

City of Natalia, Texas
Regular City Council Meeting
May 20, 2019 at 7:00 pm
Minutes

Roll Call: Mayor Tommy Ortiz ó Present Mayor Pro-Tem Sam Smith - Present
Alderman Mike Fernandez ó Present Alderman Darin Frazier - Present
Alderman Sam Bluemel ó Present Alderman Selica Vera - Present

Call to Order:

- 1) Mayor Tommy Ortiz called the regular city council meeting to order at 7:00 pm; followed by the Pledge of Allegiance led by Alderman Frazier, and Invocation by Alderman Bluemel.

Citizens to be Heard:

- 2) 1) Kathryn Jones, w/Lytle Animal Allies, announced PAWS event to be held on July 20th, soliciting for donations for the event. 2) Doug Smith, w/Texas Disposal Systems, introduced himself and the interest of soliciting for bids for garbage service contract, when services become due. 3) Rub Very, deferred comments to Item #7.

City Council Comments:

- 3) Alderman Fernandez requests for a copy of the Natalia Little League financial report for council review; and, the results of a potential blocking of an alley by placement of a fence between 8th/Miller/Palfrey. Administrator Hernandez made contact with the abutting property owners installing the fence, requesting them to stop and remove all fencing that is encroached in the alleyway.

Consent Agenda:

- 4) a. Approval of Minutes: April 2019
b. Approval of Financial Activity Report: April 2019
c. Approval of Utility Department Activity Report: April 2019
d. Approval of Municipal Court Activity Report: April 2019
e. Approval of Police Department Activity Report: April 2019
Action: Alderman Bluemel made the motion approving the consent agenda, and Alderman Fernandez seconded the motion. Vote: 5-0; Motion carried unanimously.

Discussion/Consideration of Action Items:

- 5) **Discuss/Consider Hiring Ehanire O. Eseosa for the position of Police Officer for the Natalia Police Department, and administering the Oath of Office.**

Action: Mayor Ortiz removed item 5 from the agenda.

Discussion: None.

Vote: None.

- 6) **Discussion/Consider approval of Application and Petition by Natalia Independent School District to vacate, close and abandon portions of street(s) and alley(s), located in the general areas of Block 51, 59, 60, R & Q, as more specifically listed below; and setting a Public Hearing date for June 17, 2019:**

- 1) The 895øfeet of unpaved portion of 9th Street, between Kearney and Miller Streets;
- 2) The 410øfeet of unpaved alleyway between 8th & 9th Street and Pearson & Kearney Streets;
- 3) The 1,235øfeet of partially paved portions of Pearson Street, from 8th Street to MCAD Property ID 53232;
- 4) The 355øfeet of paved portion of 8th Street, between Pearson and Kearney Street.

1st Action: Mayor Ortiz requests City Council to table this item for further review by City Council. No council consensus. Item continued for discussion/consideration by city council.

Discussion: Alderman Frazier commented that this request was just brought to city council for review on Friday with the agenda packets, and is completely different than that discussed previously with the school district. These requests for closure items was not part of the original plans, and only certain members were present at the workshop held last Wednesday to discuss the closures, and not all council are aware of what the plans are. NISD Engineer, Nick Vandelist, mentioned that the request for the street/alley closures are following the scope of the cityø guidelines; the purpose of the closure is to continue with the schools bond

construction plans, in which portions of these requested streets are already in the schools control. Alderman Smith mentioned that he was present at the Wednesday's workshop with the school, and understands that Sub-items No. 1, 2, and 3 have school facilities constructed on them already, and the closure requests for 8th Street (Item 4) is not necessarily to close the street, but to allow the school to proceed with improvements, because bond monies cannot be used on property is not owned by the school. Alderman Frazier explained that we've done many things in the past to benefit the school that was temporary that eventually became permanent, i.e. the one-way school zone; and if we agree to convey 8th Street to the school, they essentially can close the street with our approval or not; and wished to see a traffic study that expresses the direction of the flow, reroute, of traffic if 8th Street is closed, and the current study provided does not reflect that. Vandelist advised Council that the study is not a requirement of the city's street closure requirements, however, one was done to appease Council; and the study provided depicts little to no impact of traffic flow, or the reroute of traffic from 8th Street because current plans do not cause for this portion to be closed. The traffic study performed expresses no change in the flow of traffic; and performing studies beyond the schools construction plans is beyond the scope of what funds are available to spend, which is up to 12% of the construction. Alderman Fernandez and Frazier questioned school officials if the result for the need of 8th Street closure is in regards to poor planning, because the city has several facility lines under that portion that needs to be taken into consideration, and the city has no monies budgeted for issues that may arise with the construction to be made within the area. Administrator Hernandez reiterated previous discussions, that the City shall not incur any costs related to the closure, or school construction. Alderman Frazier recommends the city's engineer review the traffic study, but not at the cost of the city, because we need a professional to advise us of the schools plans, traffic study, but on the city's behalf. Alderman Fernandez also mentioned that if there are any damages made to the water lines under 8th Street when the construction is being performed, there are no shutoff valves to isolate the leak, and the whole city would have to be shut-down; and at whose expense.

