CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

Mayor Williams called the meeting to order and opened the public hearing at 6:00 p.m. Pastor Laura Alvarez gave the invocation. Mayor Williams gave the Pledges of Allegiances.

2.1 Public Hearing, discussion, and possible action on an application for a variance for property located at 314 Nicolet, and legally described as Blk A, Lot 5 & 6, SMITH VILLAS, Jourdanton, TX, Atascosa County, Texas. The property is currently zoned Single Family Residential. The applicant, William Schuchart, is seeking a variance to allow the purchase of carport shed to cover the existing Recreational Vehicle (RV).

- Applicable Code Provision
Chapter 14 Zoning
Article 14.02
Section C, Subsection 4
5-foot variance requested in the backyard. 4-foot variance requested in the front yard. Diagram attached for reference.

- Variances Requested
Applicant is seeking a 4-foot encroachment variance from the minimum 5-foot side set back required in Single Family Residential, which would result in a 12” side set back if approved.

Mayor Williams opened the public hearing at 6:06 p.m.

Code Compliance Specialist Rachel Garza informed the Council that Mr. Schuchart provided a sketch of a site plan to place a shed to cover his recreation vehicle. Ms. Garza said that Planner Byrne Cox from Denton, Navarro, Rocha, Bernal and Zeck (DNRB&Z) had advised her a while back before DNRB&Z departure from the City; that the variance did not meet the 8 factors listed below. She informed the Council that Mr. Schuchart requested to be heard before the Board of Adjustments.

(1) There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Code to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land;

(2) The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the petitioner’s land;
(3) The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner;

(4) Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;

(5) Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Code, or adversely affect the rights of owners or residents of surrounding property;

(6) The hardship or inequity suffered by petitioner is not self-induced;

(7) The request for a variance is not based exclusively upon a desire from the petitioner for increased financial gain from the property, or to reduce an existing financial hardship; and

(8) The degree of variance requested is the minimum amount necessary to meet the needs of petitioner and to satisfy the standards in this Ordinance. The variance shall not permit a use for other than uses specifically authorized for the district within which the property is located.

Mayor Williams suspended the Board of Adjustment Meeting at 6:10 p.m. to allow time for Mr. Schuchart to arrive.

Mayor Williams reconvened the public hearing at 6:12 p.m.

Applicant William Schuchart informed that Council that there was an existing cement slab in his back yard where he wanted to place the shed. The neighbor adjacent to him had requested to place a variance seven years ago. He stated that the shed would be opened in the front and enclosed on the back. The shed would look similar to his neighbor’s.

Mayor Williams closed the public hearing at 6:20 p.m.

1.1 Findings, conclusions and determination

A motion was made by Council Member Ortiz and seconded by Council Member Pesek to approve an application for a variance for property located at 314 Nicolet, and legally described as Blk A, LT 5 & 6, SMITH VILLAS, Jourdanton, TX, Atascosa County, Texas. The property is currently zoned Single Family Residential. The applicant, William Schuchart, is seeking a variance to allow the purchase of carport shed to cover the existing Recreational Vehicle (RV). The motion passed unanimously.

1.2 Adjournment of the meeting of the Board of Adjustment

Mayor Williams adjourned the meeting at 6:20 p.m.

Debbie G Molina, City Secretary

Robert Williams, Mayor
MINUTES OF THE REGULAR CALLED COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF JOURDANTON AT THE JOURDANTON MUNICIPAL COMPLEX COUNCIL CHAMBERS AT 1604 HIGHWAY 97 E., JOURDANTON, TEXAS, 78026, ON JUNE 19, 2023 AT 6:00 P.M.

Present:

Mayor Robert Williams
Mayor Pro Tem Chester Gonzales
Councilmember Norma Q. Ortiz
Councilmember Karen Pesek
Councilmember Raul Morales
Councilmember Patricia J. Elizabeth
Tymrak-Daughtrey

City Manager Bobby J. Martinez
Secretary Debbie G. Molina
Chief Eric Kaiser
Interim City Attorney Tom Cate

CALL MEETING TO ORDER

Mayor Williams opened the meeting at 6:11 p.m.

1.1 HEARING OF RESIDENTS

Assisted Fire Chief Jeff Rankin informed the Council that the Jourdanton Volunteer Fire Department attorney had submitted a letter to the City on June 3rd. Mr. Rankin informed the Council that the fire department has had not received a response from the city.

2.1 Mayor’s Presentation of a grand opening to be held on June 23, 2023 at the Jourdanton Nursing and Rehab:

Mayor Williams introduced Executive Director Tesha Winters and Marketing Manager Christi Stubbson from the Jourdanton Nursing and Rehab. They welcomed everyone to come to the grand opening of their facility on Friday, June 23, 2023 from 2:00 p.m. to 4:00 p.m.

DISCUSSION ITEMS/CONSIDERATION

3.1 Consideration, discussion, and possible approval of the City Manager’s authorization under the authority of Chapter 252 of the Texas Local Government Code and the City Code of Ordinance Section 1.09.005 to authorize payment in the amount of $38,350 to Moy's Water Well Drilling & Service of Texas for emergency replacement of a 75 HP submersible well pump, 75 HP submersible motor, related installation equipment and labor:

City Manager Bobby J Martinez informed the Council a submersible well pump and motor was needed to be installed. Nueces River Authority informed Mr. Martinez that this was an emergency purchase. Mr. Martinez said this was an emergency purchase because the city only had the Whittler Well working while the Peach Well was down. Mr. Martinez said that Moy’s Water Well Drilling & Service of Texas installed the pump and motor.

