

CITY OF NATALIA

2078 State Hwy. 132 N. • P.O. Box 270 • Natalia, TX 78059-0270
(830) 663-2926 • Metro (830) 665-2206 • Fax (830) 663-3806

REGULAR CITY COUNCIL MEETING CITY HALL COUNCIL CHAMBERS 2078 STATE HWY 132 NORTH, NATALIA, TEXAS 16 OCTOBER 2023 at 7.00 P.M.

MINUTES

ROLL CALL: Mayor Samuel Bluemel – Present
Alderman Mike Fernandez – Present
Alderman Tommy Ortiz – Present

Mayor Pro-Tem Sam Smith – Present
Alderman Darin Frazier - Present
Alderman Selica Vera – Present

1. CALL TO ORDER:

Mayor Bluemel called the regular city council meeting to order at 7:00 pm; followed by the Pledge of Allegiance by Alderwoman Vera and Invocation by Mayor Bluemel.

2. CITIZENS TO BE HEARD:

A gentleman from Devine named Brandon, a soccer parent voiced his concerns about the Elite soccer program being able to use the Natalia Little League fields for the soccer program. Brandon is a parent and coach for the program and stated they have already started practicing and are supposed to start games on Saturday October 21st. He feels it's beneficial to the kids to be able to have the soccer program and requests that the city council reconsider allowing the soccer program use of the fields.

3. CITY COUNCIL COMMENTS:

Alderman Frazier thanked city staff for the hard work preparing for eclipse. Alderman Fernandez thanks staff for the work preparing for the eclipse and during the eclipse. He stated that he and Alderman Smith took the time to speak to many people in attendance and they had nothing but positive things to say and they all planned to return for the April 2024 eclipse. Alderman Fernandez also thanks the city staff, Police Department and Fire Department for all the help and work for National Night Out and it was much appreciated. Alderwoman Vera gave kudos to city staff for all the hard work for the eclipse. She stated that she was told we were the most prepared city with the biggest crowd in the county and this is just a glimpse of what to expect for the April 2024 eclipse.

4. CONSENT AGENDA:

All of the following items are considered to be routine by the City Council, there will be no separate discussion on these items and will be enacted with one motion; unless removed by any Council Member to discuss and consider separately by making such request prior to a motion and vote.

- a) Approval of the Minutes: 18 September 2023 Regular Meeting
- b) Approval of the Financial Activity Report: September 2023
- c) Approval of the Utility Department Activity Report: September 2023
- d) Approval of the Municipal Court Activity Report: September 2023
- e) Approval of the Police Department Activity Report: September 2023
- f) Approval of the Police Code Enforcement Activity Report: September 2023

Action: Alderman Fernandez made the motion approving the consent agenda, and Alderman Smith seconded the motion. Vote: 5-0; motion carried

5. INFORMATIONAL ITEMS:

City Administrator/Secretary, Nichole Bermea reported the city staff will be passing out Halloween treats and food on 3rd Street in front of the police department on Halloween. The city will be hosting the

Go Medina meeting on Tuesday October 24th at the First Baptist Church on Pearson Street at 9:00am. Nikki will send out a reminder to the city council. The NMDD will be hosting a Fall Bazaar on Saturday November 18th. They are currently looking for vendors. The Veterans Day Ceremony will be held on November 11th at 11:00am. Nikki reported that as everyone has already mentioned the eclipse went well despite the clouds, we had a good turn out and everyone contributed. The Mayor, Alderman Ortiz and Nikki attended the first-round table meeting with members of Natalia ISD school board and Administration. The meeting went very well, it was very positive. It was discussed that the city will install the crosswalks in the next month or so. The school district has the stencils, and we just need to coordinate everything. Alderman Frazier suggested that Nikki contact someone to give the city a quote to install the crosswalks since it will be time consuming, and our staff has never done it before.

- a) Utility Director – Art Smith reported that the guys have been busy prepping for National Night Out and the Eclipse. They have several projects coming up that will require planning. They will be installing a sewer line on Pickthal and a tap on Palfrey Street. Alderman Frazier asked if we intended to have the grill repaired on the one utility truck. Nikki explained that she did receive quotes and the intention was to get new utility trucks. However, with the emergency expenses of the well and lift station repairs that were incurred, getting new trucks was pushed back. Nikki will work on getting the truck repaired. Alderman Frazier also asked the status of the police Tahoe's and if Nikki had new vehicle quotes. Nikki reported that one of the unit's was taken for the oil issue repairs and she will be contacting Brown's Chevrolet about new thicker brake pads. This will be for one of the units and she is still looking at options to replace at least one of the units.
- b) Mayor – Mayor Bluemel thanked the utility department for the fast repair of the main break on Aubrey. Also thanks to Mike and Brenda Fernandez for all of their efforts on National Night Out and to city staff for NNO and the eclipse. Art Smith reminded everyone that Dana Woodson deserves to also be thanked as he brought out his backhoe and lights during the main break and stayed until 2:30am. His help is much appreciated.

