

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

**1209 Fiorella
City Council Chambers**

February 28, 2023

Tuesday

5:30 P.M.

MINUTES

I. CALL TO ORDER

Mayor Darrin Schroeder called the meeting to order at 5:30 p.m.

II. ROLL CALL

Present:

Mayor Darrin Schroeder

Scott Dixon, City Administrator

Mayor Pro Tem Phil King

Debra Howe, City Secretary

Councilmember Sheena Martinez

David Kirkpatrick, Airport Manager

Councilmember Paul Carey

Devin Fredrickson, Community Services Director

Councilmember Harold Stein

Councilmember Herb Dyer

Others in attendance:

Cynthia Trevino, City Attorney

III. PLEDGE OF ALLEGIANCE

IV. INVOCATION

David Cowan, Associate Pastor with Community Church gave the invocation.

V. CITIZEN 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. 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.

Anna Wharton, 1762 CR 4713 Castroville, spoke as a concerned landowner located in the county near the Castroville Airport on the now defunct Airport Zoning Board. Ms. Wharton was concerned the city was spending too much money and the city council discussing the Airport Zoning Board in executive session. Ms. Wharton felt the city council was not being transparent with the community. Ms. Wharton felt the Airport Master Plan being presented at this meeting had property owners worried about the proposed future growth and losing their property rights. Ms. Wharton was opposed to the city taking more government funds for the airport.

David Merz, 148 Village Path, wanted to thank the utility department/new development for responding so quickly to water bubbling up to the surface in the Country Village Subdivision. Mr. Merz said he reported the issue, and it was taken care of very quickly.

VI. CONSENT AGENDA

- a. Minutes for February 14, 2023 Special Called City Council Meeting.
- b. Minutes for February 14, 2023 Regular Called City Council Meeting
- c. Approval of Public Works Dump Truck purchase.
- d. Approve Public Works Utility Vehicles purchase.
- e. Approve Lion's Park Athletic Field Improvements Project.
- f. Approval of the Medina Valley Soccer Association Contract.

Mayor Schroeder briefly spoke on the purchases shown on the consent agenda. Mayor Schroeder reminded the city council these were approved in the CIP by the city council.

Councilmember King asked to pull item f. MV Soccer Assoc. Contract for further discussion. Councilmember Dyer did ask if the city had the funds available for these CIP purchases. City Administrator Scott Dixon said they were funded.

A motion was made by Councilmember King and duly seconded by Councilmember Martinez approve the remaining consent agenda. A vote was taken (5:0 all ayes) the motion carried by all present.

VI. f. Approval of the Medina Valley Soccer Association Contract

Councilmember King briefed the city council on the contract with the soccer association. Mr. King said he saw where the names and addresses of the players had been removed. Mr. King said the reason they were included in past contracts was to justify the city subsidizing the use of the fields. A percentage of the kids were to be from Castroville. City Administrator Dixon said the city had not used that and the fees the city had approved almost covered the costs for soccer. Councilmember Dyer asked if there was a way to determine the number of community kids using the park.

Mayor Schroeder stopped the discussion to go into the agenda item for the Public Hearing advertised for 5:45 p.m.

IX. Public Hearing for the submission of an application to the Texas Department of Agriculture for one or more Texas Community Development Block Grant Program grants for Program Year 2023

Opened: 5:46 p.m.

No one requested to speak.

City Administrator Scott Dixon said this was a requirement for the application submittal. GrantWorks was hired by the city council at the last meeting. A sign-in sheet was provided.

Closed: 5:49 p.m.

VI. f. Approval of the Medina Valley Soccer Association Contract (Cont.)

Councilmember King said he was in favor and just wanted to let the current council know the history on the details in the previous contract. Councilmember Dyer said the park had always been subsidized with city

funds. Mayor Schroeder said approximately 11% of the property taxes helped pay for city services and he felt

the activities at the park had a positive effect on the town. City Administrator Dixon said staff had removed and could put back in the contract. Mayor Schroeder asked the council if they would deny the contract if there were not enough children of Castroville participating. Councilmember Carey said he would still be in favor. Councilmember Dyer said he would not be in favor and Councilmember Martinez said she would be and that a large number of Medina Valley ISD students were part of the activities. City Attorney Cynthia Trevino said legally the city could not use city funds to support a private entity.

A motion was made by Councilmember Carey to approve the contract as presented.

