

**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 AUGUST 15, 2022 AT 6:00 P.M.**

Present:

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

Not Present:

Council Member Raul Morales

CALL TO ORDER, INVOCATION, AND PLEDGES OF ALLEGIANCE

Mayor Williams called the meeting to order at 6:01 p.m. Pastor Laura Alvarez from the United Methodist Church gave the Invocation. Mayor Williams gave the Pledges of Allegiance.

HEARING OF RESIDENTS

No public comments were heard.

CONSENT AGENDA ITEM

2.1 Minutes – Approval of the minutes for the Regular Called Meeting July 5, 2022 and July 18, 2022:

A motion was made by Council Member Pesek and duly seconded by Council Member Ortiz to approve the Regular Called Meeting minutes of July 5, 2022 and July 18, 2022. Council Members Pesek, Ortiz, and Mayor Pro Tem Gonzales were in favor. Council Member Tymrak-Daughtrey was opposed. The motion passed.

ITEMS CONSIDERATION/DISCUSSION

3.1 Public hearing, discussion and possible action to approve an Ordinance amending the Zoning Ordinance of the City of Jourdanton and Chapter 3 Building Regulation of the Code of Ordinances of the City of Jourdanton, Texas, related to Manufactured Housing, New and Unlisted Uses, and other matters in connection therewith:

City Planner Bryce Cox made a presentation an ordinance amending the Zoning Ordinance of the City of Jourdanton and Chapter 3 Building Regulation of the Code of Ordinances, related to manufactured housing.

A motion was made by Council Member Pesek and duly seconded by Mayor Pro Tem Gonzales to approve an Ordinance amending the Zoning Ordinance of the City of Jourdanton and Chapter 3 Building Regulation of the Code of Ordinances of the City of Jourdanton, Texas, related to Manufactured Housing, New and Unlisted Uses, and other matters in connection therewith. Council Members Pesek and Mayor Pro Tem Gonzales were in favor. Council Members Tymrak-Daughtrey and Ortiz were opposed. Mayor Williams broke the tie by voting in favor. The motion passed.

3.2 Consideration and Action to Request the U.S. Justice Department in San Antonio to open an Investigation into Certain Alleged Criminal Acts that have been alleged in an Undated, Anonymous Letter that was addressed to only three city council members, me being one of Those Addressees, that I received in my private U.S.P.S. mailbox at the US Post Office that alleges city policy violation(s), insurance fraud, and a theft of city assets:

A motion was made by Council Member Tymrak-Daughtrey and duly seconded by Mayor Pro Tem Gonzales to approve a request of the Request the U.S. Justice Department in San Antonio to an Investigation into Certain Alleged Criminal Acts that have been alleged in

an Undated, Anonymous Letter that was addressed to only three city council members, she being one of Those Addressees, that was received in her private U.S.P.S. mailbox at the US Post Office that alleged city policy violation(s), insurance fraud, and a theft of city assets.

Council Member Tymrak-Daughtrey read an anonymous letter regarding allegations of city policy violation(s), insurance fraud, and a theft of city assets from the fire chief from the Jourdanton Volunteer Fire Department. Chief of Police Kaiser stated that an investigation was conducted, and no criminal acts were discovered. After discussion, the vote was made. Council Member Tymrak-Daughtrey was in favor. Mayor Pro Tem Gonzales, Council Members Ortiz, Pesek were opposed. The motion failed.

3.3 Discussion and possible action to approve/disapprove the 2023 Atascosa Central Appraisal District budget:

A motion was made by Council Member Pesek and duly seconded by Mayor Pro Tem Gonzales to disapprove the 2023 Atascosa Central Appraisal District budget. Council Members Pesek, Ortiz, and Tymrak-Daughtrey were opposed. The motion failed.

3.4 Discussion and possible approval of a Request for Proposal Administrative Services to assist the City in its application for and implementation of, if awarded, from the Texas General Land Office Community Development Block Grant Disaster Recovery – Mitigation (CDBG-MIT) Resilient Communities Program:

A motion was made by Council Member Pesek and duly seconded by Council Member Ortiz to approve a Request for Proposal Administrative Services to assist the City in its application for and implementation of, if awarded, from the Texas General Land Office Community Development Block Grant Disaster Recovery – Mitigation (CDBG-MIT) Resilient Communities Program. Council Members Pesek, Ortiz, and Mayor Pro Tem Gonzales were in favor. Council Member Tymrak-Daughtrey was opposed. The motion passed.

3.5 Discussion and possible action to purchase a 2022 Ford F150 pickup from Southway Ford for an amount not to exceed \$41,635.20:

Chief of Police Eric Kaiser informed the Council that he had placed an order for a police vehicle which was placed well in advance of the 2022-2023 fiscal year had been cancelled along with thousands of other police vehicle orders. Kaiser stated that he found a truck in San Antonio and had discussed with City Manager Lamar Schultz to purchase it within the current budget since it would be financially more advantageous for the city because it was cheaper.

