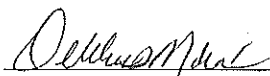
CITY COUNCIL REQUESTING AND ANNOUNCEMENTS

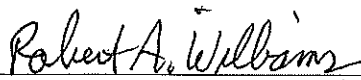
- 6.1 Discussion and possible action of social calendar of events.
Member Pesek reminded everyone that the Jourdanton BBQ cook-off will be held on 20-21, of May 2022 and the 1909 Founders Days will be held on May 21, 2022. Council Member Morales announced on-going area track meets for Jourdanton ISD.

ADJOURN

- 7.1 Adjourn.

A motion was made by Council Member Morales and duly seconded by Council Member Pesek to adjourn. The motion passed unanimously. Mayor Williams adjourned the meeting at 9:08 p.m.


Debbie G Molina, City Secretary


Robert A. Williams, Mayor