The motion died from lack of a second.

A motion was made by Councilmember Dyer and duly seconded by Councilmember King to put back into the contract the residency information. A vote was taken (4 ayes: 1 abstain (Carey)) the motion passed by a majority vote.

VII. Mayor's Report:

- a. Medina Valley High School Campus tour – CTE Visit

Mayor Schroeder briefed the city council on his tour of the high school campus. Mayor Schroeder said the school had a new cyber security program and they wanted to partner with the Airport on a trades training program with Medina Valley students.

VIII. Council Board Liaison Reports:

- a. Airport – Stein
- b. Library – Martinez
- c. Historic Landmark Commission – King
- d. Parks and Recreation – Dyer

Councilmember Stein briefed the council on the February Airport meeting. Mr. Stein said the manager's report was included in the packet and fuel sales were up.

Councilmember Martinez spoke on the "Love Your Library" event which featured a meet and greet, silent auction and had a very good turnout. Ms. Martinez felt the city needed to look in the future at a new Library. Councilmember King said the Historic Landmark Commission met on two requests – one was the replacement of the roof on one of the buildings at the St. Louis Church and a residence.

Councilmember Dyer said the Parks and Recreation Advisory Board met and discussed the location of the new playground and the recommendation of demolish of the old restrooms.

X. Presentation by KSA Engineering on Castroville Municipal Airport Master Plan including Airport Land Plan

City Administrator Scott Dixon spoke briefly on Ms. Wharton's concerns with building at the airport. Mr. Dixon said there was no plans to build at that time but the fencing project was coming up later in the meeting. Mr. Dixon said the city had to plan for future growth and the updates were necessary to the Airport Master Plan and Land plan. Michael Mitchell, Senior Aviation Planner with KSA Engineering briefed the city council on the plan and future planning. Mr. Mitchell said this was a 20-year plan, all the projects would have to be approved to be funded by TxDOT. Mr. Mitchell said the State had passed the Infrastructure Investment and Jobs Act November 2021 with new funding for the purpose of improving safety and sustainability at airports. The \$15 Billion in funds could be used for runways, safety, terminals, airport-transit connections and roadway projects. Mr. Mitchell said Castroville would be eligible for \$159,000 annually, typically with a 90/10 match. Mr. Mitchell said the city would need to go through the FAA Environmental study for each one. Mr. Mitchell said for a project to be funded there were steps that must be taken, those being Planning, Environmental Study, Design, and finally Construction. Mr. Mitchell said the recommended plan was to address FAA Design Standard Deficiencies, maximize opportunity with available airfield and find the best long-term solution for the airport development. The Implementation Plan was to a guide for the projects with a phased approach based on demand conditions and FAA design criteria and finally funding was based on a priority system, which was listed as safety, capacity, standards and environmental. Projects listed in the presentation were – relocation of the AWOS System to the west side of the runway 16/34 (safety/standards) at \$250,000, construct wildlife/security fencing (safety) at \$575,460, property acquisition (existing runway 34RPZ)(safety) consisting of 11.21 acres at Fair Market Value, construct two taxiway connectors to runway 16/34 (safety/standards) at \$1,255,967.00, demolish existing midfield taxiway connector (safety) at \$371,020, replace runway 16/34 lightening with LED MIRL (safety) \$51,000, and construct taxiway lighting with LED MITL (safety) \$1,549,658. City Administrator Dixon pointed out to the city council with federal funding the cost was much higher on the projects. The example was the same airport fencing project shown in the presentation as \$575,460 was on the agenda for \$90,000 with private funding. Mr. Dixon said the property acquisition project was premature as the property owners had not been contacted and it could be just an aviation easement agreement with the farmer. Councilmember Carey asked with improvements would the military, if there was a fire department, use the airport. Mr. Dixon said more than likely, not. Councilmember Martinez said they might use for fuel calculation training and suggested speaking with the base. Councilmember Dyer asked if the projects were in the order of priority. Mr. Mitchell said they were. Mr. Dyer felt there was not enough funding available to do the projects listed. Mr. Mitchell said TxDOT had discretionary funding available for projects they felt was needed. City Administrator Dixon said it was just a plan until funded. Councilmember Martinez asked if there were penalties for not completing the projects. Mr. Dixon said there was not, but they were looking to update the midfield runway lighting.