A motion was made by Mayor Pro Tem Gonzales and seconded by Council Member Ortiz to approve of the City Manager’s authorization under the authority of Chapter 252 of the Texas Local Government Code and the City Code of Ordinance Section 1.09.005, to authorize payment in the amount of $38,350 to Moy’s Water Well Drilling & Service of Texas for emergency replacement of a 75 HP submersible well pump, 75 HP submersible motor, related installation equipment, and labor. Mayor Pro Tem Gonzales, Council Member Ortiz, Morales, and Pesek were in favor. Council Member Tymrak-Daughtrey was opposed. The motioned passed.

3.2 Public hearing, discussion and possible action to approve or deny an Ordinance for a special use permit for property located at 2404 Zanderson Ave and legally described as BLK 134 LT 3-16 & alleyway between lots 5 – 16, Jourdanton, TX, Atascosa
County, Texas. The property is currently zoned C- Commercial. A special use permit is necessary to place a multi-family unit on this property. The applicant, Mark Medina, is seeking a special use permit to allow a recreation vehicle park to operate on this property:

Mayor Williams opened the public hearing at 6:53 p.m.

Code Compliance Specialist Rachel Garza informed the Council that Mark Medina applied for a special use permit to allow a recreation vehicle park on his property.

Applicant Mark Medina informed the Council that he submitted an application with a site plan of a recreation vehicle park. Mr. Medina stated that he would comply with code of ordinances.

Property owner Tommy Tymrak was not opposed to grant a special use permit to allow Mr. Medina to place a recreation vehicle park.

Mayor Williams closed the public hearing at 7:12 p.m.

A motion was made by Council Member Pesek and seconded by Council Member Morales to approve an Ordinance for a for a special use permit for property located at 2404 Zandersen Ave and legally described as BLK 134 LT 3-16 & alleyway between lots 5 - 16, Jourdanton, TX, Atascosa County, Texas. The property is currently zoned C- Commercial. A special use permit is necessary to place a multi-family unit on this property. The applicant, Mark Medina, is seeking a special use permit to allow a recreation vehicle park to operate on this property. The motion passed unanimously.

3.3 Report Update: Utility Collection Underbilling Report:

City Manager Bobby J. Martinez informed the Council that the audit for the utility billing was completed. A total of 321 accounts were adjusted for back-billing on the old meters and/or estimations. As a result, the total amount adjusted to the accounts was $34,116.18. This amount does not include the $29,338.69 past due balance owed by a business

3.4 Consideration, discussion, and possible action to authorize the City Manager to enter into a contract with Garza/Gonzales and Associates for professional auditing services for the City FY 2022- 2024 in the total amount of $98,000:

City Manager Bobby J. Martinez informed the Council that the city had received only one proposal for the professional auditing services for FY 2022-2024.

A motion was made by Council Member Ortiz and seconded by Mayor Pro Tem Gonzales to authorize the City Manager to enter into a contract with Garza/Gonzales and Associates for professional auditing services for the City FY 2022- 2024 in the total amount of $98,000. Council Members Ortiz, Morales, Pesek and Mayor Pro Tem Morales were in favor. Council member Tymrak-Daughtrey was opposed. The motion passed.

3.5 Report Update: Atascosa Central Appraisal District 2024 Proposed Budget:

The Atascosa Central Appraisal District 2024 proposed budget was present to the Council.

No action was taken.

CITY MANAGER REPORTS

(Information provided to City Council. No discussion nor council action expected or required.)

4.1 M & S Engineering
4.2 Freeland Turk Engineering
4.3 6S Engineering
4.4 Nueces River Authority
4.5 Aquatic Center
4.6 City Secretary
4.7 Finance Department
4.8 Municipal Court
4.9 Police Department
4.10 Code Compliance- Code Violations Will Be Posted
City Manager Bobby J. Martinez presented the department reports.

MAYOR AND CITY COUNCIL ANNOUNCEMENTS

5.1 Discussion and possible action of social calendar of events and council general announcements/information:

Council Member Tymrak-Daughtrey asked for flags to be placed at the Jourdanton City Park for the 4th of July event. Council Member Pesek welcomed everyone to come Thursday, June 22, 2023 for a salad luncheon at the Jourdanton Community Center at 11:00 a.m. -1:00 p.m. She also invited everyone to come to the 4th of July fireworks display on Saturday, July 1, 2023 at the Jourdanton City Park. She stated it was a free event with hot dogs, popcorn, snow cones, and DJ will be playing. There will be games and inflatables for the children to enjoy.

Council Member Morales asked for the City Manager’s evaluation to be conducted at the following meeting. Mayor Pro Tem Morales reminded everyone that the bulky trash pickup will be held on July 10-14, 2023.

Executive Session

“Pursuant to Section 551.071 of the Texas Government Code, the City of Jourdanton reserves the right to consult in closed session with its attorney to receive legal advice regarding 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 conflict with this chapter”, to include any item listed on this agenda.

6.1 RECONVENE IN OPEN SESSION.

At the conclusion of the closed session, the City Council shall reconvene in open session and may act on any matter lawfully discussed in closed session.

No executive session was conducted.

7.1 ADJOURN

A motion was made by Council Member Ortiz and seconded by Council Member Morales to adjourn the meeting.

Mayor Williams adjourned the meeting at 8:19 p.m.

Debbie G Mollua, City Secretary  Robert A. Williams, Mayor