REGULAR SESSION

- 6. Discuss/consider a resolution nominating a candidate for the election of Medina County Appraisal Board of Directors beginning January 1, 2024. Nikki explained that the council should nominate a candidate for the Board of Directors. The ballots will come sometime in December at which point the council will cast their vote and Natalia gets 21 votes. Alderman Fernandez made a motion to nominate Jerry Beck for the Medina County Appraisal District Board of Directors. Alderman Smith seconded the motion. Motion carried; 5-0.
- 7. Discuss/Consider action on a Lease Agreement between the City of Natalia and Edward Castro for the purpose of soccer program at property located between State Hwy 132 & East 3rd Street off FM-471 (Natalia Veterans Sportsplex). Edward Castro is requesting use of the property for a soccer program that he runs. He has used the property for the program since 2021, however at that time initially he had a contract and was responsible for the costs of garbage and electricity. He incurred a large electricity bill for three months of usage and didn't pay the balance off until October 2023. In 2022 Edward came before the city council to request to use the property without a contract or electricity since the games would be held on Saturday mornings. At this time there was no active little league contract. The city council took his request into consideration and agreed for him to use the property for soccer only with no light usage, but he would still be responsible for paying the remaining balance on what was owed for the previous electricity. Edward agreed to the terms for use of the property. Currently the property is under lease to the Natalia Little League and the Board agreed that no subleasing to anyone that is not in good standing with the city and Board President Jaime Gomez stated that he would check with the city office on anyone requesting a sub-lease of the property. Edward started soccer registration in July 2023, and requested use of the property to the little league board at the

October 2, 2023 meeting. Edward paid off the remaining balance of the electricity on October 2, 2023. Nikki reported to Jaime and the city council that the balance was paid. The Board held a meeting that evening and voted to not approve the sub-lease without prior approval from the city council considering the time for the balance to be paid off as discussed with the city council. Edward stated that the little league voted to approve the usage of the property, but the city needs to approve, and he doesn't understand why since he paid off the balance. Alderman Smith responded stating that the electric balance was not paid. Edward responded that it is paid now, and it wasn't paid last year. Nikki stated that there was no contract last year, it was a verbal agreement for soccer use only with no lights. Alderman Frazier stated that Jaime made it seem that no sub-leasing would occur for profit affiliations. Alderman Frazier stated that there was a long period of time, two years to pay off the balance owed from 2021 for electricity and last year it was an issue with the time change, holding practice at night in the dark. It was a major safety issue. Edward stated that there are currently softball and baseball teams using the property for practices while the little league is under lease. Alderman Frazier stated that those groups did not owe the city thousands of dollars and they are in good standing as is the little league board and he feels Jaime or members of the board should be in attendance. Several other city council members verbalized agreement. Alderman Fernandez stated that Jaime stood in front of the city council and stated that friends or no friends this is business and anyone not in good standing would sub-lease the property for anything. Edward stated he has been holding events and been active with the little league and other organizations for 10 years and he feels it's due to personal feelings against him that the council does not want him to use the fields and it's for the kids. He has had major personal issues over the last two years, and this is why it took him so long to pay the balance, but it's paid now, and he should be able to use the fields. Edward asked how we can make this work. Alderman Smith asked Nikki what Jaime or anyone from the board has told her and who is responsible right now to pay the electricity. Nikki reported that Jaime stated that the board voted to not allow Edward use of the fields without prior council approval because the board did not want to jeopardize their contract for the property and the little league holds the contract now, so they are responsible for paying the electricity to the city. Jaime stated that Edward posted soccer meetings before it was even approved by the board and the board did not approve it. Alderman Frazier stated that anyone using the fields at night must use the lights for safety purposes. Again, several city council members agreed that someone from the little league board should have been in attendance for tonight's meeting so everything could be discussed in the open with all parties present. A parent in attendance asked if it was possible for the council to enter an annual contract with the little league and Edward. Nikki stated that there is already a contract in place with the little league and we cannot not override that unless the contract is terminated and a new one put in place. Alderman Frazier reminded everyone that the soccer program is not a non-profit 501C3. Edward stated he is in the process of obtaining his non-profit status, but it wouldn't be completed until after January 2024 and the soccer season is now. Alderman Ortiz stated the little league needs to be sure they will pay the electricity bills because Jaime told the council that they would not lease to Edward, business is business and he stated that the little league will not pay for Edwards bill. Edward stated that with or without permission soccer will be held. Edward asked if he could get his sister on the phone to speak on behalf of the little league board. Alderwoman Vera stated that it was advertised that soccer was starting before permission was even given. Edward stated that he had to start advertising and it was just a parent meeting, but the meeting was moved to the school. Alderman Smith stated the little fields are supposed to be locked and you can't advertise to use property without permission. Alderman Frazier stated he has a grandson that plays soccer but if he must tell his grandson there will be no soccer he will because he sits here on behalf of the City of Natalia and he has a job to do. Nikki stated that this is to decide if Edward is in good standing with the city to approve the little league to sub-lease and someone from the little league should have been here. Mayor Bluemel explained that