2nd Action: Alderman Frazier made a motion to table this item until the city's engineers can review and provide advice on these matters, at the cost to be burdened by the school. Further Discussion: Nick Vandelist request that if 8th Street is the issue, if City Council will consider approving the closure of the other streets, as it has no effect on current traffic, rather than tabling the entire agenda item. Administrator Hernandez interrupted further discussion as a motion is on the floor. Alderman Bluemel moved to amend the motion to approve the application of Items 1, 2 and 3, and only tabling Item 4 for the same purpose of Frazier's motion. Vote: Motion passed unanimously by a 5-0 vote, accepting the application and petition of Items 1, 2 and 3; and tabling Item 4. A public hearing on items 1, 2 and 3 will be scheduled for June 17, 2019.

7) **Discuss issues related to brush pickup services provided by Republic Service.**

Discussion: Citizen Ruby Vera expressed concerns regarding the delayed issues involved with garbage services brush pickup and curbside pickup since Republic Services took over the ACI contract, and wishes for matters to be resolved quickly. Administrator Hernandez mentioned that city hall is bombarded with many complaints of missed pickups for brush and curbside, reasons for lack of communication, delayed route pickups, and customers failing to call city hall to be placed on the pickup list. Republic Service representatives, Blake Caesar, Municipal Manager, and Ryan Whiteside, General Manager, discussed the issues of concern, and affirmed that Natalia will be cleaned up by the end of this week; both brush and curbside cleanup will take about 2-days.

Action: None.

8) **Discuss/Consider approval of Resolution; Authorizing Lloyd Gosselink Attorneys to Intervene in AEP's requested rate change proceeding before the Public Utility Commission to review and evaluate the proposed rates considered by AEP Texas, Docket No.49494.**

Action: Alderman Smith made a motion approving the Resolution to intervene in AEP's requested rate change; and Alderman Fernandez seconded the motion.

Discussion: None.

Vote: Motion passed unanimously by a 5-0 vote.

9) **Discuss/Consider adoption of Ordinance; Amending the City's adopted Municipal Budgets for Fiscal Year beginning October 1, 2018 and ending September 30, 2019, and setting an effective date.**

Action: Alderman Smith made a motion approving the amendments; and Alderman Fernandez seconded the motion.

Discussion: Alderman Frazier asked what the main amendments were for. Administrator Hernandez stated the city is within the 8th period of the fiscal year, and the initial budget forecasted \$311k (100%) to be collected from water and sewer services, a collection increase resulting from the water meter replacement program to capture water losses; but current financials only reflect \$170k collected thus far, and does not believe we will capture that of what was budgeted.

Vote: Motion passed unanimously by a 5-0 vote.

- 10) **Discuss/Consider approval of Resolution; Authorizing the Write-off of uncollectible aged receivables from Natalia Municipal Court from periods beginning October 1, 2002 through September 30, 2014, for an uncollectible amount of \$905,562.20.**

Action: Alderman Frazier made the motion approving the write-off; and Alderman Bluemel second the motion.

Discussion: Alderwoman Vera asked if there was any other way we can collect from these people. Court Clerk Nicole Bermea explained that several efforts were made to collect on these accounts; certified letters were mailed defendants, of which many were returned, cases were sent to two different collection agencies, cases were filed with Omni (State Agency), and for many cases, citations are accompanied by any complaints of which facts of the cases are considered lost as issuing officer(s) are no longer employed by the city. Judge Loza issued notice of order to purge aging cases and cause to be administratively closed.

Vote: Motion passed unanimously by a 5-0 vote.

Staff Reports:

- 11) **City Administrator:** 1) Issued Council a proposed FY 2019-2020 Budget & Tax Calendar, advising of meeting dates and times, and required super-majority meetings for tax rate and budget adoption. 2) Reviewed the 2019 Preliminary Taxable Property Valuations provided by Medina County Appraisal District. 3) Reviewed the Secretary of State Important Dates for November Election; announcing terms to expire for this year's election is seated by Mayor Ortiz, Alderman Frazier, and Alderman Bluemel.
- 12) **Adjournment.** Alderman Smith motioned to adjourn the meeting at 8:51pm, and Alderwoman Vera seconded the motion. Motion carried unanimously.

Passed and Approved this 17th day of June, 2019.

Approval:

Tommy Ortiz, Mayor

Attest:

Lisa S. Hernandez, City Administrator/Secretary