Airport Manger David Kirkpatrick said he had submitted a request to TxDOT this year for discretionary funding for the AWOS relocation and lighting projects. Noted was how the federal funding was provided through taxes on fuel sales at the airport and fees on airline ticket sales, not from the city taxpayers. Mayor Schroeder wanted to be careful on talking and showing projects (#3 11.21 acres) when no discussion had been started with the property owners. Mr. Dixon said it was unusual for cities to own the RP2 and as the city owned the northern end the land project had been included for safety at the southern end. Mr. Dixon said it was only shown as an option. Mayor Schroeder said communication was key with the citizens. Mr. Dixon said throughout the updating process of the plan there had been public meetings for citizens to attend and ask questions.

XI. Discussion and appropriate action on approving the Airport Fencing Project

City Administrator Scott Dixon briefed the city council on the fencing project at the airport. Mr. Dixon said there were concerns from the tenants and he had videos from pilots with the Sky Divers filming deer crossing the runway while they were trying to take off. Councilmember Martinez asked about a military program “Bash” to help with the wildlife issues. The program used propane cannons to scare away the wildlife. Airport Manager David Kirkpatrick said that may not be the best way to remove the animals. City Administrator Dixon asked that discussion continue after executive session as the city attorney recommended discussing further in executive session. City Council agreed.

XII. Updates on Marketing and Tourism from Tourism/Development Director Darin Hamm

Tourism/ Development Director Darin Hamm briefed the city council on his 6 month tasks update. Mr. Hamm said he had met with various community leaders and associations to get input on what they felt was needed to bring more people to Castroville. He had been working on information on tours for Castroville and had sent out to ten different groups. Mr. Hamm said they had already had one respond to the invitation. Mr. Hamm said there was merchandise promoting Castroville out in the community for sale now. Mr. Hamm said in the next 12 months he planned to work more with the Boards, volunteers, Parks and San Antonio. Mr. Hamm said there was a new webpage listing hotel and short term rentals; he was using social media more on events and working on marketing the Fiorella Friday event. The Tours de Castroville Event had 110 signed up which was 110% more than last year at this time. City Administrator Dixon said there was plan in place in the short time Mr. Hamm had been there. Councilmember Martinez suggested contacting the Wounded Warriors Group to help with events. Councilmember King suggested having a workshop with others and the Chamber of Commerce to have more tools to help with marketing/promoting. Council was pleased with the progress update.

XIII. Discussion and appropriate action on site selection for a new restroom and improvements to the surrounding area at Regional Park

Parks Director Devin Fredrickson briefed the city council on where the new restroom and playground would be located. Mr. Fredrickson said there was two options for the council to review – (1) was to demolish the old restrooms and have additional parking for events. (2) was to keep old restrooms intact and position the

new restrooms near the new playground and soccer fields. Mr. Fredrickson said the Parks Board recommended Option #1 with demolish. Councilmember King said he remembered the cost was significantly less for demolish at \$7,000 compared to \$70,000 for rehab and to meet ADA compliance. Mr. King recommended leaving old building and look at doing something at a later date. Councilmember Dyer said at the Parks Board meeting there was no support in keeping building but to demolish and save the rock for future use. Mr. Dyer asked when the next restroom project was going to come before council. Mr. Fredrickson said it was slated for 2026-2027. Mr. Dyer said his personal recommendation was to close up and wait, he was more worried about cleaning of the facilities. He was in favor of preserving old facility and Option #2 but the parks board was in favor of Option #1. Councilmember King asked if the parking area was already laid out. Mr. Fredrickson said no just designated at this stage.

A motion was made by Councilmember Dyer and duly seconded by Councilmember Carey to approve Option #1 to demolish old building, with additional parking. A vote was taken (2 ayes: 2 nays: 1 abstain (Martinez)) motion failed.

Councilmember Martinez asked about costs for sidewalks in Option #2. Mr. Fredrickson said he had a recently worked with a local contractor and he would give the city a good price on the concrete. Mr. Fredrickson said crushed granite was also an option. Mr. Fredrickson said he had a contingency fund for the additional costs.

A motion was made by Councilmember Carey and duly seconded by Councilmember King to approve Option #2 preserving the current facility and revisit to determine demolish or rehabilitation at a later date. A vote was taken (5:0 all ayes) the motion carried by all present.

Councilmember Dyer suggested moving the new restrooms to allow for all doors to be observed by the Parents for safety.