the Little League has a current contract, and we cannot enter into a new contract with Edward. The only thing that can happen is if the little league agrees to take responsibility for the electric bills, the council could agree to allow Edward to sub-lease. As the board President Jaime will need to come in and talk to Nikki and sign something in writing agreeing that the little league will be responsible for the electricity regardless of if they receive a sub-lease payment or not. Alderman Smith agreed Jaime would need to sign something agreeing to take responsibility. Edward stated last year the council allowed him to have a contract. Nikki stated that is not true. Last year the council allowed you to use the fields for free for soccer only and Nikki presented the minutes from the August 2022 meeting and then you allowed softball to practice which you didn't have the authority to do. At which time I called you to let you know that it was unsafe to have the kids practicing in the dark and if we had sponsors for half of the cost of monthly electricity could you get sponsors for the other half and you agreed you could and you did. The council was more than fair with you and gave you the benefit of the doubt that you would come and pay the balance from the previous year. Alderwoman Vera stated that this is getting nowhere, and she thinks we should stop this and schedule a special meeting. Alderman Smith stated that if Jaime comes in and signs in writing for the little league to be responsible that's the only way we can move forward. Alderman Fernandez stated that when that property was donated by the American legion it was donated for little league only and he feels we are getting too far off that course with all these outside groups and sub-leases and feels we need to allow little league season only and no more. Alderman Fernandez suggested that we table this item and schedule a special meeting. Alderwoman Vera reminded everyone there must be 72 hours' notice of such meeting. Alderman Smith reminded the city council that it had already been stated that they plan to start games in 6 days and with scheduling it would not be possible to have a special meeting prior to Saturday, nor was anyone willing to hold a special meeting for this purpose at 8:30 pm. Alderman Smith reminded the city council that it had already been stated that they plan to start games in 6 days and with scheduling it would not be possible to have a special meeting prior to Saturday, nor was anyone willing to hold a special meeting for this purpose at 8:30 pm. Edward asked if it was possible if he could get a board member on the phone now would that help and Alderman Smith stated no that is not legal. Mayor Bluemel stated we need to decide what we are doing, this back and forth isn't getting anywhere. Nikki stated she would have to post a special meeting tomorrow and if no one was available for Friday then the meeting would be on Monday. Alderman Frazier asked Edward when he could be available for a special meeting. Edward responded that he could only be available after 8:00pm. A Little League board member Roseanne Castro entered the meeting. Edward asked her to explain what the board discussed. Roseann stated that another board member spoke to a council member and was told that if the board allows Edward to sublease without council approval, then the little league could lose their current contract. Alderman Smith stated that the city has no recourse if the electricity bill is not paid, and Roseann stated that the little league pays the bills and will continue to pay the bills. Roseann stated this is about the kids, and the little league will charge for use and will pay the city regardless. The little league board charges for use of the fields and lights. The little league board has no issues with leasing to Edward if the council approves but doesn't want to risk their contract. Alderman Frazier made a motion to allow the soccer association (Edward) to sublease the property if the Little League agrees to pay in writing all debt incurred during the soccer season and must demand lights be used during dark periods with no contract with the city. Alderman Ortiz seconded the motion. Motion carried; 4-0. Alderwoman Vera abstained from voting. Alderman Fernandez asked Roseann if the board makes Edward repair the fields after soccer has ended because last year there was a lot of damage on the baseball fields. There were holes and it was time consuming to repair prior to the baseball season.

8. ADJOURNMENT

Alderman Fernandez motioned to adjourn at 8:16 pm, and Alderwoman Vera seconded the motion.
Motion carried; 5-0.

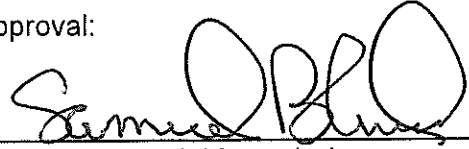
Passed and Approved this 20th day of November, 2023.

Attest:



Nichole Bermea
Interim City Administrator/Secretary

Approval:



Samuel Bluemel, Mayor /or/
Sam Smith, Mayor Pro-Tem



100