

**Written Minutes for the
Regular City Council Meeting
Held on November 18, 2021
7:00 PM
Elmendorf City Hall
8304 FM 327
Elmendorf, TX 78112**

At any time during the City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel, and security).

I. City Council will convene for a Regular Meeting at the Elmendorf City Hall at 7:00 pm November 18, 2021.

Call to Order			
	The meeting is called to order at	7:00 PM	by Mayor Michael Gonzales.
Pledge of Allegiance			
Invocation			by Chaplain Jim Stirnemann.
Roll Call			
Mayor	Michael J. Gonzales		Present
Councilmember Place 1	Tracy Riojas		Present
Councilmember Place 2	Tommy Hicks		Present
Councilmember Place 3	Hipolito "Polo" Maldonado		Present
Councilmember Place 4	Manuel Decena		Present
Councilmember Place 5	Linda Pena Ortiz		Present

Also, present City Administrator Cody Dailey, City Secretary Roxanne De Leon, City Attorney Mike Guevara, Chief Marco Pena, Water Supervisor Shawn Cooper, and Officer Montoya.

Citizens Participation

Bill Lloyd Received a letter on October 4th regarding sewer lines. It is determined that the letter was, in fact, not from the city but from the developer of the subdivision near Mr. Lloyd.

Fire Department Update

Fire Chief Bobby Hogan provides the statistics on the number of calls the fire department handled for the year 2021. Councilmember Ortiz advises everyone that BCESD #10 will have a vaccination station at the Christmas in the Park Event on December 4, 2021. The Pfizer vaccine will be provided at no cost.

II. Mayor and City Council Comments

Councilmember Ortiz The Christmas in the Park Event will be December 4, 2021 at noon.

III. General Business – Consent Agenda

1. Adoption and approval of the city council minutes from October 21, 2021.
2. Approval of the previous month's bills paid and financial reports.

3. Approval of the 2021 Certified Tax Roll as of October 1, 2021. Section 26.09(e) of the State Property Tax Code requires the Tax Roll to be approved by the taxing unit's governing body.

Councilmember Decena motions to approve all three (3) items in the Consent Agenda. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve all three (3) items in the Consent Agenda is passed on a unanimous vote with all five (5) councilmembers in favor.

IV. General Business – Individual Consideration

4. Discuss and possible action regarding a grace period of 30 days for George and Gerry Mabry at 8297 FM 327 to have two manufactured homes on a single lot for the purpose of moving personal effects from the older manufactured home into the newer manufactured home. The older manufactured home will be moved out within the 30-day grace period. City code only allows a single home per lot.

Gerry Mabry and her daughter, Michelle Brown are present for this item.

Councilmember Ortiz motions to approve a 30-day grace period for George and Gerry Mabry at 8297 FM 327 to have two manufactured homes on a single lot for the purpose of moving personal effects from the older manufactured home into the newer manufactured home. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve a 30-day grace period for George and Gerry Mabry at 8297 FM 327 to have two manufactured homes on a single lot is passed on a unanimous vote with all five (5) councilmembers in favor.

5. Discuss and possible action regarding the approval of the final plat for the Gabriel Diaz Subdivision.

Councilmember Decena motions to approve the final plat for the Gabriel Diaz Subdivision. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		

Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve the final plat for the Gabriel Diaz Subdivision is passed on a unanimous vote with all five (5) councilmembers in favor.

6. Discuss and possible action regarding a grace period for Jose Garza, related to the zoning code regarding the use of a Recreational Vehicle used as a single-family home within the Manufactured Housing Subdivision District at 7526 Norris West Drive.

Councilmember Riojas motions to direct staff to allow a ninety-day grace period for Jose Garza to come into compliance at property 7526 Norris West Drive. Councilmember Maldonado seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to direct staff to allow a ninety-day grace period for Jose Garza to come into compliance at property at 7526 Norris West Drive is passed on a unanimous vote with all five (5) councilmembers in favor.

7. Discuss and possible action regarding the review of nuisance codes for the City of Elmendorf including Section 14-19 through Section 14-21 related to trash, rubbish, stagnant water, tall grass and weeds, etc., and Section 14-46 through Section 14-50 related to Junk Vehicles.

Mayor Gonzales brought this item onto the table due to the complaints he has received from citizens. He drove around part of the city and counted 151 cars and about 5 boats filled with trash. City Administrator Cody Dailey states this item comes in perfect timing. The new position Code Compliance Clerk/General Clerk approved at the last budget will be working on those violations. Mr. Dailey states the City Council can suggest any changes or recommendations to the current code so everyone will be on the same page when enforcement begins. Councilmember Hicks motions to send notice to the citizens on water bill, website and Facebook.

No action taken.