XIV. Discussion on amending animal control ordinance related to regulating tethering of animals within the city limits

Councilmember Carey said he had requested the item after a neighbor contacted him on a dog being chained outside. Mr. Carey suggested looking at in the future for regulating tethering.

XV. Staff Reports:

- a. Airport – Activity Report
- b. Community Development – Activity Report
- c. Community Services – including Streets, Parks, Animal Control, and Code Enforcement Activity Reports.
- d. Finance – Sales Tax and financial activities.
- e. Library – Monthly Statistics and activities.
- h. Police Department
- i. Public Works – Activity Report

City Administrator Scott Dixon said he did not have a presentation on the staff reports and asked for any suggestions to improve the staff reports. Mr. Dixon said the Library Event was discussed earlier and had a good turnout. He and Finance Director Leroy Vidales were in the process of meeting with firms on investing

the city funds. Councilmember King asked about the pool being drained. Mr. Dixon said he thought for maintenance. Mayor Schroeder said the reports were better, but he had a few more suggestions on unifying the reports.

Mayor Schroeder recessed the meeting to go into Executive Session at 7:54 p.m.

XVI. EXECUTIVE SESSION:

- (1) Pursuant to the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, Section 551.071 (entitled “Consultation with Attorney) and the City Council may convene in executive to receive advice from the City Attorney regarding the following:
 - a. Airport Hazard Zoning issues and related matters

- (2) Texas Government Code Section 551.072 (entitled Deliberation regarding Real Property) to deliberate the purchase of real property, parkland acquisition opportunities and sale of city owned property.
 - a. City owned property at London and Alsace.

- (3) Texas Government Code Section 551.085 (entitled “Deliberation regarding Economic Development Negotiations”).
 - a. NP Homes Development Agreement.
 - b. Cobblestone
 - c. Kingfish

- (4) Texas Government Code, Section 551.086, (entitled Competitive Utility Matters) The City Council, as the governing body of a public power utility, will meet in closed session to discuss competitive matters, including: purchased power agreements.
 - a. CPS Separation Agreement

Opened: 7:59 p.m.

Closed: 9:04 p.m.

XVII. Reconvene in open session

Mayor Schroeder reconvened in open session at 9:07 p.m.

XVIII. Consider possible action(s) resulting from items posted and legally discussed in Executive Session

A motion was made by Councilmember King and duly seconded by Councilmember Carey to approve a legal agreement with Clark Hill for Special legal services. A vote was taken (5:0 all ayes) the motion carried by all present.

XI. Discussion and appropriate action on approving the Airport Fencing Project (Cont.)

Mayor Schroeder was in support of the fencing project at the Airport and they needed to look at funding options. Councilmember King felt the fence needed to be built and asked if the city could make a loan to the airport with options to pay back. City Administrator Dixon said there could be some options with adding new hangars that would help with bringing in income and repay. Councilmember Carey thought adding the fence would be a marketing tool. Mr. Dixon said it was a safety concern. Council discussed in depth the drawing designating where the fence would be built. There was discussion on placement of a new gate, cattle guard for access to road and changing the location of the fencing in the front area of the airport property.

A motion was made by Councilmember Carey and duly seconded by Councilmember King to approve the construction of the fence with a strategic plan presented to council with Airport 10 year pay back and a final gate interface down airport road.

City Administrator Dixon said in listening to the discussion staff was looking to move forward quickly on the project but if he was having to bring back a new fencing design he rather wait and approve all at same time as it could change the scope of work.

The motion was amended by Councilmember Carey and duly seconded by Councilmember King to include a council representative to coordinate the location of the gate. Councilmember Carey volunteered his services. Councilmember Carey withdrew his original and the amended motion.

A motion was made by Councilmember Carey and duly seconded by Councilmember Stein to approve a fencing project not to exceed \$90,000, with a payback of 10 years, with a gate interface brought back at a future meeting. A vote was taken (5:0 all ayes) the motion carried by all present.

XIX. Discussion on future agenda items

Councilmember King request the cost of historic markers be placed on a future agenda once he received the costs.

Councilmember Dyer requested discussion on a cleaning policy.

XVIII. ADJOURN

Mayor Schroeder adjourned the meeting at 9:35 p.m.

Darrin Schroeder
Mayor

ATTEST:

Debra Howe
City Secretary

*Signatures on file