A motion was made by Council Member Pesek and duly seconded by Mayor Pro Tem Gonzales to approve to purchase a 2022 Ford F150 pickup from Southway Ford for an amount not to exceed \$41,635.20. Council Members Pesek, Ortiz, and Mayor Pro Tem Gonzales were in favor. Council Member Tymrak-Daughtrey was opposed. The motion passed.

3.6 Discussion and possible action on a proposed Capital Improvement Project concerning streets and set a date for a Town Hall Meeting:

A motion was made by Mayor Pro Tem Gonzales and duly seconded by Council Member Ortiz to approve a proposed Capital Improvement Project concerning streets and set a date for a Town Hall Meeting on October 18, 2022 at 6:00 p.m. The motion passed unanimously.

3.7 Update on the Pecan Well:

Director Public Works William Stewart informed the Council that the water samples for the Pecan Well have been failing. Test have come back with coliform but not with E Coli. Stewart said that he had reached out to other water well companies and was told to disinfect the well with lots of chlorine. He stated that was done; however, the well was not able to be drained that day because of the recent rain. Stewart assured the Council that the well would not be in service until three tests were good.

- 3.8 **Discussion and direction to staff regarding a request for qualifications for consent and non-consent towing providers and the creation of a rotation list for such services:** Chief of Police Eric Kaiser made a recommendation to request for qualifications for consent and non-consent town providers and the creation of a rotation. Kaiser informed the Council that City Attorney would draw a list for such services.

A motion was made by Council Member Ortiz and duly seconded by Mayor Pro Tem Gonzales to approve a request for qualifications for consent and non-consent towing providers and the creation of a rotation list for such services. The motion passed unanimously.

- 3.9 **Submission of 2022 Certified Tax Roll and 2022 Tax Rate Calculation Worksheet:** City Secretary Debbie Molina submitted the 2022 Certified Tax Roll and 2022 Tax Rate Calculation Worksheet.

EXECUTIVE SESSION

- 4.1 **The City Council will convene in closed session on the following item:**

- a. Pursuant to Government Code section 551.071 (pending litigation) on Cause No. 22-05-0254 CVA – Alamo Transport and Development, LLC vs. City of Jourdanton, Texas & Larry Coolidge, in this official capacity as City of Jourdanton Code Compliance.
- b. Pursuant to Government Code section 551.071 (pending litigation) on Civil Action No 5:21-CV-00470-JKP – Luke C. Sanders #50314981 vs. Sgt. Mari Kaufman, et al, in this official capacity as Sergeant for the Jourdanton Police Department.
- c. Pursuant to Government Code section 551.074 of the Texas Government Code City of Jourdanton Council will convene in executive session in accordance with 551.074 Personnel Matters to update Council on the city manager's benefits.

Mayor Williams recessed to executive session at 7:47 p.m.

- 4.2 **After deliberation in closed session, the City Council will reconvene in open session to take any final action necessary regarding the matters discussed in closed session:**

Mayor Williams reconvened the meeting at 8:45 p.m.

- 4.1 a. *A motion was made by Council Member Pesek and duly seconded by Council Member Ortiz to approve to authorized Denton, Navarro, Rocha, Bernal, and Zech to appeal an adverse on the plea on the jurisdiction in Cause #22-05-0254 CVA. Council Members Pesek, Ortiz, and Mayor Pro Tem Gonzales were in favor. Council Member Tymrak-Daughtrey was opposed. The motion passed.*
- 4.1 b. *Mayor Williams announced that no action was taken.*
- 4.1 c. *A motion was made by Mayor Pro Tem Gonzales and duly seconded by Council Member Ortiz to approve a salary for the new city manager of \$90,000 with the benefits that the current city manager currently has. Mayor Pro Tem Gonzales, Council Members Ortiz and Pesek were in favor. Council Member Tymrak-Daughtrey was opposed. The motion passed.*

STAFF/BOARD REPORTS

- 5.1 **City Manager, Lamar Schulz will update the City Council on the following (no action)**

- a. Tobey Ridge (Cepillo Ridge) Subdivision
- b. CDBG 7220220 Waterline Project (Palmetto)
- c. FY 2022 – 2023 Budget
- d. Bulk/Brush Pick Up
- e. Public Works Department
- f. New City Employees.

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

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

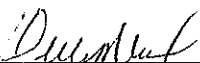
- 6.1 Police, Utility Billing, Code Compliance, Permits, and Atascosa Animal Control
- 6.2 July 2022 Financial and Accounts Payable Report. (unaudited)
The department monthly reports were presented.

CITY COUNCIL REQUESTING AND ANNOUNCEMENTS


- 7.1 Discussion and possible action of social calendar of events.
Chief of Police Eric Kaiser announced that the National Night Out would be held on Tuesday, October 4, 2022 at the Jourdanton Sports Complex from 6:00 p.m. to 9:00 p.m.

ADJOURN

- 8.1 Adjourn.
A motion was made by Council Member Pesek and duly seconded by Mayor Pro Tem Gonzales to adjourn the meeting. The motion passed unanimously. Mayor Williams adjourned the meeting at 8:55 p.m.



Debbie G Molina, City Secretary



Robert A. Williams, Mayor