

**CITY OF CASTROVILLE CITY COUNCIL
REGULAR COUNCIL MEETING**

**1209 Fiorella
City Council Chambers**

January 8, 2019

Tuesday

6:00 P.M.

MINUTES

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Mayor Timothy Kelley.

II. ROLL CALL

Present:

Mayor Tim Kelley

Jeri Rainey-Hinojosa, Interim City Administrator

Mayor Pro Tem Paul Carey

Debra Howe, City Secretary

Councilmember Phyllis Santleben

Brian Jackson, Interim Police Chief

Councilmember Jesse Byars

Mary Jo Vargas, HR Director

Councilmember Todd Tschirhart

Michael Fisher, Airport Manager

Councilmember Herb Dyer

Lora Chontal, Community Development Coordinator

III. PLEDGE OF ALLEGIANCE

IV. INVOCATION

Pastor Everett McCarley, of Medina Valley United Methodist gave the invocation.

Mayor Kelley recessed the meeting to go into Executive Session at 6:07 p.m. (before comments and consent agenda.)

VIII. EXECUTIVE SESSION

- (1) **Texas Government Code Section 551.074, (entitled “personnel matters”), the City Council shall convene in Closed Session to deliberate the appointment, employment, reassignment, duties, discipline, or dismissal of the Chief of Police.**
- (2) **Texas Government Code 551.074, the City Council shall recess into Executive Session to discuss and deliberate the process of selecting a City Administrator.**
- (3) **Texas Government Code Section 551.072, (entitled “Consultation with Attorney”) the City Council shall convene in Closed Session to receive legal advice and counsel of City’s attorney pertaining to the provision of utility services within the City and its extraterritorial jurisdiction.**

Open: 6:12 p.m.

Closed: 7:45 p.m.

IX. RECONVENE IN OPEN SESSION

Mayor Kelley reconvened the meeting in open session at 7:47 p.m.

X. CONSIDER POSSIBLE ACTION RESULTING FROM ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION

No Action was taken.

Mayor Kelley went back to the original order of the agenda.

V. Mayor's comments on activities within the city

Mayor Kelley briefed the council on the city being cleared of all TCEQ Water violations. Mayor Kelley said the dog run project located at the RV Park was complete; the Lions Park walking trail improvements had been completed; the children's area at the Library had recently been updated with new paint and the area surrounding the Houston Square fountain had been finished with crushed granite.

VI. CONSENT AGENDA

- A. Minutes for December 11, 2018 Regular Called Council Meeting.
- B. Interlocal Agreement with Castroville Volunteer Fire Department.

Councilmember Dyer requested the wording be corrected under XII. Update on the TCEQ violations on the retention ponds and the dam. Two of the sentences were incomplete in the draft minutes. Councilmember Santleben questioned the need for an interlocal agreement with the Fire Department. Interim City Administrator Jeri Rainey- Hinojosa explained they would be helping the city by providing information on hydrants needing maintenance, future needs, water pressure and metered water readings. Ms. Rainey-Hinojosa said the tracking of water usage had not been done and it would provide training for the volunteers. Mayor Kelley felt this service was needed and good for the city.

A motion was made by Mayor Pro Tem Carey and duly seconded by Councilmember Byars to approve the consent agenda with the noted corrections. A vote was taken (4 ayes: 1 nay (Santleben)) the motion carried by a majority vote.

VII. CITIZENS COMMENTS

The City Council will hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual council members or staff; stand at the podium, speak clearly into the microphone and state your name and residential address before speaking. Speakers will be allowed a maximum of 3 minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks will be given one warning before losing the privilege to speak or may be removed from the room. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations/distractions will not be permitted. No placards, banners or signs will be permitted in the Chambers or in any other room in which the council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Terry Beck, 104 Harvest Moon, spoke on agenda item VIII. Executive Session (2) City Administrator. Mr. Beck asked the city council in looking for someone to fill the vacant position to look at qualifications and their track record with the city. Mr. Beck felt the current Interim City Administrator, Jeri Rainey- Hinojosa should be considered for the position. Mr. Beck did not see the city spending funds on a search when they had a qualified person on staff.

XI. Consider and take appropriate action on a Resolution in support of Medina County request to be removed from the 38th Judicial District and forming a new judicial district.
(Tim Kelley, Mayor)

Mayor Kelley read the resolution supporting the Medina County's request to be removed from the 38th Judicial District and form a new judicial district to serve the area. Mayor Kelley said all the surrounding cities were in support of the resolution.

A motion was made by Councilmember Byars and duly seconded by Mayor Pro Tem Carey to adopt a resolution in support of Medina County's request to be removed from the 38th Judicial District and forming a new judicial district. A vote was taken (5:0 all ayes) the motion carried by all present.

XII. Consider and appropriate action on adopting an Ordinance calling the May 4, 2019 General Election for the places of District 1, District 2, Council Members and Mayor.
(Debra Howe, City Secretary)

A motion was made by Councilmember Dyer and duly seconded by Mayor Pro Tem Carey to adopt an Ordinance calling the May 4, 2019 General Election for the places of District 1, District 2, Councilmembers and Mayor. A vote was taken (5:0 all ayes) the motion carried by all present.

XIII. Discussion and possible action regarding construction of an industrialized (modular) home.
(Lora Chontal, Community Development Coordinator)

Community Development Coordinator Lora Chontal briefed the city council on the recent inquiries on the permitted construction project for an industrialized, also so known as a modular home. Ms. Chontal said when the permit was requested she discussed the project with the contracted building inspectors and the city attorneys on the legalities of allowing the building in the city. Ms. Chontal said after research and consultations, staff felt it would violate State Law if the permit was not approved. Ms. Chontal said the criteria for a modular home verses a manufactured home was different and provided the information to council. Councilmember Dyer complemented Ms. Chontal on her work on the project and reading the ordinance as written, the house met the requirements. He agreed they should make improvements to the ordinance. Councilmember Byars said he had reviewed and felt the city did not have a choice but to allow. Councilmember Santleben felt they should have had to come before the Planning and Zoning Commission and/or the City Council. It was determined that was not required since they met the requirements. Mayor Kelley felt they should not be allowed in certain areas and the city needed stricter guidelines. He wanted staff to review the ordinance and bring back with more stringent requirements for consideration.

XIV. Adjourn.

Mayor Kelley adjourned the meeting at 8:25 p.m.

Timothy Kelley
Mayor

ATTEST:

Debra Howe
City Secretary