8. Discuss and possible action regarding the hiring of a third maintenance person.

Mayor Gonzales brought this item forward due to the overwhelming work that is on the current maintenance crew, David Battiest and Toby Garcia. The city is growing and lots of unusual rain. The starting position would pay \$15.00 an hour.

Councilmember Decena motions to hire a third maintenance person. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to hire a third maintenance person is passed on a unanimous vote with all five (5) councilmembers in favor.

9. Discuss and possible action regarding a potential lease with General Asphalt to allow them to park equipment at our 3rd Street well site.

Councilmember Ortiz motions to approve a lease with General Asphalt to allow them to park equipment at our 3rd Street well site. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve a lease with General Asphalt to allow them to park equipment at our 3rd Street well site is passed on a unanimous vote with all five (5) councilmembers in favor.

10. Discuss and possible action regarding Ordinance 11-18-2021-1, amending the Elmendorf Code of Ordinances by adding Article XIII – Recreational Vehicle Parks to Chapter 6 – Buildings and Building Regulations; regulating recreational vehicle parks within the municipal limits of the City of Elmendorf, Texas; providing for the licensing of recreational vehicle parks; providing for inspections, fire protection, and revocation of licenses; providing a penalty clause; providing a severability clause; providing for the repeal of Ordinances in conflict herewith; providing for publication; and providing an effective date.

Councilmember Hicks motions to approve Ordinance 11-18-2021-1, amending the Elmendorf Code of Ordinances by adding Article XIII – Recreational Vehicle Parks to Chapter 6 – Buildings and Building Regulations; regulating recreational vehicle parks within the municipal limits of the City of Elmendorf, Texas; providing for the licensing of recreational vehicle parks; providing for inspections, fire protection, and revocation of licenses; providing a penalty clause; providing a severability clause; providing for the repeal of Ordinances in conflict herewith; providing for publication; and providing an effective date. Councilmember Riojas seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve Ordinance 11-18-2021-1, amending the Elmendorf Code of Ordinances by adding Article XIII – Recreational Vehicle Parks to Chapter 6 – Buildings and Building Regulations; regulating recreational vehicle parks within the municipal limits of the City of Elmendorf, Texas; providing for the licensing of recreational vehicle parks; providing for inspections, fire protection, and revocation of licenses; providing a penalty clause; providing a severability clause; providing for the repeal of Ordinances in conflict herewith; providing for publication; and providing an effective date is passed on a unanimous vote with all five (5) councilmembers in favor.

11. Discuss and possible action regarding the review of Animal Control operations.

Chief Marco Pena states there is an onslaught of dogs in animal control. Chief Pena would like to get more kennels, get more equipment and expand the fence area. Animal Control Officer David Battiest does a good job in adopting dogs out to animal rescues. City Administrator Cody Dailey asks for the direction of the Council by asking if Council wants to invest money in the animal control building that the city never intended to keep. Or should we look into contracting humane euthanasia to control the intake.

Councilmember Decena motions to approve Chief Pena’s request for more equipment; bring forth the numbers. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to approve Chief Pena’ request for more equipment; bring forth the numbers is passed on a unanimous vote with all five (5) councilmembers in favor.

Councilmember Ortiz motions to proceed with Items #12, #13, and #14 in closed session. Councilmember Hicks seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to proceed with Items #12, #13, and #14 in closed session in passed on a unanimous vote with all five (5) councilmembers in favor.

The City Council adjourns for closed session at 8:39 PM.
The City Council reconvenes to open session at 9:48 PM.

12. Discuss and possible action regarding the Elmendorf Community Library, provision of internet service to the library and the internet security at the library. The foregoing agenda item (#10) is specifically

identified for a potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney).

Councilmember Maldonado motions to direct staff to draft a new contract with the library. Councilmember Decena seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to direct staff to draft a new contract with the library is passed on a unanimous vote with all five (5) councilmembers in favor.

13. Discuss and possible action regarding the possible allowance of swine to be kept inside the city limits of the City of Elmendorf. The foregoing agenda item (#11) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney).

No action taken.

14. Discuss and possible action regarding the review of work on our water project, specifically C.I.D. 06 performed by Qro-Mex Construction. The foregoing agenda item (#12) is specifically identified for a potential closed session in accordance with TOMA section 551.071 (litigation and certain consultation with attorney).

No action taken.

V. Adjournment

Councilmember Riojas motions to adjourn the Regular City Council Meeting. Councilmember Ortiz seconds and a vote is called.

Yay	Nay	Abstain
Councilmember Riojas		
Councilmember Hicks		
Councilmember Maldonado		
Councilmember Decena		
Councilmember Ortiz		

The motion to adjourn the Regular City Council Meeting passed on a unanimous vote with all five (5) councilmembers in favor.

Regular City Council Meeting is adjourned at:	9:50 PM
The minutes were passed and approved on:	December 16, 2021


 Mayor Michael Gonzales


 Attest: City Secretary Roxanne De Leon

